

FEB 3 '37

RADIO

SCREEN

STAGE

# VARIETY

 PRICE  
15¢

 Published Weekly at 154 West 46th Street,  
Entered as second-class matter December

 Y. by Variety, Inc. Annual subscription, \$6. Single copies, 15 cents.  
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Vol. 125 No. 8

NEW YORK, WEDNESDAY, FEBRUARY 3, 1937

72 PAGES

## DEMAND MORE B'WAY HITS

### New Org. of Film Audiences Hopes To Influence Production Standards

Newly formed Organization of Film Audiences will attempt to influence film production in the U. S. First conclave was attended by executive members of various church, peace, labor and student organizations for the purpose of formulating plan of action. Differing from strictly cloth and censorship bodies, the new group is comprised of a cross-section of average audience representatives which, at present, claims a potential audience of over 40,000 people.

The specific aims of the new organization are to curtail production anti-labor and pro-fascist films and to promote the increase of cultural, instructive and anti-war films. This will be done by wholesale endorsement of films similar to 'Black Legion' (WB), 'Fury' (MGM), 'Winter Set' (RKO) and the proposed anti-war film being readied by Metro, 'They Gave Him a Gun'.

As in the case of 'Winterset', considered a highly cultural film, and which is doing spotty business, Film Audiences feels that it can aid greatly in making such films more successful with its propaganda machine.

Methods of organization will work both ways either panning or plugging productions. A representative stationed in Hollywood will keep the New York office informed of production activities and trends. When a proposed production fits in with the attitude of the organization and (Continued on page 57)

### MUSIC TYPEWRITER ON GERMAN MARKET

Berlin, Jan. 24.  
Long-awaited invention has finally come to pass—a typewriter for music. It has already been perfected to such an extent as to enable cheap prices right off the bat. Inventor is M. Rundstalter, a German engineer. His new contraption has 44 keys with the five lines, clefs, time and notes, making it possible to write a whole piece in a few minutes.

### 'Reeling Coronation

London, Feb. 2.  
Five standard newsreel companies will be given equal rights on filming of the Coronation, but British Movietone News has managed a bit of a break by arranging exclusive rights to film the ceremony in technicolor. Movietone will use 40 cameras for the affair and take 40,000 feet of film.

### JUST A RUB-DOWN

N. Y.'s due-bill brokers upon a freak 'night out'. They're passing up all the niteries, hotels, etc., for a group fling at a Turkish bath, including cards, drinks, eats, etc.

### Angels and Angels

In some scenes in 'The Eternal Road', Manhattan O. H. N. Y., a panel spotted in the extreme rear-center and high up at times discloses a celestial chorus.

One customer, and unable to see the panel, went to the box-office and complained: 'I can't see the angels'.

'There's two of 'em standing right over there,' replied the ticket seller, pointing to a couple of the spec's backers.

### WPA HAS 500,000 CUSTOMERS WEEKLY

Washington, Feb. 2.  
About 500,000 persons see productions of the Federal Theatre Program each week, statistics here reveal.

Works Progress Administrator Hopkins says that approximately 15,000,000 persons have taken in the performances by jobless legit companies functioning under Federal auspices. Total of 28,191 performances has been presented.

While there was no break-down on patronage different cities the figures show attendance during September, October, November and December averaged 1,214,000 monthly.

### 20-FOX HAS MARTIN JOHNSON'S LAST PIC

Last footage lensed in the jungles by the late Martin Johnson will be released by 20th-Fox Aug. 1 under the title, 'Borneo'.

It will be in 8,000 feet, cut from 175,000 feet purchased by the studio. Original footage was 300,000 feet.

Pittsburgh, Feb. 2.  
Joe Tilton, Pittsburgh sound technician who accompanied late Martin Johnson on an expedition to Borneo last year, goes to California this week to go for Johnson on a lecture tour interrupted by death of celebrated explorer plane crash.

Rumors current that he would make plans with Mrs. Johnson, still hospitalized with injuries received in same crack-up, to carry on the work of her husband were branded 'ridiculous' by Tilton.

'If I do plan to participate in further explorations,' he told news-

(Continued on page 71)

### NOT ENOUGH LEGIT SUCCESES SO FAR

Theatre Brokers, Always a Good Barometer, Attest to Legit-Hungry Public—The Current Crop of Hits Too Few—Even Cut Rate Trade Feels Dearth

### HORDES OF STANDEES

Box-offices and ticket agencies are indexes of legit theatre trends, with the latter probably a surer gauge. And brokers declare that Broadway could do with 15 attractions more than the 23 which were current last week. Four more will be added during this week for a current total of 25, two having withdrawn but list should approximate 30 shows by next week.

And in the winter producers discerned the revived interest in the stage and it was estimated that the main sign could support at least 20 hits this season, in addition to as many moderate successes. As it is, there is an unusually high percentage of hits compared to the total, not counting the possibilities of this and next week's premiere cards.

There are 12 strong new grossers and four holdovers. Latter's figures are not high, but the shows are consistent profit-earners.

Ticket brokers now state they cannot get enough tickets because there are fewer attractions than the market could stand. Agencies are 'going clean' almost nightly, turning away customers because there are no tickets remaining to be sold.

That is a complete reverse of other seasons. Even the boom times there were always returns.

During January it was estimated that theatre attendance was 10% better over last year and ticket men figured that the betterment would have been 40% up but for the epidemic of influenza and other respiratory ills.

With New Year wet but open winter, not as many people are going to the winter vacation spots, and theatres figure to prosper during February. Annual season is dated immediately after Washington's Birthday (22), what with this year's early Lent plus the federal and state income tax payment periods. However, whether the slump will be as marked as usual remains to be seen.

Even the cut-rate ticket sales have jumped forward, but there are not (Continued on page 62)

### Critics' Box Scores

Mid-season Box Score on the New York and Chicago film critics will be found on Page 3. Dramatic critics' score Page 60.

### Chorus Girls Slide Down Bannister To Make Cues on Fast Changes

### Flood Inspires Song

stemming out of latest river overflows reached the music counters around New York last week. It was 'Flood Waters,' with Jack Mills the publisher.

Tune is the first published work of Ruth and Allan Sondera, brother and sister, who live in West Orange, N. J. He's a lawyer and she's a school-marm. Pair wrote it ala lament over the weekend and placed it Monday (24). Copies were on the counters Thursday.

### RADIO CHORAL BEES MAY HYPO BALLADS

Music publishers wondering whether the spread of community singing programs among the inter-laden stations as well as the networks will open the way for the re-popularizing of the old-fashioned ballad. Couple of major pubs have already started to acquire tunes of this type with a view to putting them on the market when they think the time ripe.

Genre of the sentimental ballad that they have in mind dates back to 'Just a Girl That Men Forget' and 'What a Pal Was Mary'. Enthusiasm with which the pubs hear these tunes sung over the air by the younger generation among studio audiences has developed the impression that new appetite is being whetted and that with a little enterprise this angle might prove a resuscitating sheet grosser.

### SCREEN'S VOLUNTARY PROHIBITION EDICT

Hollywood, Feb. 2.  
Prompted by reformers, Joe Green. Hays rep, has warned all studios that the purity seal will be withheld unless drinking and drunkenness in pictures is soft-pedaled. Of late there has been entirely too much tipping done on the screen, says rep.

Ultimatum to studios stated that churches and women's groups are complaining about the undue wetness of films and that the producers' association will insist on rigid enforcement of the order, claiming that the move is necessary to forestall possible legislative action. Edict was framed at last week's producer meeting.

Cleveland, Feb. 2.

Probably the smallest burly house next to Toronto's is the local Roxy, which has a stage only 14 feet deep and 32 feet wide. No room for any scenery. Just six thin curtains way in front and everything is done on two staircases in back. Majority of effects have to be with lighting.

House has a circular runway built around deep orchestra pit, but it's a bugaboo. Less than three feet wide, nearly every new stripper just misses falling off it the first day. Chorus learned the safety-first trick of holding on to each other, in case one slips. No casualties yet.

Roxy also so small that a door had to be smashed through wall to another building, where dressing rooms were built upstairs. Gals have learned to slide down circular iron stairs. Make better time, as it's so narrow only one can go down at a time.

Capacity of auditorium is 800, spot is only burly stand in town and a gold-mine for George Young, owner and nitery backer.

### HENRY HULL JR. APES PAPA IN GUILD PLAY

Henry Hull, Jr., was selected to double for his father in the Theatre Guild's incoming 'Masque of Kings' because of the striking resemblance of the two. Show opens Feb. 8 at the Shubert.

Youngster's part as Bratfish calls for him to impersonate his dad, who acts Prince Rudolph. Script specifies a physical likeness in the characters for realistic effects. Light, makeup and costuming takes care of little defects so the kid creates the general impression that it is the same person.

### Jesse Owens, Maestro

Jesse Owens, Olympic champ sprinter, since turned pro, will front a colored band being built by Consolidated Radio Artists. Fleetfoot maestro will act as vocalist also.

Band of 14 pieces will be booked on one-niters throughout the east and Cleveland territory, Owens' home grounds.

ADVERTISEMENT

### TRUTH ABOUT RADIO POLLS

See Page 44

# Fred Niblo Inserts Hollywood Defense Into His 'Professional Parade' for NBC

Fred Niblo, drum-majoring the 'Professional Parade' over the NBC blue, is now putting in a weekly roll for the picture industry. In a discussion of the meaning various persons attach to the phrase 'Going Hollywood,' the director of silent films is including explanations of and answers to statements often made about the picture business and its stars. On last week's broadcast, Niblo led off with the reply a newspaper editor made to the question of what 'going Hollywood' meant, it being 'going crazy'... paying salaries of \$6,000 and \$8,000 weekly. Saying that he would take up, on a later program, the matter of salaries and what principals did to earn them, in the country's fourth largest industry. Niblo remarked that 'Ben Hur,' which he directed, cost \$3,000,000 to duce and 'paid back six to one.'

Veteran then swung verbal clubs for Norma Shearer, whom, he said, a 'widely-read' columnist of a metropolitan daily had quibbled as holding hands, in a New York night spot, with a musical director. There was basis for the 'Hent or innuendo,' declared Niblo, even though the act described therein had taint of wrong doing. The actress—not mentioned by name until the climax—had known her 'since childhood,' was proud to be one of her friends, and was 'sorry' she had been again wounded, after her recent bereavement.

Listener reaction to Niblo's comments—he insists they are not a defense—Hollywood—should be excellent for the picture business. No Hollywooder of importance heard regularly on the radio has less an air of what most people associate with the film capital than Niblo, and few of them strike just his note of gentle sincerity.

## DEVAL'S NEW B'WAY PLAY; PROD. UNIT OUT

Hollywood, Feb. 2. Jacques Deval, author of 'Tovarich,' winds up his 20th Century-Fox film writing contract when he completes 'Rings on Her Fingers' for Simone Simon, after which he heads for Broadway and production of his new play, 'Heaven and Return.'

Deval's 20th-Fox stint is over April 30. Accordingly this halts the French playwright's indie production idea for Darryl Zanuck.

## Waring's \$150,000.

Fred Waring's Pennsylvanians will receive \$150,000 for their picture. It's a record high for a band in a film. WB made two features with Rudy Vallee and has been on-and-offing a third filmical.

## 'TOP' MUSICAL SCORE

Previna's Footage on 'Town' Runs About 5,000 Feet. Hollywood, Feb. 2. Longest musical score ever written has been completed by Charles Previna for Universal's 'Top of the Town.' Footage runs more than 5,000 feet.

Lecture will be the first to use the electrical Research Products, Inc., push-pull sound recording system throughout for both dialog and music, according to Homer G. Tasker, head of U's sound department.

## Team Raymond-Sothern In RKO's 'Take It Easy'

Hollywood, Feb. 2. Gene Raymond and Ann Sothern have been teamed again at RKO for leads in 'Take It Easy,' which will hit the cameras this month.

Francis and Marion Cockrell did the original. Al Lewis produces.

## WB Facts O'Connell

Hollywood, Feb. 2. Hugh O'Connell goes under an acting contract to Warner. Comedian received the covenant as a result of his work in the recently completed 'Ready, Willing and Able' at the studio.

## Smudge-Pot Blackout

Hollywood, Feb. 2. Standard 'gag' among the country gentlemen of the studios since the freeze eskimood \$60,000,000 in citrus orchards is greet fellow sucker, 'Hey, buddy, wanna buy orange grove?'

## 'Good Earth' Premiere to Shanghai Via Shortwave From Loew's WHN, N. Y.

Premiere of 'Good Earth,' at Astor theatre, N. Y., last (Tues.) night was picked up from WHN, New York, via short wave by WXLB, China Press station at Shanghai. This was the first time that U.S. metropolitan motion picture had been broadcast in Chi.

Henry E. Gellermann, New York correspondent for the China Press, spoke to Shanghai listeners first in English and then in Chinese over WHN outlet. Jay C. Flippin, Jimmy Jemal and Radie Harris gave word picture of celebrities attending initial performances of Metro feature.

## ANNA NEAGLE CAN NOW PLAY QUEEN VICTORIA

London, Feb. 2. Anna Neagle will play the role of Queen Victoria in 'Victoria the Great,' film to be produced and directed by Herbert Wilcox. Film is being figured for release on June 21, immediately after the expiration of the Lord Chamberlain's ban on use of the character in entertainment.

Tests are being made for a male lead to act the Prince Consort role; with no one set yet. H. B. Warner, however, will play Lord Melbourne.

## 'Original' Legion Yarn?

Hollywood, Feb. 2. Universal has assigned Kyrril de Shishmareff, erstwhile Foreign Legion officer, to write an original Legion story.

Writer recently completed original and screen play of 'March' Die.

## Ellen Prescott's Bow

Hollywood, Feb. 2. Ellen Prescott, recently termed at 20th-Fox, makes her debut in 'Wake Up and Live.' Etienne Girardot also has been added to the cast.

## KRASNA'S MG INITIATOR

Hollywood, Feb. 2. Luise Rainer will top the cast in an untitled picture at Metro which Dore Schary is conceiving. It will be Norman Kraska's first picture as a producer on the lot.

## ARRIVALS

Julien Benda, Manuel Quiroga, Harry A. Cahill Gertrude Ruenger, Zavatta Zoppe Circus, Sarah Allgood, Marlene Dietrich, Lou Holtz, Gina Cigne, Atilio Lamponi, Gus Eysell, Glen MacWilliams, Eleanor Mindling, Karl Brannell, Chayele Grober, Marie Amatore, Rudolf Friml, Swana Wanda, Maggie Teyte, Arthur Pear, Mr. and Mrs. Albert Lewi, Fidele Koenig, Jeanne Gauthier, Clyde Hager, Eddie Ows, Melitta Brunner.

## SAILINGS

11 (London to New York) Irwin Dash (Manhattan). Feb. 10 (New York to London) William P. Carney (Queen Mary). Feb. 2 (New York to London) Tullio Carminati (Bremen). Jan. 30 (West Indies Cruise) Mr. and Mrs. Len Libbey (New York). Feb. 30 (New York to Buenos Aires) Jose Maria Reynal (Southern Cross). Jan. (New York to London) Rebecca West, Leon Gordon, Ben Thau (Aquitania). 29 (New York to Havana) Jerry J. Karpf (Lafayette). Jan. 27 (New York to Paris) Hattel Espagnol (Deutschland).



KEN MURRAY AND OSWALD

Nelson Bell of the Washington Post says: 'Ken Murray is a riot on the Earle stage this week. Mr. Murray is one of the theatre's foremost contemporary buffoons, whose basic humor is sound, and veratility great. As his chief foil he has with him Oswald the "Oh Yeah!" of the radio broadcasts who, in addition to his chatter, plays an accordion solo and practically tears down the house.'

## ACAD. AWARD DINNER MARCH 4

Hollywood, Feb. 2. Ninth annual Academy of Motion Picture Arts and Sciences' awards banquet will be held in the Biltmore hotel, Los Angeles, March 4, according to Frank Capra president of the organization. George Jessel will toastmaster.

In meantime, committee of 50 members is discussing achievements in order to vote upon the nominations for 10 productions, five actors, five actresses, five directors, five writers, five supporting actresses and actors. Each member will vote upon the nominations by tomorrow (Wednesday).

Committeemen held a meeting last week and nominated six original picture songs, five film scores and nine recording achievements to appear on the final ballots on which the general membership will vote. Nominations for the best songs of the year are:

'Di Remember?' authored by Walter Donaldson and Harold Adamson, and used in 'Suzy' (MG). 'I've Got You Under My Skin,' by Cole Porter and used in 'Born to Dance' (MG). 'A-Melody From the Sky,' by Sid Mitchell and Louis Alter, used in 'Trail of the Lonesome Pine' (Wander Par). 'Pennies Ain't Heaven,' by Arthur Johnston and John Burke, used in picture of the same name (Col.). 'The Way You Look Tonight,' by Jerome Kern and Dorothy Fields, used in 'Swing Time' (Radio).

'When Did You Leave Heaven?' by Richard A. Whiting and Walter Bullock, used in 'Sing, Baby, Sing' (20th-Fox).

Musical scores from the following films were nominated: 'Anthony Adverse' (WB). 'The Garden of Allah' (Selznick-Inter.). 'The General' led at (Par). 'The Charge of the Light Brigade' (WB). 'Winterset' (Radio).

Following list of productions was nominated for the award in sound recording: 'Banjo On My Knee' (20th-Fox). 'The Charge of the Light Brigade' (WB). 'Dodsworth' (Goldwyn-UA).

'General Spanky' (Roach). 'A Girl From Paris' (Radio). 'Mr. Deeds Goes to Town' (Col.). 'San Francisco' (MG). 'The Texas Rangers' (Par). 'Three Smart Girls' (U).

Nominations for the best film editing jobs of the past year were made last week by the Academy committee. Tie in fifth place necessitated a sixth selection instead of the usual five.

Editors and their pictures: Ralph Dawson, 'Anthony Adverse,' WB; Ed Curtiss, 'Come and Get It,' Goldwyn; William S. Gray, 'The Great Ziegfeld,' MG; Rogers McLean, 'Loyds of London,' 20th-Fox; Conrad Nervig, 'Take It Easy,' RKO; Otto Meyer, 'Dodsworth,' Goldwyn; and Henry Wilcox, 'The Charge of the Light Brigade,' WB.

# B'way Managers See Dramatists' Guild Stymie in 'New Plays' Contest

## Nuh!

Hollywood, Feb. 2. With numerous Irish writers on the Warners lot, Pat C. Flick and Aben Finkel were picked to write 'Three Cheers for the Irish.' Earl Baldwin, associate ducer, id the pick!

## Rosita (and Ramon) Settles Her Billing Suit Vs. Warner Bros.

Settlement of the suit brought by Marie Louise Hanrick Reachi against Warner Bros. for an accounting of the profits of the picture, 'Goldiggers of 1935,' was announced in N. Y. federal court Saturday (30). Details of the settlement not revealed.

Mrs. Reachi, the Rosita of the former dance team of Ramon (Reachi) and Rosita, claimed that Warners had advertised the team as a feature of the 'Goldiggers' picture without her consent, the team not having appeared in the film.

In its answer to the action Warners claimed plaintiff's husband, Antonio de Reachi (Ramon) had even them his consent. Ramon appears with a new partner since his marital split from the original Rosita, and in the WB filmical he billed himself Ramon and Rosita. Si then is femme vis-a-vis is known as Renita.

## HERB POLESIE MADE PAR PRODUCTION AIDE

Hollywood, Feb. 2. Herb Polesie has been boosted from Paramount's writing staff to assistant to Benjamin Glazer, producer.

Polesie, former roadway producer was handling the Shell-Chateau radio show for J. Walter Thompson before joining.

## They'll Listen

Whether Hollywood will snare Alfred Lunt and Lynn Fontanne for one film during their visit to the Coast in 'Idiot's Delight' is questionable. Duo, however, would listen to propositions, it has been indicated. Lunts expect to be tied up with rehearsals of 'Amphitryon' during the tour. Show will star them in New York next season.

## N. Y. to L. A.

Constance Bennett. Joe Bigelow. Bertram Bloch. Russell Crouse. Irving Daskin. Chris Dunphy. Florence Eldridge. Mr. and Mrs. Douglass Fairbanks. Jesse Goldberg. Lou Golden. Joe Laurie, Jr. Ted Lesser. Fredric March. Boris Morros. Doris Nolan. Norma Shearer. Robert E. Sherwood. Sol Straussberg. Gloria Swanson. Mary Young. Adolph Zukor.

## L. A. to N. Y.

Jean Arthur. Raymond Bond. Jackie Cogan. Cheryl Crawford. Lou Diamond. Marsha Hunt. Horace Jackson. Herman J. Mankiewicz. Floyd Odlum. Fred Peltou. Nat Perrin. Dorothy Peterson. Daphne Pard. Juanita Pollard. Sylvia Sidney. Luise Rainer. Harry Takiff. Joseph Walker. Henry Wilcox.

While picture companies were highly satisfied with results of first Bureau of New Plays contest, which ended over the week-end, New York managers were incli to sneer at it as practically meaningless. As result of the contest five fellowships and scholarships totaling \$8,750 were set up, going to college boys who had not previously had plays produced.

Columbi, Metro, Paramount, 20th-Fox, Universal and Warners put up the coin and started the Bureau, idea being to find new playwrights. Manuscripts submitted totaled 212.

Whole thing started while the managers and writers were feuding over a new contract last summer. With the managers now lined up on the writers' si, and the two factions opposed by Hollywood the 'contract rules,' it means that the plays submitted in the contest, none of the plays which won the contest and none of the plays likely to be written under the fellowshi are likely to be produced.

Filmites are still bitterly opposed, so they say, to the contract whereby managers and dramatists are satisfied to produce legit plays. But if the plays are to be produced by any reliable managers it means the film companies must accede to them being produced under this contract. If the film companies give in on this, they give in on the whole fight. Only alternative is for the film companies to set up new legit producers of their own. These producers would automatically find themselves black-listed by the Dramatists' Guild and might have trouble with Equity and other organized legit sources.

## SIMONE AND PETE HAVE THOSE HOMELAND BLUES

Hollywood, Feb. 2. As if current influx of flu were not enough, two serious cases of homesickness have hit the 20th-Fox lot. Simone Simon, having stayed almost two years after coming for initial 8-month period, wants to get back to France and is demanding French leave. Studio suggests a month in March or April, after 'Seventh Heaven' is washed up, but Miss Simon is holding out for chance to stay away until the fall. Peter Lore, asking for time out to go back and visit village of Rothenberg, in Carpathian mountains, where he was born, and to which he has not returned since age of six. Chances are he'll be free to make trip after finishing work in 'The Slave Ship.' But the European menace has a way of getting cast i plenty of pix which may stand in his way.

## Equity Suspends Brent

George rent is the latest Hollywoodian to be suspended by Equity for not joining the Screen Actors' Guild. Charges were filed against him about a month previous, actor failing to make any defense.

Such suspensions are apparently only effective if and when those so listed desire to re-enter legit stage. Before they can be reinstated they must pay the accompanying fine of \$100 annually.

## Broderick-Moore Teamed

Hollywood, Feb. 2. Actor Moore and Helen Broderick have been set as tops for RKO's 'Mrs. America,' formerly titled 'Lady Average,' which Jack Twenley is screenplay. Jack Goodman and Albert Leventhal did the ori. Pair also team in radio.

## RKO WANTS RITA JOHNSON

Baltimore, Feb. 2. RKO dickering for Rita Johnson, currently in an ingenue role in the George M. Cohan starrer, 'Fulton of Oak Ridge.' 'Arthur Willi caught actress' trouping, and is, now negotiating with William Morris office, which handles Miss Johnson.

# FILMED GRAND OPERAS NEXT

## Film Critics' Box Score

AS OF JAN. 30, '37

Key to abbreviations: PC (pictures caught), R (right), W (wrong), O (no opinion), (percentage).

	PC	R	W	Pct.
ARCHER WINSTEN (Post).....	60	48	12	.800
MAE TINEE (News).....			24	.781
HOWARD BARNES (Herald-Tribune).....			13	.771
ROSE FELSWICK (Journal).....			14	.720
BLAND JOHANESON (Mirror).....			50	.707
REGINA CREWE (American).....			26	.700
FRANK S. NUGENT (Times).....	93		28	.688
EILEEN CREELMAN (Sun).....	121	80	35	.661
WILLIAM BOENNEL (World-Tele.).....	175	110	65	.628
ROBERT GARLAND (American).....	91	55		.604

VARIETY (Combined)..... 324 275  
(This score based on 324 pictures)

Note—Robert Garland is a new name; having joined the American, where he is splitting film coverage with Miss Crewe, formerly alone on the job.

## CHICAGO

	R	W	Pct.
DORIS ARDEN (Times).....	139	103	.56
MAE TINEE (Tribune).....	131	92	.59
CAROL FRINK (Herald-Examiner).....	119	81	.59
CLARK RODENBACH (News).....	106		.660

† Eleanor Keene  
† Frances Kurner

(This score based on 156 pictures)

## IDEA NOW UNDER SERIOUS THOUGHT

Would Necessitate Compromise on Book and Score—Just One or Two Major Arias—Liberal Film Adaptation With Operettas

### MAYBE IN A YEAR

While several major picture producing companies still attempting to decide whether grand opera is ripe for the screen, few talent executives believe that entirely purist operatic versions will be ready for the market for a year or more. And none will definitely commit themselves as to the exact time such a production is to be started.

Although many of the majors have operatic divas on their payrolls, not one has been daring enough to present them in out-and-out grand operas. There are four outstanding obstacles to pushing forward with old-time opera.

First is the necessity of selling the merits of such pictures to the masses. Second is the need of simplifying the stories and eliminating some of the more sombre moods for which many operas are noted. Third point covers the full rights to book and music so that no litigation will turn up subsequently. Fourth factor is the need of getting voice talent that will photograph suitably for screen features.

Some production executives feel that the need of getting around the present unfamiliarity of the general mass of potential patrons is the greatest thing to be overcome. However, a few feel that the film theatre audiences have been fairly well educated in recent years to appreciate out-of-the-ordinaire or better things in plays and screen fare.

This is in line with the recently expressed opinion of a talent official to the effect that grand opera is not palatable as mass entertainment in its present form. He arrived at this conclusion after looking over possibilities of all well-known operas that might catch on at the box office. He glimpsed and heard them under the most favorable circumstances at the Metropolitan in New York.

Feeling now is that the industry will be able to handle grand opera versions by simplifying them so that

## HARRIMAN BANK'S 37G AWARD VS. BLUMEY

A judgment for \$36,967 was entered Thursday (28) Federal Court, N. Y., in favor of Frederick V. Goess, receiver of the Harriman National Bank & Trust Co., against A. Blumenthal. The claims involve two notes for loans which Blumenthal had endorsed in 1933.

One of the notes calling for a loan from the bank for \$25,000 was endorsed by Blumenthal Jan. 19, 1933 in favor of the Mercantile Arcade Realty Corp. The second, for \$3,560, was on a note for \$1,301 loaned to the Lucinda Shops, Inc. The judgment included interest on the loans. Lucinda Shops, Inc. was a former venture (modiste) in which Peggy Fears Blumenthal was interested.

## Winner Loanout

Universal has loaned Charles W. Nivner to Samuel Goldwyn for spot in 'The Woman's Touch'. Miriam Hopkin, Joel McCrea and David Niven.

## Farrow Directs 'Bandit'

John Farrow will direct Boris Karloff in 'China Bandit' for Warner. Crane Wilbur is scripting. Production is slated for Feb. 8.

## Annual Federal Gabfest on Alien Talent Comes Up Again on Feb. 17

### ZaSu Tells 'Em

Paris, Feb. 24. ZaSu Pitts was none too pleased with her Paris visit. Despite her visit here being her first, and despite the inviting shops every non-native visitor flocks to inspect, she let the Paris press know in so many words that all this did not interest her so much as her family back home in Hollywood.

## UA WOULD LIKE LAUGHTON FOR 'HURRICANE'

Hollywood, Feb. 2. United Artists is angling for Charles Laughton for the lead in the next Goldwyn picture, 'Hurricane', which John Ford will direct for them. Difficulty is to squeeze British star's commitments between the 'musts' surrounding 'Hurricane'. Picture has a four-months shooting schedule in the South Seas as part of its setup. Maritime strike still unsettled means uncertainty from that end. Weather too has to be considered.

Goldwyn wants it to be a better 'Mutiny on the Bounty' and has his heart set on Laughton for that reason. Shooting script by Dudley Nichols was turned in Saturday (30). Nichols is not expected to go to Samoa with the unit.

## 'BIG' OF VARIETY TO WRITE FOR GOLDWYN

Joe Bigelow, 36, long on the home-office editorial staff of VARIETY, leaves for Coast on a writing contract for Sam Goldwyn. Bigelow's first chore will be to script comedy material with Bert Kalmar and Harry Ruby on the 'Goldwyn Folies', for which George and Ira Gershwin did the score. Gunno Marx set Bigelow with the studio.

Bigelow is of the young 'old boys' on this paper, growing up into a newsman from an office boy. On VARIETY, besides his regular news and editorial duties, Bigelow distinguished himself by a light writing flair which previously got him attention, both from films and radio. This is the first worthwhile contract he has accepted, however, being offered a deal he couldn't refuse.

Bigelow leaves for Hollywood Friday (5).

## PAR'S 2 ANNUAL PIX

Big to M. Joined by

Hollywood, Feb. 2. Paramount hopes to make 'Artists and Models' an annual musical series akin to its 'Big Broadcast'. Thus far Jack Benny is slated for both the new 'Broadcast' and 'A & M'. As a result, it's currently a question whether a registered idea with the Hays office of utilizing Benny's radio gag title, 'Buck Benny Rides Again', will still be fresh by the time the radio comedian gets through both film musical chores. An effort to keep the phrase alive will be made, however.

## TITLE SWITCH

Hollywood, Feb. 2. Gagged version of 'Wake Up and Live', 20th Century-Fox's starrer for Walter Winchell, with 'everybody sagging under gripe epidemic, is 'Lay Down and Die'.

Washington. Annual gabfest about alien talent will be staged by the House Immigration Committee Feb. 17, when hearings occur on usual proposals to deny admittance to foreign film and stage actors and musicians.

Oratory was assured last week when Representative Charles Kramer of Los Angeles put a stop to planned rush act which would have put the legislation on the House calendar without delay. Protesting that film producers have arguments to present and amendments to suggest, Kramer induced the committee, to grant time to repeat arguments against an air-tight prohibition. Kramer is sponsor of alternative measure which embodies the reciprocal idea, fixing the number of foreign performers admitted here by the number of American entertainers allowed in other nations.

The hearing will be confined, if possible, to a single day, since the alien actor subject has been thoroughly threshed out for several sessions. Last year, for instance, hearings dragged for three days, with same individuals presenting the same views as before. In the event all gab cannot be accommodated on the 17th, the committee will put the matter over until the following Wednesday.

## BEATRICE LILLIE'S 3 PIX FOR MANNY COHEN

Hollywood, Feb. 2. With Beatrice Lillie tagged to a three-picture contract by Emanuel Cohen of Major Pictures, first production tentatively selected is 'English Derby', a musical. Trio of pix are to be made within the next year. Actress, currently in 'The Show Is On', in New York, will arrive here in July. Deal with Cohen prevents the comedienne from making stage appearances during her picture commitment, but she may return to England for visits between productions.

## VARIETY

Trade Mark Registered  
FOUNDED BY ABRAHAM SILVERMAN  
Published Weekly by VARIETY, Inc.  
Sid Silverman, President  
154 West 46th Street, New York City

SUBSCRIPTION  
Annual.....\$5 Foreign.....\$7  
Single.....15 Cents

Vol. 150 No. 8

## INDEX

Advance Production Chart	17
Bills	57
Burlesque	70
Chatter	68
Concert	87
Exploitation	21
15 Years Ago	56
Film Reviews	14-15
Home Reviews	58-59
Inside-Library	62
Inside-Pictures	68
Inside-Radio	42
International Film News	11
International Show News	65
Legitimate	60-64
Literati	66
Musical	50-52
New Acts	54
News from the Dailies	69
Nite Clubs	54
Obituary	70
Outdoors	70-71
Pictures	2-34
Radio	35-49
Radio Reviews	36
Radio Showmanshi	46
Shorts	
Sports	
Times Square	69
Units	58
U. S. Film Booking Chart	19
Vaudeville	53-56
Women	10

## Winsten, N. Y. Post Newcomer, Tops Pix Crix at Midseason; Arden in Chi

Once more a newcomer heads the box-score on film criticism as the 1936-37 season passes the half-way mark. This time it is Archer Winsten of the N. Y. Post. While Winsten displaces Howard Barnes of the Herald-Tribune, also picking pictures for the first time. Barnes has moved into the spot held by Winsten's redecessor the Post, Thornton Delehanly.

When the current season's box-score was last computed, at the first quarter, Barnes and Winsten had caught merely 23 pictures each. Barnes then was in first place with a percentage of .828 and Winsten in sixth with percentage .739. At the time the computation was made, it was mentioned that, in both cases, the scores were not really indicative. As proven at present, when Barnes on 57 pictures has a percentage of .771 and third place, while Winsten, on 60 pictures, climbs way up to the top spot with an even .800.

Kate Cameron of the News is still in the second spot, a position she has held almost all the time, except the couple of seasons she won out. She is crowding Winsten with a score of .781 this time. It was second spot and .780 on the quarterly. And it was second spot and .791 for her exactly a year ago.

Chi Almost Per Usual  
In Chicago, there is little switch-asual. Doris Arden of the Times (Eleanor Keene) who has led the parade constantly in that sector for the past five or six years, is still up there, with a score of .741. Mae Tinee (Frances Kurner) of the Tribune has moved up a notch since the quarterly. Carol Frink of the Herald-Examiner moving up with her and Clark Rodenbach of the News being shoved into the cellar. This trio constantly shifts back and forth, but Miss Arden usually a goodly distance ahead.

Combined this time is a rather good one, giving the best average for the paper in a number of years. And all those wise-cracks about the paper tabbing itself still go.  
In the runner-up positions in New York there has been little fluctuation since the tabulation the quarterly score for the season. See Pelswick of the Journal is down a notch to fourth at .771 with Bland Johaneson and Regina Crewe following her, as they did then. Frank S. Nugent of the Times is up a notch (Continued on page 27)

## 'Damaged Goods' Remake

Hollywood, Feb. 2. U. S. government will co-operate with Phil Goldstone on the production and release of a remake of 'Damaged Goods' in a drive against social diseases. Upton Sinclair is adapting the Eugene Brieux play.

New version puts heavy emphasis on the yarn, whereas the silent film played up Arnold Bennett's leading role.

## MARCH HEADS CAST OF S-I'S 'LET ME LIVE'

Hollywood, Feb. 2. Redric March is set for the lead in 'Let Me Live', Selznick-International production, which will be handled by E. Lloyd Sheldon. Picture is slated to start shortly after March returns from New York, where he is vacationing.

Film will be produced in color. William A. Wellman, who will direct, also wrote the original with Robert Garson. John Lee Mahin is scripting.

## 2 Marriages Cold

Hollywood, Feb. 2. Two film marriages hit the rocks Feb. 1 after a few days. Ave Gould, Metro dance director, was granted an annulment from Frances Paxton, screen actress, and Helen Burgess, film player, called it quits with Herbert Rutherford, piano instructor, after 10 hours.

## Betty 'Easy Going'

Hollywood, Feb. 2. Betty Grable will be the femme topper with Bert Wheeler and Robert Woolsey in RKO's 'Easy Going'. Nat Perrin scripted from Avery Hopwood's play.

## PASTERNAK'S PIRANDELLO

Hollywood, Feb. 2. 'As Before, Better Than Before' will be produced by Joseph Pasternak at Universal.  
F. Hugh Herbert is scripting the Luigi Pirandello play.

# After 10 Years in Show Business, Aylesworth Joins Scripps-Howard

M. H. Aylesworth steps out of the amusement business in which he has been prominent for more than a decade into another field, as a member of the general management of the Scripps-Howard Newspapers, (UP).

Aylesworth resigns from the chairmanship of the Radio-Keith-Orpheum and cease association with this firm before March. He leaves also all associated with the Radio Corp. of America.

Long an intimate of Roy W. Howard, Aylesworth becomes associated with Robert P. Scripps, William W. Hawkins, George B. Parker, William G. Chandler, John H. Sorrells and Paul Patterson.

Aylesworth came to the show business from the electrical and utility ends. He organized and was the first president of the National Broadcasting Co., hold that post for 10 years. For several years he held simultaneously the presidencies of NBC and RKO, serving RKO without compensation.

He resigned from the presidency of NBC in January, 1936 and became vice-chairman of the company so that he could devote his time to RKO, then undergoing reorganization.

Aylesworth came to RKO, when that firm's financial position was growing more precarious right along.

Both NBC and RKO at that time were dominated by RCA. Aylesworth has stayed with RKO long enough to see that firm regain its financial strength under his administration. It was not until he resigned the presidency of NBC that Aylesworth received a salary from RKO. This was around a year ago.

For several years he administered the affairs of RKO, without pay.

Aylesworth was instrumental and possibly chief factor in the negotiations whereby Atlas Corp. (Floyd Odlum) and Lehman Bros. purchased control of RKO from RCA, for an aggregate sum of \$11,000,000. Atlas and Lehman Bros. purchased half of RCA's holdings in RKO, forthwith, holding the balance on option.

Prior to joining NBC, Aylesworth achieved a record as chairman of the Public Service Commission of Colorado. It was through Owen D. Young, primarily that Aylesworth came into NBC. His success at NBC led the "RKO" people to turn over the administration of RKO to Aylesworth.

It was chiefly through Aylesworth that the RCA film equipment end, known as Photophone, received its impetus and a new lease of life in the trade. Aylesworth was the chief factor that opened up the major company recording business and a good part of the reproducing business, additional to RKO, for RCA Photophone.

Aylesworth resigned the presidency of RKO and became chairman of that company board shortly after the Atlas-Lehman group gained control of the film and theatre company.

It was generally felt in the trade and in financial circles that Aylesworth might resign from RKO upon that company's reorganization. There is a reorganization plan for RKO now pending before Federal Judge William Bondy, in N. Y.

Aylesworth's action would seem to indicate that RKO is set for reorganization under a feasible plan, therefore, Leo Spitz is now president of RKO, but Aylesworth's successor as chairman of RKO will be is not indicated. Post may not be filed.

## CANTOR'S 'BABA' INITIAL AT 20TH; FOWLER YAM

Hollywood.

'Ali Baba Goes to Town' will be title of Eddie Cantor's first picture at 20th-Fox. Story, an orig by Gene Fowler, formerly was tagged 'His Arabi' Nights'.

Yarn was moved up ahead of Cantor's scheduled 'Saratoa Chips'.

## U SEALS WM. GARGAN

Hollywood, Feb. 2.

William Gargan's contract with Walter Wanger has been sold to Universal. He will go into that studio's 'Wings Over Honolulu'.

Gargan had been at the studio for leads in two recent films, 'Flying Hostess' and 'Breezing Home'.

## FILM BIZ SCOUTS BURLESK

Paramount Reported Screen Testing Couple of Strippers

Chicago, Feb.

Despite the fact that Milt Schuster added Amy Wong, Chinese stripper, and four girls to the Billy Watson Beef Trust for its current Chi engagement, he's plenty worried. Seems that the picture companies are about to raid the burlesque business.

Paramount has offered picture tests to both June St. Claire and to Dorothy Dee. Tests will come after June St. Claire finishes her March engagement at Collisimos, and Dorothy Dee after her early 10 weeks at the N. Y. Gayety.

Hollywood, Feb.

Gypsy Rose Lee's contract with 20th-Fox for one picture with options. Pact signed in Hollywood Jan. 30 through her attorney, J. Robert Broder, provides for her to arrive here June 1 for five-week production period.

Broder carried the contract back to Chicago, where Miss Lee is appearing and then will go to New York.

## 20TH EXPERIMENTING WITH COLOR PROCESS

Hollywood, Feb.

Comprehensive experimental gram, testing latest innovations in color, is reported being started here by 20th-Fox. Probably won't install any color system until convinced of its merits and then maybe only for shorts.

Among tinter systems that will be given the once-over is Dufay, which heretofore has confined its activities largely to still photo work and with 16 millimeter negative.

## ANNA MAY WONG NOT TAKING H'WOOD VEIL

Hollywood.

Anna May Wong will turn femme detective in a series of crime stories Fulton Ouseley, editor of Liberty mag, ill do for the Halperin Bros.

Deal involves six pictures annually for seven years.

This tends to nullify publicity stunt on Miss Wong's retirement in China, although based on the U. S. news.

TUNEFUL GODFATHER

Friml Donates Par-Film Musical Score As Wedding Gift

Hollywood, Feb. 2.

Paramount's purchase of 'And Then Came Spring' for \$25,000 reveals that Rudolph Friml godfathered a newly married couple. Margaret Arvan, protege of Friml, is present, the veteran composer presented her with the score he wrote. Boris Morros heard it and recommended a quick buy. Authors last year wed Robert Sherwood, Coast radio announcer. Yarn is about the perfume industry and goes

## Sedgwick's Joe E. Brown

Hollywood, Feb.

'Flirting With Fate,' next Joe E. Brown starrer David L. Loew will make for RKO cinema, will be directed by Edward Sedgwick.

He was borrowed from Hal Roach.

## FLOODS AND THE MARDI GRAS

New Orleans, Feb. 2.

For the past few days cancellations of hotel reservations for Mardi Gras have been coming in heavily from persons in the flooded areas. Hotel operators said this is due to the fact that they will not be able to get here because of the floods in their own territory and not because they fear a flood here.

Hotel men say, however, that there are five requests for every cancellation and that the Mardi Gras crowd this year will be the biggest in the history of the Carnival.

## Gladys George Polishes MG 'Gun' Van Dyke Megs

Hollywood, Feb. 2.

Gladys George, back from New York, is preparing for Metro's 'They Gave Him a Gun,' with W. S. Van Dyke will direct. William Cowan, Richard Maibaum and Maurice Hapf. Franchot Tone and Spencer Tracy are male tops.

## PIX ACCESSORY SALES OFF 60%

Chicago, Feb. 2.

Drop in sales of accessories has the picture industry sitting up and taking notice, particularly of the trends toward buying more newspaper space, and in co-operative buying of the part of the exhibitors. National sales for the eight major picture companies dropped off about 60% last year; sales formerly being around \$125,000 a month and falling to an average of \$67,000 a month last year. Chicago branches show the least loss because exhi tops here were already small buyers, using mass newspaper space and other methods of exploitation than the average, and hence going only lightly for accessories.

Exchanges are taking every possible means to bring up the sales, even to having their salesmen work on accessories especially, and to co-operative buying by every possible means.

## FAIRBANKS ON COAST TO START 'MARCO POLO'

Hollywood, Feb.

Douglas Fairbanks and Robert E. Sherwood, accompanied by their wives, arrived in Hollywood last Friday (29) to prepare for the production of 'The Adventures of Marco Polo' which Fairbanks will co-produce with Samuel Goldwyn. Gary Cooper has the title role.

Sherwood will script Fairbanks' original yarn.

## PAR'S FILMUSICAL AUDITIONS IN N. Y.

Adolph Zukor, Harlan Thompson, Boris Morros and other studio productions executives on group-auditioned likely film talents while here last week.

Talent was brought in as conveniently as possible for Zukor and others to look at prior to their departure west over the week-end.

## METRO SIGNS RUBY MERCER

Ruby Mercer, songstress, last in 'Forbidden Melody' in N. Y., has been signed by Metro after exhaustive tests conducted by Al Altman for company's Eastern talent division.

Mercer first attracted attention by her operatic work with St. Louis Municipal Opera Company, and was screen-tested only after several months of careful grooming.

## DIAMOND DUSTS HOME

Hollywood, Feb.

Following two-month stay at the studio mulling over Paramount's short subjects, Lou Diamond pulled out for New York.

Herbert Moulton, in charge of the productions, last week signed the Three Rio Bros., currently at the L. A. Biltmore Bowl, for a one-reeler, 'Hollywood Star Reporter'.

## C. K. YOUNG'S SHORT

Hollywood, Feb.

Columbia has spotted Clara Kimball Young, ex-silent screen star, in an untitled short.

Charles Lamont directs.

## Lonsdale's Desert Sieks

Hollywood, Feb.

Following a rest at Palm Springs, Frederick Lonsdale will tie himself to New York for an additional vacation.

He'll return here to write the screen play for 'Kiss in the Sun,' Gary Cooper starrer for Samuel Goldwyn.

## U. S. Figures Overestimated?

Glowing reports of gigantic pick-up in motion picture attendance, emanating from Washington, are tabbed by trade experts as being at least slightly embellished with the prosperity motif that has glossed so many recent New Deal publicity releases.

Recap made by trade organization statisticians this week indicated that previous estimates of 120,000,000 weekly attendance in film theatres for 1929 were considerably overboard in view of the actual revenue subsequently reported by houses and film distributing companies. Conservative trade leaders believe that this figure may have thrown off some of nation's capital estimators since film trade association men say that Washington estimates were off several million dollars on a weekly basis.

Trade organizations employ two means of ascertaining attendance estimates, taking a mean figure between the two estimates. One is based on the theory that the average major picture company takes in twice as much on a feature as it requires to produce, the average percentage paid on the film and the average admish price. The other to get the full gross figures for a particular picture.

## Despite Optimistic '36 Amusement Figures, Average Admish Up Only 3c

## CONTROLLED INTERVIEWS

Kansas City Radio No Like Hollywood Editing of Celebs Talk

Kansas City, Feb. 2.

Local radio stations are squawking because film studios, MGM in particular, demand 'supervision' of interviews with their personalities. A goodly number of these past through Kansas City and stations are usually in a mad scramble to make 'em.

Stations argue that studio supervision kills most of news and human value of players' latest pic. Turns interview into a preview. What statistics want to know is does Sophie Sophie intend to get that divorce, and if so, who's next?

## FLU ON WANE, STUDIO SKEDS NEAR NORMAL

Hollywood, Feb.

Picture production picked up in all studios last week and normal schedules were again in order after heavy inroads made by the flu epidemic. Medical authorities believed that the scourge was on the wane and studios reported a general diminution in the number of layoffs.

On a few sets it was necessary to shoot around players but generally production is back on a fairly even keel.

## CONNIE BENNETT WILL BE 'TOPPER' FOR ROACH

Hollywood, Feb. 2.

Hal Roach tagged Constance Bennett for lead in 'Topper,' which will be produced and directed by Norman McLeod. Deal is for one picture with options. Roland Young also has been c' with production start slated for March 1.

ie Macpherson and Jack Jevne screenplay the Smith novel.

## FRISCO'S SHIP CAFE

After Par Gets Through With 'Souls At Sea' Shooting

San Francisco, Feb. 2.

inland; one of the last of the old saloon ships on the Pacific Coast, was towed into port here last week after having been used by Paramount in the filming of 'Souls at Sea,' the new Gary Cooper-George Raft picture. Formerly operated out of this port by the Alaska Packers' Association, the ship was lent to Paramount, the proviso that she be returned here intact.

Plans are on foot to turn the ship into a cafe and to have it anchored off the 430-acre manmade island being built for the 1939 Golden Gate International Exposition.

## MCCARTHY'S WB SHORTS

Clem McCarthy has been signed to make a series of sports shorts for Warner Bros. Vitaphone at Brooklyn studios. New sort of commentary technique will be used with nearly all fields of athletics covered.

McCarthy will not start on these pictures until he returns from the Coast, where he is broadcasting the two ace races at Santa Anita for National Broadcasting Co.

## LeRoy's Merman

Mervyn LeRoy has, signed for Ethel Merman to a pact calling for her appearance in one picture a year in productions he will make for Warner Bros.

## HENIE ON 'THIN ICE' IN HER NEXT AT 20-FOX

Sonja Henie's picture at 20th-Fox will be 'Ice,' which Melville Baker is scri for Laurence Schwab will produce.

Production start is set for March with Miss Henie expected back from her skating tour by that time.

# HOME TELEVISION IN 1939

## Lohr Limits Visio to Big Towns

San Francisco, Feb. 2. By putting television on the market now, RCA would freeze the art, Lenox R. Lohr, NBC prexy, told local newspapermen in an interview last Saturday (30). Although admitting that television in its present state of development has high entertainment value, Lohr pointed out the fact that receiving sets sold today would be worthless tomorrow should any further developments be made. In addition, any change would necessitate the scrapping of all transmitters, which cost a quarter of a million dollars apiece to build, he declared.

Lohr, who spent two days here prior to departing for the Pacific Northwest for an inspection of NBC facilities, to be followed by a visit to the web's Hollywood studios, declared that no city of less than 100,000 population will have television transmitters, due to their high cost.

While 95% of the country, geographically, will continue to depend radio, Lohr said, television transmitters will be spotted in the heavily populated sections so that about 50% of the people will be able to use visio receivers, which pick up television signals only within a radius of 30 miles.

Many sections already have placed orders' television equipment, Lohr stated, which they will purchase the moment it is ready for the market. A year is required to build a transmitter.

Lohr discussed the problems of program production for television broadcasting at considerable length, and also various technical difficulties which must be mastered.

Also told newspapermen that a power increase to 50,000 watts will be sought for KGO, NBC-Blue Network outlet in San Francisco and key stations of the Coast Blue web. Was to have delivered an address on 'Television' at the luncheon meeting of the Commonwealth of California here Friday but did not arrive in time, his train being several hours late. Don E. Gilman, NBC vice-prexy in charge of the Western Division, substituted on short notice, Gilman is accompanying Lohr on his Coast trip.

## 10 YEARS BEFORE COMMERCIALLY

Television in America Now Seen as a Reality in 1939—But Strictly Home Proposition—And, Like Radio Its Infancy, a Costly Domestic Hobby—Huge Cost of Co-axial Cables Curbs Its Big-Scale Commercial Advance

### 3 SYSTEMS

will be a reality in the U. on a modified or localized scale by the end of 1938 or early in 1939 at the latest. That is the opinion of conservative laboratory experts and contact men between the television interests and radio companies who have recently surveyed the situation.

It will be strictly a home proposition, much the same as radio, even then, such, television will be an expensive domestic hobby, again falling into the same category as radio in its infancy.

While, undoubtedly, promoters may attempt to beat the gun by trying to crash the market with makeshift televisual equipment or plans, and such trials are expected to be expensive propositions both for the promoters as well as any investigators who are inveigled into putting coin in such attempts. That is the way research men view the situation.

The reason they summarize it in this manner is that television is too serious a problem and far too expensive to be juggled around like a quickie film production. They realize that such attempts to beat others into the field will catch some over-anxious experimenters going out without transmission stations ready or receiving sets, fitted for adequate reception, prepared for service. Such wildcaters stand to lose their shirts, but, of course, there's always the danger that the innocent 'stockholders' also will be enveloped.

While television may be used locally much in the same manner as radio originally only was broadcast on a limited scale from the principal key cities, it will be some years hence before transmitting over distance will be possible than 40 to 50 miles will be greater. That's a question (Continued on page 67)

## Smash December, 1936, Amus.

## Grosses, Sent Show Biz's U. S.

## Taxes Nearly \$2,500,000 Over '35

### Zukor Glad It's Over

Having been in, praised and broadcasted in Hollywood and Washington, D. C. Adolph Zukor told his associates at Paramount he was glad his 25th anniversary celebration was drawing to a close. 'I am anxious to get back to work,' he said. He arrives at the studio day.

### Washington,

Whopping December received Government's take from admission tax for 1936 far above previous levels and produced a rise of nearly \$2,500,000 over the prior year.

Supplying evidence of an unprecedented late fall comeback after a couple of minor slumps, Internal Revenue Bureau Saturday (30) announced December collections, based on November box office business, aggregated \$2,194,534. This is the largest single-month take since before the depression started and nearly \$350,000 better than any month since the beginning of 1934.

With the Treasury's split receipts such high levels in the final stanza, 1936 receipts zoomed to a top of \$18,457,475. This is \$2,417,755 better than 1935, a jump of approximately 12%. Also \$2,444,158 over 1934.

The December haul by the Treasury is far better than for the same month in several years. Closing frame of 1936 dumped \$459,525 more into Government coffers than 1935 and \$528,524 better than last month of 1934.

Likelihood that the Government's share on a fiscal year basis will exceed even revised estimates was seen in the year recapitulation. For the second six months of 1936—first half of Federal period 1937—the haul was \$1,220,173, which is almost \$2,000,000 more than for the first half-year. If the trend keeps up, Treasury will rake in around \$20,500,000 for 1936-37, against estimates of \$19,700,000.

## ZUKOR TO GET PARTICIPATING CONTRACT

The proposed participating contract for Adolph Zukor authorized by the board at its meeting Thursday (28), which was attended by Zukor, would be for two years and grant to the chairman of the directorate a cut of the net profits from production and distribution of film. It would not include any profits from theatre operations or other enterprises which are included in the profit and loss statements.

Thus, Zukor's participation would come from profits on rentals rather than from the net of Paramount Pictures, Inc., which takes in theatres and other interests, as well. Since Zukor's duties are confined to production, any cut on profits would serve as additional compensation directly traceable to the pictures he turns out on which rentals for profit are realized, but including however rentals on Par product from Par's own theatres.

Understanding is that the two-year contract for Zukor would be retroactive to Jan. 1 this year when the new books were opened. Zukor's salary is reported to be \$100,000 annually, but no mention made of amount of bonus on net film rental he will get under the proposed new deal for him, voted by directors largely because of the faith held in Zukor as studio boss and as a result of the great improvement in production since he's held the reins.

The board will submit the proposals on the new contract to the stockholders of Par Pictures, Inc., at an early date for their approval.

## BRISKIN SETS 9 RKO'S FOR FEB. CAMERAS

Hollywood, Feb. S. Briskin, RKO production chief, has listed nine pix for February shooting. Films and associate producers handling them are: 'Satisfaction Guaranteed,' William Siström; 'Easy Go,' Lee Marcus; 'Go! Going, Gone,' Maurfy Cohen; 'New Faces of 1938,' Edward Small; 'Women are Poison,' Siström; 'Mrs. America,' Al Lewis; 'Gunga Din,' Smar; 'Take It Easy,' Lewis; and 'You Can't Beat Love,' Robert F. Sisk.

Briskin has 37 writers working at RKO. Scriveners are clear on decks for the next season's slate worked out in exec confabs last week.

### Al Lewin Back

in, former Metro producer, returning today (Wednesday) from a two-month vacation abroad. He checks in at the Paramount studio under his new contract March 1.

## UA Forced to 50-50 Finance Korda's London Films; Drops Sam Smith Bid

London, Feb. Sam Smith's deal with Alexander Korda to make cheap 'bread and butter pictures' in partnership, all set and ready to go, has suddenly gone cold. Understanding is that United Artists blew down the house of cards.

UA angle, it is understood, is that if Korda gets mixed up in production of minor pictures, whether as fillers or otherwise, it might endanger his world release prestige. UA distributes the Korda films.

Start of the deal, however, put Korda in the rather pleasant position of forcing UA to kick in with the understanding that the American company will make some definite cash investments in future Korda films. That was Korda's price for dropping his deal with Smith.

As lined up now, the understanding is that UA, for the first time, will finance Korda's films on a 50-50 basis, with no picture to cost less than \$300,000. Previously Korda had to dig up his bankroll himself, with UA merely distributing and not involved in losses.

With United Artists now definitely having a financial interest in Korda pictures on the production end, plus the old world-release interest on the distribution end, Korda's future film activities seem to be assured, with no more financial headaches.

Smith is not especially perturbed about the deal flopping. He has gone along for a long time making moderate priced films and can continue to do so at his Beaconsfield studios without trouble. Smith's outfit is Lion Fil.

## Wurtzel Has Nine to Go, Then Vacash Abroad

Hollywood, Feb. Pictures remain on Sol M. Wurtzel's production schedule of 29 which he is making on the 20th-Fox 1936-37 program. Since June 1, Wurtzel has completed 20, three are in production, and three more are slated to go in work during this month. Last trio will hit cameras in March.

roducer plans to go to Europe at that time, returning here June 1 to start on new production sked.

Wurtzel was handed a new term contract at 20th-Fox last week. He has been associated with the Fox concern for 23 years.

### New Indie Outfit

Los Angeles, Atlas Pictures, Inc., has been formed with Andre Carbe as prexy, S. M. Kerner, vice-prez, and Martin Adams, secretary-treasurer. Carbe, formerly a producer with the Fox-British concern in London, will make 12 shorts.

## HUTCHINSON BACK AFTER WORLD TOUR

Walter Hutchinson, head of the 20th-Fox foreign department, is back in New York after a trip around the world, his first for that company.

After a lengthy stop-off in Australia, where he made a thorough survey of conditions, Hutchinson went on to the continent and England. Francis Harle, 20th's British manager, returned with him from London and will look over New York for a couple of weeks.

## Believe London Will Choose Marconi, Drop Baird, Have One Kind Television

### Zanuck Extends Earl Carroll at 20th-Fox

Hollywood, Feb. Earl Carroll's contract with 20th Century-Fox has been extended for another year. rswhile lighter functions as associate producer, director, supervisor and production assistant. New pact becomes effective April 5.

## JR. LAEMMLE STILL TALKING THAT PLAY

Hollywood, Feb. 2. Laemmle, Jr., makes his bow as a roadway producer with the European stage play, 'Ni Will put it into celluloid run is successful. Laemmle optioned the piece by George Frazier on is recent European tri.

## START SELLING MONTH EARLIER

Film conventions tically all to be held on this year. Most of them are scheduled a month earlier than usual. Thought behind the latter seems to be to get the selling started in June or July, rather than in August or September.

Probable dates are Universal, May 17; 20th-Fox, May 30; and RKO, May 23.

## PHIL SELZNICK'S PIX DREAM COLD, HE ADMITS

Cleveland, Phil Selznick, itery owner who motored to Coast with a pocket full of scripts to sell and a dream of forming production company of his own, is driving back wearied and willing to stick to the night club business here.

A brother of the Lewis J. Selznick and uncle of David O. and Myron, he planned to organize the Phil Selznick Pictures Co. Backers were two nephews, Max Young of Canton (O.) and Sol Melitzer of Jersey City, who went along for the ride.

Promoter, one time manager of old local Selznick exchange, also hoped to sell his optioned western novels by John Alden Seltzer to studios. After three weeks in Hollywood, he decided there wasn't anything there for him.

## Mandel to Produce Musicals at Warners

Hollywood, Feb. Mandel, for Warners, producer with Lawrence Schwab, joining Warners as an associate on production. He will make film musicals and reports the studio March 1.

# FEWER PERCENTAGE PIX NEW TREND, ALTHOUGH % TERMS TILTED HIGHER

### Exchanges Tiring of Haggling Over Percentages on a Flock of Films—Just 6-10 Deemed Enough, but These to Get Fancier Terms

Trend is growing against percentage pictures. At first it was strictly the exhibitors who objected—and how!—against percentage; so much so that in many cases exhibitors went into boycotts in exchanges which were particularly hot for percentage contracts. In every case the exhibitor believes it's unfair for an exchange to demand a share of the gross on the admittedly strong pictures while insisting on a flat sum for the pictures which are just 'program' material.

But now, distributors are being eye-to-eye with the exhibitors in the matter of sharing arrangements. They are worn out, in the first place, from the constant haggling with the theatres to get percentage deals, and, some exchanges have sought to get ahead of their competitors by offering houses flat terms.

Move throughout the film business at present is to cut down sharply on the number of percentage pictures, but to increase the sharing terms of those pictures which are in for a piece of the pie.

Goldwyn-Mayer led the way this season in that regard with four pictures on sharing terms, with the other flickers flat.

Other exchanges, which to insist on 12 to 18 pictures out of 40-to-60 on percentage, have signed deals which call for 6-10 flickers on sharing basis. In most instances, the home offices were afraid to slice down too sharply on the amount of sharing pictures.

**5-15% Split Till**  
But in these new deals where the number of pictures were cut, the amount of the percentage was raised from 5% to as high as 15% above previous demands. Where the percentage figure previously was 25%, 30%, the new contracts call for sharing setups of 35% or 40%. Some pictures were sought at 50% deals, but the going price was fixed practically universally.

So general has become the decision to cut down on the number of percentage flickers, that even those exchanges which have contracts calling for eight or 10 flickers on percentage are not checking the entire list, but are putting checks on houses for only the top three or four pictures.

Exchanges in most instances have learned that it doesn't pay to check the weaker percentage flickers, especially in the small theatres in the outlying towns, with the expense eating up what extra coin there is in it. Exhibits have plenty of angles to connive on the receipt figures, and it's tough enough trying to check the topnotch flickers, without attempting to complicate every percentage picture.

Decrease in the number of percentage flickers has also resulted in a bettering of relations between distributor and exhibitor, the theatre owners have always resented the snoopy aroma of the checker. So that indications for the coming season are for more contracts calling for an increased rate of percentage on a fewer number of pictures.

## AUTO TENSION EASES, MICH. GROSSES BETTER

Detroit, Feb. Slump in show biz grosses here eased somewhat this week, with return of around 50,000 workers to jobs in auto plants. Although month-old strike is still unsettled and although another 50,000 workers still affected, renewed optimism that difficulties will be ended soon is reflected at the wickets. While grosses have perked up some, it's expected to be several weeks more before grosses are back to anywhere near normal. More delay in settling strike, however, will further impair takes. Meanwhile, downtown first-run theatres are taking a cue to build up attractions. Effect is a considerable upswing currently at the b.o.

## Skouras Huddles N. Y. Execs on F-WC Policy; Auto Crackup Mars It

Los Angeles, Feb. 2. Spyros Skouras, group of Fox-West Coast Theatre execs from New York are holding series of circuit operation conferences here following similar confabs in other F-WC and Skouras operating centers. Sitting in from the eastern end are attorney W. T. Powers, Ed Zabel, Milt Hossfeldt and others.

A. Gambee, v.p. of National Theatres Corp., and George Baldson, short subject buyer for the circuit, members of the Skouras party, figured in a five-car smashup on the highway just outside of Stockton, Cal., last Thursday night and are in a Stockton hospital, along with Nick Turner, circuit district manager. All suffered serious injury, but their recovery is expected.

Stockton, Feb. 2. A. Gambee, v.p. National Theatres Corp., Nick Turner, Fox-West Coast district manager, and George Baldson, member of the film buying department of the N. Y. office, were hurt in an automobile accident five miles east of Stockton Thursday (28). Seven were injured and one killed in the crash with a Pacific Greyhound bus, Turner was driving the third car, which was struck by a machine driven by Peter Clausen, Tracy rancher, who was instantly killed.

Gambee, a member of the Spyros Skouras' New York contingent now on the Coast. He has three broken ribs and possible puncture of the lungs. Baldson received head and internal injuries of a serious nature. Turner broke a collar bone. The attempt made by a woman to pass the bus is said to have caused the accident. Vision was obscured by a heavy rainfall.

Spyros Skouras is staying with the injured F-WC execs until they are out of danger.

## Conciliation Plan's Details Will Be One of the MPTOA Conv. Highlights

Complete details of how industry leaders hope to place the Conciliation Plan into effect this year will be given at the Motion Picture Theatre of America annual convention in Miami March 16-18. By that time, backers of the system, which is part of the MPTOA 10-point program, hope to have preliminary reports on how it has worked out in trial tests in one or two communities. Such tests will be used to prove the workability of conciliation and so that mistakes made can be remedied when the plan is installed throughout the nation.

A portion of the program at the convention is only one of several features expected to mark the Miami sessions. The confab is being framed to catch the eye of exhibitors throughout the nation. While involving the loss of about 200 men from actual theatre operations, every attractive feature has been stressed to secure record exhibitor attendance. One thing that already has caught the fancy of exhibitors is that the concave is to be self-supporting and that no money-raising schemes are contemplated or are to be foisted on gathered delegates.

Besides reduced rail rates on 18-day and 30-day tickets, which are to be 1 1/2 and 1 1/4 times the regular rates for the round trip, MPTOA convention officials have obtained rates of \$4 to \$8 per day for individual exhibitors at the Casa Loma, Roney-Plaza and Miami Biltmore hotels. These rates have been promised convention committee despite the fact that there will be more than 100,000 out-of-town winter

## 75G Judgment Vs. M.&S.

Judgment by default was entered Thursday (28) in Y. Supreme court for \$75, in favor of Elias Mayer and against the Greater M&S Circuit, Inc. Mayer sued to recover on a series of promissory notes for loans given to the defendant corporation in 1930 totalling \$54,000. Judgment includes interest at 6%.

## NOW THEY PICK ON NITERIES FOR OFF BIZ

Minneapolis, Feb. 2. Movement has started among Twin City exhibitors to try to limit the scope of night club entertainment which is so rampant. Legislation is being sought to curb the vaudeville and other shows being offered by the night clubs.

Those behind the campaign declare that night club entertainment should be limited to band and orchestra music and simple singing and dancing specialties as well as dancing by patrons. Many of the Minneapolis and St. Paul clubs are advertising regular vaudeville bills.

It pointed out that the night clubs are not subject to the numerous restrictions imposed upon theatres relative to the elimination of fire hazards, etc., and yet have the advantage of being able to serve liquor with entertainment. Many feel that, present slump in theatre business, is due to the inroads being made into patronage by night clubs as well as to weather conditions.

## Fuller's Restraint Suit Due

New Orleans, Feb. 2. The suit of George E. Fuller, Pensacola exhibitor, against major distributors here charging conspiracy is expected to get underway within 10 days, with exhibitor executives rather than local exchange managers answering interrogations of Judge Borah of Federal Court.

## Inside Stuff—Pictures

Pittsburgh's Judge M. A. Musmanno, storm center last week of the Allegheny County bench, is known in show business as having co-authored original story for Paul Muni's coal mine flicker, 'Black Fury'. Musmanno's removal was not from bench itself but from head of six-month presidency of Criminal Court, a post laded out to each Common Pleas jurist during term of office. Came just three days before his tenure was up and high-handed methods of colleagues in taking this action has been laid to jealousy over Musmanno's ability to crash front pages so consistently.

Waging bitter warfare against drunken drivers during last three months, he made page 1 practically every day with unusual methods, and removal came last week when he was ordered not to hold court at night, as he had been doing for some time in order to clear docket of all cases before his Criminal Court term expired. Fact that son of President Judge Ambrose Reid, who ordered removal, is an attorney who has had several clients get rough treatment from Musmanno recently didn't make action look any too kosher either. Press without exception rushed to Musmanno's defense and feel it is that his political star is now higher than ever before. Showmanly Musmanno, in his campaign against alcoholic drivers, among other things: (1) made prisoners take the pledge over a victim's grave; (2) taken prisoners to morgue to view battered remains; auto casualty; (3) inspired the 'Musmanno Highball', straight ginger ale, and (4) led cab companies to offer an extra driver to take care of inebriated motorist's own car for just a buck more than taxi fare.

When 'The Lack Legion' was previewed in Hollywood opinion was general that the most sensational scene in the film, which is an expose of the methods of the Michigan anti-social secret society, was the trial sequence towards the end of the picture which showed members of the society qualifying as jurors to pass on the murder charge against some of their own members. When the film in its final release form reached Broadway, for national first run, the courtroom scenes had been switched around considerably, and the jury box was filled with honest citizens, properly imbued with a sense of public duty. Warners' home office did not know whether the change was to avoid some production code violation or because Archie Mayo, the director, believed the preview version too strong. Those who saw original form had a dynamic kick.

Eleanor Gates, author, need not appear in court to be examined trial nor is it necessary for her to submit a deposition to questions asked by Liberty Pictures, Inc., in connection with the writer's suit for \$120,000 damages for the use by Liberty of her name for advertising purposes without her consent. N. Y. Supreme Court Justice McGeehan made this decision Thursday (28) when he also denied Liberty's requests that Miss Gates submit further bill of particulars.

The plaintiff is suing on the ground that Liberty without consent used her name and that of one of her novels, 'Search for Spring', in exploiting the picture, 'Once to Every Bachelor'. She claims damages mainly on the basis that the inference that her story was related the picture misrepresents the motion picture rights of her novel.

George E. Browne, president of the International Alliance of Theatrical Stage Employees, who recently resigned as a member of the executive council of the American Federation of Labor, was elected to the council last summer by the other three members of the body when William Hutchinson of the Carpenters' Union quit the body because the AFL did not back Alfred M. Landon for President. At that time Browne protested, claiming his time was required by his organization. His retiring from the council post has no effect on his relationship with the AFL or the IATSE, as at no time has he or the members of his organization had any dealings toward joining John L. Lewis' Committee of Industrial Organization in fight on the AFL.

Announcement of the settlement and discontinuance of the \$50,000 suit brought by Bruce Grant, writer, against Jack Lait, Paramount Pictures, Charles R. Rogers and Midtown Theatres, Inc., was filed Thursday (28) in N. Y. Federal Court. Details of settlement were not revealed.

Grant alleges that in 1929 he wrote, 'The Girl Without a Room', and that in 1931 he turned the script over to Lait to be used in serial form by King Features. He claimed Lait turned the story over to Paramount which subsequently produced the picture, 'Girl Without a Room'. Plaintiff did not claim stories were similar but based suit on title.

Producer saw one of his prize sees coming down the hall and as his ace writer passed her, he observed the writer slapped her on the hip. Intimacy so burned him he fired the sec. She asked why and he told her it was because she hadn't slapped the writer's face. She asked him in that case why he didn't fire the writer. Producer said he almost did but couldn't afford to.

Writer learned about the rift and went to the producer and had the thing squared. Sec was rehired a. They salute now when passing.

K. under contract to Universal for 'Hippodrome', devised a new ensemble effect which will permit girls to walk on water. Girls will wear costumes of the stage type and will make formations, while swimmers dive under them.

It is possible that the novelty will first be used on the Coast, probably in film. Propositions have been made to show it in Paris and also Miami. The effect was reported slated for the Cleveland fair next summer, under other auspices, but Foster has not released the device which he controls.

J. Walter Thompson advertising agency has been official to handle all Universal Pictures ad matter. Will include newspapers, illboards and magazines, as well as radio. Cochrane, advertising publicity chief executive for U. who announced new set-up, said that both the N. Y. and Hollywood offices of ad company would be used. Thompson has been doing so more or less unofficially ever since the J. Cheever Cowdin entree into U. is the first official announcement.

Heaviest newspaper coverage in history of Hollywood prems was given opening of Metro's 'The Good Earth' at the Carthy Circle. In addition to individual service of correspondents, wire services and national rates, 112 periodicals in this country and abroad received special wire reviews of the picture from Rupert Hughes, P. G. Wodehouse and Jim Tully. Coverage arranged by Howard Chandler Christy, extended that given 'Romeo and Juliet', previous topper. Picture opened last night, Tuesday, in N. Y. at the Astor.

In the releasing agreements which it has with Emanuel Cohen and B. P. Schulberg, Paramount has a clause under which it may exercise a right to a 50% interest in the contracts of the talent held by the producers. The first contract on which Par may exercise this option for a half interest is on John Trent, held by Schulberg. Trent's first picture, 'Doctor's Diary', will shortly be released by Par. He is presently on a p.a. tour for buildup.

Complete laboratory is being rigged up so that the Samuel Goldwyn troupe going to the South Seas to film 'Hurricane' will be a self-contained unit. Goldwyn hopes to get the troupe away March 15, depending upon the shipping strike. Producer has asked naval authorities to allow use of navy warships at Samoa for transmission of his messages. Permission from the department to bring several Samouan the U. S. for exploitation purposes.

James Whale used 700 acres of trenches for war scenes in Universal's 'The Road Back'. Technical crew of 120, including 87 electricians, handled (Continued on page 32)

# RAP MECHANIZATION OF BIZ

## U. S. Judge Caffey Assures Roxy, N.Y., Creditors Full Hearings on Reorg

Federal Judge Francis Caffey, in court, has assured creditors of exhaustive and impartial hearing on the Roxy Theatre's reorganization plan which is now pending. On Friday, (28) this plan was presented formally to the court by Attorney Carlos Israel, of the downtown firm of White & Case, representing more than \$2,000,000 aggregate amount of first mortgage bonds, or around 59% of the aggregate amount this issue.

Judge Caffey Monday (1) signed the formal order directing that copies of the Roxy plan of reorganization be sent to the 18,000 bondholders, but stated that regardless of the holders' assents or dissents he would not hold them bound, not to object to the plan.

He has no opinion on the Roxy insolvency which the creditors claim is the reason the stockholders and general creditors are excluded from participation, he wrote in the order. "In regard to this I do not consider that the prospect of stockholders defeating the creditors' petitions of the insolvency of Roxy is shown to be strong enough to warrant the Court in imposing on the trust estate the expense of appointing a committee to represent the stockholders." The first hearing on the plan will be held on March 5 at 2 p.m., in room 705, Federal Bldg., N. Y.

Under this plan, 20th Century-Fox company would acquire control of the theatre for \$650,000. Present first mortgage bondholders would receive new 20-year principal amount 3 1/4% bonds.

There were intimations in court, that opponents of the plan might seek an extensive inquiry into the affairs of the theatre and its management during receivership and bankruptcy. Attorney Harold Seligson, representing the Tipton bondholders committee, asked for such an examination of the theatre affairs.

Additional indication that creditors would seek a thorough airing of the Roxy theatre situation came from the fact that opponents of the pending plan made it a point to reveal partially the high fees taken out of the theatre as administration charges by Fanchon & Marco associates.

**F. & M.-Cohen's Fees** was revealed that in six months, the Arco company, subsidiary of F. & M., took out of the theatre \$41,000 in fees, as administration charges only. This sum apparently does not cover stage show charges which were made by F. & M. Averaged on a yearly basis it could mean that Arco has been receiving around \$80,000 yearly in administration fees from the theatre.

For the 27 weeks ended Jan. last the Roxy shows a net around \$97,000.

For the year of 1936, the estimated net profit of the theatre is approximately \$160,000.

Fees taken out by Arco, which is a combination of Fanchon & Marco associates and the estate of the late S. I. Cohen, are exclusive of fees for lawyers the Roxy situation or fees to Howard S. Cullman, as trustee, and estimated to average around \$25,000 annually.

Attorney representing various upon the court certain proposed plan. One particularly that the be paid on the new issued from 3 1/4% to 4% or

**2d Bondholders' Rights** of the attorneys gave opinions that the second mortgage bondholders' rights as creditors in the situation are open to question. Considerable importance was put upon this phase of the Roxy situation also and a fight over the second mortgage noteholders' position under

the position taken by such senters to the pending plan is that if the second mortgage noteholders are not entitled to that consideration, which they getting under the (Continued on page 27)

## Dating 'Horizon'

Griffith Grey, who has been placed in charge of roadshowing of Columbia's 'Lost Horizon,' has arranged three two-day dates for the picture so far. They are the Geary, San Francisco, March 1; Chestnut St. Opera House, Philadelphia, March 7, and the Erlanger, Chicago, March 14. While the New York opening is being figured for the end of February, no theatre has as yet been set. It may be the Criterion, operated by Harry L. Charnas, and B. S. Moss, which has a capacity of 1,662. Details on the New York and others are pretty awaiting the return to New York tomorrow (Thurs.) or Friday (5) of Abe Montague and Nate Spingold, who made a hurried trip to the Coast Sunday (31).

## 5TH AVE. ASS'N AIMS TO BAR THEATRES

Decision of the Court of Appeals in Albany N. Y., last week approving application of three prospective theatre owners on Fifth, Madison and Park, avenues' overruling License Commissioner Paul Moss, refusal of licenses for same, has formed a strange ally of the Fifth Avenue Association, which instigated the opposition, and the license recipients. Both groups until the ruling, enemies, are now fighting on the same side of the fence to rush through a building zone resolution prohibiting further theatres on these avenues, but for different reasons.

Association has chucked its first idea of regulating theatre construction in all parts of the city without an 80% favorable vote of neighboring landowners and retailers. Aim now is to rush through the Board of Aldermen its amendment which will permanently prohibit theatres on Fifth Avenue from 23rd Street to 96th Street and for the same mileage along Madison and Park avenues. Parts not labeled residential districts will get new tag of super-retail. Between 6th and Madison avenue, 57th street is also to be included. Ruling will include night clubs or any other theatricals with exception of restaurant and nitery facilities of hotels.

Interest of the projected theatre owners is to thwart any additional build in the vicinity of the already approved enterprises of the Phipps Estate at 62d street and Madison, Walter Goetz at 53d street and Park (entrance on side street) and 85th street and Madison Corp. A new law would not affect them because their precedence is already established to enactment of any legislation. In assisting the former opposition now they help eliminate any future competition in these sectors.

## SAENGER, N. O., STUCK UP FOR \$1,875 MONDAY

New Orleans, 2. -rmored car and guard were held up at 10:45 p. m. Monday (1) just outside the office of the Saenger theatre, on the balcony, and robbed of night's receipts, \$1,875. Two bandits escaped in a car stolen from a nearby parking lot. The guard, Stanley Trahan, 37, employee of Armored Car Service, Inc., was taking the money to the waiting car outside when the masked bandit got up from a rear seat and pressed a gun in his back. Second bandit took the money bag and both escaped. It's the second theatre robbery here in five days.

## UNION GRIMACES AT FILMS, RADIO

Nation-Wide Campaign to Force Employment of Musicians by Crippling Mechanical Substitutes for Live Music Will Be Proposed at Miami.

### AN OGRE

New York Musicians Union Local 802 is prepared to ask the national executive board of the American Federation of Musicians, when it meets in Miami Feb. 22, to issue an edict banning its members from engaging in any form of musical recording. If the proposal, as drafted by Local 802, is passed, there will be a complete withdrawal of union musicians from Hollywood and other picture studios.

Local 802 had previously itself with the Chicago local in favoring an AFM regulation which would bring the phonograph record and recorded program businesses within the licensing control of the union. Extension of this campaign to cover motion pictures has a two-fold purpose: one, is to circumscribe the resort to dubbed soundtrack and secondly, to increase the employment of musicians not only in the studios but in the picture theatre through negotiations which the union expects to stem from the withdrawal edict.

Jack Rosenberg and James Petrillo, president of the New York and Chicago locals, respectively, are of the joint opinion that the problem of musician unemployment can not be solved until they are able to exercise control over the uses of recorded music. Each of these union leaders believes that, although this has been with the inception of sound pictures and radio, the time is not too late, if the AFM can be sold on a program of drastic action.

In going after the picture producer, Rosenberg and Petrillo figure the union will be placed in a position of being able to catch up with the theatres, or at least those circuits controlled by the film companies. If the producer wants union musicians he will be placed under the obligation of not only cutting down on the use of phonograph records and soundtracks for dubbing purposes but to negotiate contracts which will guarantee the employment of a certain number of film musicians. The various theatres Union points out that its relief rolls show no signs of decreasing and contends that the (Continued on page 69)

## Competitive Aggressiveness and Initiative in the Newsreels' Flood Coverage Kayoes 'A. P.' Idea

### U's 'Grainger Month'

Universal is occasioning James R. Grainger's fourth year as general manager of distribution for a sales drive. R. inges Month will be ushered in in April, signaled by release of 'Top of the Town,' March 28.

## INTERSTATE TO ANSWER U. S. THIS WEEK

Answers will be filed by defendant corporations probably this week in the federal action against Interstate Circuit, Inc., and Texas Consolidated Theatres, (Karl Hoblitzelle operations New Mexico and Texas) tributary companies serving these circuits.

The suit filed by the U. S. is not regarded as involving a question of conspiracy, but the case will be watched with unusual interest by exhibitors all over the country. Cause protection question raised.

Legal lights in N.Y. believe that the action will definitely determine whether a first-run exhibitor must be protected against cut-throat competition in subsequent runs. The case has been brought to test the legality of such protection against the competition offered by subsequent run houses.

The matter of whether it is illegal to put a provision into a contract stating that a picture cannot be shown on a double bill also may be raised as a secondary issue. Film leaders in the east believe that this will receive minor attention because so few contracts with a double bill provision have been written for the district involved in the suit.

The case will be tried in the U.S. district court at Dallas. Attorneys here will make no estimate of when the case goes to trial or when it would be concluded.

The plan 'Associatress' beating I the Ohio river valley flood coverage during the past 10 days. Not one of the five major newsreels agreed to co-operate in covering the flood story, newsreel editors concurring at the outset that it was such a major-news event and incorporated so many chances for a slip-up some place along the line there was no sense in attempting to get together on any sort of a coverage pact.

One newsreel definitely decided against even attempting to get together with other companies, though it has the past, because of its experience last year in handling floods in and around Pennsylvania when an agreement was made.

Excess of that news weekly cited their reasons, which, fundamentally, were that they failed to see how they could benefit in covering this major disaster. It was that they felt the brunt camera work which fell on them last spring. Or at least they claimed that the prize shots were supplied by them while other sectors were only given a lightweight treatment.

Newsreel chiefs claim viewed current disaster's coverage much the same as daily newspaper editors. Where daily papers depend on a city news and national press associations for normal or routine news coverage, they send out their own staff star reporters on big yarns. In this instance each newsreel withdrew as many cameramen as it could within a radius of 500 miles of the flooded territory and threw them into the flooded district.

Newsreel executives variously estimated that each company had 15 to 20 cameramen and freelance grinders on the high-water yarn. Even though this necessitated extra expenditures in salaries as well as outfit for transportation, there were few newsreel editors who regretted the move. They figured it was tough enough trying to keep tab on developments and movements of lens crews of their own without having the added worry of not being sure of prints and release dates under any joint-coverage arrangement.

The countless chances for a slip-up on coverage of a single area or community and the ambition to obtain the best scenes first undoubtedly further swayed the newsreel home offices. The assignment editors also, appreciated the risks being taken and hardships endured by cameramen and other members of the technical staffs in order to get completed prints through.

Perhaps every reel had one more instances to cite in which a daring and persistent cameraman waded or swam through deep water and used every conceivable means of transportation to rush completed negatives from the flood scene.

Old-time rivalry between cameramen reached a peak during the past few days in handling the flood, and few of the photographers would have relished the idea that the film they fought for and struggled against numerous obstacles to get would have gone into any pooling arrangement. Company editors appreciated the feeling and realized that slip-shod coverage might have resulted from pacting.

Newsreels received about Ohio and Kentucky communities and relief agencies were surveying the loss in lives and property caused by the gigantic overflow, newsreel executives were attempting to summarize the additional cost the catastrophe meant to them. Conservative estimates this week were that the sweeping floods had cost the five newsreels \$50,000 to \$75,000 in added expenses, not including usual expenditures for cameramen salaries, negatives, mail transportation costs, etc.

All reels chartered two, three or (Continued on page 64)

## 'B' or 'C' Pix So Poor, Some Exhibs Dual Oldies with Strong Casts

Annoyed by the quality of some of the Class A and C pictures available as first-run product, in Greater New York and along the eastern seaboard have resumed playing-reissu last year's programs or even features. Some houses, with twice weekly or three times per week changes, have been playing two and three weeks solid with reissue subjects and exhi itors and bookers for indie circuits is that the new product, most of it admittedly classed as B pictures, is so weak that two of them on a dual set-up will not provide the necessary box office draft. They figure they could not fare any worse with the reissues, with a good chance that customers will go for the oldie because it's bulkier, they used to be name players and at one time were ace attractions.

The question of cutting down film rental costs also intrudes exhibs and bookers. In many cases, hit or turns in his first-run picture for two reissues, shelving the new product. However, is means paying only for one film instead of two, with, of course, new product definitely off the theatre's list. In some localities, Y. business actually has shown real improvement with the dated pictures. This is true in downtown spots and some roadway, and 42d street theatres where they have been booked of late. In other neighborhoods, reissues do not mean a thing but at least they have not hurt business.

Another factor to be considered by the indie exhibitor is his contention that he is not furnished with better grade or Class A films second- until so long after their competition plays them that they fail to bring in an extra cent at the box office. This leaves the so-called ace feature weeks old and a meaningless Grade B or Grade C film with which to drag in patrons.

# Smash Opening Gives 'Good Earth' Big Sendoff, L. A.; 'Camille' Strong \$29,500, 2 Spots; 'Enemy' Mild 13G

Los Angeles.  
Seasonal rains on the Coast have broken the protracted cold spell that sewed up biz for couple of weeks, so that the better pictures currently are garnering big grosses. Trade is still off, however, with room for improvement.  
Long-awaited 'Good Earth' made its two-day bow at the Carthay Circle (29), getting an average and holding strong over the weekend for substantial initial week. Metro's 'Camille' is day-dating at the State-Chinese where combined take shows neat profit on the stanza.  
Business is spotty in the downtown area, with Warners Downtown and RKO Hillstreet just about holding their own, although Paramount took a spurt.

**Estimates for This Week**  
Carthay Circle (Fox) (1,518; 55-83-110-165).—'The Good Earth' (MG). Necessity of taking care of long list of first string stars, plus other demands, kept \$5 preem taken down to \$5,300, instead of a possible \$6,000. Healthy advance.

Chinese (Grisman) (2,028; 30-40-55).—'Camille' (MG) and 'Off to the Races' (20th), dual. Hitting better than average and will wind up with around \$13,000. Last week, 'Love on the Run' (MG) and 'Laughing at Trouble' (20th), fair \$10,200.  
Downtown (WB) (1,800; 30-40-55-65).—'Beloved Enemy' (UA) and 'Woman in Distress' (Col), dual. Trade continues in the doldrums with 'Enemy' not so good at around \$6,000. Last week, 'Charge of Light Brigade' (WB) and 'Smart Blonde' (WB), weak at \$4,300 in five days.  
Four Star (Fox) (2,040-40-55).—'Man of Affairs' (GB) (2d wk). George Arliss doesn't mean a thing at this b. o. and pic will be yanked (2) after five days on second week for meagre \$1,300. First week had at \$2,900.

Hollywood (WB) (2,758; 30-40-55-65).—'Beloved Enemy' (UA) and 'Woman in Distress' (Col), dual. Just so-so at around \$7,000 or over. Last week, 'Light Brigade' (WB) and 'Smart Blonde' (WB), dove to \$4,800 on one-day bow.  
Orpheum (Bdwy) (2,200; 25-30-35-40).—'Secret Valley' (20th) and 'Fugitive in Sky' (WB), dual, and vaude. Dual nothing to rave about so Benny Rubin, topping stage show, gets credit for bulk of oke \$9,500 draw. Last week, 'Let's Make a Million' (Par) and 'Crack-Up' (20th), below expectations at \$6,800.

Palms (Fox) (2,700; 30-40-55-65).—'Condemned Row' (RKO) and 'They Wanted to Marry' (RKO), dual. Very little interest in this brace of flickers as \$5,000 indicates. Last week, 'Plough and the Stars' (RKO) and 'She's Dangerous' (U), several hundred below anticipations at \$5,800, bad.

Paramount (Partnar) (3,595; 30-40-55).—'Secretary' (Col) and 'Bulldog Drummond' (Par), dual, and stage show. Fairly strong names in 'Secretary' plus Ethel Waters' all-colored stage unit has house heading for strong \$19,500. Last week, 'Plainsman' (Par), second week, held to big \$16,000.  
RKO (2,950; 30-40-55).—'Condemned Row' (RKO) and 'They Wanted to Marry' (RKO), dual. Will have to be satisfied with slim \$5,500. Last week, 'Plough and the Stars' (RKO) and 'She's Dangerous' (U), disappointing at \$6,500, though profitable.

State (Loew-Fox) (2,024; 30-40-55-75).—'Camille' (MG) and 'Off to the Races' (20th), dual. Combination of Garbo, Robert Taylor duck soup for downtown acer and at \$16,500 is highly acceptable. Last week, 'Love on the Run' (MG) and 'Laughing at Trouble' (20th), just fair at \$14,200.  
United Artists (Fox-UA) (2,100; 30-40-55) 'Love on the Run' (MG) and 'Laughing at Trouble' (20th), dual. On moveover to late date-Chance for continued first run should garner weak \$4,000. Last week, 'Garden of Allah' (UA) and 'Career Woman' (20th), disappointing at \$3,900.  
Wilshire (Fox) (2,286; 30-40-55-65).—'Love on the Run' (MG) and 'Laughing at Trouble' (20th), dual. Crawford-Gable combo doing better at this date continues to draw well, while below pace of last few weeks. Last week, 'Garden of Allah' (UA) and 'Career Woman' (20th), very bad at \$5,700.

## Pix Can't Overcome Ice In K.C.; 'Lloyds' Oke 7½G

Kansas City.  
Icy streets indicate a slim week as again it all up to the weather. 'Lloyds' at Uptown doing swell biz in spite of weather.  
**Estimates for This Week**  
Mainstreet (RKO) (3,200; 25-40).—'Champagne Waltz' (Par). Pic played capacity at Uptown at New Year's

preview. Opened here to nice biz and should do okay \$9,000. Last week 'One in Million' (20th), caught swell \$14,000.  
Midland (Loew) (4,000; 25-40).—'Live On' (UA) and 'Cover of Night' (MG). This dualer won't better so-so \$10,500. Last week 'Beloved Enemy' (UA) and 'Woman in Distress' (Col), \$8,500.  
Newman (Par) (1,900; 25-40).—'One in Million' (20th) (2d run). Moved from Mainstreet and holding up to nice \$6,500. Last week 'Love Song' (FVN), \$4,000, an off-key odel.  
Tower (New-Fox) (2,200; 35).—'Join Business' (Rep) and vaude. Good \$7,000. Last week 'Holy Terror' (20th) and vaude, \$7,100, good.  
Lloyds (20th). Holdover in the bag at fine \$7,500 pace. Last week 'Smart Girls' (U) (2d run), moved from Mainstreet, \$5,900.

# 'Champagne,' 19G, St. Loo's Topper; 'Lloyds,' 17G, Oke

St. Louis.  
Despite an all day rain Saturday (30), Fanchon & Marco's string of deluxers continued to enjoy swell biz. Ambassador, with 'Champagne Waltz' and Maj. Bowes' all-gal unit, is running away with town and heading for a \$19,000 week, biggest in several months. 'Lloyds' of London, at 5,000-seater Fox also doing great biz and should finish with \$17,500.

**Estimates for This Week**  
Ambassador (F&M) (3,018; 25-40-55).—'Champagne Waltz' (Par) and stage show. Stage shows boosting biz here and big \$19,000 in sight for this week. Last week 'Secretary' (Col) and stage show, held down by bad weather to \$15,700, fair.  
Fox (F&M) (3,038; 25-35-55).—'Lloyds' (20th) and 'Man of War' (GB), dual. Points to swell \$17,000, best in weeks. Last week, 'Great Guy' (GN) and 'Crack Up' (20th), dual, finished with \$12,800, trifle under expectation but doing great biz.

Loew's (Loew) (3,162; 25-35-55).—'Man of People' (MG) and 'Dangerous Number' (MG), dual. Nothing here to expect better than \$10,200, fair. Last week, 'Beloved Enemy' (UA) and 'Mad Holiday' (MG), dual, dented by weather and ended with \$12,000, fair.

Mission (F&M) (3,514; 25-35-55).—'Wintered' (RKO) and 'As You Like It' (20th), dual. Another fine week, \$12,500. Last week, 'About to Die' (RKO) and 'Gold Diggers of 1937' (FN), dual, satisfactory \$10,100.  
St. Louis (F&M) (4,000; 25-40).—'Rainbow on River' (RKO) and stage show. Perkins on stage, plus Breen on screen, will get \$9,700, good week. Last week, 'Banjo' (20th) and stage show, ended with \$6,000, average.

# Benefits Okay, But Wash. Pix So-So; 'Legion' Fair \$15,000 on Male Trade

Washington, Feb. 3.  
Town reached something of a new high for bally this week, but it was for the first time in a long while packed two benefit midnight shows, but the film temples will have to be content with so-so grosses. Proportionate leader is 'Plainsman', although it's not far enough to mean much.  
Most advance interest was centered on 'Black Legion', due partly to screening, which drew heavy official circles and got rave in press. Pop debut, however, was disappointing. Pic is drawing almost exclusively male trade and they're going for the cheap seats.

Keith's and Met cutting each other's throats with Sylvia Sidney on both screens in 'Women Alone' and 'You Only Live Once', neither clicking big enough to mean much.  
**Estimates for This Week**  
Capitol (Loew) (3,424; 25-35-60).—'Beloved Enemy' (UA) and vaude. Jarrett and Holm helping on stage to fair \$12,000. Last week, 'Snow away' (20th) and lackstone got good \$23,500.  
Columbia (Loew) (1,583; 25-40).—'One in Million' (20th) (2d run).

# 'Thin Man,' \$4,000, Plenty Fat in Lincoln

Lincoln, Feb. 3.  
'After Thin Man' is the first big winner of the season here at the Stuart. Will do \$4,000 better. Comedy has been stressed in 'Irl From Paris' (RKO), with Pons deleted altogether.  
Slightly inclement weather still a b.o. deterrent.

**Estimates for This Week**  
Liberty (LTC) (1,200; 10-15).—'Trail Dust' (Par) plus 'Road Gang' (WB), split with 'Bulldog Drummond' (Par) and 'Dark Hour' (Ches). Total possibility \$1,000, oke. Last week 'California Mail' (WB) plus 'Annapolis, Farewell' (Par), split with 'Under Code of Night' (MG) plus '13 Hours' (Par), just fair \$800.

Lincoln (LTC) (1,600; 10-20-25).—'Irl From Paris' (RKO). Comedy possibilities emphasized all the Lilly Pons stuff whittled completely from trailer. Heading for \$2,500, nice. Last week 'Polo Joe' (WB) went b.o. blind after the second day and was replaced with 'Sing Love Song' (WB). Got \$2,300 altogether, bit above average.

Orpheum (LTC) (1,350; 10-15-20-25).—'Wintered' (RKO) plus 'Happy Go Lucky' (Rep). House has forsaken vaude temporarily. Slow pace at present and \$1,500 likely the top. Last week 'Woman's' (20th) plus 'Kit Kat Klub' revue on the stage three days. Remainder of the week 'Romeo and Juliet' (MG) on roadshow basis (\$5c-\$1.10) two days, then \$4,000, neat \$1,000. Last week, 'Devil Playground' (Col), was slow, about \$900.

Stuart (LTC) (1,900; 10-25-40).—'Thin Man' (MG). A distinct winner. First pic of the year to touch \$4,000, neat \$1,000. Last week 'Rainbow on the River' (RKO) so-soed and let the house slump. Was helped by Wendell McMahill and his television display, or fate had have been worse. Poor at \$2,650.

Varsity (Westland) (1,100; 10-15-20-25-35).—'Man of Affairs' (GB). Arliss does fair in this house and assured of \$1,000. Last week, 'Devil Playground' (Col), was slow, about \$900.

# DENVER IN MOOD FOR WALTZ \$7,000

Denver, Feb. 2.  
'Three Smart Girls' good biz at Denver and moves to Broadway for a second stanza. 'Beloved Enemy' gets only five days at the Aladdin and 'Rembrandt' three at Broadway, with 'Doctor Bull' 18th in the week at the latter.  
'Champagne Waltz' do ically at Denham.

**Estimates for This Week**  
Aladdin (Huffman) (1,500; 25-40).—'Beloved Enemy' (UA). Not so forte at \$1,500 in five days. Last week 'Rembrandt' (UA) did nice \$3,500 and went to Broadway for second week.  
Broadway (Huffman) (1,500; 25-40).—'Rembrandt' (UA). Following

# Tilt in Frisco Admish Scales Likely; 'Champagne,' \$16,000, Very Healthy

a week at the Aladdin, stays three days here with 'Doctor Bull' (Ind) finishing week; \$1,500, fair. Last week 'Romeo and Juliet' (MG), on three-day roadshow, and 'Secretary' (Col), dual, three days, good at \$4,000.

Denham (Cockrill) (1,500; 25-35-40).—'Champagne Waltz' (Par). Swell at \$16,000. Last week 'Mind Own Business' (Par) got fair \$4,000.  
Denver (Huffman) (2,500; 25-35-50).—'Smart Girls' (U). Going great guns, big \$8,500 indicated. Last week, 'Beloved Enemy' (UA) did ice \$8,500.

Orpheum (RKO) (2,600; 25-35-40).—'Plough and the Stars' (RKO) and 'Racing Lad' (RKO), dual. Good at \$5,500. Last week 'Irl From Paris' (RKO) and 'Sinner Take All' (MG), dual, nice \$5,300.  
Paramount (Huffman) (2,000; 25-40).—'Smart Blonde' (WB) and 'Fugitive in the Sky' (WB), dual. Biz at nice \$3,000, dual. Last week, 'Charlie Chan' (20th) and 'Crack Up' (20th) got \$3,000.

San Francisco, Feb. 2.  
Looks like the Golden Gate is paving the way for higher prices for houses in downtown area. After a number of weeks at top for some of the bigger pi from RKO and Grand National, Gate is making a 'stab at getting same prices for 'Condemned Row'.  
It is possible that r-stuns may up admish when the stri cold weather and flu are out of the way. San Francisco was the last city to lower the box office tariff during the deprehs.

**Estimates for This Week**  
Embassy (RKO-Cohen) (1,512; 30-35-40).—'Forbidden Adventure' (Dwain Esberg). Sold from a sensational angle, this one is doing all right by itself. Sponsored by the Adventures Club of the West, it was first released in 1907 and has been in the can for a number of years. Film has been given a good snow track and cut to eliminate the dark spots. Good \$5,000 in sight. Last week 'Mysterious Crossings' (U) and 'Confict' (U) hit a new low at \$1,700.

# Rain Wilts Philly Biz, But 'Legion' Good at \$7,000

Philadelphia, Feb. 2.  
Return of heavy rainfall Sunday and Monday put a crimp in chances of most of the downtown film houses to live up to their recent average, which has been high. In fact, indications point to weakest seven-day period in several months; pix themselves aren't b.o. magnets and a couple of holdovers among them don't look particularly strong.

Both 'Men Are Not Gods' (Aldine) and '3 Smart Girls' (Stanley), held over on last-minute decisions, aren't headed for anything exceptional in second-week grosses. Former went get fourteen-day hold-over.

**Estimates for This Week**  
Aldine (1,200; 40-55-65).—'Men Are Not Gods' (GB). Held for second week, although biz wasn't any too hot; fair \$6,500 indicated if film gets full seven days, unlikely. First week saw \$10,000, better than expected.

Arcadia (600; 25-40-50).—'College Holiday' (Par) (2d run). Should get okay \$2,400. Last week, 'Go West Young Man' (2d run), disappointed at \$2,000.

Boyd (2,400; 40-55).—'Champagne Waltz' (Par). Crix liked it, although noting similarity to 'Irl From Paris' (RKO). Fairly good \$13,000 seen. Last week 'Camille' (MG), in eight-day second week, got mighty sweet \$18,500.

Carle (2,000; 25-40-55).—'Criminal Lawyer' (RKO) and vaude. Roscoe Asa headliner. Good \$15,000 week indicated unless rain dents it a lot. House back on feet with return of vaude. Last week, 'Mind Own Business' (Par) and 'Waring' band, put things across for wallowing \$20,000.

Fox (3,000; 40-55-65).—'Stolen Holiday' (WB) and stage show. Paul Draper headliner. Only fair \$14,000 seen. Last week, 'God's Country' (WB) and stage show, nice \$15,000.

Carlton (1,000; 25-35-40).—'Career Woman' (20th). First run for a change, but won't get much; mebbe \$2,200. Last week, 'Irl From Paris' (RKO) (2d run), little over expectations at \$2,700.

Keith's (2,000; 40-50).—'God's Country' (20th) (2d run). Only about \$2,000 indicated. Last week, 'Plainsman' (Par) (2d run), mighty at \$2,900.  
Stanley (3,700; 40-55).—'Smart Girls' (U). Bull enough to warrant holding for second week, but isn't doing a great deal now; fair \$12,000. Last week, 'Irl From Paris' (RKO) (2d run), fair \$11,000.

Stanton (1,700; 30-40-50).—'Black Legion' (WB). Crix lauded it and after lively advance campaign should get good \$7,000. Last week, 'Chan at Opera' (20th), \$6,200, okay.

**Studio Plasterers, Painters  
In Move for Closed Shop**  
Hollywood.  
Studio Painters local 644 have joined the move for a closed shop. Members adopted a 12½% hour increase. General membership will vote on proposition Feb. 7.  
By that date Studio Plasterers, local 755, is expected to file similar demands with the Motion Picture Producers' Association.

**Golden Gate (RKO) (2,850; 35-55).**—'Condemned Row' (RKO). As attendance held up last few months during several boosts in price from 40 to 55c, decision made to continue with that price for this one. Last week (2d), 'Great Guy' (GN), \$12,000.

Orpheum (F&M) (2,440; 30-35-40).—'3 Wise Girls' (U) and 'Find the Woman' (Col) (3d week). Several previews thrown in during final week to bolster biz. Finishing to good \$6,000. Last week fine \$6,500.

Paramount (F-WC) (2,740; 30-35-40).—'Champagne Waltz' (Par) and 'Career Woman' (20th). Swarthout bringing in some good matinee trade. Jack Oakie also well liked. Should do healthy \$16,000, which will mean holdover. Last week (2d) 'God's Country' (WB) and 'Crack-Up' (20th), n.s.g. at \$6,000.

St. Francis (F-WC) (1,470; 30-35-40).—'After Thin Man' (MG) and 'Hats Off' (GN) (4th week). Still holding steady for this one. Last week at the Fox and two stanzas at this smaller house. Expecting, \$6,000. Last week magnificent at \$6,000.

United Artists (Cohen) (1,200; 25-40).—'Allah' (UA) (3d week). Mixed reaction to story but plenty of salvos on tinting. Slipping off fast at less than \$5,000. Last week nice at \$7,500.

Warfield (F-WC) (2,680; 35-40-55).—'Lloyds' (20th) and 'Off to the Races' (20th). Although 'Lloyds' is doing nice biz, Jones family series building fast. 'Off to the Races' is the best of the lot. Flu, strike and rainy weather will hold take down to \$17,000. Last week, 'Camille' (MG) and 'Let's Make a Million' (Par) disappointed at less than \$10,000.

# Snow, Flu in Portland Cut Grosses in Half

Portland, Ore.  
Terrific snowstorm and flu epidemic dumped grosses considerably. Biz down in some spots as much as 50%.

**Estimates for This Week**  
Broadway (Parker) (2,000; 30-40).—'Smart Girls' (U) and 'Mad Holiday' (MG), dual (2d wk). Snow cut this b.o. in half to \$3,700. First week registered well and closed to good \$5,000.

Mayfair (Parker-Evergreen) (1,400; 30-40).—'County Gentleman' (Rep) with Weaver Bros. and Elvira on stage. Nice biz chiefly on the stage attraction, \$5,500. Last week, 'Here Comes Carter' (FN) and 'Arizona Mahoney' (Par), got \$2,000, so-so.

Orpheum (Hamrick-Evergreen) (2,000; 30-40).—'Banjo' (Fox) and 'In His Steps' (GN), dual, second week. Snow hurt and will do only \$3,500. First week better than expected at strong \$6,000.

Paramount (Evergreen) (3,000; 30-40).—'God's Country' (WB) and 'Find the Woman' (Col), dual, second week. Indicates \$3,800, fair; first week ran up nice score at \$7,000.

United Artists (Parker) (1,000; 30-40).—'Stolen Holiday' (FN). Registering \$4,000. Last week, 'Sinner Take All' (MG) poor stuff and cooled its heels for fair \$3,000.

# Chi Biz Flying High; 'Champagne,' Veloz & Yolanda, \$45,000, Terrific; 'Camille,' 25G, Biz; 'Banjo' \$21,000

So there's a flood in the Ohio Valley? Tsk, tsk. They're sitting down in Detroit! Well, well, California's unusual weather is kicking a fuss with the citrus growers? Waddya-knowaboutthat. Here in the Loop the Chicago will gobble 45 g's, the United Artists will snatch 25,000 smackers; the Oriental will gallop to \$21,000. And that's plenty good.

Veloz and Yolanda on the stage, plus 'Champagne' on the screen, make up the notch combination which is bringing shekels in a steady stream to the Chicago cashiers. Layout is a holdover, if there ever was one.

Garbo, Taylor and 'Camille' make it a threesome which has the United Artists sidewalk taking plenty of punishment from the standees. Even the tiny Apollo and Garrick are doing zip biz, the first with 'Rembrandt' on the Charles Laughton following and the latter with a repeat of 'After Thin Man'.

Palace fell off a bit this week on its holdover 'Three Smart Girls' which snagged swell \$27,500 last week, with Jane Withers on the stage.

**Estimates for This Week**  
Apollo (B&K) (1,200; 25-45-65)—'Rembrandt' (UA). Opened Saturday (30) and will trade on the Laughton name; heading for around \$9,000, swell. Last week 'Plainsman' (Par) fished fourth week in Loop to fine \$5,300.

Chicago (B&K) (4,000; 35-55-75)—'Champagne Waltz' (Par) and stage show. Veloz and Yolanda team on stage and again smacking 'em. Team has been sensational in the four past three years. Upping into mighty \$45,000. Doing 37 shows this week, five daily and six on Saturday and Sunday. Last week 'Great Guy' (GN) okay at \$24,000.

Garrick (B&K) (900; 25-45-65)—'After Thin Man' (MG). In here after four hotcha-sessions at United Artists and continuing to magnify 'em at \$10,000, good. Last week 'One in a Million' (20th) took nice \$7,100 on holdover.

Oriental (B&K) (3,200; 35-45-55)—'Banjo' (20th). Dual, vaude. Last week accounting for nearly \$20,000, high tide. Last week 'Smart Blonde' (WB), poor at \$14,400.

Palace (RKO) (2,500; 35-55-65-75)—'Three Smart Girls' (2d wk) and vaude. Indications for \$17,000, good as a gross, but a disappointment after big \$27,800 last week, when Jane Withers was on the stage.

Roosevelt (B&K) (1,500; 35-55-65-75)—'God's Country' (WB) (2d wk). Touched okayish \$15,300 last week and will stick around \$10,000 currently. Goes out for 'Black Legion' (WB), which Warner office, despite previous playing in this town of 'Legion of Terror' (Col), which was exploited place by B. & K.

State-Lake ones (2,000; 25-35-40)—'John March' (Rep) and vaude. Another winning session at better than \$16,000, piece of picture this house eats up. Last week 'Confess Your Woman' (Col) topped \$16,500, fine.

United Artists (B&K-MG) (1,700; 35-55-65-75)—'Camille' (MG). Standees all day long. Zooming into high racks on strong wordings okay night and day. Around \$25,000, dynamite. Last week 'After Thin Man' (MG) finished four great weeks to \$10,000, zippy.

**Prov. No Like Pix Fare; 'Lawyer,' \$5,000, Poor**

It's the toboggan slide this week, the first off week in many a stanza. Largely responsive to the time day picture fare in town. Best bets seem to be Strand, where 'Champagne Waltz' tops till, and Fay's, only vaudeville in town. Latter house has been doing rather well lately.

**Estimates for This Week**  
Fay's (2,000; 15-25-40)—'Secret Valley' (20th) and vaude. Looks like another good week; opposit rather weak, hence nice gross of \$7,300. Last week 'Woman-Wise' (20th) Bowes amateurs, got swell \$9,500.

Loew's State (2,200; 15-25-40)—'Man of People' (MG) and 'Woman in Distress' (Col). dual. Nothing to indicate this one will go over \$10,000 mark, if that so-so. Last week 'Beloved Enemy' (UA) and 'Killer At Large' (Col), started well, but fell down to fair \$10,500.

and 'Crack-Up' (20th), a sweetheart at \$11,500.  
State (United Detroit) (3,000; 15-25-40)—'Men Not Gods' (UA) and 'Criminal Lawyer' (RKO). This spot is taking it on the chin even more than the others; best house can hope for is only \$5,000; poor. Last week 'Plough and Stars' (RKO) and 'They Wanted to Marry' (U), another disappointment at \$6,800, n. s.

Strand (Indie) (2,500; 15-25-40)—'Champagne Waltz' (Par) and 'Arizona Matchless' (20th). Going strong with every indication that gross will cross \$11,000; swell. Last week 'Jungle Princess' (Par) and 'Let's Make Millions' (Par), okay at \$7,300, considering everything.

## Native Detroit Won't Buy 'Legion'; 'Lloyds' Big 35G

Detroit, Feb. 2. Town in spending mood again this week, with return of some 50,000 workers to auto jobs. Although a big number is still affected by the month-old strike, general tension has been relieved somewhat and curbs should continue up.

Big disappointment is lack Legion, based on hooded cults here, which hit a snag at the Madison. Ballyhooed as 'more startling than the trial,' it which town is perhaps too familiar at present. Flicker isn't helped by being booked in the Madison, which is having play tough times lately.

Tops currently is 'Lloyds of London,' at the Fox, which got off big and is holding up well.

**Estimates for This Week**  
Adams (Balaban) (1,700; 25-40)—'Mysterious Crossing' (U) plus Three Smart Girls' (U), dual. Deanna Durbin starrer moved here from Fox. Nice \$5,400 coming up. Last week normal \$5,000 on 'Pennies from Heaven' (Col) (2d wk) and 'Mark of the Cross' (Col) (2d wk), following a fine \$7,000 first session.

'Captain Calamity' (GN) and 'We're in Legion' (WB), dual. Holding off at \$4,300 last session on 'Great Guy' (GN) and 'Hats Off' (RKO), former film moved here from Fox.

Indie (5,000; 30-40-65)—'Lloyds' (20th) plus Ben Marden's 'Riviera Follies' unit on stage. Will coast in for hot \$35,000, a big surprise in view of dough scarcity.

Madison (United Detroit) (2,000; 30-40-60)—'Black Legion' (WB). Based on hooded cult which ran here the past year, flicker was accorded big buildup, but is laying an egg, at \$7,500. 'Play made for femme patronage, but house can't seem to draw in (Col) 4d week plus picture. Bad \$7,100 last stanza on 'Plough and Stars' (RKO).

Michigan (United Detroit) (4,000; 30-40-65)—'Champagne Waltz' (Par) and stage show. Good at \$25,000, following a good \$24,000 gross last week on 'Rainbow on River' (RKO) plus Don Redman band on stage.

State (United Detroit) (3,000; 40)—'God's Country and Woman' (WB) and 'Fugitive in Sky' (WB), dual. Continues at nice clip, \$10,000. Good \$9,000, last session on 'Builder Drummond Escape' (Par) plus 'Plot Thickens' (RKO).

United Artists (United Detroit) (2,000; 30-40-65)—'Thin Man' (MG) and 'Clickety-Click' (WB). Last session following a beaucoun move of \$19,500 and \$13,500. Will move out Thursday (4).

**WB Moves to Dismiss**  
Warner Bros., the United Research Corp., and Albert Radke, inventor, on Friday (5) will ask the N. Y. Federal Court to dis. iss the suit brought by Virgil C. Criste, who seeks an injunction to restrain the defendants from using certain sound effects which he claims he invented.

Criste, 41, who works for the American Development Co. in 1916, copied certain patents relating to motion picture sound effects and that after Radke joined the United Research the company obtained patents on his ideas.

## 1st Runs on Broadway. (Subject to Change)

**Week of Feb. 5.**  
Astor—'Good Earth' (MG) (2).  
Capitol—'Cami' (MG) (3d wk).  
Criterion—'Great' (6th wk).  
Mushie Hall—'On the Avenue' (20th) (4).

Paramount—'Champagne Waltz' (Par) (3).  
Rialto—'Si' (All) (MG) (2).  
Rivoli—'You Only Live Once' (UA) (2d wk).  
Roxey—'Three Smart' (U) (3d wk).

Strand—'Stolen Holiday' (WB) (2d wk).  
**Week of Feb. 12.**  
Astor—'Good Earth' (MG) (2d wk).  
Capitol—'Camille' (MG) (4th wk).  
Criterion—'Man' (Affairs) (GB).

Mushie Hall—'On the Avenue' (20th) (2d wk).  
Paramount—'Champagne Waltz' (Par) (2d wk).  
Rialto—'We're On the' (RKO) (10).  
Rivoli—'You Only Live Once' (UA) (3d wk).  
Roxey—'Head Over Heels in Love' (GB).

Strand—'Green Light' (WB) (13).  
**'Champagne,' \$7,800,  
Satisfies in Omaha**

Omaha, Feb. 2. List of new films opening this week is shortened by closing of the Paramount after some three months of operation this fall and winter. Means returning the top films to the more centrally located Omaha and Orpheum, sister houses, and a likely resumption of the string of good grosses that streamed into these houses last summer and spring, notably the Omaha.

**Estimates for This Week**  
Brandels (Singer-RKO) (1,250; 25-35-40)—'Plough and Stars' (RKO) and 'They Wanted to Marry' (RKO), dual, with 'Current March of Time' thrown in and extra ad space going to the Pathe flood pictures. From several possible angles, program received creditable return and may reach \$5,000. Last week 'Love Song' (FN) and 'Once a Doctor' (FN), dual, got \$5,000, good.

Omaha (Blank) (1,100; 25-40)—'Champagne Waltz' (Par) and 'Under Cover of Night' (MG), dual, with extra attention to 'Waltz' in connection with Zukor jubilee. Headed for swell gross last week 'Black Legion' (WB) and 'Luckiest Girl in the World' (U), dual, lagged to \$5,700, weak.

Orpheum (Blank) (2,976; 25-40)—'My Own Business' (Par) and 'Sinner Take All' (HG), dual. Weakie for a jubilee bill, but Ruggles' at \$7,000. Last week 'hired' 'Fair at the World' (WB) and 'Let's Make a Million' (Par), dual, started at a mild pace, but gained some momentum to \$8,000.

**'Champagne' Under Hopes in Boston, \$24,500; 'Thin Man,' 2 Spots, \$42,000**

Boston, Feb. 2. 'After Thin Man' single, at the Orpheum and State is a solid sock and almost certainly a holdover. Next best action for the money is at the Par and Fenway, where a second run of 'White Heat' past year, 'Maid of Salem' (Par), most touted film to play here in years because of local angle and Hollywood trip for crime, is doing \$27,000.

Orpheum (Loew) (3,000; 25-35-40)—'After Thin Man' (MG). Shooting for high \$23,000 on strength of hefty matinee and evening trade at this downtown spot. Looks for certain h.o. 'Pennies from Heaven' (Col), on holdover last week, satisfied with \$12,500.

Par (B&P) (1,800; 25-30-50)—'One in a Million' (20th) (2d run) and 'Man of Affairs' (GB) (first run), dual. Looks like a big \$14,000. 'God's Country' (WB) and 'Mind Own Business' (Par), dual, pleased last week with \$10,500.

Seccaly (M&P) (2,700; 25-35-40-50)—'Gold Diggers' (WB) (2d run) and 'Case of the Black Cat' (FN), first run, dual, took fair \$7,600. 'Stowaway' (2d wk) and 'Plainsman' (Par) (3d wk) turned in socko \$9,700 last week.

State (Loew) (2,000; 35-40-50)—'After Thin Man' (MG). A winner here, promising big \$19,000. Expected to stay at least one more stanza. Second week of 'Pennies from Heaven' (Col) drizzled disappointingly last week at \$9,000.

# Brisker Weather Aids B'way; 'Only Live Once' \$30,000, 'Holiday' \$27,000, Best of New 'Uns,' 'Plough' NSG 68G

Better theatre weather has returned with the cold that set in Monday (1) and that day business perked up any dip that had been taken through Sunday's all-day rain. The least hurt of the houses on Sunday (31) were the Capitol with the heavy pull of Garbo in 'Camille' and the Rialto, which fourth the redoubtable 'Three Smart Girls'.

These attractions are leading the street, with 'You Only Live Once,' which opened Saturday (30) and 'Plough and Stars' on holdover at the Paramount's closest pursuit. Kay Francis' new starrer, 'Stolen Holiday' is running a pretty good show and lesser houses such as the Rialto, Palace, State and Criterion are all doing okay, while the Music Hall is trailing with 'Plough and the Stars'.

'Plough' unable to cut a deep enough furrow to produce \$68,000, gross looking this side of that figure. Sunday's rain hurt here more than at some other spots and probably interfered with change trade. 'You Only Live Once' and 'Stolen Holiday' both opened Saturday (30). The former, brought into the Rialto for a likely three weeks run, may get up to \$30,000 in its first seven days, while the Francis item at the Strand might build to \$27,000. 'Holiday' also holds over.

A trio of stout holdovers are 'Camille,' 'Smart Guy' and 'Plainsman.' The Garbo picture may reach to \$40,000 on its second week, while 'Plainsman,' at \$32,000 on its third week ending last night (Tues.), is looking possible \$30,000. 'Smart Guy' built to \$59,800 on its first week and is going strong enough this week (2d) to look a possible \$50,000. It remains a third week, when Borzage's 'Sinner Takes All' will be in the street.

The Criterion is continuing 'Great Guy' for a sixth week on strength of sufficient stamp this week (5th) to make a possible \$10,000. 'Criminal Lawyer,' which finished its week at the Rialto Monday night (1), got \$9,000 and was succeeded yesterday morning by 'Sinner Takes All' (WB).

'College Holiday,' at the State, together with vaude, on six days will be around \$20,000, fair. The house goes to a second day, ending tomorrow (4), which means that pictures in the future will not be moving in here overnight from the Capitol. The dual bill of 'God's Country and the Woman' and 'Sinner Takes All' at the Palace may be aided somewhat by the Louis-Pastor fight films on pace for \$8,000 or bit over.

'Good Earth' reopened the Astor last night (Tues.) on a roadshow basis at \$2 a pop.

**Estimates for This Week**  
Astor (1,012; 55-110-115-120)—'Good Earth' (MG). Had its premiere last night (Tues.).  
Capitol (4,620; 25-35-55-65-125)—

'Camille' (MG) (2d week). Rolling along swiftly to a possible \$40,000 this week (2d) after mighty first seven days' take of around \$62,000. Holds a third week.

Criterion (1,662; 25-40-55)—'Great Guy' (GN) (5th week). Holding firmly at around \$11,000 and remains a sixth week. Fourth week reported at \$12,000.

Palace (1,700; 25-35-55)—'God's Country and Woman' (WB) (2d run) and 'Holy Terror' (20th) (1st run), plus Louis-Pastor fight pictures. Business average, \$9,000 or better. Last week 'Smart Guy' (GN) and 'Paris' (RKO) (2d run) and 'Woman Wise' (RKO) (1st run), \$12,000,cellent.

Paramount (3,664; 25-35-55-65-99)—'Plainsman' (Par) (3d week) and Nat Brandwynne orchestra, doubling from the Essex House (1st week). At \$32,000 on final (3d) week good enough to have a fourth week, but management unable to do this because of commitments to bring in Fred Waring today (Wed.) with 'Champagne Waltz' (Par). Second week of 'Plainsman' (Par) with the Ray Noble band, \$43,000, big.

Radio City Music Hall (5,980; 40-60-85-95-115)—'Plough and Stars' (RKO) (2d week). Okay, but notices but week will probably be this side of \$68,000, disappointment. Last week, second for 'Lloyds' (20th), \$70,000, very good.

Strand (750; 25-45-55)—'Sinner Takes All' (MG). Opened yesterday morning (Tues.) after nice week of 'Criminal Lawyer' at \$8,000. In a bad 'Undercover of Night' (MG) finished \$7,000.

Rivoli (2,092; 25-55-75-85-99)—'You Only Live Once' (UA). Opened Saturday (30) and off well, first week looking possible \$30,000. House but firming run of at least three weeks. Final (2d) week of 'Men Are Not Gods' (UA) \$14,000, skimming through.

State (5,836; 25-45-55-75)—'Smart Girls' (U) and stage show (2d week). Pushing its way last week to a mighty \$59,800, picture together with stage show including Borrah Minnervitch may nudge up to \$50,000 on its second stanza currently. Holds a third, 'Head Over Heels in Love' (GB) being next here.

Strand (1,757; 25-55-75)—'Stolen Holiday' (WB). Much more activity around this house than lately, maybe \$27,000 the first week of the Kay Francis picture, which remains on the stage.

'Black Legion' (WB) under \$15,000, disappointing.

State (3,450; 35-55-75)—'College Holiday' (Par) (2d run) and vaude, closing today. House for \$20,000 for that period, with house moving to Thursday openings tomorrow (4). Last week 'Pennies from Heaven' (Col) (2d run) and Benny Davis revue, \$25,000, o. k.

**Indpls. Forgets Flood, B.O. Spurt; 'Champagne,' \$5,500**

Indianapolis, Feb. 2. After staying in the home for almost a week to listen to the radio broadcasts from the flood areas in the southern part of the state, the crowds apparently needed relaxation and forgetfulness and they sought it at the downtown houses over the week-end, with good results at the b.o.'s of the first-run spots.

Estimates for This Week  
Apollo (Fourth Ave.) (1,100; 25-40)—'God's Country' (WB). Brent featured along with technicolor angle. Take is okay at \$3,250. Last week holdover session of 'One in a Million' (20th), very good \$4,500.

Circle (Monarch) (2,800; 25-40)—'Champagne Waltz' (Par) and 'Doctor's Diary' (Par). Former stressed in campaign and the latter very good \$6,500. Last week dual of 'Man of Affairs' (GB) and 'Woman Alone' (WB) (1st run) \$3,800.

Secretary (Col.) and 'Counterfeit Lady' (Col). Twin bill features former picture and Jean Arthur. Gross moderately good at \$3,750. Last week 'Beloved Enemy' and 'Killer At Large' (Col) fair at \$5,000.

Lyrie (Olson) (2,000; 25-30-40)—'Woman Wise' (20th) and 'Your Hit Parade' unit. Latter, the title stressed heavily in ads. Results very good at \$9,400. Last week 'Black Legion' (WB) and vaude \$7,500, fair.

**Republic's 1st Serial**  
Hollywood, Feb. 2. Republic has set Ray Corrigan, to in its first serial of the new season, 'The Painted Stallion,' 12-chapter, let's deal with the subject in supply-trait pioneer.

Ray Taylor and Ilan James co-direct from 'The Ewarts' evepost yarn.

# Pitt. Flood Scare Over, B.O.'s Rebound; 'Plainsman' Sock 20G; 'Legion' Fair 12G

Pittsburgh

With the flood scare over and the tension generally eased, biz everywhere is bouncing back as expected. For the first time in six months, flesh is out of a first-run situation, with Stanley dropping stage shows this week for strings of A's, but expected to resume presentations by spring.

First of WB ace site's on-its-owns is 'Black Legion,' which only fair despite tremendous build-up and rave notices. That the femme angle, however, may be missed only in the key-city situations is indicated by the fact that this one opened simultaneously in several spots throughout tri-state district and in smaller towns has been doing record-breaking biz. In Johnstown, over week-end, 'Legion' smashed through to two biggest days WB has had there in some time.

Smash of the week is 'Plainsman' at Penn. first, Par. second, to do standee in the second Mae West.

## Estimates for This Week

**Alvin (Harris) (2,000; 25-35-40).**—'Great Guy' (GN). Carney's comeback after year's absence may be big news elsewhere, but it's doubtful if Pittsburgh ever knew he was away. Even in his hey-day with Warners, star has never been particularly big around here. Prospects aren't so hot and house will be lucky to clear \$6,000, just fair. Last week, second for 'One Million' (20th), a little better than that despite flood scare, giving Heine flicker pretty close to \$20,000 on fortnight.

**Fulton (Shea-Hyde) (1,750; 25-40).**—'Crack-Up' (20th) and 'Accused' (UA). Lot of marquee power turning trick, and since it's doubtful if Pittsburgh ever knew he was away. Even in his hey-day with Warners, star has never been particularly big around here. Prospects aren't so hot and house will be lucky to clear \$6,000, just fair. Last week, second for 'One Million' (20th), a little better than that despite flood scare, giving Heine flicker pretty close to \$20,000 on fortnight.

**Stanley (WB) (2,000; 25-35-50).**—'Black Legion' (WB). Great build-up for this one as well as rave notices can't entirely overcome the hard subject matter and lack of names; chances are it will go beyond \$12,000, just fair. Elsewhere in territory, however, flicker's mopping up. Last week, 'Girl from Paris' (RKO) and Fats Waller's band turned in jim-dandy \$17,000. Last week, house was closed last Tuesday night and Wednesday afternoon.

**Warner (WB) (2,000; 25-40).**—'Make Way for Lady' (RKO) and 'Mad Holiday' (MG). Fifth Avenue dualer has been coming along rapidly in last few months, pushing up its average around \$10,000 weekly and turning next best picture in the city or better for current stanzas. That about \$300 under last week's 'We Who Are About to Die' (RKO) and 'Smart Blonde' (WB).

## B'KLYN LIKES 'LEGION'

Fems Help Good \$19,000; 'Million,' Film Pic, 20G

Brooklyn, Feb. Practically all houses in Boro Hall sector featuring flicker fare. Biz heavy at RKO AI. Million is drawing customers, and Fabian Paramount, with 'lainsman' now in second week. 'Lain's Fox' also in chips with lack 'Legion,' apparently pleasing both sexes here.

## Estimates for This Week

**Albee (2,500; 25-35-55).**—'One in Million' (20th) and 'On to Races' (20th), plus Louis-Pastor fite pics. Will snare fine \$20,000, and h.o. Last week, 'Carnival 1' Flanders (Ind) and 'Holy Terror' (20th), \$15,000, okay.

**Fox (4,000; 25-35-55).**—'Black Legion' (WB) and 'Once a Doctor' (WB). Dual brightly exploited and looks to get excellent \$19,000. Last week 'Hideaway Girl' (Par) and 'Smart Blonde' (WB), \$17,000, good.

**Metropolitan (2,400; 25-35-55).**—'Rembrandt' (UA). Under 'Covetous Night' (MG), plus Deanne Durbin short. Latter getting heavy billing; house will get beasty \$16,000. Last week 'After Thin Mar' (MG) (2d wk), \$14,000, okay.

**Paramount (4,000; 25-35-55).**—'Plainsman' (Par) and 'Let's Make a Million' (Par) (2d wk). Continues strong as ever and will bring in fine \$20,000. Last week, 'Drummond' (20th) (2d wk), \$18,000, good.

**Strand (2,000; 25-35-55).**—'Man Betrayed' (Rep) and 'Counterfeit Lady' (Col). Good \$8,000. Last week 'Country Gentleman' (Rep) and 'Tundra' (BT), \$7,000, mild.

## Montreal B. O.'s Slide With Skiing Weather

Montreal, Feb. 2.

First ski-able weather since November is nicking grosses. An all-new lineup of films currently gives lots of choice and plenty of competition.

## Estimates for This Week

**His Majesty's (CT) (1,600; 50).**—'Wings of the Morning' (20th-Brit). North American premiere here Friday (28) brought big crowd and pic should do \$6,000, good. Last week 'Forget Me Not' (Brit) and 'Trapped in the Air' (Brit), \$4,500, fair.

**Palace (CT) (2,700; 50).**—'Champagne Waltz' (Par) and 'Straight from the Shoulder' (Par). Looks like \$6,000, good. Last week very good, \$10,000 on 'in a Million' (20th).

**Capitol (CT) (2,700; 50).**—'3 Smart Girls' (U) and 'Flying Hostess' (U). This may top town at \$9,000. Last week, repeat of 'The Plainsman' (Par), good \$6,000.

**Loews' (M. T. Co.) (3,200; 60).**—'Let's Make a Million' (Par) and 'vaude'. Should be good for \$11,000. Last week, the same on 'Smart Blonde' (WB) and 'vaude'.

**Princess (CT) (2,500; 50).**—'Beloved Enemy' (MG) and 'Can This Be Di' (RKO). Good \$7,000. Last week, 'Girl from Paris' (RKO) and 'Jane Turner' (RKO), \$6,000, good.

**Cineplex de Paris (France-Film) (600; 50).**—'Femmes' (2d wk). Expect \$1,600 after fair \$1,800 last week.

**SL Denis (France Film) (2,300; 34).**—'Toi, c'est Moi' and 'Notre Dame d'Amour'. Estimate is for \$6,500 after an excellent \$7,500 on 'Michel Strogoff' and 'Ouverture Paris' last week.

## Buff. Nice to All Pix But 'Legion,' \$7,500 Only Fair

Buffalo, Feb. 2.

Current grosses are showing substantial figures, although business seems to be fairly well divided among downtown houses. The Buffalo, with 'Waltz' (MG), Crawford in person looks set for a nice anniversary week, with 'Great Guy' at the Lafayette trailing not far behind.

## Estimates for This Week

**Buffalo (Shea) (3,600; 30-40-55).**—'Champagne Waltz' (Par) and 'Jesse Crawford' (MG). \$14,000 indicated. Last week, 'Loyals' (20th), nearly \$14,000, okay.

**Century (2,400; 25-35-55).**—'Rainbow River' (RKO). Headed for fine \$8,500. Last week, 'Sinner Take All' (MG) and 'Here Comes Carter' (WB), average \$7,000.

**Great Lakes (Shea) (3,500; 30-50).**—'Black Legion' (WB). Nothing exciting, with indications for \$7,500, fair. Last week 'Plainsman' (Par)

## Benefits, FDR's Ball Pinch Cleve. Biz; 'Scandals' Hypos 'Woman' to \$25,500

Flood relief with one every night, and Presidential ball Saturday evening plenty of money away from theatre b.o.'s. George White's 'Scandals' is hyping 'Woman Alone' to town's top position at Palace, getting corks \$25,000 or better. Second best is 'Beloved Enemy,' pulling State up to \$21,500.

## Estimates for This Week

**Alhambra (Martin Printz) (1,200; 20-35).**—'Counterfeit Lady' (Col) and 'Join Marines' (Rep), dual. A noticeable pick-up, \$17,000 for four days, but leaving more to be desired. Last week 'Beloved Vagabond' (Col) and 'Luckiest Girl' (U) took an unexplainable toboggan, barely \$1,000. Chevrolet didn't sell.

**Allen (RKO) (3,000; 25-40).**—'Criminal Lawyer' (RKO). A comeback for Lee Tracy, aided by favorable notices and star's personal at president's charity ball. Good \$5,000. Last week, 'One Night in Paris' (20th), in second stanza after shift

(2d wk), held on for nice \$8,000.

**Hipp (Shea) (4,000; 35-55).**—'Doctor's Diary' (Par) and 'Mind Your Own Business' (UPA). May get \$7,000, average. Last week 'Camille' (MG) (2d run), average at \$7,000.

**Lafayette (Ind) (3,400; 25-35).**—'Great Guy' (GN). Going strong to probably \$11,000. Last week 'Three Smart Girls' (U) (2d run) and 'Mysterious Crossing' (U), bettered expectations for fine \$9,500.

## EVEN 'ROMEO' CAN'T AROUSE MINNE., \$5,000

Minneapolis, Feb.

Roadshow engagement of 'Romeo and Juliet' at Alvin at a \$1.10 top is lone important foot event currently, and, from a box-office standpoint, it doesn't stack up as 'barn-burner' by a long shot. Off to a mild start, the Shakespearean film is unlikely to pick up much business.

'Garden of Allah' and 'Champagne Waltz,' at the Orpheum and Minneapolis, are receiving some attention, but extremely low ticket grosses appear to be in prospect pretty much all along the line for another week, with '3 Smart Girls,' its fifth week showing. Adverse weather conditions seem to be the main monkey wrench in the box-office machinery.

**Estimate for This Week**

**Alvin (Steffe) (1,600; 55-65-110).**—'Romeo and Juliet' (MG). Twelve-a-day and all seats reserved. Scheduled for a single week, despite heavy advertising outlay and fine exploitation. Will get around \$5,000, fair, at best.

**Aster (Publix-Singer) (900; 15-25).**—'The Hunch' (20th) and 'Last Girl in Town' (RKO) (2d runs), split, and 'Mysterious Crossing' (20th) and 'North of Nome' (Col), dual first-runs, good \$1,000 indicated.

**Last week, 'Reunion' (20th) (2d run) and 'Bengal Tiger' (WB) and 'Man Who Lived Twice' (Col), dual first-runs, split, \$900, fair.**

**Century (Publix-Singer) (1,600; 25-35-40).**—'Secretary' (Col). Having plenty tough sledding. Looks like light \$3,500.

**Lyric (Publix-Singer) (1,300; 20-25).**—'Born to Dance' (MG) (2d run). Pretty good \$2,800 in prospect.

**Last week, 'Fisk's Parade' (20th) and 'Pennies from Heaven' (Col) (2d runs), split, \$2,000, poor.**

**Minnesota (Publix-Singer) (2,800; 25-35-55).**—'The Girl from Paris' (RKO). Heavily-exploited and exciting some interest, though critics only lukewarm. May reach fair \$5,500.

**Last week, 'Beloved Enemy' (UA), \$5,500, poor.**

**Orpheum (Publix-Singer) (2,800; 25-35-40).**—'Allah' (UA). Big advertisement and exploitation campaign, but reviews only moderately favorable and word-of-mouth comment mixed. However, heading for good \$8,500.

**Last week, 'Light Brigade' (WB), \$8,000, good.**

**State (Publix-Singer) (2,300; 25-35-40).**—'Sing Me a Love Song' (FN) and 'Mad Holiday' (MG), dual. No cast name, but either of these pictures to bring in customers, even when both are tossed together for one price. Will be lucky to top light \$2,500.

**Last week, 'Carson's West' (WB), dual, \$2,000, bad.**

**Time (Berger) (1,200; 15-25).**—'Pace' (MG) and 'Holding' (20th), dual, up may well moderate \$900 indicated.

**Last week, 'The Girl from Paris' (RKO) (1,200; 25-35).**—'Theodore' (Col). Good \$1,000.

**Last week, 'Loyals' (20th), nearly \$1,000, okay.**

**World (Steffe) (350; 25-35-40-55).**—'Smart Girls' (U) (5th week). Still very much in the money and en route to fine \$2,800. Last week, same film, \$3,000, big.

## Going Places

By Cecelia Ager

Kay Francis'

Amongst the hordes of picture actresses entitled by their respective publicity departments 'The Best Dressed Woman of the Screen,' there is Miss Kay Francis, notable for her courage in accepting the title while at the same time refusing to accede to the current standards for the form div and make mountains out of molehills.

Miss Francis' contentment with her structural qualifications as they are has never been more apparent than in her latest picture, 'Stolen Holiday.' Actresses less honest might seek to disguise a lack of opulence in their silhouette, but Miss Francis makes this very lack a spectacular asset, cracking out with a series of low decolletages terrific in the territory they reveal, since there is little to prevent it. Not only are her evening clothes slashed open to the waist in front; she's also got Hollywood inter retation of a peasant costume suitable for tramping in Switzerland, with any hint of peasant propriety that might be contained in its accor-dion-pleated print skirt promptly scotched by the sheer white silk, sleeved blouse likewise open to the waist in front. A white flow tucked in the belt where diaphragm meets skirt, to emphasize the innocence of the love idyll that's going on while Miss Francis is wearing this little number. But if doubt as to its innocence persists, the audience need only listen to the pretty little shrieks of "Oh, that interlard the rigorously gay dialog during it, and ponder the significance of the two white doves that are fitting about. (Miss Francis gets only white doves and Ian Hunter for her idyll in the country; Miss Garbo, up the street, gets cow, chickens, geese, sheep, a bridge over a pond, blossoms, and Robert Taylor.)

The native costumes of Turkey and India are equally as good as the Robert Piquet. Mr. Kelly goes to bat for draped, harem skirts, lace tassets, Oriental swathed turbans as headresses for evening clothes, with flowing draperies and veils appended that become part of costume. He endorses the Turkish fez, labors over it to lower its crown, cord fringe over the side in an adaptation of its traditional tassel, raps the same cord round the high neck of the dress accompanying it to prove he sees a costume whole and not, dribs and drabs. He sticks to the Orient even for Miss Francis' wedding dress, wrestling from it a unit use idea for a bridal veil, a cloak of white tulle caught under a white Hil turban. Miss Francis carries a prayer book with this costume.

## Patriotic 'French Casino Folies'

A noble patriotic fervor has overcome the French Casino Folies' ering its girls with national costumes of startling abundance, which turns out to be just as good a way of knocking the folks from back home as ever uncovering them used to be.

For it isn't only the sweep of their patriotism that makes the entrepreneurs of the French Casino dress their girls with a prodigality to match. What with whole choruses now practicing the art of stripping is no longer new burlesque show in town, they realize that stripping is a most conspicuous G-string, and the girl who is 'The Ambassador of Great Britain' in The Nations Answer the Call of France' has placed the three white plumes of the Prince of Wales at the focal point of hers; while Mile. Adalet, who in a less exalted environment would be a cooch dancer, is swathed i rhinestone mesh, and Una Wise, the pearl in the oyster in 'A Drama, the Bottom of the Sea,' is continuously bathed with magenta light never gets up to leave her shell anyway.

A static but occasionally punctuated tableau for build-up but never as in the olden days, for climax. Climax in the current show is reached when the last sequin and the last feather and the last bead and the last wisp of gauze and the last scrap of tinsel have finally been

(Continued on page 31)

## SNOW BURIES SEATTLE; 'WALTZ' DUAL NICE 7G

Seattle, Feb. 2.

Seven inches of snow closed the schools and is sloughing in the city. Following visit of Spyros Skouras and group of high Fox-West executives, town's lone single-billed ace house, Fifth Avenue, starts on dual policy.

**Estimates for This Week**

**Fifth Avenue (Hamrick) (900; 27-37-42).**—'Camille' (MG), moved from M. H., with 'Along Came Love' dropped, so it's single billed. Weather holding down Garbo-Taylor combi \$2,000 will be fair. Last week, 'Girl from Paris' (RKO) and 'Luckiest' (Par), dual, h.

**Coliseum (Evergreen) (1,800; 21-32).**—'Come Get It' (UA) and 'Reunion' (20th), dual. Snow slowing this down to \$1,500, dual. Last week, 'Ziegfeld' (MG), \$2,900, fair.

**Colonial (Sterling) (850; 11-16-21).**—'Coming Round Mountain' (Rep) and 'Too Tough to Kill' (Col), dual. Combo drawing good \$2,000. Last week, 'Buildup Edition' (Rep) and 'Heart of West' (Par), dual, split with 'Television' (Col) and 'Tugboat Princess' (Col), dual, big at \$2,000.

**Fifth Avenue (2,400; 27-37-42).**—'Champagne Waltz' (Par) and 'Sinner Take All' (MG), dual. Marked by today's weather, the lone holdout for singleton combo drawing \$7,000, good considering weather handicaps. Last week, 'Smart Girls' (U) and 'Tundra' (Ind), 5 days of second week, \$4,800.

**Liberty (J-v-H) (1,900; 27-37-42).**—'Secretary' (Col) and 'Woman in Distress' (Col), dual. Expect okay; \$5,000. Last week 'Allah' (UA) (2d wk), six days, \$4,400, good.

**Music Box (Hamrick) (900; 27-37-42).**—'One in Million' (20th) (5th wk). Still holding up \$3,800, good. Last week, same film, big at \$4,800.

**Musie Hall (Hamrick) (2,300; 27-37-42).**—'Man of Affairs' (GB) and 'Night Waitress' (RKO), dual. Very poor, \$2,700 indicated. Last week, 'Camille' (MG) and 'Along Came Love' (Par), dual, got \$6,800, big.

**Orpheum (Hamrick) (2,700; 27-37-42).**—'Plot Thickens' (RKO) and 'Laughing at Trouble' (20th), dual, with vaude. Only fair at \$5,000. Last \$3,000. Last week, 'Drummond' (20th) and 'White Leg' (GN), dual, with

vaude, Eddie Peabody headli responsible for okay \$5,200.

**Palomar (Sterling) (1,450; 16-27-37).**—'Love on Ice' (WB) renamed from 'King of Hockey,' and vaude. Lower unit, doing big \$5,000 and holding over. Last week, 'Lady from Nowhere' (Col) and 'vaude', \$3,300, slow.

**Paramount (Evergreen) (3,100; 27-37-42).**—'Winter' (RKO) and 'Woman Wise' (20th), dual, looks like \$5,800, big. Last week, 'Great Guy' (GN) and 'Under Your Skirt' (20th), dual, \$4,800, fair.

**Roosevelt (Sterling) (800; 21-32).**—'Polo Joe' (WB) and 'Don't Turn Em Loose' (RKO), dual. Only slow \$2,000 in sight. Last week, 3 Men on Horse' (WB) and 'Magnificent Brute' (U), dual, \$2,300, slow.

## 'PLOUGH'-B'WAY JRS., SOCK \$16,000, BALTO

Baltimore, Feb. 2.

In the van this week is the vaude film Hipp again, with 'Plough and Stars' and unit Broadway. Juni holding part attention. Pic pull most stoutly, but stage-show too. Elegant \$16,000 in offing.

Stanley very stocky with 'Champagne Waltz' sliding up to \$9,000.

**Estimates for This Week**

**Century (Loew-UA) (3,000; 15-25-35-40-55).**—'Camille' (MG) (2d wk). Shouldn't have held over; gunvales shipping red wash at \$13,800. Last week, very swell at \$17,000, but wavering w up tipped off h.o. possibilities.

**Hippodrome (Rappaport) (2,300; 15-25-35-40-55-66).**—'Plough and Stars' (RKO) and 'Broadway Junior' unit on stage. Dandy \$16,000; major magnetizing credited to celluloid with flesh added fattening. Last week close to \$18,000, wow.

**More Than Sex' (Col) and N.T.G. revue on stage.**

**Keith's (Schanberger) (2,500; 15-25-35-40-55).**—'Men Are Not Gods' (UA). Opened last night (Mon). First week, second stanza of 'Smart Girls' (U), shortened to 7 days, snatching solid \$4,500.

**New (Mechanic) (1,400; 45-55).**—'Loyals' (20th). Stallwart \$3,000. Last session, \$5,000.

**Stanley (WB) (3,450; 15-25-35-40-55).**—'Champagne Waltz' (Par), N.Y. \$3,000. Last week, 'Drummond' (20th), capes' (Par) deep in ditch at \$2,400.

## American Distributors Get a Break Down Under on Anzac Quota Law

Sydney.  
American film companies got a distinct break last week when the New South Wales State Cabinet was called into special session to discuss film matters and decided to be kind to distributors. Decision, amounting to a pleasant bombshell, was to the effect that the Australian government has no present intention of forcing U.S. distributors to produce films here and that there would be no penalty for such American or other distributors who failed to comply with the quota law during the past year.

Government has, however, requested a conference with the near future between officials and the Film Advisory Board (distributors) to figure things out more clearly and get distinct rulings in well-defined language as to the (1937) year.

Difficulties come from the fact that the quota law here is somewhat ambiguous. Law states that distributors must handle a certain amount of local-made product. Wording is that the distributors must 'acquire' certain number of pictures for distribution. However, there were insufficient pictures made locally to fill the quota demands. Americans ducked by saying that they cannot 'acquire' pictures when there are none. Columbia produced one film here in conjunction with local producer but the other U. S. majors preferred to argue about the meaning of the law's language. Such local pictures as were made, however, were picked up.

Some officials here held that the word 'acquire' quite obviously meant that distributors must produce if they can't purchase. It was around this argument that the battle started and Americans, though somewhat fearful of results, stood pat. With, now, a pleasant victory.

## WOOLF-UBUY IN ON 15 CINEMAS

London.  
G. C. F. Corp., financing associate of the C. M. Woolf-Universal set-up, has completed a giving it half interest in a circuit of theatres in Wales and the West of England, aggregate of which is up to \$250,000.

Fifteen theatres are involved in the deal, with G. C. F. taking a half share in the various operating companies controlling them.

Board of the G. C. F. unit consists of Lord Portal, J. Arthur Rank, Lord Leake, Paul Lindenbaum and L. W. Farrow, and it is aiming at building a national circuit, an outlet for the Universal-General Films run of American and British.

J. Arthur Rank, who resigned his directorship of British National Films, Ltd., has disposed of his interest in that company.

Rank's decision to terminate his association with British National Films does not in any way affect his other interests in the film industry. He is director of General Cinema Finance Corp. General Film Distributors. Universal Corp. chairman of Pinewood Studio.

## ITALIANS PLAN FILM ON SAINT CATHERINE

Rome.  
Film the life of Saint Catherine is now to become a reality; production company has been formed and once the preliminary work on film is to start.

Great question seems to be that of a leading lady, as lack of stars—especially of Italian film—is in Italian film industry.

ioanni Papi is author of the scenario, and Jules Duvivier, Frenchman, directed 'Golgotha', a religious subjects, is to discuss details.

ill stress the spiritual qualities of Saint Catherine against a background of violence, bloodshed and political intrigue.

## ANGLO-HUNGARIAN PIC CO.

Lord Hastings is Considering New Production Setup

Hastings, interested in motion pictures through a concern called Flickers Ltd., which produces thumb books of continuous action photographs, visits Hungary with plans, an Anglo-Hungarian motion picture tie.

Idea is to get advantage from natural scenery of the Central European country in pictures shot on the spot for international distribution. Concern would hope for an outlet in America as well as in Great Britain. Flickers, Ltd., is reported to have backed F. W. Murnau and Robert Flaherty when they produced 'Tabu'.

## UNEMPLOYMENT AND MINOR PAY IN REICH

Berlin.  
Out of about 4,000 actors belonging to the State Actors Ass'n, only about 2,000 found employment in the past two years. Supporting \$37.50 monthly to be a bare minimum for existence. Out of these 2,000 actors not even 200 reached that figure.

Two other ways of earning money, stage and air, present no better chances. Out of 867 extras registered in the film exchange not even 100 earned as much as \$37.50 per month. Only 280 men managed to get up to \$19 and only 270 women were able to draw \$7.50 per month. Altogether 1,134 performers got over \$1,000 yearly. Number of actors getting bigger salaries naturally decreases with the increase in monetary clippers until the maximum salary possible in Germany for an actor, \$25,000 yearly, is reached. This falls to the lot of only 15 actors.

## MEXICO'S CLASA FILM CO. FOLDS SUDDENLY

Mexico City, Feb. 2.

Blow to the Mexican film production industry is the liquidation of Cinematografica Latino Americana, S. A. (CLASA), which got off to a fine start on an international scale in 1935. Company was only able to finish and release one of the 12 features it planned, 'Vamonos Con Pancho Villa' ('Let's Go With Pancho Villa'). Enterprise did some releasing in Mexico. C.E.I.F., film producer.

Settlement of pay claims totaling several thousand dollars filed by players and other employees is being arranged.

## Maroon Sets Rio Deal For Columbia '37 Pix

Rio de Janeiro, Jan.  
Maroon, gen. of Columbia in South America, left for Buenos Aires after closing deal with the De Castro theatre. Consists of the 12th, first-run, and eight nabes, and takes in the entire Columbi '37 product.

## Jessie Matthews' Next

London.  
Jessie Matthews' next film for G. B. is 'The Gang Way', which she starts on return from her convalescent trip to Rio de Janeiro. Company has gone into production with 'Non Stop New York', story of racketeers and detectives on a transatlantic trip. Oscar Homolka, John Loder, Desmond Tester, Anna Lee and Lilli Pal. Robert Stevenson.

## New Mexican 4,500 Seater

Mexico City, Feb. 2.  
Class nabe is nearing completion on the fringe of the downtown area which will seat 4,500. Is to be called the Ci

## Stafford's Quartet

London, Jan.

Premier Stafford Prods., Ltd., announces that four big scale features are set for production in early 1937. These will be 'The Man with Two Faces', adapted from a Hungarian play by Rudolph Lothar; 'Tradition', which is being made in cooperation with His Majesty's Brigade of Guards; 'Back to the Wall', a story based upon a play by Marshall Haig's order to the British Army, an 'Lady Precious Stream', from the stage play.

## Simultaneous Preems, For 'Pastures' in S. A. To Avoid Kickbacks

Rio de Janeiro, Jan. 10.  
reen Pastures' (WB) probably faced the most formidable hurdle of its career when shipped to ultra-religious South American countries. Brazilian censors held it in quarantine for months.

First it was not passed on sacrilegious grounds. WB officials here kept insisting it would be passed eventually. Picture finally got stamp of approval but, not taking any chances on repercussions, such as occurred in England, WB is attempting to release it simultaneously throughout South America.

Paradoxically, although objected to on the grounds it is sacrilegious, the picture will have its debut on Easter Week. In Brazil it will be shown simultaneously at Alhambra, Rio de Janeiro, and Sao Paulo.

Arthur Abeles, in for WB in South America, has just left Rio for Buenos Aires, where he will try to put over the same deal in Chile and the Argentine.

## UNION'S NET PROFIT UPPED BY \$1,500,000

Jan. 24.

Circular issued to shareholders of Union cinemas, new consolidated unit in which all subsidiaries have been merged, declares net profit of the more be about \$1,500,000. David Bernhard, chairman, at the recent annual meeting.

New estimate of the consolidated profits is given as \$2,186,150. Even at that, the statement declares, profits have not covered the full operating year of all the theatres in which the company is interested.

## Goetz Grabs Three More G-B Production Names

London.

Ben Goetz has taken three more production names from Gaumont. Metro to join Michael Balcon in Brito's new British set. Angus McPhail becomes scenario editor, H. G. Boxall administration assistant, and S. C. Balcon (brother of Michael) associate producer.

Metro is still weighing studio possibilities, with no decision taken yet as to where the unit will be located. New Pinewood is the likeliest bet however.

Goetz declares the unit will be in production two months, with 'Rage in Heaven' and 'The Wind and the Rain' first to go. Stars from the Culver City roster will be shipped here for leads in each.

## 1st Mexican Tinter

Mexico City.  
First Mexican-made film in colors is now on exhibit here to good trade. It is 'Novillero' ('Novice Bull Fighter'), based on a song of the same name.

Features Lorenzo Garza, ranking Mexican matador. Produced by Robert A. Morales, newest local film-making enterprise.

## BILL FAIR'S U.S. VISIT

William Fair, until two years ago general manager for United Artists in South America, and since that time distributor in Peru, is coming to N. Y. to see old film friends around March 1. Fair located in Rio de Janeiro after retiring from the UA post. He then decided to go into the beaut biz.

## Forst, Jannings and Grundgens Named to Tobis Board in Reich As First Step in Int'l Shake-up

## Mme. Stavisky Set In French Picture

Paris, Jan.  
Stavisky, widow of the notorious swindler, and whom Clifford C. Fischer took to New York as an attraction for his French Casino, has made a break in French cinema.

Jules Berry, pop screen actor here, made it possible for her to appear in the scenes of 'Arsene Lupin', picture he is making under the direction of Henri Diamant-Berger. Berry asked the director if a friend of his could appear as a friend in these scenes, not mentioning any names. When the extra appeared on the set she turned out to be Mme. Stavisky. Berger is now so satisfied with the developed film that he has decided to incorporate the scenes in which Madame Stavisky appears in the picture.

## EXHIB DISTRIB TRUCE SEEN IN ENGLAND

London.

British exhibitors have scrapped their plan to demand Government intervention in motion picture business, bearing out recommendations of the Quota Report.

cinematograph exhibitors Ass'n has turned down proposals for a state controlled panel, but instead now urges a trade commission responsible to the Board of Trade, which can enforce decisions made by the former body.

Plan is to set up a trade committee representing exhibitors and producers, with an independent chairman, and the distributors, through the Kinematograph Renters Society, will be asked to support such a plan. K. S. supporting such a principle, still resists the proposal to give the government powers of enforcing the committee's rulings, with the C. E. declaring that, unless some such compulsion is agreed on, there would be possibility of making the decisions operative.

C. E. A. is certainly more conciliatory than heretofore; it now sees hopes of collaborating with the K. R. S.—a great victory for trade commonsense, if and when.

## Czech Studio Ties Up Talent, to Keep It Away From Competing Lots

Prague, Jan. 22.

To offset the competition of two new studios, the Fojrague-Radlice and the Hostavice-Hostivar, the A-B studios has tied up several of the country's leading players, installed new equipment on its own properties and lowered its rentals.

Actors and actresses of the independent producers have been tied up during the last month to prevent their working in other studios. Grab also included directors. Engagement of the artists by A-B is intended to facilitate matters for producers using its studios also, of course, keeping them from working for the opposition.

During the contract period actors, et al., are permitted to take foreign employment, but will not be allowed to enter any native activity other than that controlled by A-B.

Up unto the time that the two new studios were built A-B was the only one operating here.

## Goldman's Col. In P.

Edmund Goldman has been named branch manager of the newly opened office of Columbia Pictures in Luzon, Philippine Islands. He formerly was at Shanghai. New branch in Philippines will be known as Columbi pictures of Phil.

Berlin, Jan. 24.

For several months rumors of an impending revolutionary change in Tobis were making the rounds. Just what this change was to be remained idle guessing until learned here that Willi Forst, Emil Jannings and Gustaf Grundgens had been elected members of the Tobis Board of Directors, with Director Fritz Mainz, Dr. Ernst Scheffler and Senator Edmund Jung completing the inner. Within this board Forst, Jannings and Grundgens are to form an advisory committee which is to work hand in hand with the various business heads on matters of production and the shaping of their artistic style.

At same time Tobis also will centralize the distribution of Europe, Rota and Syndikat Films under one head and further has founded a department which is to control the various individual production units of these three production units. Different dramaturgical departments are now focussed in single group and, additionally, a casting department has been set up which to supply the complete production.

Of the three new heads, only Willi Forst belongs exclusively to films. His recent meteor-like rise from star-actor to star-director puts him in the first line and, being Viennese, his almost exclusive domain will be Tobis-Saga, Vienna, where he will also continue to direct.

## Jannings

Emil Jannings, though one of the old-timers from silent days, has seawarded considerably since talkers came in and only recently was named a member, the Cultural Senate. Up to now his name has not officially appeared on any directors' list, though it is announced that he will try his hand at it.

Gustaf Grundgens has been on the Berlin stage for nearly a decade and, (Continued on page 64)

## TOBIS SHUTS VIENNA LOTS

Vienna, 22.

Producers having finished their respective pictures, Tobis' Rosenhugel and Sievering studios have closed down for an indefinite period. With the shuttering, over 100 studio hands have become unemployed, but there is hope that producers will start work again within a short time.

Trade figures that Tobis' studios could be used for films annually for German exports on the trade agreement, but it is doubted whether this figure will be reached in 1937. Reasons are that Tobis studios 50% more expensive than those in Hungary and Czechoslovakia and that governments of latter two countries offer added concessions to producers.

Strict censorship in Austria which frequently results in complete taboos, or fancy scissorings, and makes films hard to sell outside, is another of the handicaps that front the local studios.

E. W. Emo is scheduled to work here on 'Happy Marriage' with Hortense Raky, Wolf Albach-Retty, Holly Pitt and Leo Slezacek, music by Anton Profser. Rudolf Forster also plans a Paula Wessely film, 'The Big Mistakes in Life', Marianna Angern.

## New Mexican Censors

Mexico City, Feb.

Film censorship has been put charge of the new Federal publicity and publications department, which does the job gratis.

Department is conducting parleys with native producers to get idea of their ideas about movie industry.

## Edward L. Klein Sails Back

Having marketed several British films over here, Edward L. Klein sailed for London Friday (28). Klein is taking back with him to London several Indian films for

# THE VOICE OF THE PRESS THUNDERS ITS PRAISE!

## THE NEW YORK CRITICS:

"A stirring, eloquent and profoundly humorous screen transcription of Sean O'Casey's 'The Plough and the Stars' has come to the Music Hall. The work has been fashioned by the brilliant craftsmen who made 'The Informer.' Once more they have created a notable and beautiful photoplay." —N. Y. Herald Tribune

"High above the average motion picture and should be marked 'Must.' . . . The drama is exciting in its dramatic movement, grim in its intention and relieved by lusty, virile comedy . . . The acting is superb." —N. Y. Daily News

"Romance, robust humor and emotion all play a part in Sean O'Casey's 'The Plough and the Stars' . . . It is splendidly acted." —N. Y. Daily Mirror

"Correctly has Maxwell Anderson referred to 'The Plough and the Stars' as 'the greatest play of the Twentieth Century.' Now, with courage, imagination and a sublime faith in the picture-going public, RKO has transferred the Sean O'Casey masterpiece from stage to screen . . . A meritorious melodrama." —N. Y. American

"That same quartet . . . which a little more than a year ago gave the world that mercilessly bitter and burning film, 'The Informer', has done it again . . . An entertaining, stinging, beautifully acted version of Sean O'Casey's powerfully realistic, ironically humorous play." —N. Y. World-Telegram



"Draws from the deep well of Irish violence and humor an exciting tale of the Irish Rebellion of 1916 . . . It is a splendid production of the play . . . It has the Irish Abbey players, who are too wonderful for words."

—N. Y. Post

"A distinguished production, directed and photographed with the same care that made 'The Informer' one of last year's memorable films."

—N. Y. Sun

"Few if any directors can give greater breadth to an historical narrative or more splendid scope to the camera than Mr. Ford, who in this film, as in 'The Informer,' utilizes the background of Irish rebellion with excellent dramatic and pictorial effect."

—Brooklyn Daily Eagle

"An eloquent production whose cry is not 'Up with the Rebels!' but 'men must fight and women weep.' . . . It is a gripping, tense and lusty melodrama."

—Brooklyn Times Union

## THE NATIONAL MAGAZINES:

"A dark and ferociously exciting melodrama, well worthy of comparison with Director Ford's 1935 contribution to the same subject, 'The Informer'."

—Time

"A valuable, important item in screen fare."

—Literary Digest

"A distinguished and stirring film."

—News-Week

"A picture in the better mold of 'The Informer' . . . a dour, grim, relentless picture of Ireland . . . with its dreams in the stars and its hopes in the mire."

—Liberty

"A production of outstanding artistic, literary, educational, and social value."

—Scholastic Magazine

"Will probably head some of those debatable 'ten best' that we annually have with us . . . It contains all the elements that make a great picture . . . You really must see it."

—Park Avenue Social Review

## THE TRADE PAPER EXPERTS:

"A signal success . . . Pictorially a masterpiece . . . widespread approval aroused for 'The Informer' gives this one a head start . . . it is superb."

—Hollywood Reporter

"RKO Radio adds another fine picture to its laurels . . . A fit companion to 'The Informer' . . . Will probably be more popular."

—Hollywood Variety

"Artistically produced and capably acted . . . Distinctive class entertainment."

—Motion Picture Daily

"Splendidly acted and directed . . . Will exert a powerful effect."

—Film Daily

"Exceptionally well produced, acted and directed . . . Tells a human interest love story . . . Will receive highly favorable notices."

—Motion Picture Herald

"Unquestionably a film triumph."

—Box Office



**PROFITS BUILD ON PRESTIGE AS RAVE NOTICES INCREASE BUSINESS AT RADIO CITY MUSIC HALL AND IN DOZENS OF OTHER CITIES ALL OVER AMERICA!**



# BARBARA STANWYCK

# WHY AND THE STARS

with

**PRESTON FOSTER . . . UNA O'CONNOR  
AND PLAYERS FROM THE FAMOUS ABBEY THEATRE OF DUBLIN**

1937 FEB 3 1937

## Talking Shorts

Buck Jones conti to be bitious. And his western epics continue to suffer. 'Empty Sadd' typifies this tendency. It strives for originality, quaint touches and twists. Not one of them clicks. Regular Buck Jones fans will continue in just because it is one of his sagebrush sagas. But cactus of this won't heighten his popularity. Another weakness is that Jones

(Continued on page 29)

Wednesday, February 3, 1937

VARIETY

"LAY OFF MY GIRL"



... Snarl's Bo'sun's Mate Vic...

AND THE FUN AND  
FIGHTS BEGIN...  
*in this roaring,  
rollicking ro-  
mance of a Coast  
Guard crew with  
girls by the score  
along every  
shore!*



POUNDING THRILLS OF  
THE STORM-LASHED  
SEA PLUS WISE-CRACKS  
AND DRAMA AND LOVE!

VICTOR  
M'LAGLEN  
PRESTON  
FOSTER  
IDA  
LUPINO

IN

SEA DEVILS



WITH

**DONALD WOODS**  
DIRECTED BY BEN STOLOFF  
AN EDWARD SMALL PRODUCTION

BIG SHOW VALUE FOR FANS  
AND THEATRES EVERYWHERE

## Studio Placements

\*Check-up on the number of features already completed and shipped on the 1936-37 program shows a total of 162 out of 512 promised at the outset of the season. Added to this there are 47 in work and 78 in the cutting rooms, which leaves only 225 yet to go before the cameras to complete the quota.

**20th-Fox**

Story deals with government activities in tracking down narcotic runners. Donley plays a taxi driver in order to get close to the gang. In his association with the traffickers he comes in contact with Frances Drake, secretary to the ring leader. As their romance develops, Donley is drawn through many harrowing situations to clear himself and land source of supply of the dope.

Readed to start: "MARRIED LADY NEEDS A HUSBAND," "PRIVATE EYE," "CRIME," "CHIPS," "THEY'RE BACK," "MR. MORO," "UNTITLED JUNE," "FAMILY," serial and last of current series for June Withers.

## United Artists

None in work, 2 editing, 9 preparing.  
 Ready to start: In the Walter Wanger unit are: 'VOGUES OF 1938,' 'CASTLES IN SPAIN,' and 'SUMMER LIGHTNING.' In the Samuel Goldwyn unit are: 'THE WOMAN'S TOUCH,' 'HURRICANE,' and 'STELLA DALLAS.' In the Selznick-International unit are: 'PRISONER OF ZENDA,' 'THE WORLD'S OUR OYSTER,' and 'ADVENTURES OF TOM SAWYER.'

# Paramount

**Universal**

# Universal

Seven in work, 9 editing, 8 preparing. In work: 'WHEN LOVE IS YOUNG,' reported as 'CLASS PROPHECY,' VARIETY Dec. 23; 'WE HAVE OUR MOMENTS,' reported Nov. 30; 'THE STONES CRY OUT,' reported Jan. 20; 'NIGHT KEY,' reported Jan. 27. Started last week.

**'SHORT HAUL,'** produced by Trem Carr, directed by Arthur Lubin  
original story by Herman Boxer, screen play by Scott Darling. Cast: John  
Wayne, Louise Latimer, Emerson Treacy, Grace Goodall, LeRoy Mason

**Theodore von Eltz, Olaf Hytton, Harry Allen, Bruce Mitchell, Henry Sylvester, Roger Imhof, Tully Marshall, Allan Cavin, Monty Vandegrift.**

trucking company, is threatened with loss of certain big contracts by money-powers behind the railroads. To save these he sets about to prove that the trucks can get their cargo through across continent with greater speed and time than the railroads. To prove this a race is staged with the trucks winning against all obstacles and political influence that the railroads had piled up.

**'THE ROAD BACK,'** produced by Edmund Grainger and James Whale. Whale also directing, story based on the Erich Maria Remarque novel, screen play by R. C. Sherriff. Cast: John King, Andy Devine, Larry Blake, Slim Summerville, Louise Fazenda, Noah Beery, Jr., Barbara Read, Jean Rouverol, Maurice Murphy, Eugene Garrick.

Story is sequel to 'ALL QUIET ON THE WESTERN FRONT' and with nine-week working schedule the company plans to make it a road-show special. Story starts out where 'Western Front' ended, showing how difficult it was for the German soldiers, who survived the war, to readjust themselves to their former social life when they returned home. Under

**'WINGS OVER HONOLULU,'** produced by E. M. Asher and directed by Henry C. Potter, based on the Mildred Cram novel of the same name; no screenplay credits; cast: Wendy Barrie, Ray Milland, William Gargan, Robert Taylor.

**S**tory is dramatic plot of new life in respect to its officers and concern-  
trating on the activities of the U.S. Corp. The centers are young avia-  
tion officer compels to expand his plane in forced land in the front  
yard of wealth from the injuries are treated by daughter and as he  
is convalescing to new developments and they are everything is

serene until officer is able to report back to duty. She cannot understand traditions and requirements of the service and through this misunderstanding continually keeps the officer's rating with the navy in jeopardy. Her mind is changed when the husband is transferred to the  
 (Continued on page 23)

### PRODUCTION TABLE

# Republic

(This table shows number of features promised to be delivered to exhibitors by the major distributing organizations, and the independent producers contributing product to their producing organizations for the 1936-37 season.)

Producers and contributing	Number now of pix com-	Number now in cutting	Pix now in	Pix now placed in the before the	Balance to be placed in the ara-	Stories in
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companies.	promised.	pleted.	work.	rooms.	cameras.	lion.
COLUMBIA	50	12	2	9	27	
Larry Darmour.....	8	2		1	5	
METRO .....		12		6	25	
Hal Roach.....		2			2	
PARAMOUNT					14	

PARAMOUNT .....	14
B. P. Schulberg .....	5
Emanuel Cohen .....	4
Harry Sherman .....	5
Frank Lloyd .....	
RKO RADIO .....	

David Loew.....	1
George Hirshman.....	1
Sol Lesser.....	1
REPUBLIC.....	1
A. W. Hackel.....	1
20TH CENTURY FOX.....	10

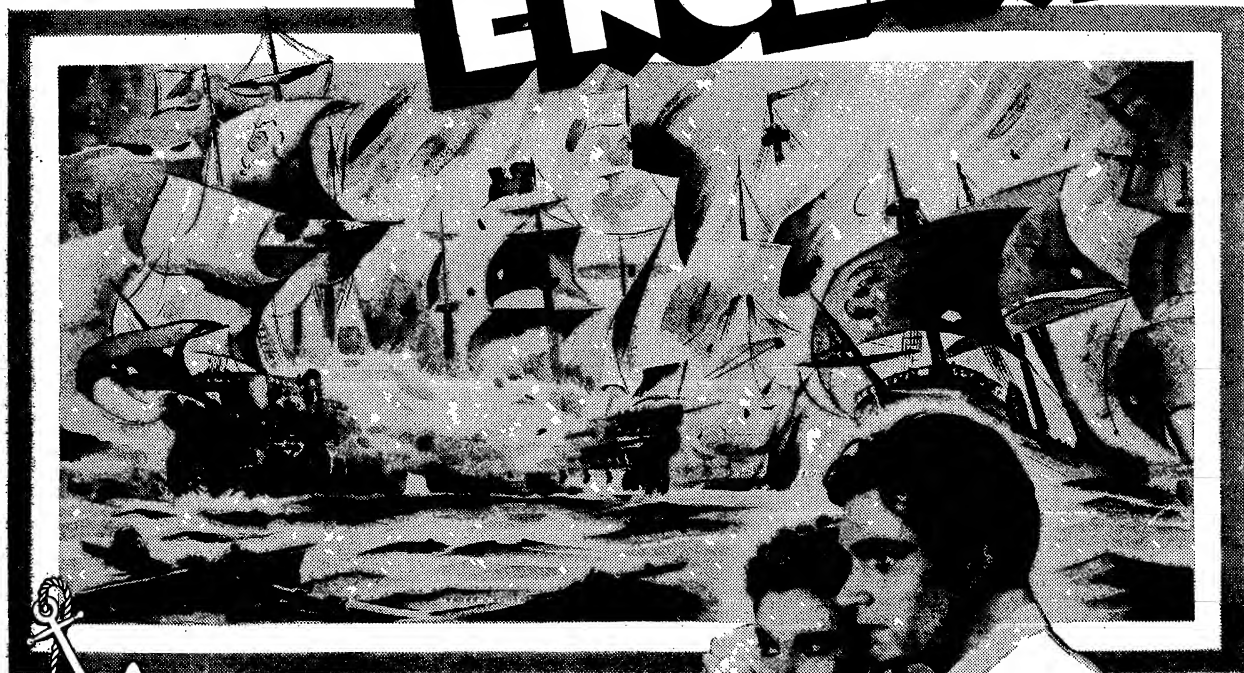
## PRODUCTION TABLE

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	Number now of pix com- promised, pleted.	Number now in work,	Pix now in the rooms,	Balance to be placed before cutting cameras,	Stories in the arra- tion
Producers and contributing companies.					
COLUMBIA	50	12	9	27	
Larry Darmour.....	8	2	1	5	
METRO	12	12	6	25	
Hal Roach.....	2			2	
PARAMOUNT.....				14	
E. P. Schulberg.....				5	
Emanuel Cohen.....				4	
Harry Sherman.....				5	
Frank Lloyd.....				4	
RAKO RADIO.....					
David Low.....					
George Hishman.....					
Sol Lesser.....					
REPUBLIC.....		1			
A. W. Hackel.....		1			
20TH CENTURY-FOX.....		10			
Sol Lesser.....					
UNITED ARTISTS:					
Samuel Goldwyn.....				4	
Walter Wanger.....				3	
Selmick.....				1	
E. Berger.....				2	
Criterion.....				6	
Korda London.....				23	
UNIVERSAL.....				7	
Buch.....			21		
WARNER.....					
Total.....	512	162	78	229	over

ALEXANDER KORDA presents

# FIRE OVER ENGLAND



TO THE  
COURT  
OF  
THE  
MAGISTRATES  
OF  
THE  
CITY OF  
LONDON

THE  
MAGISTRATES  
OF  
THE  
CITY OF  
LONDON

## A FLAMING TRIBUTE... TO COURAGE...AND WOMAN'S LOVE!

Thundering with the crack of sails in the wind...the clash of steel on steel...the pounding of hearts as brave men fare forth into battle for the nation they love...the nation they *must* save for the sake of the women they worship! Proudly Alexander Korda presents this thrilling drama!

*"Fire Over England"  
is one of the greatest  
dramas ever to come  
from a film studio"*

— says BOXOFFICE

## An ERICH POMMER Production

Directed by WILLIAM K. HOWARD with  
FLORA ROBSON • LAURENCE OLIVIER • VIVIEN LEIGH  
LESLIE BANKS • RAYMOND MASSEY • TAMARA DESNI

A LONDON FILM

Released thru UNITED ARTISTS

RADIO CITY MUSIC HALL MARCH 4th

(For information and guidance of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distributing companies, after passing by the New York State censor board, are included.)

[illegible]

**WHY IS "YOU ONLY LIVE ONCE"  
CAUSING SO MUCH DISCUSSION?**  
*Why is it attracting such  
record-breaking crowds?*

*Is it because: "It shocks and moves you with its breath-taking excitement!" as Howard Barnes points out in the N. Y. HERALD-TRIBUNE?*

*Is it because: "It is paced at such brisk speed that its impact is breath-taking... profoundly stirring, furiously exciting, unqualifiedly fine!" as Bland Johansen says in the N. Y. DAILY MIRROR, who adds: "YOU SHOULDN'T MISS IT!"?*

*Is it because: "One stirring sequence tumbles upon another... sinewy, well-knit, undeniably exciting!" as Robert Garland maintains in the N. Y. AMERICAN, who says, "a gilt-edged cast, if there ever was one"?*

*Is it because: "It is intense, absorbing, poignantly real... a brilliant compound of suspense and swift action!" as Frank S. Nugent exclaims in the N. Y. TIMES?*

*Is it because: "At the Rivoli it is holding audiences tense!" according to Eileen Creelman, N. Y. SUN, who adds, "PICTURES AREN'T OFTEN AS GOOD AS THIS"?*

*"I RECOMMEND 'YOU ONLY LIVE ONCE' TO YOU BECAUSE IT IS KEEN AND ADULT MELODRAMA, BECAUSE OF THE SUPERB PERFORMANCE THAT SYLVIA SIDNEY CONTRIBUTES BECAUSE OF THE WORK OFFERED BY HENRY FONDA, BECAUSE OF LANG'S VIGOROUS AND VITAL DIRECTION!"*  
*says William Boehnel in the N. Y. World-Telegram*

Walter Wanger's production of

# "YOU ONLY LIVE ONCE"

**SYLVIA SIDNEY and HENRY FONDA**  
*"should get season's best film award!"*  
*says Louis Sobol in the N. Y. Journal*

Doors open  
9:30 A. M. MIDNITE  
SHOWS  
B'way at 49th Street

**WHAT WALTER WANGER'S FIRST PRODUCTION FOR UNITED ARTISTS  
DID AT THE N. Y. RIVOLI IS *Everybody's Business!*... AND THE  
ABOVE ADVERTISEMENT TELLS THE STORY... HELD OVER INDEFINITELY!**

Loew's Midland, Kansas City, has cyclonic opening... then second day mobs boost business \$300 above opening day. Third day the panic is still on as receipts hurdle to \$600 over opening!... Wanger's first for U. A. astonishes Atlanta as Loew's Grand continues the box-office parade by almost doubling house average for opening day... then accomplishing the impossible as second day's receipts top opener by more than \$500!

# EXPLOITATION

By Epes W Sargent

## Smart Work for 'Girls'

Harry Brown, Jr., working with Eddie Shea, and other members of his staff, batted Three Smart Girls' over to near-rosy business at Shea's theatre, Newport. Campaign was topped off by My Man Godfrey, with a Labor Day to help, yet it cost only \$68.75.

Somewhat unusual was the promotion of 10 24-inch locations from the local bill poster, five of which were lighted. Given free in consideration of the business tossed him by the house on road shows. Brown also used 15 thirds, mostly on house boards.

Merchants had been promoted on a giveaway of a radio bar, and the award was set for the opening Monday of the picture, getting a literally packed house to go out and talk about it. Also helpful was the use of a three-hour loud speaker, installed for bank nights. On such nights, with the street in front of the theatre jammed, frequent announcements were made, but the speakers were also in use at other times to good effect. WJAR donated 15 announcements and 10 transcriptions, without charge, and more broadcasting was done. Brown, the members of the business clubs to which he belongs. As he was there as a member, and not as a tout, he was able to slide this over nicely.

Two sets of envelopes were used, one "For men only" and the other for women. Former was signed by "One of the three smart girls" and offered a date at the theatre. The latter warned wives and sweethearts to watch the boys while the smart girls were in town. Town was small enough to let this hit on all cylinders. Several thousand miniature photographs were distributed, and plenty of advertising inside the house, with 12 store windows to help along.

## Two Durbin Stunts

Sonny Shepherd, of the Lincoln, Miami, crashed the front page of the Daily News. A four column, half page spread on Deanna Durbin and Three Smart Girls. Same day the pix opened he made a telephone connection with Hollywood and a sob sister interviewed her in connection with the picture, the payoff being the enrollment of the young star in the newspaper's kid organization. Two column cuts each of the sob sister and Miss Durbin, the latter a wirephoto of the phone conversation.

Up in Lowell, Mass., Sam Torgan, of the RKO Keith, landed a co-op page with nine merchant hoodlums, the idea that the merchants had organized their stores because of specified reasons. Page made an exceptionally attractive display because of its good arrangement.

## Two Good Angels

Carolina used fingerprints and a broadcast warning "She's a wild, wild woman" to work up the interest in "Theodore a Wild". Film had been shown in some nearby towns but special build-up made it one of season's top biz producers. The fingerprints were used with "Warning" notices in newspapers, etc., and attracted wide attention. Houses playing local historical angle strong in exploiting George O'Brien in advance. His Daniel Boone film in these parts. Script is mainly concerned with the expedition of 30-odd Carolina families across trackless forests and Cumberland mountain into Kentucky. Schools, colleges, etc., being tied in for historical appeal well in advance.

## Fine for Utah

John Taylor, manager of Fox-Orpheum here, cashed in all the blue checks on the table Feb. 26 when he held a special preview of latest "March of Time" featuring the Latter-day Church (Mormons). Headquarters of church is here. More than 100 religious moguls, civic and business leaders attended the show. Film which featured the church's make-work program and showed candid shots of prominent leaders drew appreciative comments from everyone. Taylor had secretary take down voluntary comments from guests, which will be basis of advertising campaign when shown February 11 for a weeks' run.

## Sold Cuts

Special discount to civic club members was used as a means of packing the audience to "Romeo and Juliet" at the Loew's State Theatre, Norfolk. This initially successful exploitation clicked because of perfect timing on distribution of discount slips at luncheon meetings the week before the picture opened. Production on a road-show basis. Schools came in on special student prices, with whole classes that were studying Shakespeare works journeying to the theatre.

## Planting

Often the best results come not from newspaper stories written by the manager or his press agent, but from a story written by some reporter from a tip given by the management. Planting stunt is most art to many theatrical ramrodders and something others never knew about. They do not realize that a story written by a staff man will have a freshness of appeal the theatre's own stories may lack. And it is very simple to plant if only the manager takes the trouble to cultivate the legmen on the papers.

This is another point where many managers are lacking. They make a heavy play for the editor and the picture editor, but ignore the completely the humble reporter who legs it about town looking for what he can see. And yet often more stuff can be planted through the legmen than over the regular editorial cordial relations are maintained. The alert manager makes a point of feeding the reporters material which is not of concern to the house. If he knows a bit of gossip he passes it along. He offers suggestions for other stories, and in between he lives in something about the house. The managers may not concern the feature being run, but create a more permanent interest in the theatre itself as a place of entertainment. For instance, are interested in just how much electricity it takes to run a feature through the projectors. They seldom realize that something of performance is due to the efficiency of the change-over signals. There are hundreds of similar items, everyday to the manager, but interesting to the layman. He is glad to work into a story. Play up the theatre as well as the feature and it will be easier to sell the latter.

## Auto Stunts

Most managers get the names of auto owners from the state board of registration, but one theatre conducts its own compilation. All auto buyers, of both new and second-hand cars are advised by the regular car with the theatre they will receive a pair of tickets. Names and addresses are given, and this special list is used for mailing out advertising on automobile pictures. Figure that it gives about 90% of auto owners, which is close enough.

In another town a list of buyers is obtained from the dealers and even new owner gets a special form letter reminding him that the theatre offers free parking space for those attending the picture. The letter is large near the theatre and the parking fee is merely the purchase of one admission ticket. Park is kept open until midnight for the benefit of those who want something to eat after the picture.

Following the recent exploitation of new models a theatre gave its regular commodious lobby over to the display of a line of popular cars, specifying that the cars would not be shown until unveiled at the theatre. Cars were paraded to the house and the display was so arranged that the cars would be on view that evening. Display was made inside the ticket gate and represented a smart profit, to say nothing of the value of the parade. Useful only where the fire department will pass the stunt, but permissible where the cars will not block free exit.

## They Still Won't Talk

Special preview of lack Legion flicker by the four cut prisoners in Michigan state prison, provoked reams of free publicity in dailies here last week but failed to provide a stamp of approval of film's authenticity by the convicts. Fearful lest other prisoners "cut their throats," because they were getting a special privilege, the four cut prisoners clustered together with prison officials during the preview and afterwards pleaded complete ignorance of Black Legion activities. One of the inmates, serving a life term for a murder, ventured the opinion that, while he thought it was a good film, he couldn't vouch for its authenticity because he didn't know nothing about the Black Legion.

## Champagne Party

Balaban & Katz took advantage of the title to the "Champagne Waltz" (Par) to promote a champagne party for Veloz and Yolanda, in the picture, who happened to be in town the day before the picture opened at the Chicago theatre. Party was held in the theatre's lobby, the press turned out in full force, and the radio net going for it to the extent of an afternoon shot on Columbia and a midnighter on Mutual. Frank Veloz appearing on both. Papered the place with plenty of publicity the next day.

## Penny Sundae

Bob Russell had some parties for his run of "Pennies from Heaven". Used two different angles for his five-and-ten-cent store plugs. First was a Bing Crosby sundae, topped off with large candies in gold wrappers. Second was a window display of songs, with strings of gold-wrapped, candy hanging from Heaven (ceiling).

Another good stunt was worked the week before opening. Customers receiving change at box office were handed ten pennies in wrapper. On questioning the idea they were told the package was just some "Pennies from Heaven".

John Hesse put on heaviest campaign in weeks for "Black Legion" at the Roger Sherman. In addition to magazine and newspaper inserts, Hesse went to town with an eight-character radio sketch taken from film dialog. A lobby display showed two wax dummies. Legion garb, standing beside a mammoth reproduction of organization's oath.

Most effective stunt was a tie-in with New Haven manufacturers assn. and local factories in which execs of firms advised employees they must see the picture. Further reminder was handed them on printed inserts in their pay envelopes.

Ben Cohen used a couple of different ideas for his campaign on "Gay Desperado" at the College. First was a preview for representative Italian citizens who passed the word along by speeches and announcements on their own hook. Second was a list of opera-symphony subscribers also bore fruit.

Another angle was developed by loaning working script of film to Yale drama students who studied both the script and film itself. Cohen also landed a flock of windows by using everything in the film from a jewelry display to a Leo Carrillo hat. Did not campaign to a list of opera-symphony subscribers also bore fruit.

# BEHIND the KEYS

Recent ownership changes include the Pastime at Brookville to S. L. James; Little Playhouse, Dayton, to W. K. Keyes; and the Delyn, at New Stateville, to E. J. Delyn. The Ohio, Baltimore, has been reopened and the Pastime at Brookville is again operating while the Family at Adelphi is dark.

Tom Schenck, named manager of the Granada, Beaver Falls, Pa., succeeding F. Bridgi Weber, resigned. Spartansburg, S. C. red Reid delegated to write special show scripts for stage presentations and other home build-ups at State. Hollywood at York, Pa., closed by fire last Thanksgiving, will be reopened soon.

Users under 18 and S. C. looking for the few jobs that come under the law since passage of S. C. iron-clad child labor law appears assured in General Assembly.

Alamo which has been closed for several months, has been opened again under the management of William Clark and Herman Zappe. Fifth Avenue, 750 seat neighborhood, had it formal opening last week after being remodeled. Double feature policy, with four changes weekly.

Before leaving Raleigh for a return to Mexico City, where he represents the United States, Ambassador Joseph Daniels turned the first spade on the site of the Ambassador theatre at Raleigh on which work has just been started. Forsyth Winston-Salem picture house, opened Jan. 13. Contract for new house at reen-vue, being built by Dr. Fletcher Jordan, owner, awarded Morris McKoy, ulding company, Greenville, general contractor.

A cement garage housing the theatre at Weldon, Iowa, was destroyed by fire Jan. 23. Loss \$3,000.

Sunday shows are: Arnold, Neb. Bill Knight drew the house manager's job at the Lincoln, succeeding Gus Nelson, who was promoted to personnel manager. Knight's spot at the Orpheum went to Kurth Nelson. Tom Spay, retiring Warren Brothers exchange manager, was

## Selling an Artie

The exploitation for "Plou" and "Stars" at Fanchon & Marco's 5,000-seater Fox, engineered by Marvin Casimir, p.a., was chiefly through special groups who would get behind a pix of the more artistic type and promote it with their own organizations. A talk of the Abbey Players was delivered to the Better Films Council of St. Louis which has representatives from about ninety women's groups. Casimir made the initial address and the representatives of the women's groups, in turn, talked to their bodies.

Enlisting aid of local high schools was accomplished by inviting teachers of English and History to a preview and, based on their favorable reports, permission was granted to enter high schools with announcements of the feature. Student identification cards were made available and these allowed students to redeem cards at theatre box for regular tickets at student rates.

Local parents' organizations also aided. Letters were sent over president's name to entire membership of Child Conservation Conference, explaining film and urging support in other groups and suggesting attendance. Newspaper also carried a story of the type, but generally used and campaign was on a more artistic plane than the usual run of mine exploitation in these parts.

## Pran'd 'Black Legion'

Only outstanding stunt in exploitation here last week was fostered by Dick Lashley, Carolina, in connection with "Black Legion" pic. Lashley had streets patrolled by men in "Legion" regalia and sold pic in local papers from horror angle by bordering all ads with traditional heavy black lines. Whole business smelt strongly of press hole stuff, but the box receipts smelt of big money, so regardless of where idea came from it was a natural.

given a testimonial dinner (28) at the Hotel Statler by friends in the film biz. He is succeeded by Nate First, former branch manager at New Haven.

Bridgeport. Michael Carroll, aide to Edgar Lynch at Cameo (WB) goes to Lakeville to manage Stuart theatre. New Lynch assistant is Charles Ober.

New Orleans. Henry Thibodeaux, former booker for Paramount, named manager of the Southern Film Exchange.

Springfield. Phil Chakeres, president of Chakeres Theatres, Inc., signed a 20-car lease for Bijou, Xenia, O., largest cinema house in Greene county. Possession July 1 and theatre closed for 90 days during time approximately \$25,000 will be spent in remodeling, redecorating and refurbishing.

The Bijou is No. 11 in Chakeres circuit, company having nine theatres in operation now in Springfield, Greenville, Wilmington and Logan, O., and a new one ready to go into construction at Hillsboro, O. this spring.

St. Louis. McFerren's Theatre, Hoopeson, Ill., was among several business structures destroyed by fire recently.

F. V. and L. A. Mercier, ville, Mo., planning in Salem, Mo. The Film Exchange Bldg., Inc., has received articles of incorporation and will conduct theatrical real estate and investment business. Incorporators are Nat Koplar and Irwin J. Meyer, St. Louis, and Sol E. Koplar, Chicago.

RKO Radio Pictures, Inc., New York, has been authorized to operate in Missouri as non-resident corp. It is to use \$52,512.28 of its capital in Missouri. Russell T. Keyers, Jefferson City, will be principal Missouri agent.

Hollywood Amusement has been incorporated to engage in general theatrical business for public entertainments, including motion pictures. Incorporators are Al and Dorothy Rosecan, t. Louis, and Walter Voracek, Overland, Mo.

Sam Lubell, Mai ine salesman for Columbia exchange here, to city salesman in Cincinnati office. George Gus Nelson, who was promoted to personnel manager, Knight's spot at the Orpheum went to Kurth Nelson. Tom Spay, retiring Warren Brothers exchange manager, was

## Window Stunts

Years ago used to stop traffic with stocking parades in store windows, and they could endure the following week, if desired. The shade was drawn down to expose only the lower portion of the window and girls in various shades of the stockings to be advertised paraded up and down, only the stockings showing. It is still a good idea, though but little used in spite of its value, since the drawn shade was given almost wholly to an advertisement for the picture being touted.

But here is another, and simpler idea. The same layout is used, but only one girl is employed. The remainder of the window is filled with the life-size stocking models in use. A sign states that only one pair of the legs is animated and challenges the spectator to tell which one. The girl is selected because of her ability to remain absolutely quiet, and with a properly trained girl the effect is baffling. The girl gets a 10 minute rest in each half-hour period, which also serves to disperse the crowd against the collection of a new audience.

Another stunt that cuts an even wider swath is the girl who spends three days or a week in a store window, presumably on a bet or a dare. An electric range permits her to prepare her own meals and she can invite friends for a visit or to dinner. The curtains are drawn only when she is dressing, and she sleeps under a dim blue light. Best worked in a furniture store, with advertising for the fittings as well as the picture, but no matter where it is worked, it will keep them in front of the glass all day. If desired, the girl can make half-made to make it mysterious. Best in small towns, but it will work in the cities, too.

## Changed the Formula

Throw-away which Balaban and Katz made up for the fifth anniversary of the Southtown drive offers something a little different from anything in its class, being devoted almost solely to institutions' advertisements, instead of pictures for the date of the anniversary celebration, and even those plugs were pictorial.

First of the four pages, all printed on smooth stock, was devoted to a picture of the theatre, with smaller cuts showing Burns and Allen and Shirley Temple in stills from "College Holiday" and "The Great Dictator", the double feature then playing.

Inside spread was mostly picture explanations of the services rendered by the theatre. Lost and found department, parking and tire changing, aquarium, and kid checking were all plugged. Lots with go-karts and squibs. Last page consisted of six cuts, all stills, from the two pictures. Campaigned the Clergy Pittsburgh. Joe Feldman, publicity director for WVEY, "Black Legion" campaign for Stanley "Black Legion" picture, heavily to district's clergy for weeks ahead of opening. Had screening two or three times a week for rabbis and priests. Religious organizations in city pulpit praise for meller than any flicker has received around here in years.

First of cloth almost without exception based at least one Sunday sermon on "Legion" and in some case a few of them followed it up with still others. Heads of Catholic, Jewish and foreign organizations in city were also guests at a couple of previews and they were instrumental in spreading the gospel back among their respective groups.

## Smart Idea

In order to boost the premiere in Amsterdam of M-G's "San Francisco" the Dutch branch office of Metro Goldwyn at Amsterdam ordered, from one of the Amsterdam papers (Algemeen Handelsblad), a replica of that paper of the 19th of April, 1906. A big headline opens the first page: "San Francisco Hit by Earthquake" and inner page photographs. 100,000 copies were spread in Amsterdam that day. Stunt paid, because for day this paper was top of the day and it surely worked in boosting the box-office.

## Lobby Signs

Many theatres now make two and three plane displays for their lobby wall signs, raising the illustrative matter well above the background. The result is generally well worth the extra trouble, and gives a real distinction to the display. One of the best of the latter type showed cutouts from the small posters mounted on plaques against silver tinsel backing which gave an iridescent halo around the pictures. This was achieved through pasting. (Continued on page 67)

The smartest musical ever filmed!  
 Irving Berlin's grandest songs!

WITH A CAST OF STARS SO BRIGHT YOU DON'T CARE  
 WHAT THEY DO IF THEY'LL ONLY KEEP ON DOING IT!

*Madeleine*  
**POWELL • CARROLL**  
*in*  
*Irving Berlin's*  
**"ON THE AVENUE"**

with **ALICE FAYE • RITZ BROTHERS**  
**GEORGE BARBIER**

**ALAN MOWBRAY • CORA WITHERSPOON**  
**STEPIN FETCHIT** **SIG RUMANN**

Directed by Roy Del Ruth

Associate Producer Gene Markey • Screen play by  
 Gene Markey and William Conselman • Music and Lyrics  
 by Irving Berlin • Dances staged by Seymour Felix

DARRYL F. ZANUCK  
 in Charge of Production

They'll Be Making Love  
 All Spring And Summer To.

"I'VE GOT MY LOVE TO  
 KEEP ME WARM" • "THIS  
 YEAR'S KISSES" • "THE GIRL  
 ON THE POLICE GAZETTE"  
 "YOU'RE LAUGHING AT ME"  
 "HE AIN'T GOT RHYTHM"  
 "SLUMMING ON PARK  
 AVENUE"

**20th**  
**CENTURY**  
**FOX**  
 THE KEYSTONE  
 OF YOUR FUTURE

THE MAKERS OF YOUR GREATEST MUSICAL HITS  
 GIVE YOU THE MONEY HONEY OF 1937!

## Par in Mpls. Cures 'Em of Any Dual Yen by Coupling 2 B or C Pictures

Motion Picture Theatre Owners of Virginia held midwinter convention at Richmond, Feb. 11, 11th Edward Kuykendall, of MPTOA, and Abram F. Myers, of Allied, as principal speakers. Col. Robert T. Barton, Jr., counsel for MPTO of Virginia, will be another prominent spokesman, with 'Social Security and the Theatres' as his topic.

The association will elect a new board of directors and officers for the coming year. A trade show of numerous items of equipment will be featured in the large John Marshall hall with some 22 firms represented.

Six in work, 21 editing, 8 preparing. In work: 'THE PRINCE AND THE PAUPER,' reported VARIETY, Dec. 16; 'DANCE CHARLIE, DANCE,' reported Jan. 20; 'TALENT SCOUT,' 'PUBLIC WEDDING,' 'KID GALAHAD,' and 'THE SINGING MARINE,' all reported Jan. 27. No pictures started last week.

Readied to start: 'MIRACLE MOUNTAIN,' 'EVER SINCE EVE,' 'THE STORY OF EMILE ZOLA,' 'MAZERKA,' and 'LOOK OF THE IRISH.'

Paramount's "MAID OF SALEM"  
IS AS POWERFUL A PICTURE AS  
I'VE EVER FILMED. *Frank Lloyd*

Director of "Cavalcade"  
"Mutiny On the Bounty"

**RIGHT!**  
MOTION PICTURE HERALD



**RIGHT!**  
FILM DAILY

**RIGHT!**  
HOLLYWOOD REPORTER

**RIGHT!**  
DAILY VARIETY

**RIGHT!**  
BOX-OFFICE

**RIGHT NOW** you'd better read the rave reviews,  
screen the picture, make early bookings for the film the critics acclaim  
one of the finest of the year and a box-office sensation. Frank Lloyd's  
"MAID OF SALEM", starring Claudette Colbert and Fred MacMurray



# EVEN D. C. GOES GA-GA AT PIX S.A. TURNOUT

A battery of screen and radio names—more than Washington usually sees in the course of an ordinary entertainment season—threatened to steal the show from Mrs. Franklin D. Roosevelt when the town—brated the President's birthday Sat- (30).

Doubling proceeds from last year's birthday balls, the city's foremost hotels were jammed with merry-makers—drawn by twin opportunity to give the First Lady the and maybe get near enough to touch Robert Taylor or Jean Harlow.

Harlow-Taylor combine was principal drawing card, as 15,000 Washingtonians fought their way from one hotel to the next for another look, and many a Government clerk went to work on Monday with Hollywooditis. Marsha Hunt and Mitzi Green caused considerable heart-trouble to male fans, the kid star showing promise in grownup evening togs. John Trent, new film juve, furnished an extra thrill to luffery females.

Radio, variety and opera also received attention from Washington's "entertainment" officials. Blue-bellies and city toilers who rubbed shoulders in congested ball rooms. List of hot-shots included Frederick J. Mager of the Metropolitan opera, Mme. Maria Gambarelli and Benny Fields. Radio contributed Irving Caesar, Don Zelayo, with Amanda Snow ("Spirit of Minneapolis") and tap-dancer Charles Barnes adding to the entertainment program.

While the President celebrated quietly at the White House, with a birthday party to which his "old birthday gang" had been invited, Mrs. Roosevelt circulated tirelessly through each of the seven ballrooms and wound up at the George Mason hotel in Alexandria, Va., to show her appreciation of the big turnout accorded the "paralysis parties."

Trailed by Washington cops, Mrs. R. and the film and radio stars were protected from mobbing by enthusiastic throngs. Suplt. of Police Ernest W. Brown accompanied Mrs. Roosevelt while part of his force of 1,300 men was assigned to save Miss Harlow and Taylor from hungry admirers.

According to a local rag "women screamed hysterically" at the approach Taylor. Miss Harlow—swathed an ermi wrap—received usual share of goggling and applause but the ladies were better behaved and refrained from trying to tear star apart.

Joe E. Brown's fans were cast down over comedian's failure to arrive in time for Saturday's frolics. Frantically trying to reach Washington by plane, Brown sat down several times at various points east of the Rockies and finally gave up trying to make the Capital.

With everyone from highest official big to government workmen who bought tickets on the installment plan, attending one or all of the parties, hosteler reported take of \$44,000 for the evening. All proceeds will go into the fund for infantile paralysis victims who are helped each year by nation's efforts to give the President what he calls his "finest birthday present." Washington hotels contributing ballrooms were the Wardman Park, Shore arm, Mayflower, Hamilton, Willard, Raleigh and Washington.

Film stars, besides calling at Capitol for pics with Congressmen, including shot of Miss Harlow kissing Senator Reynolds of N. were luncheon guests of Mrs. D. at White House. Hollywood crowd also was on hand in President's study to watch him make speech and stuck around while he posed for newswriters.

Big event for the upper beta was snooty breakfast at Carlton hotel, starting at 30 m., at \$25 per plate, which drew around 500.

Abe Lyman was only imported band, making rounds of all hotels. In Guy Standing, influenza, was another of film contingent who failed to show.

Two vast theatres, Capitol and Earle, sold out and stood "up" for midnight shows at \$1 a head. Shows offered combined bills of each house plus p. 's by visiting stars.

# Harry Greenman Takes Shubert-Rialto, St. Lou

St. Louis, Feb. 2.

Harry C. Arthur, Jr., v.p. of Fanchon & Marco interests here, has subleased Shubert-Rialto to Harry Greenman, head of Greenman Theatres, Inc., who will operate house on a low price scale using revivals of all companies. Deal was closed last week and takes from F&M's hands one of two theatres, obtained in settlement of troubles with WB last year. Shubert-Rialto and Orpheum were shuttered last month by F&M after failure to obtain concessions from IATSE in personnel of union employees. Lease on Shubert-Rialto expires next September and whether Greenman renews it will depend on success in conducting it on low price policy.

Oscar Dane, veteran local showman, is trying to find angel to back him in taking over Orpheum which also was closed by F&M last month. Lease on this house has three years to run at \$35,000 rent per year. Dane contemplates putting on colored entertainment if deal goes through.

# Incorporations

## NEW YORK

Manor Theatre Corp., Rockland; general theatrical business; capital stock, 200 shares, \$100 par value. Incorporators: Carl Bogner, Monticello, N. Y.; Joseph L. Kucher, Monticello, N. Y.; Samuel Cohen, Monticello, N. Y.

Dewey Theatre, Inc., Kings; theatrical business; capital stock, 200 shares, \$100 par value. Incorporators: Leonard R. Spies, 2117 Broadway, New York City; Bernard Klein and Billas M. Felix, both of 40 North Main street, Groverville, N. Y.

Schles-Franklin Corp., Groverville; theatrical business; capital stock, 10 shares, no par value. Incorporators: F. D. Thompson, M. Glicker, P. Barter, all of 40 North Main street, Groverville, N. Y.

Eddie's Amusement Corp., Kings; general theatrical and amusement business in all its kind; capital stock, 100 shares, \$100 par value. Incorporators: Esther Moskowitz, 310 West 54th street, New York City; Ruth Fine, 2525 Church avenue, Brooklyn; Irene Levine, 1410 West Fifth street, Brooklyn.

Tudor Films, Inc., New York; deal in motion pictures and motion picture films of all kinds; capital stock, 100 shares, no par value. Incorporators: Thomas B. Y. Benjamin, J. Rosenthal, 574 East 23rd street, New York City; David S. Beach, 136th street, Belle Harbor, N. Y.

Greenman Theatres, Inc., New York City; capital stock, 200 shares, \$100 par value. Incorporators: Leonard R. Spies, 2117 Broadway, New York City; Bernard Klein and Billas M. Felix, both of 40 North Main street, Groverville, N. Y.

Schles-Franklin Corp., Groverville; theatrical business; capital stock, 10 shares, no par value. Incorporators: F. D. Thompson, M. Glicker, P. Barter, all of 40 North Main street, Groverville, N. Y.

Eddie's Amusement Corp., Kings; general theatrical and amusement business in all its kind; capital stock, 100 shares, \$100 par value. Incorporators: Esther Moskowitz, 310 West 54th street, New York City; Ruth Fine, 2525 Church avenue, Brooklyn; Irene Levine, 1410 West Fifth street, Brooklyn.

Pilgrim Pictures Corp., New York; deal in motion pictures and motion picture films of all kinds; capital stock, 100 shares, no par value. Incorporators: same as above.

Coronet Pictures, Inc., New York; deal in motion pictures and motion picture films of all kinds; capital stock, 100 shares, no par value. Incorporators: Emanuel Redman, 60 Wall street, New York City; all of 60 Wall street, New York City.

Point of view amusement business; capital stock, 200 shares, no par value. Incorporators: Lillian Schorr, Harold E. Horowitz, Franklin Walsh, all of 1270 Sixth avenue, New York City.

Time Abstract, Inc., Manhattan; operate broadcasting stations; capital stock, 1,000 shares, no par value. Incorporators: Kenneth E. Ryan, John D. Garrison, H. C. Blackstone, Jr., all of 25 Broadway, New York City.

Two houses will lay down approximately \$6,000 as their contributions.

## Planes Stall Stars

Snowstorms stopped plane in which Lee Tracy, Mary Brian and Florence Lake were flying from Coast to Cleveland for personal in local President's charity birthday ball, which finally had to go on without its guest-stars.

Trio started out last Friday afternoon (29) but storm first forced them down at Las Vegas, Nev. A second stop six hours later had to be made at Salt Lake City and a low ceiling stranded them in Iowa City, Ia., Saturday midnight (30). All of them suffered from lack of sleep and nervousness. By wagon and train they eventually reached Chicago, where they decided to entertain for Hollywood after sending apologies. Nat Wolf, head of local entertainment committee, flew over to express thanks despite the disappointment.

Ball in civic auditorium was still a sell-out, drawing approximately 10,000 at \$1 per head. Seventy percent of the net, about \$3,500, goes to local welfare, paralytic clinics and rest to Warm Springs Foundation. Hal Kemp's nd Jimmy Dorsey's orks doubled with talent from Mayfair Casino and other nities to offset absence of stars held up.

# ANTICIPATE NEW U. S. LABOR LAWS WON'T AFFECT PIX BIZ MUCH, IF ANY

## Anti-Block, Anti-Chain Bills Proposed by Cal. Rep. from Culver City

Hollywood, Feb. 2.

Next session of the California State Legislature, which convenes March 1, will present a double headache for film industry in the form of two new bills. Bills, sponsored by Assemblyman Ernest Voigt, would prohibit block booking in the first measure; the other would prevent producers distributors from controlling or operating picture houses.

Voigt, Culver City representative, home ground of Metro, proposes in his measures to ban the sale of two or more pictures in a block, unless sale is accompanied by complete synopsis and detailed information regarding dialog and action. In event that the released product differs from submitted data, exhib would be privileged to cancel the film booking without liability. Exhibs are also permitted under proposed bill to bring legal action themselves for contract breach.

Penalties involved for infractions of booking bill by distributors are step and call for a maximum fine of \$5,000 or one year's imprisonment or both. Superior Courts would be vested with the jurisdiction to prosecute such violations.

Legislation on the producer or distributor ownership of theatres is tougher than the block booking measure and contains more severe penalties for violations. Such violations would not become effective until one year after enactment and carry a \$10,000 fine or one year imprisonment or both. In addition, violators would forfeit right to further engage in production or distribution in California.

# CONVERSION OF PAR'S 1ST PFD.

Program converting Paramount's first preferred stock into common continued unabated last week as the number of outstanding common shares rose above 2,000,000. Campaign of conversion was marked by rise of the first preference issue to 200%, new 1936-37 peak. While this quotation represented a rise of 141% points from the low figure of 59 in 1936, the 200 class was not a surprise to Wall Street since traders have heard reports that this price was the immediate goal for the standard requirement.

The common shares in the meantime rose to new high level of 23%, maintaining the old 7 to 1 ratio, which is the basis of converting the first preferred into common. An indication of how far the conversion program has progressed is shown by the fact that originally the common totaled 1,587,000 shares outstanding. Means that more than 60,000 shares of first preferred have been converted.

Shift of the first preferred into common shares is understood to be part and parcel of Par's financial adjustment and economy campaign, in as much as a healthy conversion of disappearance of the preference stock will considerably trim dividend outlay for the corporation. This preferred pays \$6 annually, so that with the removal of every 100,100 shares the company effects a \$600,000 yearly saving, and also places the common in better position to share in earnings. With the first preferred out of the way, Paramount will have no dividend requirements on preference stock standing in the way of cash distributions to common shareholders. Currently, these are reported to amount to only about \$360,000 annually.

The problem of cutting down interest payments on the 6% debentures of which about \$25,000,000 worth are still outstanding, still confronts the company. It now appears dubious if the entire issue would be refunded and liens bearing a smaller interest rate substituted.

# Modified NRA Has No Child-Labor Problems for Amus.—Hours and Wage Scales Also OK—Stringent Control for Other Industries, However

## Legislation

### More Liberal Penny?

Harrisburg, Feb. 2. With a liberal Democratic legislature in session, backers of pari-mutuel racing bills, Sunday fishing and Sunday basket ball measures are concentrating their efforts more on Governor George H. Earle than on the legislators. They are confident the bills can be passed, but not so sure about the executive action on them.

Two years ago Earle said he would not sign such a bill. It was passed by the house and failed by one vote of passing the senate. Pressure to have him approve the bill this year comes from many places. Principal supporter is John B. Kelly, secretary of revenue and Democratic leader of Philadelphia. He is also a brother of the Virginia Kelly. Kelly can see no reason Pennsylvanians should spend their money in Maryland, New York and other states. Next spring the Wilmington track will open in Delaware and the rail-road fare there out of Philadelphia is but 28c. As a revenue-raiser, at a time when the state needs funds for relief, the bill has the support of many legislators.

### Anti-Billboards

Detroit, Feb. 2. Limiting sites for commercial billboards has been introduced in to state legislature by Senator J. Neal Lamoreaux. Designed to preserve scenery and prevent traffic hazards, bill would strike hard blow on theatres in Michigan. Proposed law would decision on proper places for display signs in the hands of various communities, some of which are far from favorable to show biz.

### Leads Censorship Blues

St. Louis, Feb. 2. Film houses preparing to fight bill creating a board of censorship of three members; fixing a fee of 1c for each foot of film shown in city; a 50c fee for censoring each folder, poster and advertising matter pertaining to film and stipulates that any film found to be immoral, in judgment of censors, would be barred from being shown. There would be no appeal from decision of censors. Alderman L. E. Couplin, who announced intention to introduce bill, said censors would be appointed by the mayor; would receive \$3,000 per annum and their salaries and incidental expenses would be paid from fees collected which are expected to total \$150,000 annually. Couplin said measure will be introduced primarily as means of raising revenue for unemployment relief.

### Minn. Ill Looks

Minneapolis, Feb. 2. Attempts to legislate against further theatre construction here apparently have failed. Even a modified ordinance that would leave the matter to the aldermen's looks to be dead.

The ordinance is back in the ordinance and legislation committee for reconsideration for the second time and indications now are that it will be buried there. Committee has met twice since the council returned the proposed measure and on each occasion failed to take it up.

### Cops Censor In B'ham

Birmingham, Feb. 2. The office of city amusement inspector has been abolished by the city and the duties of censoring theatres and amusements has been turned over to the police department. This action was taken a recent meeting of the city commission after a move to appoint a censor. Marzoni, veteran newspaper critic, as head of the office was defeated.

### CHAS. GOLDBREYER BROKE

Charles A. Goldreyer, manager of the Huh Theatres Corp., operating a motion picture in the Bronx, N. Y., Saturday (30) filed a petition for bankruptcy in federal court.

Washington.

Plotted new labor laws reviving fundamental the NRA probably will not much, any, of the film industry.

With the New Deal determined to take action which will eral supervi business activities, this was the outlook i emment circles last week as President Roosevelt and the brain-continued to study formulas for improving condition of worki ple and stamping practices. The Administration program probably will not be set, or transmitted to Congress, for some time to come.

Although the White House and various departments had not made up their minds, indications were that only a select group of lines will be singled out for stringent Federal control. The bulk of industry, on the other hand, will be left free to handle its own labor matters.

The Administration expects to lay before lawmakers an ambitious program, including new statutes fixing wages, limiting the work week, strengthening present laws on lective bargaining, otherwise promoting the general welfare workers. In addition, Secretary Labor Perkins wants the right force bosses and workers to lay their grievances before her, although she has not yet proposed any measures bringing compulsory acceptance of Labor Department decisions in employer-employee tiffs.

### Labor Dept.'s Supervision

The hour and wage propositions are expected to resemble the President's Reemployment Agreement which was one of the NRA ideas but they will not extend to every industry. Instead, only those lines where workers are forced to put in excessive hours and paid unconscionably low wages will be hit. Some government outfit probably the Labor Department would have power to investigate and determine which trades need such remedies. The law probably will lay down outlines and authorize the Labor Department, after investigation, to promulgate hour and wage regulations for the business which are found exploiting their workers.

Under such circumstances, films probably would be molested only slightly. Exhibition might be rapped, but production unquestionably would be in the clear. This is especially true since the studio end had the highest wage scale and the most liberal hour arrangement of any industry brought under regulation through the abandoned code system. In view of the repeated labor troubles in exhibition, it is possible, however, that the Labor Department will recommend some standards be put effect for theatre employees.

# Chi Film Board Plans To Meet Every Month

Chicago, Feb. 2.

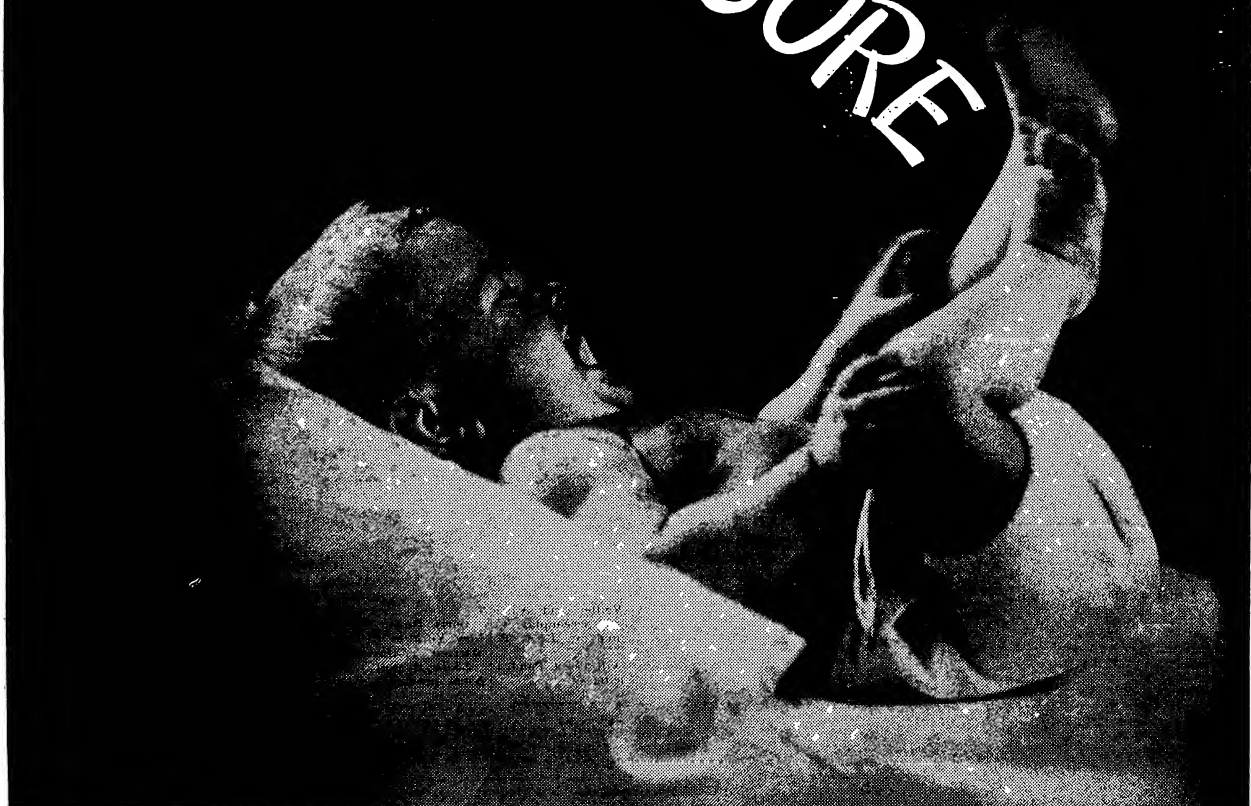
With a new regime in the Film Board of Trade following the election of Allan Usher, chief of Paramount exchange here, as president, there will be regular monthly meetings of the associ

While there haven't been any special problems up recently, the majority on the exchange men feel that they should get together at least every four weeks to talk.

### Trans-Lux's

rans-Lux Daylight Picture Screen Corp. declared a dividend of 10c. per share on capital stock at meeting of directors last week. This is the first declaration this year and the initial one since the company issued an extra dividend of 5c. late in 1936. The new payment is to stockholders on record Feb. 13 and payable March 1.

# IT'S A PLEASURE



AS THE FELLA SAYS, IT'S A PLEASURE TO KNOW THAT ALWAYS...ALWAYS...NO MATTER WHAT THE CONDITIONS...NO MATTER WHO MAKES THE PICTURES...NO MATTER WHAT THE SUBJECT...OR WHEN YOU PLAY IT...SPOT BOOKING...OR BOOKED WAY AHEAD...NATIONAL SCREEN SERVICE IS ON THE JOB AND RARIN' TO GO...WITH A SWELLELEGANT TRAILER TO BRING HOME THE BACON...YES SIR, YOU GOTTA HAND IT TO

**NATIONAL SCREEN SERVICE**  
—PRIZE BABY OF THE INDUSTRY

# Philly's Mayor Orders 4-Week Truce To Legally Test Bank, Bingo, Etc.

Philadelphia, Feb. 3.—Following a conference between Mayor S. Davis and 150 representatives of 150 indie houses, it was decided to extend the two-day truce between city officials and exhibitors for four weeks, during which time Bank Night, bi lotto and other games will be permitted to run. Last Wednesday police ordered the continuation of banks and the other games, but after a committee of exhibitors had conferred with Director Emanuel the two-week truce was granted.

During that time, arrangements were made with Mayor Davis, who has been busy on the flood relief problem, who showed during today's meeting surprisingly shrewd knowledge of the situation.

He declared that he, personally, had no objection, in fact was favorable to such games provided the customer had full value for his admission price because, he added, he realized that many small exhibitors were handicapped in being unable to procure the kind of picture necessary to meet stern competition.

"However," the mayor said, "we will take action to prevent racketeers, gamblers or professional organizations from taking all or part of the proceeds."

He said he believes that it is a case for the courts to decide, and it definitely understood that some time during the four week truce, a case will be arranged between the exhibitors and the district attorney's office that may decide the issue. This case may be that of Raymond O'Rourke, who runs the Viola, in West Philadelphia. Lottery racket charge, he was up before Judge William M. Lewis on Dec. 7, but the case was held for further hearing, which was dated for yesterday. In view of the police developments Wednesday, Judge Lewis again postponed, and it is generally believed that this may be the required test case, although this is not official.

Morris Wolf, attorney for Warner Bros., which uses none of these games in any of its local houses, came out vigorously at the meeting in the mayor's office against bank night and all the rest of them. He asserted that these were "controlled games" and that the dealers, or promoters, get big royalties from them, and added that he believed that the film people should stand on their feet and not become entangled in these gambling interests.

Jerome Barr, New York, attorney for Luck, answered Wolf, saying that the game dealers made only a small and reasonable profit on the cards whereupon Wolf replied that the card sold at 100 times their actual value.

The mayor, several times during the conference, insisted that during the truce the police had positive instructions to close immediately any theatre where money was being paid for chances on the lottery and not for \$1,000 Weekly.

He also explained why his attention was first called to the whole thing and the exhibitors present were greatly interested and mystified by what he said. He narrated that three strangers from out of town, names mentioned, had approached his secretary, Lou Wilgarde, recently with an offer to the city of \$1,000 a week for the establishment of a regular headquarters or "parlor" for these games. There was no mention of theatres in this case nor was the offer made in any way as an attempted bribe according to the mayor's statement. Informal personal investigation.

Incidentally, Mayor Wilson declared that he was perfectly agreeable to have churches and other organizations run these games, as they have been doing here for some time.

The UMPTO, which will co-operate with the city official on the matter elected the following committee for the occasion, Lewen Pizor, Norman Lewis, Emanuel Lewis, Herb Elliott, Sam Kantor, Sam Somerson and Dave Milgrim.

## Roxy Reorg.

(Continued from page 7)

plan, then more rights should accrue to the first mortgage bondholders. Undoubtedly the court may have to render some decision on this point.

Present talk of amendments to the proposed plan, however, took offside as Attorney Israel indicated in rebuttal, since 20th Century-Fox Film company's consent is required to change the plan. The film company is a free agent and there is nothing anybody can do which can compel the film company to make amendments to its own offer.

Attorney Israel also pointed out the necessity for an early reorganization of the theatre and that it was for the best interests of all to work for an early reorganization. The Tipton committee and others seem to figure postponement might work out more favorably for creditors.

20th-Fox's Film Deal  
Another thing Israel dealt upon was the advisability of clinching a film deal with 20th Century-Fox before the 1937-38 season gets under way. Failure to do this could endanger the theatre's b. o. chances.

Some of the lawyers asked the court to order a new appraisal of the property but this may be done in the regular course later, as the court conducts its expected examination of the estate and its administration.

There was a time when the second mortgage note holders' group was contemplating presenting a reorganization plan of its own, in association with Fanchon & Marco, or vice versa. This idea went into a fadeout when the proposed plan came into being and talk arose that F. & M. was endeavoring to get 20th Century-Fox to continue F. & M. in the operation of the house. There has been no official dictum on this thing, as yet, however.

However, with approximately \$180,000 which will be required for interest charges and amortization expenses annually, under the plan, it is felt that 20th Century-Fox will pay considerably less for admission tickets the theatre operation, no matter whom it employs to do this.

## AGENT CAN'T COLLECT EXPECTANT COMMISH

Hollywood, Feb. 3.—In view of the expectancy of commission was ruled no go in Superior Court, where John Zanfi, agent for exhibitors, sued for 10% of salaries accumulating to Paul Schofield on his five-year contract.

Court limited the attachment to \$360 as the amount assertedly due on moneys already earned by Schofield.

## Judels Plans 4 Indies

Hollywood, Feb. 3.—N. Judels, indie operator, here to produce four films for the indie market. Judels will spend a month in Chicago, Milwaukee, Indianapolis and St. Louis.

## HAYSITE'S 2,000-FOOT O. O.

Arthur Dickson, of Hays office exchange and technical division, is on an extended inspection tour of key city exchanges throughout the nation. This is his initial visit many since distributors installed new equipment for handling 2,000-foot reels. This week he is in Dallas and Texas metropolis. Dickinson will return Feb. 16.

## ANNE SHIRLEY IN 'STELLA'

Anne Shirley from RKO for the daughter role in 'Stella Dallas,' part played in the silent version by Lois Moran.

King Vidor, director, okayed actresses after he had given her several tests with Barbara Stanwyck, who has title role.

## Armenian Rug Dealer's WB Libel Suit Over Name

William M. Pratt, Los Angeles attorney, was named Wednesday (27) by N. Y. Federal Judge Bondy to take the depositions on the Coast of Robert M. Lee and Peter Milne, script writers, and William Dieterle, director, and Hal Wallis, producer, in connection with the suit for \$100,000 libel against Warner Bros. The plaintiff is Miran Andriasian, Armenian rug dealer, who claims WB used his name as a character in the picture, 'From Headquarters,' and that in so doing had damaged his reputation. The character in the film was depicted as a thief, black-maller and murderer. Defendants entered general denial to claims.

## PATHE STUDIO TO SELZNICK

Hollywood, Feb. 3.—Needling additional studio space, Selznick-International is leasing Pathe studio in Culver City from RKO-Pathe for three years, with an option for two more. Contract begins March 15.

Selznick will start erection of additional stage space for his productions immediately. David L. Loew, who is making the Fox E. Brown series for RKO, and Douglas MacLean, producing for Grand National, will remain on the lot.

Sol Lesser, George Hirliman and General Pictures, of which Robert Welsh is head, will vacate their space when the S-I pact is effective. G. B. Howe remains as general manager.

## Crosby's Track Licensed For 25-Day Summer Meet

Hollywood, Feb. 3.—After many months of squabbling, which finally led to a pending legislative investigation into the activities of the California Horse Racing Board, the Del Mar Turf club, headed by Bing Crosby, has been granted a license to hold a 25-day race meeting at the new Del Mar, Cal., track. Season starts July 3 and ends Aug. 7.

Other film names identified with the venture include Joe E. Brown, William LeBaron, Pat O'Brien and George Raft.

## GINGER'S RKO 'VIVACIOUS'

Hollywood, Feb. 3.—Ginger Rogers will be the solo star in RKO's 'Vivacious Lady,' which Anthony Veiller and Anne Morrison Chapin are screenwriting. Story is an original by L. A. R. Wyllie. George Stevens will direct. Pandro S. Berman producing.

## Picture Theatres' Ballyhoo Tieup With Downtown Merchants in Work

Plans for launching a nation-wide drive to interest department stores and leading merchants in the exhibitor move for more extensive film news in newspapers have been temporarily delayed awaiting more concrete action on the part of industry leaders and trade associations. Similarly there has been a delay in Greater New York because the committee representing the retail stores in the midtown area has not completed its report for presentation to daily paper publishers.

While enthusiasts here plan to get more space in daily publications about picture product, its stars and plays apparently are thoroughly sold on the project in New York City. No concise plan has been framed by which managers throughout the country could be shown how to follow individual communities.

Where the committee representing the merchants in N.Y. had planned to confer with publishers early this month, it now looks as though it would be several weeks before any tangible action will be taken.

In scattered key cities, where exhibitors have taken the initiative on the matter, they have approached daily publishers with the idea of

## Par May Have Its Official Attitude On MPTOA's 10-Point Platform Ready Today; Columbia's Ideas

### Pix Box Score

(Continued from page 3)

to seventh,ileen Creelman down a notch to eighth, William Boehnel still in ninth, but saved from the cellar position by another newcomer in film reviewing, Robert Garland.

### American's Twin Reviewers

Garland's first appearance in the score, he having barely started on the American when the last computation was made. It also the sole situation where two reviewers for a paper are tabbed, general rule being to omit the second-stringers. In this instance, the editors of the American have failed to issue a clear statement as to whether Garland or Miss Crewe is the first-stringer. Garland, at present, is reviewing more films than does Miss Crewe. However, she had accumulated a considerable list of reviews as first-stringer when she was alone on the job and, to date, has caught more on the season than has Garland. On 107 films, Miss Crewe is considerably ahead of Garland, with a score of 700, while Garland, 91 films has scored 604.

Garland, in his short berth on the American, incidentally, has taken over the undisputed hemming and having championship, having turned in 18 no opinions. That's worse than Rose Pelwick, usually heading the yes-and-no column, who has only 12 no opinions on the entire season. These no opinions, for box-score purposes, are counted as wrongs. Winston and Miss Cameron, the winner and runner-upper, have no no-opinions, avoiding that by the use of a star and clocking system. Barnes and Boehnel have been consistently said yes or no about films through the season, though without the use of gadgets.

### Autry Back for Pic

Hollywood, Feb. 3.—Completing a personal appearance tour of the south and southwest, Gene Autry has returned to the Coast to start Republic's 'Get Along Little Dogie.' Smiley Burnett is also cast.

### DORIS NOLAN BACK AT U

Hollywood, Feb. 3.—Doris Nolan has returned from New York to go into 'A Good Man Marries' at Universal. Eddie Buzzell will direct. M. M. Aster producing.

### Wants Flesh

Baltimore, Feb. 3.—The newspaper executives that the film theatre and news about it and the picture industry should be recognized the same as other news. Instances have been reported where failure to accomplish this has resulted in theatre managers and circuits going in for competitive forms of advertising such as billboards, radio and direct mail ads. Billboard and radio costs have been taken care of largely by distributing companies.

The straight stage show, coming in Friday (5), headed by Johnny Weissmuller and Lupe Velez; also show for week following. House will then go straight-film again, later on bringing in occasional vaude to bolster B pix.

Paramount, the majors from whom any decision the Motion Picture Theatre Owners of America 10-point program expected (Warners refusing to consider the trade practice reforms urged) may have its answer ready today (Wednesday). Ed L. Kuykendall, president of the MPTOA, reaches New York in two weeks and he will confer promptly with Republic, Grand National and possibly Monogram. J. J. Milestein, sales head of Republic, has indicated that he wants to discuss the 10-point program with Kuykendall.

This company, C. N. and W. Ray Johnston's revived Monogram, which begins to take contracts this spring or early summer, are not members of the Motion Picture Producers and Distributors of America, thus being classed as indies, but each of these companies is set up nationally. Presumption is, that the MPTOA may get better concessions from the smaller companies on the ground that if their sales policies are more inviolate they will be in a better position to compete with the larger distributors. This, in turn, may force the majors to greater lenience than they are promising so far. The MPTOA is dissatisfied with its victory with the majors isn't greater.

It isn't known what Paramount will grant in connection with the 10-point program but reported that this company has delayed its answer to demands so long because it has been revised several times. Absence from New York of distribution and legal executives has also contributed to the delay, however.

When Par's answer is in and negotiations with Republic, Grand and Mono are completed, it is expected that WB may reconsider its original stand not to participate in any way. If not, question which arises is whether or not WB will try to compete with other distributors, all of whom are throwing exhibitors some kind of a bone in order to get their business.

Columbia made its position known Saturday (30) in a letter from Abe Montague, sales head, to Kuykendall, latter now in Columbus, Miss. While the decision from Col does not differ from other companies in any important way, the MPTOA is impressed by the explicitness of the Montague letter. It is at least clearer on some points than others.

Among other things, while Montague is willing to eliminate score charges, his company is the first to suggest how it will be eliminated. Montague stated that Col believes score charges are a part of film rental. "Therefore," he wrote "when satisfactory percentage terms are agreed upon, we feel that the score charge can be eliminated. On flat buy contracts we are agreeable to discontinue the practice of separating the rental and score charges, and in the future have one space for the insertion of complete film rental terms." He quotes the words, "film rental terms," inference being that score charges may still conti in certain cases though listed as part of the regular film rental.

Col enforces a new restriction on cancellations. Agreeing to a 10% cancellation clause if the exhibitor contracts for all the pictures offered him at one time, Col restricts any cancellations exercised to pictures in the lowest price allocation group. Cancellation must be given in writing 10 days after mailing of notice of availability. It is also provided that if exhibitors desire to buy selective contracts at the time of the negotiation, they take their elimination at that time and are not entitled to any further elimination.

Col is opposed to overbuying by an exhibitor. In competition between exhibitors, non-theatrical bookings and a uniform contract. Col, however, is in favor of developing a shorter form contract that is practical.

Company also favors conciliation boards if proper machinery can be set up but does not think that there can be a uniform clearance schedule, position taken being that clearance must be local between the exhibitor and distributor. With other companies, Col is on the fence so far as forcing shorts is concerned, declaring that "because of economic operation, it is absolutely necessary to license short subjects at the same time that features are licensed."



Another towering M-G-M Roadshow starts on its history-making career. Again the famed name Metro-Goldwyn-Mayer resounds through the amusement world. Again your patrons realize that they are getting the best in films because you bring them M-G-M Stars and Attractions.

—•—

*"THE GOOD EARTH" is now playing Twice Daily at \$2 admission at the Astor Theatre, N. Y. and the Carthay Circle Theatre, Los Angeles. All Seats Reserved.*

he prize is the basic theme. August wants the crown of the Poles by

# PLAY SOCKO IN FEBRUARY



It's such fun--and it pays such thrilling profits! All it requires is a little quick thinking and your signature today on a booking notice for

The Only Theatre Game in the World That Makes Everybody a Winner!

Feb. 6th

KAY FRANCIS in  
**STOLEN HOLIDAY**  
with IAN HUNTER  
CLAUDE RAINS

Feb. 20th

ERROL FLYNN and  
ANITA LOUISE in  
**GREEN LIGHT**

Feb. 13th

The **GREAT O'MALLEY**  
with PAT O'BRIEN  
HUMPHREY BOGART

Feb. 27th

PENROD AND SAM  
with **BILLY MAUGH**  
(Little 'Anthony Adverse')

Check 'Em Off



Date 'Em Up



Count Your



Winnings

and You'll Have 4 Wonderful Weekly Reasons to Yell 'IT'S A **SOCKO!**'

Every Night Is Bank Night With

# WARNER BROS.





## SOUTH AFRICAN FILM, SHOW BIZ, VERY GOOD

Capetown, 11.  
Biz all over South Africa was very good over the holidays, films, legit and niteries all reporting favorably. Films as usual were fairly all American.  
In Capetown, the film lineup is a Yank corner. Alhambra (ACT), has 'Littlest Rebel' (20th); Plaza (U) 'Romeo and Juliet' (MG); Royal (U) 'New Moon' (MG) and 'His Majesty's' (ACT) 'Show Boat' (U).  
Johannesburg differs a little, with one Britisher, 'Land Without Music' (Capital) at the Colosseum (ACT). Others are Metro (MG) ibeled

Lady' (MG); Palladium (ACT) 'Show Boat' (U); Plaza (ACT) 'So Red the Rose' (Par); Bijou (U) 'San Francisco' (MG) and Prince's (Indie) 'Here Comes Trouble' (20th).

Cameo (Indie) i Durban is playing 'Without Regret' (Indie). Playhouse (ACT) has 'Swing Time' (RKO); Criterion (ACT) 'Mr. Deeds Goes to Town' (Col); Prince's (U) 'Gorgeous Hussy' (MG); King's (U) 'Broadway Melody of '37' (MG); Alhambra (ACT) 'Circus Clown' (Indie).

Johannesburg had two legit's ing the festive period, 'Pantomerella' at the Empire and Jimmy Hunter's 'London Follies' at His Majesty's.

All cabarets, pulled in good coin during the same stretch.

## Par's Blowout in N. Y.

A Paramount annual banquet-dance, first to be held since the company went into receivership in 1932, has been scheduled for the Hotel Astor, N. Y., Feb. 19.

As in the past, the affair is sponsored by the Par Pep Club.

## PETROFF'S AVIATION PIC

Hollywood, 2.

Boris Petroff, Grand National producer, has bought an original, 'Young Wi' from Lawrence Thiele.

Yarn, concerning the activities of the Junior Irdmen of America, is slated for early production.

# LARRY ADLER

ENROUTE TO  
HOLLYWOOD  
FOR M-G-M's

'BROADWAY MELODY OF 1937'

Just completed 16 weeks throughout England with his own road show, "TUNE INN"—

ONE OF THE FIVE BIGGEST ATTRACTIONS IN GREAT BRITAIN...

ALSO TWO PLEASANT WEEKS AT THE VERSAILLES, NEW YORK.

RESUMING  
ENGLISH  
TOUR  
MARCH  
29TH



"THESE HANDS MAKE NEWS"

London Rep.:

CHARLES TUCKER

American Representative:

NAT KALCHEIM

William Morris Agency  
Radi City, New York

## Inside Stuff—Pictures

(Continued from page 6)

lights and explosives. The largest background ever built for pix, 50 feet high by 250 feet long, was erected behind the trenches to simulate a shell-torn sector. Immense screen was constructed in panels, operating independently to safeguard against possible destruction of the whole from a storm of explosives.

Settlement of the Mrs. Margaret Ayer Barnes-Edward Sheldon, sui against Metro for infringement of their play, 'Dishonored Lady', by the film 'Letty Lynton', has reached the stage where attorneys for both sides and the special master in the litigation, will journey to Hollywood for a peek at Metro's books and to gather testimony of employees regarding cost of the film.

Arthur F. Driscoll, attorney for the plaintiffs, J. Robert in of Metro's law staff, and Gordon Auchincloss, referee, will probably go coastward around March 1. Both sides have been wrangling over the settlement figure for three months with no decision.

one of big 10, who died recently, left his wife with a new house unpaid for and a \$10,000 insurance policy which just about covered expenses of funeral, etc.

Friends figured he must have been in the big money and left her well provided for, but inside is that while his home studio was loaning director out at \$3,000 a week, is take was only \$600 weekly.

Loaded with information gleaned from the various color photography plants in the New York area, Tom Baily of Metro's publicity department has returned to the studio to give execs pointers on the layout of equipment for the proposed laboratory to be built on the lot. When lab is erected the studio will be able supply newspapers throughout the country with properly tinted images.

rand National will resist plans of Sam Goldwyn make a picture with Helen Jepson, Met opera star, claiming GN has priority, the singer to make one picture, with an option for a second. While no contract had yet been signed officially with Miss Jepson when Goldwyn announced the star would work for him, GN claims it has telegraphic and other confirmation of the deal, including terms, etc.

'March of Time' lms a total of more than 9,500 accounts after two years of production as contrasted with around 5,000 for any of the lead newsreels. Making room for 'March of Time' has not necessarily taken accounts away from regular l-weekly newsreel distributors but is still competition. In providing room for M. of T., where played, it has, however, knocked out that many shorts.

The Association of Motion Picture Advertisers, whose future has been wobbly for some time, has reached an agreement with the Astor hotel, to which it went deeply in the red on last year's Naked Truth ball, paying the hotel \$250 in cash and arranging to pay balance over an extended period. With the down payment made during the past week, the balance to the hotel now is \$750.

Although the film itself carries no credits and Amki the distributor, does not provide them on inquiry, it is understood that the narration for 'Spain in Flames', a propagandic Loyalist feature now at the Cameo, N. Y., was written by John Dos Passos and Ernest Hemingway.

Despite fact that Metro's 'Captains Courageous' is still in the process of production, Modern Screen, fan mag, in its March issue has a detailed review, including commentaries individual performances and awards its monthly prize to the all-male cast. Mag recently reviewed 'Lost Horizon' before it was completed and awarded the 'medal of merit' to Columbi

Janet Gaynor, through her printed suggestion that the Academy of Motion Picture Arts and Sciences should include an award for the best supporting player of the year, claims credit for having inspired the organization to include recognition this year of the best bit player, male and female.

The Ostrers may be visited soon by A. C. Blumenthal in reference to his compensation for efforts claimed to have been expended on behalf of Gaumont-British's recent negotiations with American companies. Presumably, Blumey's claims might have to do with the original Metro-GB-20th Century deal which flopped.

Sam Sax, head of Vitaphone (WB) shorts production in Brooklyn, takes exception to the irresponsible chatter items in the dailies anent this or that artist 'starring' in Warner Bros. shorts. Sax has had to round-robin editors calling attention to Sidney Rechetti the WB home-office as the most responsible source for checkup.

## MOTION PICTURE PRODUCERS!!

Herman Bernie invites your ATTENTION to

# IRVING JAFFEE

**MOST VERSATILE and GREATEST SPEED ICE  
SKATER OF ALL TIMES and PRESENT UNDEFEATED  
THREE TIME OLYMPIC and WORLD CHAMPION**

ONE THOUSAND AND ONE SPECTACULAR TRICKS ON ICE

### IRVING JAFFEE

Winner of three Olympic skating championships for the United States and present world's champion skater. Among Jaffee's many titles are: 5,000 and 10,000 metre Olympic champion in 1932 and 1936, 10,000 metre winner in the 1928 Olympics. Also holds the one mile world's record, five mile world's record and 10,000 metre U. S. record. Recently set a world's record for the 10 and 25 mile distance.

**HERMAN BERNIE**  
1619 B'way, N. Y. C.

9132 Sunset Blvd.  
HOLLYWOOD,

## II Show Biz Rallies to Flood Succor; Flock of Benefit Shows

Springfield, O. A total of more than \$4,000 has been turned over to Red Cross chapters for flood relief funds by akers Theatres, Inc., circuit operating company of which Phil akers is the head. Approximately half of the sum contributed by fans through special collections taken at each performance for six days. Balance represented gross receipts from special night flood benefit shows, the company's own contribution and a donation of 5% of their week's salaries' employees.

Denver, Feb. 2. Benefits for the flood sufferers are order of the day in Denver. Most theatres, night clubs, and other places of entertainment are doing them, with all services doled and all the receipts going to American Red Cross. The Denver theatre had 15 acts on its Saturday midnight show, and besides admission money, close to \$1,000 raised through the radio broadcast and appeal from the stage. The first stage show was broadcast, station WYZ staying on the air overtime to do the job. The Victory put on benefit show Monday, and the Fox theatres in Denver joined in a city-wide benefit show at all their Denver theatres, with free-will collection proving the funds donated.

Indianapolis' \$4,000 Indianapolis, Feb. 2. Theatre-owners, film exchanges and talent joined in a city-wide flood relief benefit show to gross \$4,000 Monday (28) for the Red Cross. The shuttered Indiana was used for the one performance, and tickets priced at \$1 were on sale at every theatre in the city. Musicians, stage hands, operators, and performers donated services and the changes donated a feature film, either with short subjects. The show was planned on Tuesday afternoon, but local showmen got behind it solidly in a hurry. Three theatres each donated half-page ads in both radio stations flooded the city with plugs for the benefit. The performance, which started at 7:30 p. m. and lasted until 2 a. m., the following morning, attracted an audience that filled the theatre's 3,200 seats and jammed the aisles. Extra receipts were gained from the sale of flowers at the show.

And in Brooklyn Brooklyn, Feb. 2. Flood relief show to obtain funds for the Red Cross has been scheduled for the Fox Brooklyn theatre for next Monday (5). Full proceeds to the Red Cross since every section of performance is to be donated. Will start midnight.

Middletown, O., Carries On Hamilton, O., Feb. 2. When nearby Middletown, O., a flood situation, went completely broke last week, putting seven theatres out of commission, by shutting down of flooded plant, Union Electric Co., Cincinnati, which supplies contiguous territory. R. E. Hefley, city manager of South Hamilton, said the show must go on. He is operating booth, house, lobby and ticket booth with both alternating and direct current from two generators driven by gas engines installed on trucks in a lot beside the theatre. A power unit is furnishing power for electric stoker to heat the house. Seats are given on regular grind schedule from 1 p. m. to 11 p. m. at business capacity. Except for hospitals, radio fire police stations and newspapers, absence of burg saw the light only by candles and oil lamps resorted to from attics and antique shops.

Providence, Feb. 2. First benefit show for flood sufferers was put on at the Strand Monday night, all proceeds to Red Cross. Employees donated services. Paramount contributed prints of 'Gladys' and 'If I Had a Million' for the occasion. Response was gratifying, although night show was staged on short notice.

Spokane's 20% Quota Spokane, Feb. 2. Local theatres helped Red Cross drive for flood sufferers. H. D.

McBride gave 25% of gross receipts at Granada for five days. Evergreen will donate theatre and film for special late show, all proceeds to go to fund. Local quota is \$20,000.

Detroit's \$75,000 Detroit, Feb. 2. With the local Variety Club in charge, flood relief collections were made in 200 of Detroit's theatres over the weekend. Estimated collections will total around \$75,000. After showing flood films in each of the houses, lights were put up and donation envelopes passed out by ushers to all patrons. Envelopes carried an identification number, and boxes were placed in lobbies for depositing of donations. Houses participating included

Michigan Allied theatres, United Detroit chain, and the Fox theatre. Numerous benefit vaudeville shows were also staged by independent houses throughout this section.

Des Moines, Feb. 2. Pioneer Theatre Corp., is the first to start flood shows in this district. The Iowa at Jefferson held a midnight show on Jan. 27 and the Earl at Carroll had one Feb. 1. Tentative arrangements are also being made for midnight shows in three other Pioneer houses in Iowa towns.

Films, electricity, etc., were contributed, and even the churches in the towns furnished home-baked cakes to be auctioned off at the shows, all proceeds to the Red Cross.

Wheeling Paralyzed Wheeling, W. Va., Feb. 2. The Ohio River flood practically paralyzed the show business in Wheeling, although only three theatres, the Liberty, Colonial and Rex, were directly in the flood. Water covered the pits of the Liberty and Colonial, from which the seats had

been removed, to a depth of 2 1/2 feet, and inundated the lower part of the pit of the Rex, which had closed hours before the flood had reached it.

However, with more than a third of the city under water and residents of another third marooned, business at the Capitol, Virginia and Court theatres during the two floods, one almost immediately following the other, and reaching a higher stage, hardly justified remaining open.

Lincoln Rallies Lincoln, Feb. 2. Amusement biz is rallying to help flood area, Milton Overman, city manager of the Westland Theatres, did a Saturday morning 4-show schedule of short subjects, one hour each show. Lincoln Theatres Corp. gave 'Lloyds of London' on a midnight preview and proceeds went to the fund. R. H. Pauley, manager of the Turnpike Casino, is throwing a dance at his spot tonight. Small town theatre owners all over this territory

are joining the drive. Floods are well known out here and southern Nebraska is just pulling out of one a year ago, hence is unusually cognizant of the need.

Rensselaer, N. Y. Mayor Wright lifted Rensselaer's ban on Sunday shows to permit the American Legion to sponsor the Bright Spot theatre's flood-relief benefit show.

25c Autographs Spokane, Feb. 2. Rose Bampton, Met Opera star, sold autographs at 25c each after her concert here on Friday (29) for the Red Cross flood fund. She raised \$100 that way.

Coast's 25% of the Gross Holl, wood, Feb. 2. Theatre owners of southern California will donate 25% of their gross receipts Feb. 11 to the flood relief campaign of the Red Cross. Local radio stations aiding in calling matter to attention of exhibitors.

# Claudette Colbert says: "My throat is safest with a light smoke"



"An actress' throat is naturally very important to her. After experimenting, I'm convinced my throat is safest with a light smoke and that's why you'll find Luckies always on hand both in my home and in my dressing room. I like the flavor of other cigarettes also, but frankly, Luckies appeal most to my taste."

*Claudette Colbert*

STAR OF PARAMOUNT'S FORTHCOMING  
"MAID OF SALEM"  
DIRECTED BY FRANK LLOYD

An independent survey was made recently among professional men and women—lawyers, doctors, lecturers, scientists, etc. Of those who said they smoke cigarettes, 87% stated they personally prefer a light smoke.

Miss Colbert verifies the wisdom of this preference, and so do other leading artists of the radio, stage, screen, and opera. Their voices are their fortunes. That's why so many of them smoke Luckies. You, too, can have the throat protection of Luckies—a light smoke, free of certain harsh irritants removed by the exclusive process "It's Toasted". Luckies are gentle on the throat!



THE FINEST TOBACCO—  
"THE CREAM OF THE CROP"

## A Light Smoke "It's Toasted"—Your Throat Protection

AGAINST IRRITATION—AGAINST COUGH

# 'Variety' Correspondent in L'ville, In Between Doing Flood Relief Duty, Describes Horror; Theatres' Aid

By George Wiederhold

Louisville, Feb. 2.

Editor, VARIETY:

I am giving you the story of the conditions here... have been working without sleep on relief duty, in the water and out, and have also gone into the flood district several times. Yesterday it took me all day to get from my home and point where I have been working in the Highlands, into downtown district. Had to walk and wade through water 10 miles, going and coming. The only method getting into town is over a pontoon bridge, about one mile long. Will make a complete check of the damage as soon as the water recedes. Impossible to reach some of the theatres now, only in boats, and those are only used for relief work. The whole thing here is a tremendous mess, and I never realized and show how could be so terrible. Thousands are evacuating the city, and no telling how many dead. Take it from me, it is as bad and worse than anything the papers may have printed. We have been without lights until yesterday (28). Army men and policemen are here from many outside cities. The section where I live looks like wartime. Latrines in the streets and army armored cars running up and down the streets. Myself and family are okay, and we are all doing relief work until the thing clears up somewhat. There is plenty of food here.

Wiederhold.

Louisville, Feb.

A further check on the Ohio river flood situation Sunday (31) as it affects theatres and shows has been made. The damage is greater than was first supposed. Water is about three feet deep in the section on Fourth avenue between Broadway and Chestnut streets. In this area are located the Kentucky, a 900-seat subsequent house owned by Switow Bros., who control a string of 15 houses in Kentucky and southern Indiana. The owners anticipated the rise of the water to some extent, and had all seats removed to upper floors. The damage will only affect the basement and heating equipment.

Water has come up into the Rialto, Loew's State, and the Mary Anderson, in all instances about half the rows are flooded, and no seats have been removed. However, rugs and some other furnishings were taken to the upper floors as a precautionary measure. All employees of Loew's State were called for duty Sunday (31) in a radio message broadcast Saturday.

There is no water in the house at the Strand, although it has come into the orchestra pit. With the stage of the river falling steadily, there is little possibility of the water overflow-

ing on to the floor of the house proper.

At the Ohio, Manager Tom Muchmore is situated a little more fortunately than some of the other houses. In this particular area of the downtown district the land lies higher and there is no water in the street. However, the basement is well flooded, and will have to be pumped out as soon as this can be done. The National and Drury Lane, both dark, are in dry territory, and but for water in the basements, have sustained little damage.

The National was scheduled to open with the Marcus Show Feb. 5, and had ads running in the two local dailies when the full force of the flood was at its worst.

Some 35,000 flood refugees are being evacuated daily from Louisville, most of them escaping from the city over a hastily constructed bridge which is their only means of leaving the flood area. They're departing the downtown hotel and theatre district, into the Highlands and Crescent Hill, the two remaining high sections of Louisville.

However, the telephone communication with managers of all downtown theatres, and has just made a tour of the downtown area, checking on the flood situation as it affects Louisville houses.

When the seriousness of the rise in the Ohio first became apparent a week ago Thursday (21), the houses in the downtown district felt reasonably safe, and were confident that the waters would rise only in the low sections of the city, and that but for a little seepage in the basements, little damage would be done. However, with the tremendous pressure on the power and water plants, located on the river's edge, it became a matter of necessity for the Director of Safety to order the shutting down of the power plant, and the rationing of water. This left the city without lights, and as every theatre was immediately closed.

Shortly after, flood refugees were being evacuated from the flood area. When it was found necessary to find places in the downtown district, in which they could be housed temporarily, until they could be moved farther out to the higher sections, or moved out of the city to surrounding towns, where they could be cared for, the National, Drury Lane, Kentucky, and Ohio were thrown open, for the refugees. Although no provision was made in the way of cots, food, etc., they did spend the night resting on the higher sections, and the following morning they were taken out and cleared through various relief depots. Tom Muchmore, manager of the Ohio, scoured around for some volunteer talent, and entertained the refugees while they were his involuntary guests.

Forced Out of Theatres

This situation went on for about two nights, after which the water began to come into the downtown district, backing up from the sewers. This made the theatres undesirable for the relief of refugees, as water was coming into basements.

As the water gradually rose in various sections of the downtown district, your correspondent made a check of the theatres and learned that the Kentucky (Switow Bros. house) on Fourth Avenue, Louisville's principal business and theatre street, had a basement filled with water, covering the floor. The Brown, located in the Brown hotel, with entrance on the higher section, about four feet of water, and had suffered a collapse of the stage. The tremendous pressure of the water from beneath the stage had caused the concrete and steel to buckle, and completely wreck that portion of the house.

The Ohio, located on Fourth between Walnut and Liberty, has no water in the house, although there is considerable water in the basement. I tried to get there to make an inspection, but was barred by soldiers, who had roped that section off to pedestrians because of the threatened crumbling of a large department store. Fourth Street, however, was free from water at that point. There is also no surface water around the Drury Lane, National,

Loew's State and Rialto, although they all have flooded basements. 8-10 Feet of Water

All neighborhood houses in the West End section of Louisville are flooded, some under as much as eight and ten feet of water. The East Broadway, located near Beargrass Creek, which overflowed that section, is under about 10 feet of water. The Uptown, in the Highlands, and the Crescent, located in Crescent Hill, are open and being used for the temporary care of refugees.

## 32 THEATRES IN 28 TOWNS AFFECTED

Louis, Feb. 2.

Activities of 32 theatres in 28 towns in southern Illinois, Kentucky and southeastern Missouri have been curtailed by flood conditions of Ohio and Mississippi rivers and when they will resume is problematical. Theatres served from here and Memphis are located in Cairo, Rosiclare, Shawneetown, Cave-in-Rock, Galconda, Ill., Paducah, Bardwell, Wickliffe, Morganfield, Dixon, and Marion, Ky., Senath, Kennett, Hornersville and East Prairie, Mo.

Immediate needs of refugees has resulted in ban on shipments of anything but medicines, clothing, food, etc., and film deliveries will be curtailed until victims of flood have been rehabilitated.

Fred Wehrenberg, pres. MPTO of eastern Missouri and southern Illinois, has appointed a committee to raise minimum of \$5,000 for flood sufferers. Committee composed of Louis Ansell, Dave Nelson, Clarence Kaiman, C. D. Hill, Ralph McGowan will meet with Harry C. Arthur, Jr., of Fanchon & Marco interests here, to work out benefit performance to be given in 5,000-seater Fox. Tentative plan calls for general admission charge of \$1 per person and a gigantic stage show talent from St. Louis and Ambassador Theatres and niteries will supplement a film feature.

Fox Midwest Theatres in 96 cities in Missouri, Illinois, Kentucky, and Nebraska plan similar benefit shows.

## Pitt's Mike Spielers Broadcast Erroneously on Theatre Closings

Ittsburgh, Feb. 2.

Golden Triangle breathed easy again over weekend when river at Point dropped to five feet below flood level and weather bureau reported that danger had definitely passed. Water had just begun to lap the edges of the business section when break arrived and fears, which had been mounting for more than a week, were allayed.

Theatres in downtown section suffered only minor damages during high water stage and only money loss was in fading grosses and pay for extra crews, working in three eight-hour shifts daily to empty filling basements.

Two of the first-run sites went dark, but only for a day. Stanley refused to take any chances last Tuesday (26) and closed in order to rip up chairs and rugs on first floor, but put them back again 24 hours later when water started to recede. Same day water poured into Fulton's cellar, damaging electrical equipment to such an extent that house had to close its doors until early the following evening.

The others kept open, but stood ready to shut down on a moment's notice. For couple of days Loew's Penn. was on verge, with basement filled and laden sewers pushing into backstage, but kept going, as did Alvi Barry was fortified with hundreds of sand bags, but water's recession came just in time, since water was within an inch of coming up first floor. This house was one of the several that got it worst in the 1936 disaster.

Normal Again

In surrounding towns conditions were practically normal once more yesterday. (1). In McKees Rocks, right next to Pittsburgh on the river,

## Home-Offices See Flood Losses Great in Lack of B. O.; Physical Damage Relatively Lighter

No. 1 Flood Yarn.

Hollywood, Feb. 2.

First original yarn based on the midwestern flood disaster has been registered with the Screen Writers Guild. It's 'Water Over the Dam,' by Arthur W. Levy.

## RELIEF SHOWS HURTING CLEVE. B. O.'S, STORES

Cleveland, Feb. 2.

While not hit by Ohio's floods, closest one of which is only 200 miles away, theatres and stores are being directly affected. Localities, worried over relatives in hard-hit sections, aren't shopping and avalanche of relief-benefit shows is drawing attention away from downtown.

Nearly all nabes running bank nites, legal here, are taking up to 50% of banko funds with okay of patrons to turn over to flood authorities. Martin Printz of Alhambra contributed highest amount, \$300, out of pot to Red Cross. Associated Theatres chain pulled \$750 out of bankos in 16 houses for same. Hymen Kaplin's Southern and Meyer Kaplin's Crown also gave flood charity performances with half the proceeds for Ohio victims.

Sidney Androm, WGAR commentator, started original ball rolling with radio campaign for contributions that has almost reached \$10,000, and other stations are following suit. Downtown theatres here are doing their bit toward Ohio flood relief by a midnight charity show Saturday (6) at RKO Palace.

Benny Fields and Buck and Bubbles who open at RKO house Friday will be among toppers, with former as m.c. Tamara Gova, Ray Bolger and Luella Gera from Hanna's current 'On Your Toes' contributing their services and radio stations are doing same. Metro branch exchange will donate pie. All proceeds at \$1 per head to Ohio Red Cross.

The Ohio and Mississippi flood which is causing theatres and distributors tremendous losses through inability to operate, this loss being greater than physical damages, still has all theatres closed in Louisville, Cincinnati, Evansville and some minor points. As waters have started to recede in these points and rehabilitation plans are being laid, theatres farther south in Arkansas, Mississippi and Louisiana are menaced, but so far none of the major chains, according to home office checkups, are affected below Evansville, Ind.

A total of seven RKO theatres in Cincinnati, three Loew houses in Louisville and Evansville, three Warner houses in Kentucky, three in Portsmouth, O., and two in Parkersburg, W. Va., plus scattered independents are still closed, but some of these will probably reopen by the end of this week. Paramount, which has returned to operation in the towns where this chain was affected, are feeling some fears for theatres in the F. A. Lightman (Malco) and Saenger circuits in Arkansas, Mississippi and Louisiana. There was some apprehension concerning Memphis, where distributors also have exchanges, but dangers there are now not keenly felt.

Reopen Cincy This Week

RKO hopes to be able to reopen all of its seven theatres in Cincinnati by the end of the week. Much depends on the ability to get sufficient power and on the attitude of the health authorities, who, it is felt, may prevent early reopenings of all places of assembly due to danger of the spread of disease. Exchanges in Cincinnati are crippled, but with distributors shipping prints to Cleveland and other points, including as far south as Atlanta, all accounts are being properly served. New Orleans is also an exchange point, but believed that city is pretty safe against a tough flood.

None of the RKO theatres in Cincy were flooded, lack of power and the general situation forcing closure. Houses in Louisville, Evansville, Marietta, O., Portsmouth, and various points in Kentucky will suffer heavy damages from flood waters, but in Pittsburgh, a dangerous spot, the damage to Warner Bros., Loew's and other operators is comparatively slight. While some water seeped into theatres, the losses are mostly in minimized attendance, the hiring of crews for protection and the moving of rugs, etc.

Paramount is more fortunate than other major chains. The five houses which it was forced to close in Wheeling, W. Va., and Middletown, O., are all back in operation, the Rex, Wheeling, being damaged there. No one can estimate damages until later on when construction departments conduct a complete check. In Middletown Par was forced to shutter its four houses there for lack of power, but by rigging up special equipment for juice it was enabled to reopen one (the Paramount) after only three days of darkness. A second Middletown house, reopened Saturday (30) and the other two Sunday (31).

## Altoona's Sunday-Law Nix on Flood Benefit

Altoona, Pa., Feb. 2.

Fearing the establishment of dangerous precedents regarding Sunday law, city ministers refused to permit benefit showings of films at local houses Sunday (31). Charity for flood refugees, arranged by the Blair County chapter of the Red Cross, but nixed by district attorney on insistence of residents and ministers.

Local newspapers, Altoona Tribune and The Mirror, supported the theatre managers and rebuked the administration and church for nixing the shows. Protestors said there were other legitimate means of raising coin without violating the law. Mayor's permission was overruled. Nearby Johnstown okayed Sunday benefits with Embassy, late and Cambria theatres, doing capacity biz night and evening.

## SOME COLLECT ON FLOOD INSURANCE

Chicago, Feb. 2.

Floods through the Ohio valley have revealed that a few far-seeing theatre owners took the precaution some time ago to obtain 'receipts insurance,' the policy insuring them against any situation which prevents them from giving a show. This policy pays 'em if for any reason the house is unable to operate, and pays the average receipts of the house for that period. This takes in flood, fire, strikes, etc. It does not include fire, since most houses already carry fire insurance.

In the instances noted, the theatre owners seemed to feel that the premiums were not too steep for the protection allowed. One theatre, which grossed around \$1,000 a week, has a premium of \$74 annually.

# PRESENT PLAYBOY SLUR

## Transcribed Series Made on WB Lot Due in Manhattan for Admen's O.O.

Hollywood, Feb. 2. Martin Gosh, Warner home office radio contact out here, takes a film recorded radio program audition east next week to show it to New York advertising agencies. A Manhattan film theatre may be used for audition with entire broadcast trade invited. Don Becker who wrote and directed radio series will accompany Gosh.

This is the first program effort resulting from the active coordination of Warner-financed Transamerica with the Warner film studio and using Warner film talent for transcription purposes.

Frankness of the Warner monopoly enjoyed by Transamerica is the tipoff of the big studio yen to share the radio coin. Now that the exhibit thing seems to have died down to a whisper it revives rumors of other film studios making radio deals. Metro is the object of such rumors again in connection with an automaker.

If and when several exclusives for film studio tie-ups are consummated it will probably end several guest star transcontinentals that could not function if frozen out of the largest celluloid centers because of other advertisers signing exclusives.

## KOY, Phoenix Goes CBS, Brand-New Market; Now 100 Stations on Web

Columbi last week brought its station list back to an even 100 by entering into affiliation contracts with KOY, Phoenix, Ariz., and WKBB, Dubuque, Ia. Both outlets will become part of the basic supplementary list KOY, Feb. 14 and WKBB, March 1. Rate in either case will be \$125 for a night time hour.

Affiliations open new market for CBS. KOY, which was acquired the latter part of last year by Burrage Butler, owner of WLS, Chicago, and Taylor Rogers, operators of 1,000 watts on 1390 K.C. WKBB is on 1500 K.C. and licensed to operate at 250 watts days and 100 watts nights.

## AFFILIATED LAW SUITS FOLLOW THE BLOW-UP

Chicago, Feb. 2. Post mortems are being held over the suspended Affiliated regional net in the form of law suits. First was to come today (2) with the Reuben H. Donnelly Corporation, publishers, as plaintiff.

Also almost ready for court action is that of Roessler & Howard, program agents, who subleased ABC's New York office, and found a three-day notice pinned to their door despite the fact that they had been paying rent to Affiliated ever since they moved in the office.

## RCA Show From KSL

Salt Lake City, Feb. 2. RCA Magic Key will originate in local Mormon tabernacle on June 13 when regional the Pacific Coast Advertiser is held.

John B. Kennedy will arrange show, in conjunction with KSL, over which pumps into the intermountain. Earl lade, a general manager, P. A. A. convention official, already selecting performers for hour-show.

## Packard Renews Astaire

Hollywood, Feb. 2. Another 13 weeks goes to the Packard program. All members of cast included. Fred Astaire and Charles Butterworth tops with Johnny Green orchestra.

## Lohr on Visio

to trade is referred to Lenox Lohr's statement on television made last week in San Francisco. Lohr believes television will be limited to cities above 100,000 population. Story appears on page 5 of the film section this week.

## CHURCH'S VISIO SCHOOL

Court Shut KMBC Boss Out of Former Television Project

Kansas City, Feb. 2. Arthur Church of KMBC is bankrolling the town's second television school. is 'Television Institute of America.' Church owns a sizeable slice of stock in the other local school, First National Television, and has since its organization. A recent court effort failed to give him control of First National's station, KXBY.

G. L. Taylor and Norm G. Souther, formerly of First National, head the new school as prexy and vice-prexy. Technical staff is headed by C. L. Foster and Charles Curtis. At present staff is concerned with textbook preparations. Latter part of this month Taylor will take a circle through the east on an equipment buying spree. School, which will have an extension division as well as resident classes, expects to be in operation about middle May.

Textbook preparations. Latter part of this month Taylor will take a circle through the east on an equipment buying spree. School, which will have an extension division as well as resident classes, expects to be in operation about middle May.

## UNION CHARGES WHK RENEGED ON SALE

Cleveland, Feb. 2. Auto workers' which bought a WHK series of 10-minute spots to talk about the local General Motors stri ing to sue the station for allegedly voiding its contract. Several broadcasts had been made by officials of Local 45 of the Automobile Workers' Union, interrupted by two of student censorship. Following last one, is F. Spisak, its prez, said he received a letter from C. A. McLaughlin WHK's sales manager, canceling the contract which was in the form of a 'memo agreement.'

'We endeavor to serve the public interest of our community at all times,' McLaughlin's letter read, 'and we feel we have discharged this duty by broadcasting this series. We believe that the situation from your standpoint has been adequately covered.'

Spisak in public statement charged that 'this act of WHK is not only a breach of contract with the union but a cynical violation of public rights and liberties, and for the breach of contract we will have legal recourse.' Protest is being taken before radio commission by Senator Robert J. Bulkley.

## J. H. McKee Resigns

J. H. McKee last week handed in his resignation as radio director for Cecil, Warwick & Cecil. He's been with the agency four years. Among the programs he has been responsible for are the Vick Chemical series which used such names as Grace Moore, Nelson Eddy and Igor Gorin, the old Gulf Refining setup which had the late Will Rogers, G. Washington Coffee's 'Uncle Jim's' 'Metropolitan Opera Auditions of the Air.'

Kenneth McLeod, formerly at WBRY, Waterbury, and WELI, New Haven, now development engineer at WDRC, Hartford, Fred King, WATR, Waterbury, succeeds McLeod at WELI.

## SOFT LIFE HINTS CALLED BLAH

Admen in Hollywood Think  
Their Eastern Brethren  
Are All Wrong About the  
Situation

## HARD WORKERS

Hollywood, Feb. 2. That's the reply advertising agency radio producers, now 'on location' here, to dispel the impression among their brethren in the East that they've gone social. In fact they're pretty emphatic in denials.

Agency lads point up concrete examples of the grind. More than a handful of them insist they haven't the slightest idea what the Santa Anita track looks like. Although they admit they make an occasional bet on the oat eaters—but 20-miles away. Those colored tile swimming pools where cocktails are sipped they've heard about but not will admit having dipped a toolie in one. There's just not enough hours to go around, they say. And with a straight face.

Take Sam Moore of the William Esty office at Hollywood and Vine, dead center of all the activity. His recreation is tennis. 'So, help me,' moans Sam, 'haven't been on a court in weeks. Just can't find time.'

Sam's aid, Bob Redd, who holds rein on the Camel show, points to a bag of golf sticks in the corner. 'Last time I played was a week before Christmas.'

Stan Holt's Best Cure

Esty boys will tell you that after a few weeks out here to set the Camel show, Stan Holt beat it for the Michigan woods to, as he puts it, 'get some rest.'

Put in Redd, 'I was trying to figure out, after that story broke in VARIETY, how many hours we really put in each week. Of course it varies but even the lowest week would make that 40-hour week seem like a kindergarten session.'

Tom Harrington of Young & Rubicam resents the implication that they've gone social.

'If I could do all the things they accuse us of and still turn out that Jack Benny show each week with the hours that I would rate a miracle man, no less.'

Carnation Not Fresh

But Tom wasn't through. 'Look at Joe Stauffer. When he landed here from the East he was a fashion plate with a fresh cut flower in his lapel every morning. That carnation he's wearing now is at least four days old. And he could use a shave right now. Oh, they don't have to take our word for it. Just let 'em buzz Bill Stuhler or Don Stauffer.'

Practice with the agencies has been to send the young bucks West to get some experience in building radio shows. It was with great zest that they 'itched.' And if there has been any letup in the steady and unbroken application of their talent and time, it has not dawned on Everard Meade, newest of the rookies.

## Far Out to the Night

'Some fun, eh,' grinned Meade, 'Raise your sights toward our office about midnight any night and you'll see the mazdas burning. And we won't be playing pinocchio, either.'

Dianna Bourbon, who produces the Burns and Allen show for F. Wallis Armstrong, doesn't subscribe to the eastern theory of the gay times in Hollywood. 'Work is fun with me,' offered Miss Bourbon, 'so maybe that's what they mean.'

Other Armstrong producer, Al Bacher, laughed it off. He even had to get a haircut. (He never did.) 'See you later,' chirped Myron Kirk of Ruthrauff & Ryan. 'I'm off for Al Jolson's swimming pool at Encino.' But under his arm for a ried a script. It developed that most of the rehearsals for the Rinso-Life-buoy show are held at Jolson's home and that Cecil Underwood, producer,

## Jury Award of \$2,000 for Idea Submitted on Spec Involves 'Reflected Prestige' Consideration

## Pleasantly Surprised

Kansas City, Feb. 2. Josef Pasternack, here for Nelson Eddy's 'Wick's Open House' Irshow, which is being broadcast over KMBC as Eddy in for p.a., wanted an arrangement made of a tune to be used on show. Station offered the assistance of its musical director, P. Hans Flath.

Pasternack explained just how he wanted the opus scored. Flath suggested that as Pasternack explained it the thing was okay, but the fiddles were all playing same notes, and wouldn't it be better if arranged to include some harmony.

Pasternack replied: 'Sure would, but I didn't know could get any.' Kansas City.

## DON DAVIS ON SKATES

That Kansas City Guy Keeps Hatching By-Products

Kansas City, Feb. 2. Don Davis, station WHB prexy, still nurses a yen to be a producer. Yen has been incubated several times before. Latest hatch is an ice carnival which will be held at the Pl-mor rink Thursday and Friday of this week. Ostensibly the venture is under the guidance of the Kansas City Skating Club. Talent is recruited from the amateur champion class and will hit the rink as a musical production on painted ice.

Davis is getting a \$220 top.

He staged a similar carnival last winter and last spring his pet of pets blossomed forth in the form of a travel show. He had his nails down to the cuticle before that was over.

At present Davis is considering another go at the travel show to be held early this spring.

## BRITISH MUSIC SCALE FOR BROADCASTING

London, Feb. 2. After four months of negotiation, British bandleaders have accepted what the British Broadcasting Co. had termed its final offer. New scale affords a moderate increase.

Contract calls for \$12 a player for broadcasts of from 25 to 35 minutes, \$12.50 for 40 to 50 minutes and \$15 for 50 to 65 minutes.

had been there since 9 a.m. Nate Tufts, the other 'R' ringmaster, uses the Taft building quarters to dress up the Joe Penner opus. At his elbow can generally be found a lunch tray with the leavi

Ed Gardner came out for the Ripley broadcast and didn't loiter long after the scene shifted back East. Lou Dean on the Irv Cobb show went for a home in Newhall and the missus, not the complaining kind, either, talks about being a radio wi

Lou can generally be found at which isn't exactly what one would call a haunt of the playboys.

What Did You Say, Mister?

Ken Fickett barged in for Barton, Batten, Durstine & Osborne to handle a Stokowski broadcast and beat a hasty retreat back East when it was over. But not before he let go with 'and they say you come to Hollywood for a rest.'

Bill Lewis, Columbia's program director, during several weeks-sojourn here rarely left his Bevhills domicile. Pin him down to it and he'll admit he spent most of his time a lounging robe, up to his ears in scripts and auditions. Dana Noyes of N. W. Ayer and Jack Hastig, doing the National Biscuit opus, didn't have any need for social secretaries, either, they'll tell. Playboys? bah!

Jury verdict of \$2,000 was awarded in N. Y. Fed'l Court last Thursday (28) to Dorothy Stone (not the actress) after an action in which she charged the McCann-Erickson agency with accepting a number of from her for the Ford Motor Co. speculative basis, but without pay her for preparation and submission of the plans. Ford Motor, originally a defendant with the agency, was dropped from the litigation by mutual consent of counsel.

Case is regarded as setting something of a precedent in that the plaintiff argued that the agency was enhanced in the eyes of the client by the mere fact that they brought up the ideas presented by her. 'Following submission of the idea,' said the complaint, 'the agency broadened the subject to Ford executives, and finding them interested, requested the plaintiff to prepare a detailed plan in cooperation with persons on their staff familiar with Ford truck problems.'

Plaintiff admitted that these (plans) were submitted on a speculative basis but that there was an understanding that she was to be paid for preparation and submission of a plan. Judge Murray Hulbert charged the jury that whenever services are rendered at the special instance and request of another, there is implied obligation to pay for such services, unless rebutted by proof of a special agreement.

Idea Miss Stone had given the agency was a tie-up between Ford motor trucks and the Industrial Sales Committee Caravan. Latter is a Federal Housing Administration-sponsored piece of promotion.

## Idea Suits Tough

Suits of this nature are admittedly rare, idea people generally figuring on payment only when their ideas are actually accepted. Plaintiff in this instance banked on three contentions: (1) that her ideas, whether accepted or not, were an asset to the agency as goodwill builder with the client; (2) that she had been promised payment for the expense in drawing up and submitting her plans; and (3) that a value can be placed on her by court on the alleged sums due for this work. McCann-Erickson, in defense, contended that there had been no agreement to pay whatsoever.

Plaintiff was represented by Max Chopnick. Defendant's side was taken by W. W. Nottingham of Hays, Nottingham & Combs. Usually Supreme Court is the tribunal in such instances, but this one was shifted into Federal jurisdiction because of the diversified citizenship of the litigants.

## P.&G. HIRES FIDLER TO SPILL FILM DOPE

Hollywood,

immie Fidler terminates his Luden contract after 20 weeks March 2 and the following Tuesday goes to Procter Gamble, which will use the gossip on the Drene shampoo broadcast. Fidler's deal calls for \$2,250 for the first 26 weeks and hits peaks at \$2,750 on the final stretch.

Fidler also had deal on with Canada Dry but prior right was exercised by the soap makers. Chatterer keeps his same spot on National Broadcasting red web without a missout.

In compliance with sponsor's request no change will be made in the Fidler routine.

## Joe Laurie Joins Cantor

Joe Laurie, Jr., is going to Hollywood today (20 weeks) to author comedy material for Eddie Cantor's Texaco show.

Veteran comedy author may also align writing for pictures while out there.

Withal, a good show to snare juvenile audience.

Pete.

# 5 SCRIPTS A WEEK FOR \$23

## Threatened Suit to Force Inclusion Of 'Night Is Young'; Agency Gives In

Threats of litigation, by Words & Music, Inc., publishing firm, against the American Tobacco Co. for continued failure to include "The Night Is Young, You're Beautiful" in the Lucky Strike Hit Parade broadcasts removed yesterday (Tuesday) following a conference between W. M.'s counsel and Lord & Thomas' office lawyer. Agency recognized the probable validity of the publishing firm's claim and asserted that the commercial's system of computing the current popularity of popular tunes would be completely rechecked to see whether there were any loopholes which could account for unfair ratings.

Get-together of A. Walter Socolow, W. M. lawyer, and Clark Miller, L. & T.'s resident counsel, came after the former had been instructed by Johnny O'Connor, president of Words & Music, to start equity proceedings against the cig maker. O'Connor charged that he had collected data showing that tune had for several weeks been worthy of inclusion in Lucky's top seven and that the delinquency on the part of American Tobacco had produced an unfavorable affect on music dealers when came to handling sheets copies of "Night."

Technical angles During the meeting between Clark and Socolow the former explained how the Lucky system of popularity rating functions. It was noticed by Socolow that the sales of phonograph records were made part of the computations, and he took the occasion to point out that as a rule it takes weeks for the disc sales of a tune to get started and because of the disparity between sheet and record sales as created by is circumstance the disc angle ought not to be included, Socolow also pointed out elements in the Lucky Strike system which he thought were not fair, and Clark agreed that there would be immediate steps to realign the method of popularity computation with a view to eliminating any other unfair elements.

## 'Missing Persons' Grief For Lambert; CBS Says No; Test Another Idea

'Missing Persons' program, which Lambert Pharmacal wants to get on the air in behalf of Listerine, is again out on a limb. Columbia last week turned down the program because of possible legal complications. NBC had previously taken similar action due to Procter & Gamble's having type of show, 'Personal Column of the Air,' on that network.

CBS felt that 'Missing Persons' contained elements that might lead to frequent controversy and that it would rather pass up the program altogether than be constantly on edge about possible repercussions. In 'Persons' Lambert proposed to present actual cases of missing people. As Columbia saw it, even though the account obtained clearances from the seekers, there was a question whether those sought after couldn't make it legally hot for the network on the ground that no one had authority to broadcast their names in an acquisition.

Listerine testing another idea over WHP, Harrisburg, Pa. It's a new slant on child psychology, with the authority woman.

## Cantor Considers H. Bing

Eddie Cantor had not up to yesterday afternoon (Tuesday) picked a comedian to replace Parkyakarkas (Harry Einstein) on the Texaco show over CBS Sunday nights.

Herman Bing, lm guttural comic, was among those being dickered with, but no deal appeared to be in the immediate offing.

Parkyakarkas' ired Jan. 31.

## Guest List

- AMERICAN CAN**  
(Tu. 9-WJZ)  
9-Ruby Keeler, A. & P.  
(Th. 8-WABC)  
Feb. 4-Henry Youngman, Jose Ferrer, Frank Albertson, Robert Griffith, Eddie Albert, Ezra Stone, Robert Foulk, Carroll Ashburn.
- AXTON-FISHER**  
(Spuds)  
(Sa. 8-WJZ)  
Feb. 6-Hildegard.  
Feb. 13-Joseph - Antoine.
- BENEFICIAL MANAGEMENT**  
(Su. 5 p.m.-WABC)  
Feb. 7-Alice Reinhart, Robert Regent.
- BRISTOL-MYERS**  
(Wed. 9-WEAF)  
Feb. 3-Judith Lawton, tuat Canin.
- CAMPBELL**  
(Fri. 9-WABC)  
Feb. 5-Dick Powell, Madeleine Carroll.
- Feb. 12-Victor McLaglen, reston Foster.**
- FIRESTONE**  
(Mon. 8:30-WEAF)  
Feb. 1-Richard Crooks, Margaret Speaks.
- FORD**  
(Su. 9-WABC)  
7-Richard Bonelli.  
14-Lotte Lehman.
- FORD DEALERS**  
(Tu. 9 p.m.-WABC)  
Feb. 9-Walter Gross and Milton Kraus. Third guest not booked yet.
- GENERAL MILLS**  
(M. P. 10 p.m.-WABC)  
Feb. 5-Sarah Penney.
- GENERAL MOTORS**  
(Su. 10-WEAF)  
Feb. 7-Gina Cigna.
- GULF**  
(Su. 7:30 p.m.-WABC)  
Feb. 14-Harry Richman.
- HEINZ**  
(M-W. 11 a.m.-WABC)  
Feb. 3-Mrs. W. Hale Harkness, Jr.  
Feb. 5-Sarah M. Lockwood.  
Feb. 8-Albert Payson Terhune.
- JELLO**  
(Su. 7 p.m.-WEAF)  
14-Ben Bernie.
- KRAFT**  
(Th. 10-WEAF)  
Feb. 4-Basil Rathbone, William Frawley, Marion Claire.
- KOLYNOS**  
(Tu. 8-WABC)  
9-Blanche Yurka.
- LOCAL DEPT. STORE**  
(Th. 5 p.m.-WOR)  
Feb. 4-Abbe Lynn, Sam Jaffee, Rosamond Pinchof.
- Feb. 11-Carl Hoff, Grant Mitchell, LUX**  
(Mon. 9-WABC)  
Feb. 8-Gene Raymond, Anna Sten.
- MAXWELL HOUSE**  
(Th. 9-WEAF)  
Feb. 4-Walter Hampden.  
Feb. 11-Ruth Etting, George Jessel.
- MILES LABS.**  
(Alka Seltzer)  
(Sa. 9-WJZ)  
Feb. 6-Not booked.
- NATL DAIRY**  
(Sat. 8-WEAF)  
Feb. 6-Donald Dickson, Lucia Graessr.
- NASH**  
(Sat. 9-WABC)  
6-Charlorette Quartet, Laurence Stallings.
- ROYAL GELATINE**  
(Th. 8-WEAF)  
Feb. 4-St. Olaf Choir, Paul Lukas, Edgar Bergen, Fred Ardath.
- RCA**  
(Su. 2-WJZ)  
7-Dr. Walter Damrosch, David Goliath, Kerstin Borg.
- R. J. REYNOLDS**  
(Th. 9:30-WABC)  
Feb. 9-Block and Sully, Donald Novis.
- SHELL**  
(Sat. 9:30-WEAF)  
6-Not booked.
- SHERWIN-WILLIAMS**  
(Su. 9-WEAF)  
7-Rosa Ponselle, Sally Pestscoe, Richard Hale, Helen A. Dooley.

## CHI CITES NEW LITERARY LOW

Atop Agent' and NBC Artists Bureau's Deductions Young Writer Would Have Been Tied Down for 10 Years

## RESENTMENT

Writers here are peeved over the reported way that NBC's Chicago set-up is going about the business of signaturing scripters. Cited as one of those curious examples is the deal which had been offered Bob Bryar, 18-year-old writer. Contract would have tied Bryar to NBC exclusive for unlimited term of years at what would have been a net salary of \$23 a week.

Bryar binder contained no provision for raises and no conditions of release other than a 30-day notice, with this privilege restricted to the network. Contract not only made no allowance for cut of the money paid by sponsors for Bryar's service, but is said to have obligated him to post a \$2,500 bond to cover his specific performance of the covenant's provisions.

Young ryar had a three-a-week serial on the Affiliated regional which Frank Lyons, radio agent, happened to hear and like. Latter contacted NBC officials, who, after proper formalities, auditions, etc., offered Bryar the contract calling for a five-a-week sustal inn spot for the show that NBC performers did. This also caused local resentment, as the actors had done it for eight months on Affiliated and were deemed partially the means of NBC becoming interested. Salary for the five shows per week was to be \$40, less the NBC Artists Service Charge of 10%, less the agent's 33 1/3% on the original \$40, leaving slightly less than \$23 a week for the five scripts, and with the terms calling for 10 years at that rate, and options, thereafter, to suit NBC's convenience. Nothing additional was to be given in case of the program going commercial, according to the contract, which was offered by Sid Strotr for NBC.

Kid's folks squawked at the terms and refused to co-operate in any way, thinking to end the matter. Miss Dickenson, NBC casting director, thereupon offered the 18-year-old a job as staff writer, to turn out a minimum of two 15-minute scripts a day. Salary offered was the same \$40 less deductions, as noted, and under the same 10-year contract, and with the same stipulations as in the original.

## Aylesworth's Big Business Contacts Regarded as Scripps-Howard Angle

## Author Kelland's Character Set for West by Wrigley

Wri ill put the Scattersgood Bai script show on the Coast. Columbia network starti about three weeks.

Gum company had been interested in doing the Clarence Budington Kelland show for its regular coast-to-coast program earlier this season before finally decided on its present setup of 'Poetic Melodies' and 'Mortimer Gooch.' Coast shots are much in the nature of a test, and if a click will likely become the Wrigley national ir show next season.

Jimmy Colgan, WATR, Water staff pi ier, back on the job in after serious illness that for me threatened his eyesight.

## N. Y. Union Probes Leaders' Charges That M. C. A. Deducts Extra Fee To Cover Network Hook-Up Costs

## From a Statistician

John J. Karol, CBS research director, told the Montreal Advertising Club a talk last week that type has nothing to do with the popularity of a group but that the element of showmanship is still the all-important ingredient.

"Radio program research," added Karol, "is no substitute for brilliant showmanship or creative ius, but it sometimes can useful tool the buildi successful programs."

Jack Rosenberg, presi New York Musicians Union, is investigating information submitted by band leaders allegedly that the Music Corp. of America is charging an added fee of 2 1/2% to cover its use of CBS wires for sustaining broadcasts. Rosenberg asserts that if this info is confirmed it will tend to prove that Columbia, by obtaining a set fee through MCA, is still in the business of band booking. CBS, along with other broadcast outlets, was forced out of band booking by edict of the American Federation of Musicians last spring.

Information as relayed to Rosenberg was that had allied with MCA were under obligation to pay this extra 2 1/2% whether they used a CBS or not. This 2 1/2%, as the union has it, was tacked on to the regular fee of 10% for steady dates and 15% for road stands after MCA had discovered that it would have difficulty in making the yearly guarantee of \$50,000 the book- ing organization had to depend on the commissions collected for 10 name bands which the network had tagged when the contract with MCA was made last year. Under this deal an income of \$5,000 annually was expected by CBS from each of these bands.

## Violation

Rosenberg takes the view that the imposition of a union member of any sort of fee for broadcasting purposes is a violation of the union's regulations and that it is also contrary to the latter when commissions exceed 15%. Still more serious, as Rosenberg sees it, is the collection of a fee for something that the band leader does not use. If this arrangement prevails then MCA, Rosenberg points out, netting an extra 1 1/2% for itself, since through the deal with CBS the network is granted 3 1/2% of the band's earnings. What MCA has collected for the use of the same wire is actually 5%, 2 1/2% from the band not using it and 2 1/2% from the unit actually broadcasting over it.

## RENEWAL UNCERTAIN ON 'ACTOR' NOVELTY

Standard rands hasn't decided whether it wants to pick up its first 13-week option on Haven MacQuarrie's novelty, 'Do You Want to Be an Actor?' Deal with KFWB, Los Angeles, owner of the act, requires that notice of renewal be given it four weeks before the expiration of the current 13-week cycle. Notice period for the present and i tial 13 weeks expires Feb. 13.

J. Walter Thompson, agency on the account, last week flew A. K. Spencer, of its production staff, out Jo the Coast to get in on the ti ith the program.

A report from the Coast last week had it that Thompson was considering teaming up Parkyakarkas with either Joe E. Brown or George Jessel for the Chase & Sanborn coffee spot.

## Preston Back to WBMM

Walter Preston, formerly program director for WBMM, since then with WINS, KRNT here and lately lional sales manager for WIND returned to WBMM.

To date, he has not been given title, but it is understood that he is to completely reorganize th production department of the key Columbia stati

WGAR,leveland, ing en- larged by John Patt, who is shifting offices to get more room. Another audition room and new studi to be added.

# REVEAL SALE PRICE OF TRANSMITTERS, CONGRESS READY FOR A FIELD DAY

135 Deals in All Reported to House of Representatives—All Transactions Above \$50,000 Listed Herewith—KNX Tops—\$290,000 for WOWO

Washington, Feb. 2. A 99-year lease broadcasting station which never is certain of operating more than six months came to light Monday (1). Transmitter is WKEV, Ichmond, Ind., a 100-watt station, which is owned by William E. Kew, and leased by Kew Radio Corp. for \$15,000 in stock. Agreement dated Aug. 24, 1934, runs until 2003.

Hitherto confidential details about sale 135 broadcast stations at prices ranging from \$1 to \$1,250,000 in the past 30 months, previously shielded from public gaze under secrecy policies of the Federal Communications Commission, were thrown open Monday (1).

Revealing purchase transactions at huge profits, House Appropriations Committee published first list ever issued showing the value of stations and the actual price-tag at which they were acquired. Data added fuel to the already burning firestorm of whole areas of ammunition for use by crusaders demanding probe of the Commission.

With the \$1,250,000 paid by CBS for KNX, Los Angeles, still the record outlay, the recapitulation shows 30 separate transactions involved bundles of cash of \$50,000 or more. In an even dozen the sales were purely nominal, involving payment of \$1.00, while 28 of the transactions involved payment in stock.

Many deals were revealed. For instance, the Commission showed the four properties in the Southwest network bought by William Randolph Hearst and Elliott Roosevelt—KTSB, KOMA, WACO and KNOW—were auctioned at an aggregate sum of \$446,000, although the replacement value was only \$127,800. Columbia paying a total of approximately \$1,250,000 for its lease on WEEI, Boston, which has a present worth under \$50,000.

Consolidation of holding companies to avoid heavy taxes on complex corporations was one factor in the large number of transfers, the statement revealed. Columbia gave each of its subsidiaries nothing for the licenses which were transferred to the parent company two months, instance, while the McClatchey interests in California, publishers of several newspapers, paid \$4 for the franchises of four stations formerly owned by the individual firms.

U. B. Corp., owner of the Cleveland Plain Dealer, gave 'stock in substance' in taking over WJAY and WHK; Amos C. Carter, prominent Texas publisher, paid \$105,000 on the line for KGKO, which he has moved from Wichita Falls to Fort Worth; WBAI, Baltimore, gave the second largest amount, \$452,500; Westinghouse coughed up the third largest amount ever paid for a transmitter when it gave \$290,000 for WOWO, Fort Wayne.

Many write-ups in station valuations came to light. Among these was an increase of more than \$31,000 in the price of KRUI, Columbia, Mo., which went through two sales before ending up in the hands of the St. Louis Star-Times Publishing Co. for \$91,277; KRQU, Santa Fe, which was upped \$13,000 in two transactions; and KTAT, Fort Worth, which was boosted \$10,000 on the way from one owner to the third; there were numerous instances where the sales price was far in excess of the replacement value and the total claimed worthing tangible assets.

The following is the list of other stations which sold for more than \$50,000 together with the price tag: WIOD, Miami, \$250,000; WFLI, Philadelphia, \$80,000; WHIO, Erie, Pa., \$85,000; WLAC, Nashville, Tenn., \$75,000; WSMK, Dayton, \$52,395; KLTZ, Denver, Colo., \$32,750; WHCM, Jersey City, N. J., \$32,750; WNNB, Memphis, Tenn., \$50,000; WOV, New York, \$239,000; KFVD, Los Angeles, \$65,000; KMMJ, Clay Center, Neb., \$60,000; KOIL, Council Bluffs, Ia., \$110,000; KOMA, Oklahoma City, \$171,000; KBY, Phenix, Ariz., \$50,000; KTAT, Fort Worth,

## Two Were Gifts

Washington, Feb. 2. Only two broadcasting stations have been given away since the communications law went into effect in 1934. One is a local and the other is national.

List of 135 station transfers revealed in Congress Monday (1) included only WCAX and WDBJ as gifts. Former, a 100-watt at Burlington, Vt., valued at \$15,000, was handed to Mary Jackson Forbes by Bertha Jackson, while the Virginia plant, a 1-kw station, was donated to a member of his family by J. B. Fishburn. In both cases the Santa Claus owned control of corporations which hold the licenses.

Tex., \$170,000; KTSB, San Antonio, Tex., \$180,000; KVOR, Colorado Springs, \$80,000; WACO, Waco, Tex., \$50,000; WCHS, Charleston, W. Va., \$20,000; WOPF, Boston, \$97,000; WPCO, Cincinnati, \$53,500; WEBB, Buffalo, \$120,000; WELI, West Haven, Conn., \$57,000; WNBC, New Britain, Conn., \$57,000; WNOX, Knoxville, Tenn., \$77,500.

Demand for sweeping probe into regulation of the broadcasting industry was voiced by Wigglesworth on the floor of Congress Monday (1). He assailed both the industry and the government agencies a sensational speech which was loaded with charges of law violation and criticism of individual members of the FCC.

Pointing to the goal set by Congress, Wigglesworth charged the Commission has tolerated trafficking in licenses, neglected the public interest and failed to eliminate evils which brought about enactment of the 1934 statute.

The record indicates that under the policies pursued by the Communications Commission virtual monopoly is at hand, the renewal of licenses has become largely perfunctory, and the transfer of licenses has been approved upon terms which, in the absence of further explanation, appeared to be without justification, asserted the Bay State.

## Web Monopolies

The three big broadcasting companies, National, Columbia and Mutual, have acquired so many broadcasting stations and licenses that today it appears that to all intents and purposes they control all of the 40 clear channel frequencies as well as other highly desirable frequencies and stations. How nearly complete the control-monopoly must be is suggested by a recent statement by a former member of the Federal Radio Commission (Harold A. LaFont) to the effect that the 'Big Three' use in

their stations 97% of all the full-time broadcasting power authorized by the Communications Commission. I understand, moreover, that no independent full-time station is licensed to operate at night with a power of more than 1,000 watts, in contrast to the 165 or more stations controlled or operated by the 'Big Three' many of which are said to have power of 50,000 watts and one of them having 500,000 watts.

## PHONE CO. DATA ON RADIO LINES FILED

Washington, Feb. 2.

Revised tariff schedules designed to cut line charges for radio program transmission were on file with the Federal Communications Commission and effective last week throughout the Bell System.

New rate cards, submitted by all member companies, conform to principal features of the master schedule submitted by the American Telephone & Telegraph Co. last September. Only essential difference is a uniform local rate for intra-state service.

Subsidiary proposed a standard charge for hookups within the respective states which are served by individual Bell System companies. Under Schedule F the operating companies propose to transmit programs between stations in local territories for a minimum monthly bill of \$2.50 and an actual cost of 75c monthly per quarter-mile for each channel. Installation charges are \$10 per terminal for hookup involving all local channels and \$7.50 per terminal for block or drop wiring. Any inside wiring will be billed according to the size of the job and the costs incurred, while equalization charges will be based on the amount of work involved.

## ANOTHER PRESS REP IN RADIO

Small, Spencer & Brewer, newspaper reps, has established a radio department, with Harris Hanson in charge. Stations on the firm's list are all in Wisconsin and consist of KVOO, Janesville; WIBA, Madison, KFIZ, Fond du Lac, and WSAU, Wausau.

Of the foursome KFIZ is owned by a newspaper, the Commonwealth Reporter, which SS&B also represents.

## Shuffling of Stations on 1140 and 1160; Talks Involve KVOO, WWVA, WOWO

Washington, Feb. 2. A reallocation scheme conforming to recommendations of Federal Communications Commission engineers has been mapped out and is due for formal presentation this week. Suggestion would involve shuffling of four stations.

Open the scramble improved assignments, KVOO, Tulsa; WWVA, Wheeling, and WOWO, Fort Wayne, are set to ask FCC consent for a redistribution of berths on 1140 and 1160 kc. No power changes will be requested at present, although all transmitters probably will ask more juice when Commission puts the reallocation scheme into effect and authorizes increased wattage on various channels.

Scheme would not reach the proportions of a major reshuffling since the plan calls only for redistribution of two of the four transmitters, WWVA and WAPI. Furthermore, the last-named transmitter has not

ratified the suggestion and so far does not figure directly in the contemplated swaps, although the other three license-holders will proposition the Commission to include WAPI in the hearings.

What is proposed would permit simultaneous full-time operation instead of hour-sharing which currently limits operations of all the stations involved. Plan is described as engineeringly sound, in accordance with the standards laid down by Chief Engineer T. A. M. Craven in the reallocation report.

This what is contemplated: KVOO, now using 1140 with 25 kw, would not shift; WAPI, which is on the same frequency, with 5 kw, would move to 1020, now used by KYW, Philadelphia; WWVA, now operating with 5 kw on 1160, would go to 1140 and operate simultaneously with KVOO, and WOWO, which is WWVA's present partner, would become sole occupant of 1160, remaining at 10 kw for the present.

## EXAMINER OKAYS MERGER

WJR-WGAR Into One Corporation Held in Public Session

Washington, Feb. 2. Merger of companies controlling WJAR, Cleveland, and WJR, Detroit, both under common ownership, was recommended to Federal Communications Commission last week by Examiner Ralph L. Walker.

Based on conclusion that public interest would be served by putting all eggs in one basket, Walker urged the Commission to ratify plan for swapping stock in WJAR Broadcasting Co. for paper issued by WJR. Exchange is on basis of one share of WJAR for 20 pieces of WJR. Principal stockholder in both outfits is George A. Richards.

Besides pointing out that owners are identical, Walker gave as reason for advocating the consolidation the fact that services of engineering, program and other departments of WJR, the bigger station, will be more readily available to WJAR.

Analysis of financial positions of the two companies showed WJR well-heeled but WJAR also not hard up for cash. Walker pointed out WJAR balance sheet Aug. 1, 1935, showed current assets of \$11,247, with \$89,180 of the total in cash. Fixed assets were \$77,922, making total resources of \$191,570. No allowance was made for license or good-will. The WJR ledger reflected total assets of \$1,022,109, with \$714,657 in current assets, of which \$393,367 represented cash and \$285,104 being the value of land, buildings, equipment, furniture, etc.

## Wavelength Tax Dusted Off by Wigglesworth

Washington, Feb. 2. Imposition of fees of royalties for broadcasting licenses is a lively topic again, following attacks by members of Congress on the radio industry.

Following up the line taken a year ago, Representative Richard B. Wigglesworth had prodded the Federal Communications Commission about failure to reach some decision on the subject, while Monday (1) he advocated a fee system in a speech in the House. In his talk, the Massachusetts Republican took the view that 'those who today command an annual income which exceeds \$100,000,000, an income derived under licenses granted by the Federal government at a gratuity, can and should, through license fees or otherwise, make a substantial contribution to the Federal Treasury.'

During quizzing of Chairman E. O. Sykes of the FCC Broadcast Division, Wigglesworth showed impatience because no action ever has been taken to force broadcasters to pay for the privilege, it was disclosed Monday (1). Reminding Sykes that a year ago the House Appropriations Committee was told the matter was under consideration, Wigglesworth suggested the idea of levying a tax of 10% of the gross.

## 'SINGING SHOPPER' JAILED

Failed to Account for Advertiser's Payments, Station Charges

Akron, O., Feb. 2. Vincent Shannon, the 'Singing Shopper', of Radio station WJW here, is in jail pending action by the grand jury. He is charged that he embezzled \$489.25 from the station. Entertainer, who is 34, pleaded guilty to the charge when arraigned in municipal court this week and was held to the grand jury under \$1,000 bond.

Shannon was arrested on a complaint signed by Sam Townsend, the station manager. Singer allegedly failed to account for funds received from station advertisers. Besides entertaining, Shannon also was a salesman and sold commercials for the station here.

## Davidson at Mathes

Jack Davidson named radio director for the J. M. Mathes agency, which here has been here last Monday (1). Previously, had been with Young & Rubicam for two and a half years, and before that with Ruthrauff & Ryan.

Rest of the Mathes radio personnel remains unchanged.

## 'DONT KNOWS' OF F.C.C. PROVOKES OUTBURST

Wash.

Accusation that members of the Federal Communications Commission are either woefully ignorant about what goes on in the broadcasting industry or are trying to mislead Congress were fired Monday (1) by Rep. Richard B. Wigglesworth of Massachusetts.

Iked by numerous 'I don't know' answers of Chairman Auning S. Prall, during hearings on the FCC appropriation for 1938 and further excited by omissions and inaccuracies in tables supplied by the Commission, Wigglesworth publicly declared in the House that something is wrong at the Commission.

'I think it is fair to state that the testimony of those appearing before your committee (Chairman Prall and Commissioner Sykes) prior to the submission of the figures referred to (regarding chains and station sales) clearly indicates either complete ignorance of the facts which should have been within their knowledge or a desire to withhold these facts from your committee,' Wigglesworth beamed.

'As a matter of fact, the information embodied in the table is far from complete. There is reason to believe that a further scanning of its records by the Commission or your committee would be helpful.'

## LLOYD THOMAS' MEETING

Seeks Formula for Salvaging Part of All of Affiliated Regional

Chicago, Feb. 2. New move has been made by Lloyd Thomas, manager of WROK, Rockford, representing Ruth Hannah McCormick, to revive idea of a regional network among the member stations of the now dead Affiliated. Thomas sent the stations letters three weeks ago, advising them that he, representing Mrs. McCormick, would like an option on the setup on the net providing that ABC shut down that week which was the week which ABC did close.

Move to start the ball rolling was a meeting held last week at Rockford, which was attended by 12 managers of the former net. Only decision reached was that an individual net was a good idea.

## Network Charts

### NBC NEW PROGRAMS

Griswold (albumin ware); J. Alden Edkins, soloist and organ accompaniment, Sundays, 8:45 to 9 a.m., beginning Jan. 31; for 13 weeks, WJZ, WTAM.

### NBC RENEWALS

T. Babbitt Co. 'David Harum,' beginning Feb. 22; for 26 weeks, Basic Red except KSTP.

### MUTUAL NEW PROGRAMS

Macfadden Publications: 'True Detective Mysteries,' Tuesdays, 9:30 to 10 p.m., beginning March 9; for 26 weeks, WOR, WLW.

Special Justice, Publishing Co.: 'Father Coughlin,' Sundays, 3 to 4 p.m. and 8 to 8:30 p.m., beginning Jan. 24; for 26 weeks. On 3 to 4 p.m. list are WAAB and the Colonial, WKWB, KOIL, WBB, On the 8 to 8:30 p.m. schedule are CKLW, WBAL, WWSW, WFIL, WOL, WGAR, KSO, WMF, KFEL, WKW, SAI, Don Lee, WCOL, WBSR, WABY. On WOR the show, hits the 8 to 9 p.m. spot via wax.

Owens-Illinois Glass in conjunction with various local coffee roasters: 'Coffee Club,' with Richard Himber's orchestra, Gogo De Lys, Stuart Allen, Fred Uital, Fridays, 8 to 8:30 p.m., beginning Feb. 5; for 13 weeks. WOR, WAAB, WGBN (KEL, KWK to 10:30 p.m.) (WBAL reached via wax).

(Note: New programs or renewals for more than 13 weeks are generally cancellable in cycles of 13 weeks on 30 days' notice).

### Jack Latham on Road

Jack Latham, spot time buyer for Young & Rubicam, left last weekend for a five-week trip through Dixie. Jaunt is for big purposes.

# CROSSLEY SURVEY★

## OF

# VARIETY

### A TOUGH LIST OF NAMES—

Only Radio Time-Buyers or Budget-Controlling Executives in the 72 leading agencies that in aggregate spent \$38,-762,089 for radio advertising in 1935.

### A SIMPLE, FAIR QUESTION—

'Do you read——?' 'Variety' and two other trade papers were named. Neither the persons asked nor the field workers conducting the fact-finding knew the purpose of the survey.

### THE FINDINGS—

**IN CHICAGO**—Out of 37 designated radio time-buyers and Executives interviewed, 37 read 'Variety,' 11 receiving it in their own names on subscription, 26 receiving it on office route list.

**IN NEW YORK**—Out of 111 designated radio time buyers and executives interviewed, 101 read 'Variety,' 27 receiving it in their own name by subscription, 74 receiving it on office route list.

### THE AGENCIES INTERVIEWED IN NEW YORK

Albert-Frank-Guenther-Law  
N. W. Ayer  
Anderson, Davis & Platte  
Batten, Barton, Durstine & Osborne  
Benton & Bowles  
Biow Co.  
Blackman  
Blackstone Advertising Agency  
Brooke, Smith & French  
Brinkerhoff-Cornell  
Campbell-Ewald  
Cecil, Warwick & Cecil  
D'Arcy  
Donahue & Coe  
Dorland International  
William Esty  
Erwin-Wasey

Fuller & Smith & Ross  
Federal  
Fletcher & Ellis  
Lawrence C. Gumbinner  
J. Stirling Getchell  
Gardner  
Hanff-Metzger  
Husband & Thomas  
Ralph H. Jones  
Arthur Kudner  
Kenyon & Eckhardt  
Joseph Katz  
Kelly, Nason & Roosevelt  
Lennen & Mitchell  
Lord & Thomas  
Marschalk & Pratt  
J. M. Mathes

Maxon  
McCann-Erickson  
J. P. Muller  
Morse International  
Neff-Rogow  
Newell-Emmett  
Pratt & Davidson  
Pedlar & Ryan  
Paris & Peart  
Peck  
Frank Presbrey  
Ruthrauff & Ryan  
Schillin Adv.  
J. L. Sugden  
J. Walter Thompson  
Tracy-Locke-Dawson  
Young & Rubicam

### THE AGENCIES INTERVIEWED IN CHICAGO

N. W. Ayer  
Aubrey, Moore & Wallace  
Blackett, Sample & Hummert  
Leo Burnett  
Russell C. Comer  
Erwin-Wasey  
Mitchell Faust

Chas. Daniel Frey  
Hanff-Metzger  
Henri Hurst McDonald  
H. W. Kastor  
Lord & Thomas  
McCann-Erickson  
Hays MacFarland

Needham, Louis & Brorby  
Neisser-Meyerhoff  
Rogers & Smith  
Ruthrauff & Ryan  
Stack-Goble  
J. Walter Thompson  
Young & Rubicam

\* NOTE—This Crossley Survey, dated Nov. 20, 1936, copies of full report supplied

to trade generally. Extra

## Commercial Radio Goes to Elaborate Extremes in Reporting River Floods

Chicago, Feb. 2. It takes its part in the situation seriously, and that the spotlight is focused on themselves, lot of the work being done is practical. All three major nets, NBC, Columbia, and Mutual, are spending a lot of money, and giving plenty of time to both direct relief, and to agencies needing money to carry field work.

Columbia's set-up, while less elaborate is intensive, with two minutes each half hour devoted to flood news, 15-minute periods five or six times a day, even to the Red Cross, the American Legion, and other rescue workers, and WHAS operating 24 hours a day direct relief work. Columbia is also a part of the inter-city network of volunteer stations operating to facilitate first aid, and news of the flood situation.

NBC taken immense pains to

maintain a full coverage of the area, using mobile transmitters, telephone lines, and regular broadcasting from airplanes, and rooftops, even air expressing gasoline generators down to replace those put out of commission. Every field engineer from the Chicago office, and a good many of the announcers, are in the flood area. Direct wires from Portsmouth to Milwaukee cover that district. WLW and WCKY cover their area and WAVE in Louisville has had a hectic career during the past few days, being on and off, gasoline generators coming from Chicago by plane, wattage cut from 1,000 to 500, and wires run up the outside of the Brown hotel to the studios on the 15th floor.

### Useful Amateurs

Mobile unit in Cairo, Ill., feeds KSTP in St. Paul; WMC has two planes flying over Memphis; Charleston, Ky., is rebroadcasting amateur stuff to great advantage, this form of communication being possible where no other means can be set up. Two NBC engineers who have amateur stations have been assigned to stay in their Evanston homes to operate them, rather than work at the studios.

Mutual net has arranged broadcasts of flood-situation interest every 15 minutes of the day, each station taking at least two periods. WGN has cancelled most of its dance bands in the evening for flood news, with other Mutual stations following suit. Mutual flood stuff comes through WLW.

All nets and stations have been broadcasting hours of programs from every part of the U.S., and with all the name talent they could master, for the purpose of raising funds, even cancelling commercial programs to do so when necessary.

Louisville, Feb. 2. Great credit is given the staffs of both WHAS and WAVE. Executives Credo Harris, Joe Eaton and Lee Coulson were on the job day and night for WHAS. Announcers Foster Brooks, Pete Monroe, Bill Bryan, Joe Wheeler, Leland Brock, and technicians Bill Blanton, Emmet Graft, D. C. Summerford, Carl Neilson, Karl Schmidt and others worked until near exhaustion to keep the facilities working and speed the work of relieving and rescuing the flood victims.

WGRC, the George Rogers Clark

station, with transmitter in Jeffersonville, Indiana, was flooded as early as Thursday (21) and an effort was made by Alva Smith, chief engineer, to put it in working order. He arrived there in a boat and was unsuccessful. The station has been silent since that time.

Towns of Jeffersonville and New Albany, Indiana, are completely flooded, and most of the inhabitants have evacuated to points farther north in Indiana.

### Kansas City, Feb. 2.

Outstanding local radio effort in behalf of flood stricken areas was made by station KMBE. Station in-vented talent from other station to appear on a three-hour KMBE show. All stations went for the KMBE gesture with exception of the Star's WDAF, which preferred to lone wolf it. Program of course pulled for contributions and got about \$3,000 while show was on the air.

All stations devoted plenty of time to Red Cross announcements on their own.

### Louis, Feb. 2.

Merle Jones, announcer for KMOX, St. Louis, and crew are in flood district in vicinity of Charleston, Mo., where govt. engineers dynamited levees and flooded 135,000 acres of

### Spieler Own Pilot

#### Washington, Feb.

Arthur Godfrey, WJSV announcer, last week accomplished the longest remote broadcast ever attempted by a Washington transmitter when he flew to Memphis, via Louisville to put on interviews with Memphis flood refugees.

CBS staffman cut in on short-wave transmitters and conducted a direct line broadcast from WBEZ, Memphis to WJSV. In addition to airing talks with flood victims, he conducted an appeal for more funds for the Red Cross. Godfrey piloted the plane used the trip, with Bob Asburne, manager of Beacon Airport, pilot.

Missouri farm land to ease pressure on dikes protecting Cairo, Ill., across river. Jones and his crew augmented another ground crew and early Saturday (30) started a network description of flood conditions from boat in Mississippi river. Station which has been on scene for more than 12 days is broadcasting from boats in river to airplane and thence by short wave to St. Louis station. Besides Jones and his crew U. S. Marshal Fahey and Clyde Miller, representative of Dept. of Commerce,

## Uncollectible Publicity 'Pledges'

Detroit, Feb. 2.

With headache and embarrassment of last year's flood benefits too fresh in mind, local stations are shunning relief programs in the present disaster and devoting time to other avenues of help for victims.

Major stations leaped into relief battle last year with one sumptuous show after another, trying to collect contributions for which donors got hefty response. Then the headaches started.

Publicity-mad listeners, who'd kill their grandmother to get their monickers read over the ether, started flooding relief programs with money pledges. Latter would average anywhere from \$10,000 to \$25,000 on a three-hour show. Final checkup usually cut the total to about one-tenth in actual dollars and cents, making station's face plenty red.

Franksters also got in their lick, by pledging sums in the name of others. Big firms and bigwigs often were embarrassed by meager amounts pledged by funsters, despite special precaution taken by station officials.

So local outlets are confining themselves to time to broadcasting Red Cross appeals, airing bulletins for help, or furnishing talent for public doings, where admish goes to flood sufferers.

made up KMOX's second expedition to troubled territory.

KSD, owned and operated by St. Louis Post-Dispatch, also has been furnishing up-to-the-minute news, via air, on flood conditions, having sent crews to vicinity of Cairo, Ill., in addition to reporters.

### Cleveland, Feb. 2.

WTAM discovered it will have to get some announcers with marine experience if it wants the flood area in mid-Ohio covered properly.

Tom Manning and Bromley House, staff announcers, were sent down to Portsmouth, O., with a portable short-wave length to broadcast flood damages and relief work. Town was completely under water, so they had to hire a row-boat.

Then they found neither one of them knew how to run a boat. After blistering hands, nearly sinking the scow on roof-tops, both sent out an SOS for experienced rower. 'Funny' Porter, owner of roller rink, volunteered to do the dirty work but couldn't get over the fact that radio megers didn't know how to handle an oar the right way.

## CINCY RELAXES AFTER TENSION

### Cincinnati, Feb. 2.

is bow-taking time after the big performance. In Cincinnati as in such cities as Louisville, Nashville, Knoxville, Memphis, Indianapolis, the stations did a swell job. Everybody worked terribly hard under conditions of tense and anxious crisis.

Frank Smith, Bill Hedges, Bob Kennett and other Crosley chieftains were in downtown hotels during the siege to be near the studios. Dramatic staff doubled to help handle the news bulletins, etc. Lee Macewen was in charge of this service, with Bill Bailey stepping in as his number one boy.

WCKY lacked regular power for eight days, but kept on, with some interruptions, under Diesel equipment loaned by International Harvester. Elmer Dressman, Lee Goldsmith and the staff confronted exhaustion several times. (L. B. Wilson has been in Miami all winter, so escaped the flood). I.N.S. and U.P. equipment moved into the theatres in Covington during emergency continuation. Mabel Fields, pianist, and Buddy Spellen, guitarist, filled in between news flashes.

WKRC, WCPO, and WSAI—in fact every station in whole flood area—did plugging job. Cincy Post, in recognition of extraordinary physical strain and hours, gave all employees an extra week's salary. That included station WCPO.

## FLOOD AID UNITED HOSTILE PRESS-RADIO

Charlotte, N. C., Feb. 2.

Flood and resulting effort in the Carolinas to raise relief funds did something that for five years no other force has been able to do in Charlotte—put the local radio stations back into the daily newspapers. Sheets have long had a strict ban against mention of their existence.

Press and radio were brought together after a long breach, to the extent that they co-operated in raising funds for the Red Cross. The stations mentioned the press and the press front-paged the stations. Too, they combined in promoting a big relief party at the armory.

## WSM's Long Ordeal

Nashville, Feb. 2.

Station WSM is gradually getting back to normal. Was hooked to WHAS, Louisville, continuously from Sunday, Jan. 24, to 4 a.m. Thursday, Jan. 28. It's probably tops in public service. All commercials were ditched.

Staff went through grueling ordeal with little sleep and sustenance taken on the run. Girls worked at fever pitch side by side with male staff.



This NEW brochure tells the COMPLETE story of WDRC and the RICH Connecticut market it covers. If you have not received a copy, write for it at once.

**WDRC**  
THE ADVERTISING TEST STATION  
IN THE ADVERTISING TEST CITY  
HARTFORD, CONN.

**WSOC**  
CHARLOTTE, N. C.

Located in the heart of the Caroli-  
li and coveri one of the  
ri most responsi, and  
i short—one of the best mar-  
kets in the world.

An NBC Affiliate

**WFB**  
IN BALTIMORE  
SURVEYS PROVE IT'S  
WFB

**WANTED**

CONTINUITY PRODUCTION MAN  
to take complete charge program de-  
partment of active radio agency in  
New York City. Applicant must be  
trained in high powered commercial  
copy and must be capable director.  
Write in detail about yourself. Strictly  
confidential observed. BOX 40,  
Variety, New York.

## CERTIFIED SUCCESS STORY NO. 34



## 410 Oil Burners Sold in One Week!

General Utilities Corporation, sole Philadelphia distributor for Williams Oil-O-Matic Oil Burners, started on WIP four years ago. Still on today without missing one week, proud of selling 410 oil burners through WIP in one week alone last year. THAT'S TYPICAL WIP ACTION!

IN granting to TRANSAMERICAN BROADCASTING AND TELEVISION CORPORATION the exclusive radio rights to the library of material written and compiled by the late David Freedman, and heretofore unpublished and unproduced, I feel I have put his work at the disposal and his name in the keeping of that broadcasting organization which is best prepared to perpetuate them today—through radio—and tomorrow—through television.

MRS. DAVID FREEDMAN.

## Enjoy the Flood—Smoke a 10c Dud

Rated by station reps as having the thickest skin among advertisers is a cigar manufacturer with national distribution who tried to buy time for spot announcements of his product which were to be plotted between emergency broadcasts for flood victims. It was stipulated that the business go to stations which were devoting practically all their time to rescue activities.

Had the cheroot roller had his way the following might have been a sample of the interpolation: "Calling the second rescue district... send a boat to Main and Fourth streets... Your people stranded on the roof... Main and Fourth streets... four people stranded on roof... and don't forget that the Flatashay Cigar is the best ci you can buy for the money..."

Announcement offer wasn't even consi

## Radio Station News Men Form Assn., Stress Non-Union Character of Aims

Two-day meeting was staged at the Roosevelt hotel, N. Y., over the weekend, by a batch of news editors from radio stations and press services in an attempt to form a trade association for this fraternity. Group, after setting up a governing board and a rough constitution, issued a flock of statements denying that it was in any way a union. Evidently thought that it might be confused with the Newspaper Guild. Also stated that press agents and newspaper columnists would not be included.

Guiding light behind the group is John Van Cronkhite, WBBM, Chicago, who was named proxy protem. Constitution tentatively drawn up defines the outfit's purpose as "to foster developments and progress in the new art of radio news writing." Some significance was attached by the trade to Van Cronkhite's position in the group, since WBBM is CBS-owned, and, like most CBS-owned stations, harps heavily on newscasting. Van Cronkhite denied, however, that he in any way represented the web.

Other officers of the association are: Kendall B. McClure, WOAI, San Antonio, first v.p.; H. McEwan, WLW, Cincinnati, second v.p.; Ted

Christie, Universal News radio editor, secretary; Willard J. Heggen, United Press, treasurer. Exec board also includes Dixon Stewart of Transradio; Johnny Johnstone, WOR, New York; Walter Paschall, WSB, Atlanta, and John Hughes, KFRC, San Francisco.

Dues were arbitrarily fixed at \$1 a year as a starter, to attract membership. McClure, Van Cronkhite and Heggen came in from out-of-town for the meeting.

### Lowman In, Lewis Off

Lowman, v-p in charge of program operations at CBS, gets back this week from his three-week vacation in Trinidad, W. I.

Bill Lewis, head of program department, leaves on arrival of Lowman. Lewis, just back from the west coast, leaves for Miami for a fortnight.

### P. K. Ewing Buys Station

New Orleans, Feb. 2. P. K. Ewing, commercial manager of WDSU, has purchased WGCM, the Gulfport and Biloxi, Mississippi, station.

Fayette C. Ewing, his son, will be in charge.

## Mutual's Meeting

Chicago, Feb. 2. General meeting of mutual members is being held here today (Tuesday). Serves as first get-together of new members of Mutual. Discussing general business plus election of officers.

Understood present slate will be reelected for most part.

## INSURANCE STATISTICS FIRM'S RADIO JOB

Joint Committee Radio Research has elected the research firm of Hooper-olmes, Inc., to do a house-to-house questionnaire test in Hartford. The questionnaire, which the doorbell-ringer will carry, was devised by the committee's technical group and seeks information about station coverage and listener habits. Among the questions are those pertaining to stations brought in the hours during which the sets are on and who is at home at the time.

Hooper-Holmes, which outbid other research firms looking for the job, has specialized in the insurance field. The bidders included Anderson-Nichols, Inc., and Clark-Hooper.

## Reynal Winds Up Visit

Jose Maria Reynal, visiting chief announcer of Radio Belgrano, Buenos Aires, sailed for home Jan. 30 after three months in U. S.

During his stay here he visited Hollywood and Chicago and conducted special broadcasts from N. Y. and Los Angeles to Belgrano. Trip primarily was to study Yankee broadcasting methods. He will do a special broadcast from Rio de Janeiro before reporting at Belgrano around Feb. 18.

## Jules Alberti Bankrupt

Jules Alberti, manager for Benay Venuta, filed a bankruptcy petition Wednesday (27) in U. S. District Court in New York.

Listed liabilities at \$990.51; no assets. Among creditors listed is the Airplane Recording Studios, \$25 for services.

## Social Diseases, Once Unmentionable, Now Okay for Radio Discussion

### Rubber-Inner

Charlotte, N. C., Feb. 2. A newspaper editor known in North Carolina as a wag, ended a letter to WBT with a characteristic query:

"Please tell me what resources a toothless, baldheaded man has against programs which advertise hair tonic and tooth soaps? When a fellow has nothing to comb and nothing to rub, he ought not to be reminded of often!"

Social diseases, previously unmentionable on the radio, are now the subject of serious discussions in various eastern communities and over sundry stations. Medical associations, backed by big shots and prominent business men in each community, have united with the more liberal clergy crack the taboo.

New York State has been active in this connection. Couple of years ago several censorship incidents underlined the issue. Idea of mentioning the names of the diseases broadcasters goosepimpled.

the case of Philadelphia the Record seems to have nursed the conservative Philadelphia mind with a series of Sunday feature articles. Now station WCAU, with its 50,000 watts, is scheduled to start spreading the verboten words right out in public. Plain and unmistakable language is promised by the Medical Society which will send speakers. Broadcast at 10:30 p.m. is to avoid hitting the younger children. First broadcast tomorrow (3).

## Visiting

### IN NEW YORK

E. Y. Flanagan, WSPD, Toledo.  
Ray Bright, KTRH, Houston.  
Martin Campbell, WFAA, Sol Haas, KIRO, Seattle.  
Edmund Hoffman, WMIN, Minneapolis-St. Paul.  
George Bissell, WMFF, Plattsburg, N. Y.

### IN WASHINGTON

ibert Freeman, WTAL, Tallahassee, Fla.  
Tilford Jones, KTRH, Houston.  
J. W. Woodruff, WRDL, Columbus, Ga.  
Arthur E. Seagraves, (applicant) Lewiston, Me.

## NBC PROGRAM ON WGN VIA MUTUAL LINES

Irene Wicker, the Kellogg Singing Lady, started a bicycle act of her other stint. Monday (1), and is now shuttling between NBC and Mutual Broadcasting because of the wire rates to Chicago. On a renewal of contract for the stanza, N. W. Ayer, Kellogg's agency, dropped a couple of NBC midwest outlets, but wanted to keep WGN, Chicago, which is not an NBC station, for broadcast purposes. Line price quoted by NBC looked a little high, so WOR, New York, was drafted into sending the re-broadcast to WGN on Mutual wires.

Result Miss Wicker now airs from NBC at 5:30 p.m., and then hops over to WOR for a re-broadcast to WGN at 6:30 p.m. NBC has given an okay for Charlie Warburton, production man, to hike with Miss Wicker into the Mutual ballroom.

### Parky-Thelma Leads to Wed

Hollywood, Feb. 2. Harry Einstein, radio's Parkyakarkus, announced and Thelma Leads, film actress, will be married Feb. 7.

Not only WLW, but WLW advertisers carried on  
"through hell and high water"

WLW advertisers cheerfully made their time available for the mass of flood bulletins and official dispatches originated by WLW. And we of the Nation's Station take especial pride in the fact that only one sponsored program out of a total of 238 was cancelled at the advertiser's request.

## Manufacturers Squawk to State Dept.; Want Mexican Dry Blasts Impeded

Washi

In a formal squawk to Secretary of State Cordell Hull, the National Institute of Manufacturers and Distributors asked Monday (1) that the State Department close the Mexican border to users of bootleg broadcast stations.

Declaring that transmitters in Mexico are being used to 'disseminate political propaganda to citizens of the United States, and for unfair, if not illicit, competition with loyal and tax-paying business and professional enterprise in this country,' Curtis D. Cecil, institute secretary, squared off particularly against a group of dry leaders who are piping propaganda into the states through XERA.

Dr. John R. (Goat Gland) Brinkley, of Del Rio, Tex., operates the Mex transmitter, XERA. Cecil pointed out, by the use of 'passports' which they infer are issued to them by the United States Department of State.

Manufacturers and Distributors, Inc.—whose horns are being stepped by the bluenose orators—listed the goat gland specialist himself as one of the offenders using XERA. Miss Ethel Huber of Los Angeles, editor of a dry paper, 'The National Voice,' and 'astroploger,' a patent medicine concern, and a purported real estate organization.

'We have reference particularly to statements made by the Rev. Sam Morris, of Del Rio, Tex.' Cecil added, 'self-styled "Voice of Temperance," who broadcasts thrice daily from Villa Acuna, Mexico, appeals for financial support for his purported campaign to restore prohibition. He gives his hearers to understand that his broadcasts are sanctioned by the U. S. Department of State by declaring that he "carries a passport to cross the border to and from Del Rio, Tex., and Villa Acuna, Mexico, to broadcast his program."

WIND, Gary Indie, has named Weed & Co. sales reps.

### DRAKE U GIVES PRIZE

Holds Open Contest For Original Radio Scripts—\$50 Prize

Des Moines,

A \$50 prize contest for original radio dramas is under way by the Drake University radio department of which Edwin G. Barrett is director. Contest is open to everyone in the United States. Performing length of script is to be either 13 or 26 minutes and a signed declaration of originality must accompany each manuscript.

Judges will be Thomas Duncan, Iowa author, Drake faculty members and a nationally known radio script writer. Contest closes Monday, March 15.

### GUEST RELATIONS DEPT. PERSONNEL CHANGES

Realignment of executive staff in guest relations division of National Broadcasting Co., effective this week, pushed Gordon H. Mills, former manager, up into sales department and lifted others all along the line. Charles H. Thurman, formerly chief aide in guest relations, now becomes manager while W. G. Martin, formerly in charge of tour promotion, becomes Thurman's assistant.

Virginia Blackly, secretary to Mills, goes to the press relations department, while Barbara Biermann becomes secretary to Thurman.

### 'March of Time' on B.B.C.

London, Jan. 26.

'March of Time' made its first appearance on the air this side Saturday. Accomplished second-handed by B.B.C. through a sound track sequence from the latest issued film reel.

Subject chosen being the Veterans of Future Wars item.

### BARE RADIO FLOWERS

Comparatively New Comedians Ear II This Week

Radio's rarity—new comedians—appear in threes this week. Relative newcomers are guesting on variety shows.

Henny Youngman, better identified with light clubs, makes another appearance on the Kate Smith stanza on Thursday (4). Directly opposite, on the NBC Red slot for Rudy Vallee, Fred Ardath is guesting. Used to be in vaude. On Sunday (7) RCA show uncorks a comedy team—David and Goliath (Bert Snor and Lou Lubin).

## WOAI TO STAY WITH NBC 'IF—'

Hugh Hal, mgr. of WOAI, San Antonio, has been in New York the past week dickering on an affiliation contract with Columbia and also talking things over with its present network alliance, NBC. Discussions at neither place has approached the signature-exchange point.

Impression at CBS is that WOAI will play along with NBC if the latter web will guarantee the station exclusive local clearance of both red and blue commercials. Under such circumstances WOAI would get 32 or 33 hours of network business, while the best that Columbia can make it at the present time is 22 hours a week.

Columbia is leery about trying to work out a leasing or partnership deal on WOAI, fearing that any such proposition might get a reception similar to that received from the Federal Communications Commission when CBS tried to buy the station. An examiner's report attacked the financial implications of the contract and recommended that the transfer be taboored.

At no time during the negotiations with CBS did WOAI cancel its contract with NBC, which calls for a year's notice from either party.

## Inside Stuff—Radio

Experimental broadcast stations, television transmitters and other types of plants could be operated by individuals not holding government licenses under terms of a bill proposed in Congress Thursday by Congressman Clarence Lea of California.

Easing provisions of law which stipulate only holders of a license operate a licensed station, Lea proposed to grant the Federal Communications Commission the right to waive or modify these requirements at its discretion. The obligation would not be lifted, however, from stations which are required to have licensed operators under international agreement, stations where licensed personnel is required for safety purpose regular broadcast transmitters, and stations operated as common carriers on frequencies under 30,000 kc.

The measure would be most beneficial to police departments, air and similar station owners which would be able to use personnel without tickets.

Contacters in the New York office of Lord & Thomas were grima last week at the effect, that a story out of Hollywood was having on bargaining tendencies of concert and stage names in the east. Story told of film stars collecting \$5,000 for lending their testimonial 'talent' Lucky Strike on the air and in print.

Before the appearance of the story the L & T testimony gathered the New York end had been tying up the operatic and legit figure between a grand and \$1,200 a throw and finding 'em glad to get it. Ring about the five-grand payoffs cast a different glow on the possible and the agency men, on making their subsequent approaches, have encountered clippings and remarks to the effect that if the cig account could afford to make it \$5,000 per testimonial on the Coast there shouldn't any objection to coming somewhere within reach of that figure in the

Campaign to divorce broadcasting and newspaper publishing got underway in earnest last week with introduction of legislation which would prohibit any interlocking between radio and the press.

With Senator Burton K. Wheeler still waiting for an option from Federal Communications Commission on the subject, Congressman (D. Wearin of Iowa took the lead by proposing an amendment to the Communications Act designed to prohibit united and monopolistic control broadcasting facilities and printed publications. Measure would force present license-holding newspapers to surrender their properties in violation of existing franchises.

Capper Publications own stations WIBW, Topeka, and KCKN, Ka City, Kan., both donate a quarter hour a month to Governor Huxman Kansas to be used for 'fireside chats.' Huxman is a Democrat, Capper a Republican.

However, Senator Capper has his aces backed. He takes a quarter on the stations once a week. When Capper is in Washington he waxes talks to keep the odds at four to one.

Arde Bulova, owner of WNEW and WOV and other properties, does control WRAX-WFEN, Philadelphia. John Traci, former owner of W has asked F. C. C. for consent to acquire stock in companies owning two Philly transmitters, but the application has not been acted upon Washington.

Gene Fromherz, who has taken over the spot biz at the Chi office of J. Walter Thompson ad agency, billed \$80,000 so far this season; ago a total for last year of only \$10,000.

# Confirming our suspicions

### AMERICAN BROADCASTERS HEARD IN ENGLAND

BROADCASTERS in the United States are crossing the sea without the use of short waves, according to World-Radio, journal of the British Broadcasting Corporation.

Among the stations listed as the "loudest and most reliable" in Great Britain are: WCAU, Philadelphia; WTIC, Hartford; WBZ, Boston; WJZ, New York; WNAC and WAAB, Boston; WPG, Atlantic City; WBT, Charlotte; WHAM, Rochester; WABC, WEAF and WJZ, New York.

This clipping appeared in the New York Times—Jan. 17th, 1937.

# WCAU

50,000 WATTS  
Philadelphia

ROBERT A. STREET, Commercial Manager

907757 0075007 10 001

# NBC COVERS THE FLOOD FRONT

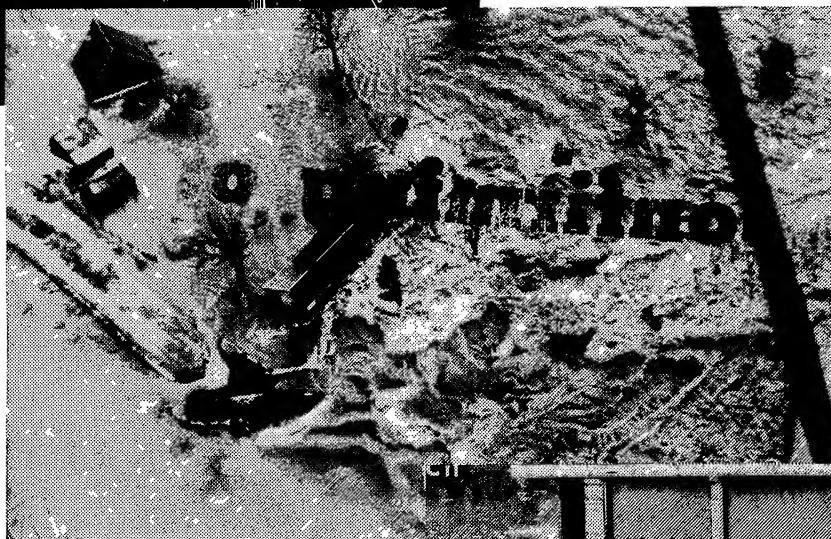
**to keep a waiting world informed**



This map shows how NBC Microphone Crews covered 1800 miles of flooded areas along the Ohio and Mississippi Rivers. On the scene from the very first, their swift and vivid accounts brought word from every section.



NBC Crew at scene of flood broadcast



THREE MEN IN A BOAT . . . on Main Street! NBC had 9 complete crews on the scenes of the flooded areas within 24 hours. Here are NBC engineers and commentators giving the world a first-hand eye picture of the calamity, the worst in our history. NBC not only carried the news, but helped in rescue and relief.



THE first flood broadcast was made by NBC at Kennett, Missouri, on January 20th. It was the *only one* that day—and the first of many NBC broadcasts during the week that followed!

From every point, NBC Microphone Crews—announcers, commentators and engineers—kept a waiting world informed. They broadcast from 'planes from boats in the tide-washed floods of Main Streets . . . from mobile units which often replaced the crippled radio transmitters in the cities of the affected areas.

**More than 100 Pickups from 21 Cities in 11 States**

Over the great NBC Blue and Red Networks of 116 stations sped more than 100 broadcasts in that one week. Broadcasts ranging from 10 minutes to 1 hour described conditions as they developed. American Red Cross appeals brought instant and generous response to the stricken. Crisp news summaries crackled into the air from coast to coast. America heard the news—NBC was on the scene.

**NATIONAL BROADCASTING COMPANY**  
*4 Radio Corporation of America Service*

## Agencies—Sponsors

Kastor agency in Chicago has been appointed advertising reps for the Fahrney Medical Company, Chi. Will do considerable spot ether placing.

Chicago office of J. Walter Thompson arranging to spot Omar Flour 'Mother Randall's Open House' script on additional stations, 11 carrying the program at the present time.

General Foods would like to move its 'We the People' program from its present Sunday matinee spot on NBC to a night-time schedule. It has an order to that effect with the

network, Rubicam.

Program is tied up with Calumet Baking Powder, and is now on its second 13-week cycle.

Wife and daughter of George Nelson, of Leighton & Nelson agency, have been quite ill in a Schenectady hospital.

General Motors and DuPont interests are reported to be arranging to set up their own joint advertising agency. If move goes through it will affect the business of at least

Young &

four agencies, with Campbell-Ewald and B.B. & O. being tops among them in amount of GM and DuPont billings.

Kelly, Nason & Roosevelt has changed its name to Kelly, Nason & Winston, Inc. Roosevelt, son of the President, was formerly a member of the setup.

Frank Dahm, formerly of WGN, Chicago, has been appointed radio director of Lugdin, Earle, Inc., Chicago agency.

Sussman, Wormser & Co., through Botsford, Constantine & Gardner, inaugurates the S. & W. Junior News over basic coast NBC-Red network 19, Thrice-weekly

ter-hour airers will be handled by Caryl Coleman of the agency and will have Eddie Firestone, Jr., juve actor, Charles MacAllister, Lois Austin and other adults, as well as juves. Presenting dramatized news for children, shows will originate in NBC's San Francisco studios.

McKee, Albright & Ivey, formerly McKee & Albright, has opened a New York branch.

Fellows Medical Mfg. Co. has appointed the Nelson-Gilliam agency to handle its radio end.

H. Tobacco's Sports Forum over KPO, San Francisco, is being shifted from Monday to Friday nights at 6:45 p. m. PST. Ira Blue is the anonymous 'Voice of the Forum' on the programs, handled through Charles R. Stuart agency.

Golden Nugget Sweets, Ltd., is sponsoring a weekly quarter-hour Sunday evening musical entitled 'Quick Melodies' over KGO, San Francisco. Warblers Betty Kelly and Robert Stevens, organist Paul Carson and Edna Fischer are rams, which began Jan.

Wander has shifted its 'Orphan Annie' discs from KYA to KFRC, San Francisco, effective Monday (1). Quarter-hour broadcasts, five nights weekly, were signed for one year through Blackett-Sample & Hummert.

Union Pacific Railroad will place its 'Romance of Transportation' transcriptions KYA, San Francisco, once a month for a year, starting Feb. 14. Caples of Los Angeles is agency. Union Pacific is also using KGO, San Francisco, for a similar series.

William Diener, formerly prexy of Diener & Burleigh firm, Chicago, now with the George Hartman & Co. (formerly known as J. L. Sugden agency.)

Allied Service Agencies—an agency web with members, helping each other out in securing and servicing clients—is staging a meet in Fort Wayne on Saturday and Sunday (6,

7). Louis E. Wade agency is host, with the following to be in attendance: Ambro agency, Cedar Rapids; Ralph Dalton & Associates, Troy (Ohio); Carr Liggett, Cleveland; Julian J. Behr, Cincinnati; Hoffman & York, Milwaukee; Hugo Wagenseil and Associates, Dayton; Oakleigh R. French, St. Louis.

Lambert Pharmacal is trying to buy a half hour before or after either 'First Nighter' or 'Grand Hotel' for a program to plug the manufacturer's new brand of tooth powder. Both of Campana's shows are on the NBC red (WEAF) link.

'We show on WGN, Chicago, itches next week to Libby, McNeil & Libby. Previously had been pounding the ether for Munsingwear.

New York, New Haven & Hartford Railroad is buying an early morning quarter-hour strip on WABC, New York, to plug commuter trade. Account will use United Press bulletin. Dowd & Ostreicher, of Boston, is the agency. Railroad has a similar news series on WEEI, Boston.

International Silver, through N. W. Ayer, will renew the 'Musical Camer' stanza (Sunday, 4:30, NBC Red) for 13 more weeks, and probably return it next fall with the same cast. Latter includes Josef. Cherniavsky and orchestra, with Willie Morris.

Advertising Women of New York staging their 25th anni blowout at the Hotel Biltmore, N. Y. March 19.

### GOING UP!

KXBY advertising rates advance February 15. Up to 52-week contracts accepted at old rates until that date.

Join the other bandwagons who are discovering that station KXBY gets the best results!

THE SPORTS STATION

## KXBY

Kansas City, Mo.

# Truth About Radio Polls—Confirmed!



## STUDEBAKER ASSOCIATED COFFEE

Sales Corporation

Roasters Of America

Found their judgment confirmed in the two nation-wide Radio Polls of the United States and Canada, conducted by the Scripps-Howard and Hearst Newspapers—when they selected

# RICHARD HIMBER

AND HIS ORCHESTRA WITH STUART ALLEN

### The World-Telegram

#### ANNUAL RADIO POLL

By ALTON COOK

The vote on light

1. Guy Lombardo
2. Andre Kostelanetz
3. Wayne King
4. Benny Goodman

#### 5. Richard Himber

6. Shep Fields
7. Fred Waring
8. Hal Kemp
9. Horace Heidt
10. Paul Whiteman

Among the older bands—Richard Himber managed to rise from sixth place last year to fifth, spite of the rise of these new favorites. Fred Waring slipped slightly.

### New York American

#### THE NATION'S FAVORITES

(Dinty) DOYLE

The radio veteran is still supreme, and listeners are still faithful to the tried and true programs and performers, who have come down through the years.

This is revealed by the first annual poll of radio editors of Hearst States and accurately reflect opinions of dialers everywhere.

The wi of radi in the various fields inment follow:

#### Best Dance Orchestra

1. Guy Lombardo
2. Wayne King

#### 3. Richard Himber

## In Distinguished Company

Jascha Heifetz  
Jose Iturbi  
Rubinoff  
Albert Spalding  
Josef Hofmann  
Mischa Elman  
Fritz Kreisler  
Mischa Levitski  
Harold Bauer

and

## JESSE CRAWFORD

Thanks Radio Editors for numbering me among these ten distinguished classical musicians. It is said that a man is judged by the company he keeps.

JESSE CRAWFORD

### ON TOUR

PLAYING EITHER PIPE ORGAN OR HAMMOND ELECTRIC ORGAN

CONSOLIDATED RADIO ARTISTS, INC.

30 Rockefeller Plaza, New York City

# "IT HAPPENS TOO OFTEN TO CALL IT LUCK"

Just published are the two nation-wide newspaper polls of radio editors. Among the results, these facts about Young & Rubicam radio shows and artists are significant:

JACK BENNY and FRED ALLEN were voted the two leading comedians on the air.

*N. Y. World-Telegram and Hearst Polls*

JACK BENNY'S JELL-O SHOW was voted No. 1 of all programs on the air.

*N. Y. World-Telegram Poll*

FRED ALLEN'S "TOWN HALL TONIGHT" (for Sal Hepatica and Ipana) was voted No. 2 of all programs on the air.

*N. Y. World-Telegram Poll*

HARRY VON ZELL and DON WILSON were voted the two best studio announcers on the air.

*N. Y. World-Telegram and Hearst Polls*

(Note: Harry Von Zell and Don Wilson announce the following Young & Rubicam shows: Fred Allen, Stoopnagle and Budd, Phil Baker, Ed Wynn, and Jack Benny.)

STOOPNAGLE and BUDD (for Minute Tapioca) were voted the second best comedy team on the air.

*Hearst Poll*

FRED ASTAIRE'S PACKARD HOUR was the only new program of the season to be listed among the fifteen best shows on the air.

*N. Y. World-Telegram Poll*

HELEN HAYES IN "BAMBI" (for Sanka Coffee) was voted the best night time serial on the air.

*Hearst Poll*

"WE, THE PEOPLE" (for Calumet Baking Powder) was voted the outstanding new program idea of 1936.

*Hearst Poll*

The New York World-Telegram Poll was conducted by Alton Cook. The Hearst Poll was conducted by Dinty Doyle of the New York American.

**YOUNG & RUBICAM, INC. - - Advertising**  
NEW YORK • CHICAGO • DETROIT • HOLLYWOOD • MONTREAL • TORONTO



# MARK WARNOW

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ **PARAMOUNT SHORTS** ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

**Personal Representative: ROBERT F. BRIODY      Publicity Director: DAVID O. ALBER**



## 'Every CBS Station Mgr. a Cynic'

That's the General Idea of Instruction Book  
—Teaches Boys to Be Tough on Statistics

Market research department of CBS today (Wednesday) is issuing a manual of instructions in mimeographed form to all station managers as a 'suggested outline for handling coincidental telephone calls.' Web has in the past not been too enthusiastic about this type of survey, and the current dope sheet is obviously intended to keep station managers from sopping up too much water in such ferreting out of statistics.

Market sharks in web headquarters advise station managers that the following breakdowns should be available from any coincidental work they do: (1) number of homes where call received no response; (2) number of homes where busy signal was received; (3) number of homes where telephone service was out of order or disconnected; (4) number of homes where respondent refused info; (5) number of homes having no radio; (6) number of homes where

radio is on the bum; (7) number of homes where radio is not in use; (8) number of homes reporting radio listening. Latter category should be broken down, say the instructions, into stations or programs reported.

Manual goes on to show how percentages can best be figured and then cautions that large enough sample must be taken in order to get a decent set of results. Three points to be observed here, says the guide, are: (1) is the sample large enough? (2) is it representative? and (3) have biz telephone numbers been eliminated?

In summing the advantages and disadvantages of coincidental work, CBS finds that the latter predominate. Disadvantages are given as follows: data limited to listening taking place at time of call; surveys extending over long periods are expensive and tend to exhaust listeners available for interviews; surveys are restricted to larger cities; data cannot be obtained before 9 a.m. or after 10 p.m.; phone audience can't be regarded as typical of whole audience; difficulty of classifying data by income levels, age, sex, etc., except that phone ownership generally indicates a fairly high income bracket and street address serves to identify income level still further.

By way of advantages, CBS admits the following: coincidental work involves no memory failures; results can be obtained in a relatively short period of time; a telephone call is almost certain to reach a radio home; cost per interview is lower than house-to-house stuff; question easily be standardized.

CBS itself generally favors personal interviews with memory recall aids as the best type of survey.

## JERRY COOPER

KRUEGER BEER  
Mondays at 10:30 P.M.  
WEAF - NBC  
DRENE SHAMPOO  
Wednesdays at 7:45 P.M.  
WEAF - NBC  
Thursdays at 7:  
WZZ - NBC

Management  
COLUMBIA ARTISTS  
BUREAU

## GRACIE BARRIE

STARRING IN  
"THE SHOW IS ON"  
AT THE  
WINTER GARDEN, NEW YORK  
Exec. Mgt. HERMAN BERNIE,  
1610 Broadway, New York

## LEON LEONARDI

And His Warner Bros.  
KFWB Orchestra

CHASE and SANDORN Coffee Hour  
Sunday 8-9 P.M.

"The Musical Toast of the Southland"  
—NICK KENNY  
—N.Y. Daily Mirror  
**FRANCIS CRAIG**  
AND HIS ORCHESTRA  
NBC RED NETWORK WSM  
Mondays, 11:30 p.m., CST

## 'THE O'NEILLS'

By JANE WEST

NEW RADIO'S MOST POPULAR

FAMILY BRINGS YOU MORE

ENTERTAINMENT AND HEART-THROBS

Presented by Ivory Soap 99% pure

LISTEN TWICE DAILY

NBC Blue Network 11 a.m. EST

NBC Red Network, Mon. 3:45 p.m. EST

IN COAST TO COAST  
DR. BLACKMAN ADVERTISING, INC.  
MGT., ED WOLF—RKO BLDG., NEW YORK CITY

## Pacific Pride-Pointers

Seattle, Feb. 2.

Two Western Washington radio stations held official ceremonies last week celebrating expansion moves. KRKO, in Everett, gave hallelujahs on Saturday (Jan. 30) over renovations costing \$20,000. Two new studios built, one with stage for dramatic productions. Lee Mudgett is manager.

KRSC, Seattle, raised its voice in thanks yesterday for brand new studios, transmitting tower, and power increase. Half dozen stations round about fed congratulatory line programs to KRSC in commemoration of Manager Bob Prieb's happy day.

## POLLS ADD UP TO MEXICAN STANDOFF

NBC and Columbia put their respective research departments to work on the radio popularity polls of the New York World-Telegram and the New York American, both of which came out last week, and the resulting interpretations had each network giving itself first place.

NBC's analysis of the subject made much of the fact that NBC stars scored lots of votes on the World-Tele poll. Jack Benny came in as top comedian and best program, with 325 votes. Fred Allen was next, with 183 ballots, while Rudy Vallee's stanza drew 118 votes and Bing Crosby's 113 votes. But to CBS the Telegram according to first place to dance orchestras (Guy Lombardo), female pop singer (Kate Smith), operatic singer (Neelson Eddy), and dramatic program (Lux theatre). Radi ees who took part in the Tele's probe also gave top billing to Ted Husing (sports announcer), Leopold Stokowski (symphonic orchestra), Yasha Heifetz (instrumental soloist), and Boake Carter (commentator).

N. Y. American's poll, conducted by its radio ed. Dinty Doyle, found the Hearst scribblers rating 'We, the People' (Calumet, King Powder) on NBC as the sole new idea in programming. Same group, consider Burns and Allen as the No. 1 comedy team, Andre Kostelanetz (Chesfield cigarettes) offering the best all around musical show, and Deanna Durbin as a coming star.

Columbia's self-rating gave CBS 12 firsts on the Tele poll for its own network, four firsts for the red (WEAF) link and three firsts for the blue (WJZ). When it comes to Doyle's findings, CBS allows itself 14 firsts, the red, seven firsts, and the blue, five firsts.

## Smith Steps Ahead

Omaha, Feb. 2.

Emerson Smith has left the Omaha studios of the Central States Broadcasting Co. to become commercial manager of WOMT at Manitowoc, Wisconsin. Past three years Smith has been an announcer and newscaster for both KOIL and KFAB, both in Lincoln and Omaha. Mrs. Smith joins her husband in Wisconsin later in February.

Departure of Smith makes way for some part time announcing by Phil Allen who has been writing continually for KOIL past six months. Expected that Allen will become full time announcer when a new writer takes over script work.

Norval Schneringer is new member of News Bureau. Comes to KOIL-KFAB-KFOR from a copywriter's desk at Buchanan, Thomas agency here.

## Philco's All-Girl Show

Charlotte, N. Feb.

Johnny McAllister (Ico Phil) has been replaced on the WBT schedule by a new program titled 'Philco Morning Melodies,' which act is composed of Jane Bartlett, violinist and soloist; Marie Davenport, organist, and Martha Dulin, announcer. It is an all-girl show.

Philco has had McAllister on the air regularly for two years.

## Norman Boggs Joins WGN

Chicago, Feb. 2.

Norman Boggs, sales manager for WAAF, has resigned, effective Feb. 15, to join the sales force of WGN. Boggs has been with WAAF for the past five years.

## Pacific Coast Radio Notes

### OHIO REVERSE BRINGS WRIST SLAP FOR DOLPH

Washington, Feb. 2.

William Dolph, big-shot Democratic politician and radio man, had his nose tweaked by the Federal Communications Commission last week, when Commish Examiner George H. Hill advocated dismissal with prejudice for two new station applications in Ohio.

Objecting to Dolph's tactics in attempting to pull out of a hearing which had been set on his request, Hill refused to contenance a motion to dismiss the applications without prejudice, introduced by Dolph's attorney.

Filed under the name of United States Broadcasting Co., the two pleas were designed to upset the plans of Continental Broadcasting Co.—Scripps-Howard group—for new stations at Toledo and Columbus. A daytime smalle to be operated on 1200 kilocycles was requested by Dolph for Toledo, and a second 100-watter, operating on 1310 kc, with unlimited hours, was asked for Columbus.

Continental's failure to draw a favorable examiner's report on its Ohio applications was given as the reason for United States Broadcasting Co.'s desire to withdraw from the field. Facilities asked by Scripps-Howard, and duplicated in the Dolph applications, were not available, examiners said.

### WQXR, N. Y., Ups Rates

Station WQXR, N. Y.'s high fidelity outlet, will up its rates about 65% starting Feb. 15. Experimental rates, instituted when station first went commercial about six months ago, are unable to carry the overhead load now.

Station is now on the air nine hours daily and 13 hours on Sundays, increased from original four. Basic rate will be \$250 per hour as compared to old rate of \$150.

Station has recently added a sports and straight news program.

### KYA, Frisco's Music

San Francisco, Feb. 2.

New Musical director at KYA, local Hearst station, will be Walter Rudolph. He succeeds Cy Trosbe Feb. 7. Rudolph, at one time a theatre musician, was formerly at KTAB (now KSFO), where he was associated with Bob Roberts, recently appointed manager of KYA.

Under Rudolph the KYA ork will do less concert music and more pop numbers than heretofore. Eight musicians will be on a one-hour daily basis and 12 on a two-hour scale.

KYA has been given a special classification in network rates by the local musicians' union because it is using more men than required.

### Benavie Joins Jam Handy

Detroit, Feb. 2.

Samuel Benavie, musical director at WJR, this week joins the Jam Handy Picture Co. as head of the only staff of writers and music arrangers in the commercial film field. He'll double between new position and work at WJR.

### Sleepy Hollow Gang on WCAU

Philadelphia, Feb.

Sleepy Hollow Gang is now airing its program, twice daily on WCAU. Heard first at 8:30 a. m., peated at 4 p. m.

Gang consists of Newman family, Murray Sisters and announcer Mort Lawrence.

## THANKS.

Radio Editors of the United States and Canada.

WE appreciate your high opinion and your kind votes which in 5th position in the World-Ram Radio Poll.

WE regard this a double honor, siding the fact we are only on one program weekly, and that we sing but on song on this program.... In addition to this, the program does not reach Chicago or the Pacific Coast.

W E  
ED SMALLE AND HIS 7 G'S

On the PHIL BAKER Series for GOOD GULF GASOLINE CBS Every Sunday at 7:30 P.M.

Walter Cassell, eastern radio warbler, being tested for pictures at Warners.

Harry Hall now chief barker at KFVB (Hollywood), taking over from Cliff Howell, who adorns Bill Ray's production staff.

Victor McLaglen has the guest spot on Hollywood hotel Feb. 12. He'll do a bit from 'Sea Devils.'

Hugh Barrett Dobbs has revived his Ship of Joy broadcasts for the California Radio System, with the weekly shows originating at KYA, San Francisco, whose sustaining talent he uses.

Pat Bishop handling the news broadcasts on KFI-KECA (Los Angeles) for Jose Rodriguez.

Charlie Hawn doing the 'Early Bird' show six times a week for Drug Trades on KFI (Los Angeles).

Bill Paley, Columbia's prez, ducking Coast trade press on pretext that he is 'resting' and not in 'newsy mood.'

Dean Maddox (Buddha) seeks employment for the unemployed in a new sustainer billed 'The Other Man' (Continued on page 59)

## Fred Allen Portland Hoffa

in "Town Hall Tonight"  
HEPATICA-IPANA  
WEAF—Wednesdays 9-10 P.M. EST  
WALTER BATCHELOR

## phil baker

THE GREAT AMERICAN  
B L I Z O R  
GULF REFINI  
COMPANY  
SUNDAYS  
7:30-8 P.M. EST  
WABC  
CBS

## MYRT AND MARGE

Colgate-Palmolive-Peet  
2:45 P.M.—Mon., Tues., Wed.,  
Thurs., Fri.  
WABC - CBS

## THE THREE MARSHALLS

MONDAYS  
12:15 p.m.—WJZ  
Exclusive Management  
NBC ARTIST SERVICE  
30 ROCKEFELLER PLAZA, N. Y.

## LABOR'S PLACE IN 50 KW. SUN

Washington, Feb. 2. Details of multi-station reallocation which would pave the way for a full-time, clear-channel outlet for organized labor are under discussion following collapse of efforts to get WCFL, Chicago, to move to another frequency.

With the belligerent ion faction refusing to back down in its crusade for a 50-kw station, Westinghouse has taken upon itself the chore of cooking up an alternative method which will clear the path for promotion of WCFL. Idea would require shifts by four stations spread from New England to the Pacific Coast.

Plotted formula was under discussion this week after Ed Nockels, general manager of the Chicago labor transmitter, nixed a proposition which would bring about a frequency exchange with KYW, Philadelphia. Nockels declared the 1,020 frequency now occupied by KYW would not be acceptable to the American Federation of Labor and insisted 970 be recognized as the ribbon especially reserved for union groups. Idea of tagging any ribbon as the property of any single faction is repugnant, however, to the Communists.

### Clearing the Band

Newest attempt to placate the labor forces would force shifts by KDKA, Pittsburgh; WBZA, Springfield; WBZ, Boston; and KJR, Portland. If these transmitters took new spots on the dial, WCFL would remain as boss of the 970 spot, which currently it shares with KJR, both stations operating unlimited time with 5 kw.

In order to vacate enough space for WCFL to go to 50 kw, the stations on nearby bands would have to be shifted so sufficient clearance would be provided. Conforming to this requirement, Westinghouse is mulling transfer of KDKA from 980 to 990 and WBZ-WBZA from 990 to 980, which would allow the necessary spacing and harmonize with Commish mileage-separation tables. It would also be necessary for KJR, which has resisted WCFL's effort to jump to 50 kw, to take another assignment, and the promoters have tossed out the idea the Portland transmitter might crawl into the same room with the Massachusetts outlets, 980 kc.

This idea would be acceptable to labor, according to local indications, but might not prove especially pleasing to KJR, which is just as anxious to keep its present assignment as is WCFL. Westinghouse group, however, is hoping that under pressure any objections can be smoothed out and the reallocation put over in satisfactory manner.

Dance Parade, nightly on WNEW, N. Y., from 9 p.m. until 2 o'clock in the morning, added Mal Hallett from Hotel Commodore and Abe Lyman from Hotel New Yorker.

## KANSAS CITY RATES IN GENERAL PUSH-UP

Kansas City, Feb. 2. Radio time rates, with KMBC doing the trail breaking, have taken an upward slant locally. With the town craving with time salesmen, mostly getting in each others way, and with the local advertising picture generally more or less bottled up, each station with its own pets and steady clientele, the tilt looks to be a cinch.

Arthur Church station, KMBC, got up a detailed analysis of local import and export, wholesale and retail sales and graphic charts illustrating general upward trend in this area. Among other astonishing information was this: that 62% of all department store sales in state of Missouri are made in Kansas City. The brochure amply backgrounds KMBC's increase which amounts to 20% with discounts remaining 5%-10%-15%. Spot announcement rate unchanged.

Station KXBY, whose new rates start Feb. 15 are up from 50% to 75%. Quantity discounts have also been raised, being from the old 5-10-15 to 10-15-20. S. Q. Noel and Sam Pickard now control KXBY.

Third station to hike the ante is the Cook Paint and Varnish outfit, WHB. Rates here will take on a 25% increase sometime this month with discounts remaining the same, 5-10-15.

KCKN, Capper Publication station on the Kansas side, increased rates last winter but signed most of its yearly accounts previously at the old rate. Consequently the bulk of the accounts are in for what amounts to an

## KWOS Starts Out in Life

Kansas City, Feb. 2. Station KWOS, Jefferson City, took its maiden ether voyage Jan. 29. Station was formerly the state-owned WOS located in the capitol building. Now owned and operated by the Jefferson City Herald-Tribune. Pemberton Gordon is general manager.

Station WHB staff talent was invited to participate on initial broadcast. Commercial commitments stalled this but WHB lab cut a special wax job. Its staff cavorting and shipped the skimmer and Norvell Slater, WHB program director, to Jeff. City to glad-hand the new KWOS.

## Robert Hall, Bankrupt

Robert C. Hall, radio performer, giving his address as 116 Park Lane South, Kew Gardens, N. Y., asked the Federal court in Brooklyn Monday (1) for permission to liquidate his debts by the bankruptcy route. Liabilities were given as \$4,841. There were no assets listed.

## NBC Staffmen on Leave

San Francisco, Feb. 2. Leaves of absence have been granted Ned Tollinger, producer, and Cliff Engle, announcer, by NEC in order that they may fill special commercial assignments. Tollinger will emcee the Carefree Carnival, bankrolled by the Signal Oil during the weekly Friday night broadcasts over the Coast NBC-Red network. Engle has been signed by Owl Drug as the "Voice of the Exposition" on its "Treasure Island" programs which debut Sunday (7) over the Coast NBC-Red chain.

In addition to handling the broadcasts, Engle will author the scripts in collaboration with Art Linkletter of the radio staff of the Golden Gate International Exposition.

### KJBS P.D.Q. Move

San Francisco, Feb. 2. Transmitter of KJBS will be dismantled Thursday night (4) and re-assembled at the station's new location before 6:00 a.m. the following morning, when the new studios and offices will be ready for occupancy. By permission of F.C.C. Station KQW, San Jose, KJBS's sister station, will broadcast the KJBS all-night Owl Program starting at midnight Thursday while the local transmitter is off the air.

### Ed Cullen Wins a Cup

Buffalo, Feb. 2. Cullen is winner of this son's Mike and Jerry. His cup for the best local announcer. It's an annual presentation by the Advertising Agency. Cullen, staff announcer and drama director for WBEN.

## WPRO ON THE UPBEAT

One Month of Network Service Starts to Change Providence

After a month under the new realignment of network affiliation it seems generally agreed that Cherry & Webb is now in a position to make WPRO stand out locally. Long considered the most showmanly station in Providence by instinct but handicapped by its previous network disadvantage against the other two stations WPRO is out in the clear now with CBS service.

WEAN, Shepards' peeper, hasn't changed much in the shifting and its about the same with WJAR, which has been NBC for years. Changes may not have hurt the others but WPRO has itely benefited. Lot more word-of-mouth comment now heard around town about station.

## REGIONAL MEN MEET IN CHI

Regional broadcasters group held another meeting here last Saturday (30) and decided to continue their present campaign for the preservation and betterment of regional stations.

Particularly the group is seeking for the Federal Communications Commission to provide the maximum use of existing facilities and frequencies. Regionals see no reason why more stations cannot be placed on the same frequencies as long as there's no interference from the additional stations. They are seeking the abandonment of exclusive classifications, and the spotting of regional stations on the clear channel wavelengths where there would be no harm to the reception of stations already on those wavelengths. They object to stations on the two coasts having clear channels; seeing no reason why a clear station on the Atlantic coast couldn't have a station on the west coast or in the far west on the same wavelength.

Among those in for the meeting were John Shepard 3d, Herb Petty, Walter Dunn, John Henry, Gene Dyer, Ralph Atlas, William Hutchison.

Gene LaVelle appointed new dramatic director of WHK-WJAY studios, Cleveland.

## Testimony Heard on Hot Springs Sale

Value of KTHS Involved—Former Local Broadcaster Brought in as Witness

Hot Springs, Ark., Feb. 2. After hearing evidence for two days in the suit instituted by the Chamber of Commerce to cancel the contract for the sale of radio station KTHS, Hot Springs, to Colonel T. H. Barton of El Dorado, Chancellor Frank Dodge Friday (29) took the case under advisement pending submission of written briefs by attorneys for the two parties. His decision is expected within ten days.

Among the many witnesses introduced by the Chamber of Commerce was Howard A. Shuman, commercial manager for station, KFDK, Beaumont, Texas, who until a few months ago was manager of station KARK, Little Rock. Shuman testified that at the time the station was sold to Barton for \$75,000 it was in opinion worth between \$200,000 and \$300,000. Shuman was replaced by Larry Meinert as KARK manager last June by Colonel Barton when Ed Zimmerman was made general manager of Colonel Barton's radio enterprises. Chamber of Commerce maintains

that in their opinion the market value of KTHS at the time it was contracted for sale to Barton on April 11, 1936, was around \$300,000.

Former officers and members of the old board of governors of the chamber agreed with Barton to sell him the station for \$75,000 of which \$25,000 was to be paid in cash and the remainder to be paid in annual installments of \$10,000, the sale be subject to approval of the Federal Communications Commission. Sale was repudiated last November 24 on the grounds that the chamber membership had not been informed of the sale. Board then resigned and a new board inaugurated and present suit filed.

## Store's Asst. Sports Gets Job as Buyer Spieler

Pittsburgh, Joe Tucker has been named sports announcer for WWSW, succeeding Jack Craddock, who left radio work recently to go in for evangelistic work. Tucker has had no previous radio experience, having been an assistant buyer in a department store before he joined for Frank Smith, station manager, along with 200 others, and won the spot.

WWSW has lined up broadcasts of Carnegie Tech basketball games and hockey clashes, both pro and amateur, at Duquesne Garden and Tucker's handling them all.

## Add: Boys Will Be Boys

Kansas City, Feb. 2. WHE continuity chief, M. H. (Mouse) Straight had a birthday last week. It cost him his nickname Mouse. Station's funny-guys presented Straight with a healthy white mouse at 15-minute intervals until 12 of the rodents had been delivered. The mice represented a \$3.60 investment. Straight kept them long enough to have his pic shot with the namesakes, then he sold them to a pet shop for 50c. Funny-guys insist he rattled so now it's Rat Strai

## WCAU Opens at 6:45

Philadelphia, Feb. 2. WCAU began daily operation a half hour earlier, starting Monday (1). Previously opening at 7:15, airings now begin at 6:45. Shut-down time remains at 1 a. m. and Sunday hours continue at 9 a. m. to 1 a. m. New schedule provides 15 minutes of pop tunes at 6:45, interspersed with U. S. Department of Agriculture dope; 15 minutes of songs and "philosophy" by Chic Martin; 15 minutes with the Singing Parson and 15 minutes of United Press news.

## RESULTS? COUNT MOST

Let us acquaint you  
with our work



## THE ONLY RADIO STATION IN GRAND RAPIDS

## WHAT IS THE M-R-N?

Group of Eight Stations Operating Simultaneously from Morning to Midnight Sign-off.

WBOM  
Dominate  
ity  
arkets.  
WDFD  
First Choice in the big  
Flint Market area.  
WJIM  
Supreme  
WIBM  
Dominates Jackson  
area.  
WELL  
First in  
WKZO  
Dominates Kalamazoo.  
WOOD-WASH  
Leads in  
rand Rapids.  
WXYZ  
Detroit (Key ion).

## WOOD-WASH

The only station in Grand Rapids—and definitely preferred by the large audience the big, rich Grand Rapids territory.

ONE OF THE EIGHT BASIC STATIONS OF THE

## MICHIGAN RADIO NETWORK

EFFECTIVELY COVERS A TERRITORY OF OVER FOUR MILLION POPULATION

## KING-TRENDEL BROADCASTING CORPORATION

DETROIT, MICHIGAN

**WMCA**  
NEW YORK'S  
OWN STATION

LEADS  
IN

**GANGPLANK  
INTERVIEWS**

# IRVING BERLIN'S *Greatest* SCORE!



## "THIS YEAR'S KISSES"

(The country's next No. 1 song hit!)

## "YOU'RE LAUGHING AT ME"

(Berlin's greatest ballad. Compares with "All Alone", "Pretty Girl Is Like A Melody" or "What'll I Do")

## "I'VE GOT MY LOVE TO KEEP ME WARM"

(You'll like it as well as "Cheek To Cheek" or "Top Hat")

## "THE GIRL ON THE POLICE GAZETTE"

(Another "Easter Parade")

## "SLUMMING ON PARK AVENUE"

(The dance hit of the season!)

## "HE AIN'T GOT RHYTHM"

He's The Lonesomest Man In Town

(A new Berlin Rhythm tune that will sweep the country!)

All these songs published by

**IRVING BERLIN, Inc.**

799 Seventh Ave., New York

**MR. ORCHESTRA LEADER!  
MR. RADIO ARTIST!  
MR. PROGRAM BUILDER!**

These are what we believe  
will be the six outstanding  
song hits of 1937.  
Your audiences will welcome  
hearing the songs of America's  
greatest song writer.

DICK POWELL and MADELEINE CARROLL

# Irving Berlin's 'ON THE AVENUE'

Alice Faye with RITZ BROTHERS  
and GEORGE BARBIER

ALAN MOWBRAY CORA WITHERSPOON  
STEPIN FETCHIT • SIG RUMANN

Directed by Roy Del Ruth

Associate Producer Gene Markey  
Music and lyrics by Irving Berlin

Darryl F. Zanuck in Charge of Production

20<sup>th</sup>  
CENTURY  
FOX

THE KEYSTONE  
OF YOUR FUTURE

# NEW AVAILABILITY ATTACK

## WB Breakdown of Radio Loop

In the following tabulation which Warner Bros. included a protest to the ASCAP directorate a breakdown was made of works performed from various catalogs during the past year. Analyses cover radio logs for four separate weeks in 1936.

### Key to Interpretation

First column contains the availability point Committee.  
Second column contains the quantity of standard musical compositions used during week August 23rd to 28th.  
Third column contains the quantity of standard musical compositions used during week September 20th to 25th.  
Fourth column contains the quantity of standard musical compositions used during week October 25th to 31st.  
Fifth column contains the quantity of standard musical compositions used during November 16th to 21st.  
Sixth column contains average per week.

Publisher.	Column	(Aver.)
BERLIN, IRVING, INC.	500	6
HARMS, T. B.	450	23
SHAPIRO, BERNSTEIN	450	2
CHAPPELL, C.	425	36
MARKS, E. W. B.	425	37%
ROBBINS, M.	425	22
WITMARK, M. & SONS	425	23%
MILLS, M.	400	18
CRAWFORD, M.	350	17%
REMICK, J.	350	13%
DONALDSON, D.	225	38%
T. B. HARMS	200	27%
NEW WORLD	30	17%
Schirmer and Fischer are not included in these analyses because it is impossible to determine from the Radiolog what arrangements copyrighted work have been used.		

Mills Music, Inc. has acquired the publishing rights to the score of 'Love of Kisses', Maurice Conn production, which Pinky Tomlin wrote.

**TWO TOP TEMPO TUNES**  
Written and Arranged by WILL HUDSON  
**MR. GHOST GOES TO TOWN**  
From a Broadway Musical  
**ORGAN GRINDER'S SWING**  
EXCLUSIVE PUBLICATIONS INC.  
1819 BROADWAY NEW YORK, N. Y.

**Remick**  
**SUMMER NIGHT**  
Warren and Rubin  
**111 THOUSAND**  
HIT SWELL  
**YOUR EYES HAVE TOLD ME SO**  
MUSIC  
1250 Sixth CHARLIE

Gordon & Revel's Greatest Score . . . From 'Head Over Heels In Love' . . . A Gaumont-British Picture  
**'May I Have the Next Romance With You'**  
**'Lookin' Around Corners for You'**  
**'There's That Look In Your Eyes Again'**  
**'Head Over Heels In Love'**  
LEO FEIST, Inc. 1629 BROADWAY NEW YORK

## SMALL PUBS MAY REFUSE TO 'VOTE'

Another Burst of Indignation as 'Self-Perpetuating' Clique Vote According to the Values in Points They Assign Themselves

### SAM FOX'S PROTEST

Latest revolt to break out in the American Society of Composers, Authors and Publishers has a majority of the small pubs pledged to refrain from taking any part in the scheduled 'election' of the new publishers' availability committee. These insurgents take the position that since their ballots would prove of negligible import in determining the final results they could by ignoring the proceedings altogether project more effective protest at the whole method of measuring availability, of the dollars and cents value of a publisher's catalog to the Society.

Ballots listing the nominees were sent to publisher members by ASCAP over the past weekend. In the accompanying letter the pubs were asked to vote for four pubs on the popular-production list and three on the standard. The letter also stated that it was assumed that the previous method of counting the votes would be used. Under this method each vote is counted at the value equal to the number of classification points which stood credited to each publisher at the end of 1936. In other words, if a pub was credited with 400 availability points his ballot would be worth 400 votes. Likewise, a pub who held a rating of 30 points would have his ballot treated as worth 30 votes.

At a recent open meeting of the publisher membership in ASCAP it was charged, and not refuted, that the present members of the availability committee have allotted among themselves and control 84% of the entire number of availability points. Small publishers now contend that there is nothing to prevent this same availability committee from getting together on a proposition to re-elect itself. However, (Continued on page 67)

## DREYFUS BROS. BUY IN MARLO

Max and Louis Dreyfus have taken over the Marlo Music Co., giving the brothers ownership of three music publishing houses on this side of the Atlantic. Marlo outfit will continue to operate as a separate entity, with Henry M. Spitzer, gen. mgr. of the Dreyfuses' Chappell Co. of America, as supervisor. Third Dreyfus firm is the Crawford Music Co., which the brothers acquired several months ago. Larry Spitzer is operating that.

George Marlo, founder of the catalog, moves over to Chappell, leaving Al Porgie as general professional manager. Eddie Wolpin, who with Marlo and Porgie revived the Marlo catalog on a partnership basis at the end of 1936, will join Crawford's professional staff. All three were formerly with the Warner publishing group.

### Buddy Morris to L.A.

Edwin (Buddy) Morris, head of Warner Bros.' music publishing group, left Sunday (31) for Hollywood. While there he will confer with Warner studio execs on forthcoming musicals and also look over the exploitation and sheet music situation along the Pacific coast. He figures on returning to New York Feb. 22.

## Availability Vs. Performance

Following, verbatim, is the table which Warner Bros. tagged Exhibit II and incorporated in its ASCAP brief in support of its contention that the availability-point grants made by the publishers' Availability Committee are radically out of line with the uses made of various catalogs:

(Availability ratings for third quarter of 1936 of the most important publishers, and analysis of users of their respective catalogs during 1935, as shown by published ASCAP program listings for 1935.)

The first column contains the availability points fixed by the Availability Committee.  
The second column contains the quantity of musical compositions having more than 1,000 performance credits each.  
The third column contains the quantity of musical compositions having between 500 and 1,000 performance credits each.  
The fourth column contains the quantity of musical compositions having between 100 and 500 performance credits each.  
The fifth column contains the quantity of musical compositions having between 50 and 100 performance credits each.  
The sixth column contains the total quantity of musical compositions having more than 50 performance credits each during 1935.

Publishers.	COLUMNS	(Total)
BERLIN, IRVING, INC.	2	
FISCHER, CARL, INC.	68	
Arrangements of non-copy-rights		
HARMS, T. B.		
SCHIRMER, G.		
Arrangements		
FEIST, LEO, INC.	331	470
SHAPIRO, BERNSTEIN	156	376
CHAPPELL & CO., INC.	107	249
MARKS, E. W. B.	118	309
ROBBINS MUSIC CORP.	153	382
WITMARK, M. & SONS	73	177
MILLS MUSIC, INC.	57	175
CRAWFORD MUSIC CORP.	69	173
REMICK MUSIC CORP.	54	66
DONALDSON, DOUGLAS	54	117
HARMS, T. B. CO.	26	29
A B C STANDARD	24	1
NEW WORLD MUSIC CORP.	100	32
	30	37

## TRACY SUING BRUNSWICK FOR \$94,300

A. "Street Supreme" court Friday (29) for \$94,300 which claims due him from Brunswick Record Corp. for his 50 records. The suit was revealed when the motion picture of, particularly, the claims.

Tracy alleges that on Nov. 14, 1932, he made the records for Brunswick under a contract whereby he was to receive one cent a record royalty. He received only \$3,000, he claims, instead of \$10,000 he was entitled to. In November, 1933, he entered an other agreement with Brunswick and made 26 disks for which he was to receive two cents on each. He only got \$2,700, he avers, instead of \$17,300 due on the contract.

Brunswick in its reply states that it paid the singer \$3,825 in advances and that the royalties on the records came to less than that amount. On these grounds they ask dismissal of the action.

### Al Beilin's New Job

Al Beilin, formerly with Chappell here, takes over management of the new Hollywood Music office locally. Hollywood is rm.

**MOVIE TONE TOPICS**  
CURRENT FAVORITES OF THE HEADLINES  
**'YOU DO THE BARN'DEST THINGS, BABY'**  
**'UNDER YOUR SPELL'**  
Lightly Terrific  
Love I'm After  
"The Balboa"  
**MOVIE TONE CORPORATION**  
1819 BROADWAY NEW YORK

Europe's No. 1 Song Sensation!  
**SERENADE IN THE NIGHT**  
Just Released—England's Latest  
**SUPPOSING**  
From The Cotton Club Parade  
**COPPER COLORED GAL**  
THAT'S WHAT YOU MEAN  
ALABAMA BARBEQUE  
DOIN' THE SUZUK  
Another Will Huguenin Hit  
THE MOON IS GRINNING AT ME  
**MILLS MUSIC**  
NEW YORK

To paraphrase the saying—"Good Things Come in 4s"  
For example, here are 4 big songs from 4 big pictures:  
**A THOUSAND DREAMS OF YOU**  
The Walter Wanger production, "You Only Live Once"  
**SMOKE DREAMS**  
From the Metro-Goldwyn-Mayer production  
"After The Thin Man"  
**GOODNIGHT MY LOVE**  
From the 20th Century-Fox production, "Stowaway"  
**THERE'S SOMETHING IN THE AIR**  
From the 20th Century-Fox production, "Anjo On My Knee"  
**ROBBINS MUSIC CORP.** • 799 7th AVE. • NEW YORK

## Jacques Abervach, French Composer, Gives Film Companies Mental Jitters

Music with considerable interest are watching the curious legal byplay which is going on between several major picture companies and Jacques Abervach, French composer, and currently here as representative for Francois Salabert, French publisher. One major producer, it is reported, has already made a settlement with Abervach, who under the

nom de plume of Jean de la Roche, has had himself involved in the cuesheets of scores of film shipped to Europe.

With a New York publishing house acting as go-between Abervach, who is a member of both the French and Italian performing rights societies some years ago entered into an arrangement with several film companies whereby his nom de plume would be used in the compositions of studio employees to collect royalties from these two societies. Deal was okay with Abervach until he found out that he wasn't getting his just share from the fees collected by the foreign film companies for the New York publish.

### Legalistic Twist

Abervach, in what he terms "be rooking," has approached these same film companies in the United States with the claim that he is the owner of all this music. He admits that while he isn't the composer of this music, as affirmatively set forth by the cuesheets, the producers have an obligation to him. As the cuesheet-attested owner of the music he has not been paid the required synchronization fees, Abervach now claims, and he has served notice on the film companies that he expects such payment on all numbers dating as far back as 1932.

Film companies find themselves on the horn of a dilemma. If they don't pay him and try to beat him in the courts they will have to admit that they did something that wasn't above board, while in Europe the story would have a more serious repercussion. Unclaimed royalties for performances go in France into a public fund which is used for relief purposes among composers and writers. The French government, it is realized, would regard with disfavor American business organization which by some devious practice had obtained money which otherwise would have gone to this fund.

Music publishers on this side seem to be getting a kick out of the situation. To them it's a case of ironic retribution. Picture companies, the American pubs poi out, have brought it all on themselves not only by trying to avoid paying copyright fees to domestic publishers with the added hope of building up their own musical security in Hollywood but in crashing the business of another industry by the backdoor.

Jack Mills acquired the American rights to "Memory of a Tiny Shoe," from Cecil Lennox and "The Night Ride," an instrumental number, from J. Campbell Connelly, both British firms.

## Most Played on Air

To familiarize the trade with the "hits" on the air around New York, the following songs were most played on the networks last week. Combined plugs on WEAF, WJZ and WABC are computed for the week from Sunday through Saturday night, Jan. 24-30.

- \*With Plenty Money
- \*Goodnight My Love
- \*Pennies from Heaven
- When My Dreamboat Comes
- \*Night Is Young
- Keep Me Your reams
- On Little Bamboo ridge
- Gee, But You're Swell
- Chapel in the Moonlight
- \*There's Something in the
- \*Summer Night
- \*It's De-Lovely
- \*May I Have Next Romance?
- \*Come
- \*Trust in Me
- \*I've Got You Under My Skin
- There's Frost on the Moon
- \*This Year's
- \*Rainbow
- \*Easy to Love
- \*You're Laughing at Me
- \*High Noon
- \*One Two Button
- \*You Do the

\*Indicates film musical song.  
†Indicates stage production song. The others are pops.

## 20TH-FOX GENERALLY DENIES PIX SONG SUIT

Twentieth Century-Fox Corp. filed answer Thursday (28) in N. Y. federal court to the \$1,000,000 suit for infringement by the Foreign & Domestic Music Corp., Sam Cummins, Societa Musicale Bixio and Cesare Andra Bi io. Plaintiffs claim song "Midnight in Paris," featured by Nino Martini, also a defendant, in the 20th-Fox picture, "Here's to Romance," (Jesse Lasky production) was lifted from the plaintiff's song, "Passa L'Amore." Besides Fox and Martini, other defendants are the Movietone Music Corp., Sam Fox Publishing Co., Con Conrad and Herbert Magidson, publishers and authors of the infringing number. Twentieth enters a general denial of the plaintiff's claims and specifically deny that Conrad and Magidson, who composed "Midnight in Paris," had infringed on plaintiff's piece. They also want to know whether "Passa L'Amore" was ever copyrighted in this country.

## SQUIRES, WHALEN QUIT CRA

Harry Squires, band booker, and Frank Whalen, both assigned from Consolidated Radio Artists this week. Squires was replaced by Billy Shaw, formerly with Mills Artists. Squires will resume independent band booking. Whalen, formerly in the club and hotel department of CRA, has left for a Florida vacation with no immediate plans.

Lennie Hayton, Mal Hallett and Bunny Berigan have gone under the management of Rockwell-O'Keefe, Inc. Berigan has the "Saturday Night Swing Club" program on CBS.

## Robbins Acquires Miller Music

### Youmans' Songs Notable Items of Publishing House Financed by Late W. H. Woodin

Robbins Music Corp. and Metro's acquisition of Miller Music, Inc., is all set and Charlie Miller, founder-head of the firm, will probably go into the Metro studio as a music editor and arranger while Will Rockwell, present professional head, will continue running this subsidiary as well as supervise its business direction.

This makes the third music buy-up by the Robbins-Metro combo, the others being the Robbins Music Corp. and Leo Feist, Inc., firms, apart from two major film musical tie-ups with 20th Century Music Corp. (starting next August) and the recently consummated Universal Pict's deals.

Miller Music, heretofore publishing much of Vincent Youmans' music, owns some 175 published works and 200 unpublished compositions by Youmans, Gordon and Revel, Peter DeRose, Barry Trivers, the late William H. Woodin (President Roosevelt's first secretary of the treasury who had financed Miller up to \$400,000), plus a flock of production scores.

These scores include "Great Day" which Metro will film shortly; also "Through the Years," some 1932 Ziegfeld Follies tunes, "Smiling Faces," "Smiles," "Fast and Furious," "Come of Ages," "Little Racketeer," plus such pop song hits as "Time on My Hands," "Jal Deux Amours" ("Two Loves Have I"), "Masquerade," "Without a Song," etc.

J. T. Ables, acting for Robbins-Metro, consummated the deal last week which Jack Robbins and he inceptioned during the music publisher's recent visit to N. Y.

Per usual, Jack Bregman and Abe Olman, respectively general man-

## DASH AND CONNELLY DUE FROM ENGLAND

London, Feb. 2. Irwin Dash, London music publisher, sails from here Feb. 11 for a visit in U. S. He is bringing over several new tunes with him for U. S. placement. Due to arrive in N. Y. on Feb. 18.

Reg Connelly, head of the Campbell-Connelly Co. and a director of Dash's outfit, is also preparing for a trip to U. S. Not accompanying Dash, he will follow shortly thereafter.

Dash, while here, will also align new song material for London publication.

Shimon Van Lier in charge of the sheet music division of Keith-Prowse, Ltd., is also due.

Shep Fields, booked at the Harbor Island Casino, Wilmington, N. C., for Feb. 3.

Louis Bernstein, head of Shapiro, Bernstein & Co., left last Saturday (30) for Hollywood where he will spend the month of February.

VISIT OR WRITE  
**MARKS MUSIC**  
GAZING AT A BLAZI  
FIRE  
LONESOME GUITAR  
IT'S STILL  
BEING DONE  
YOU'RE JUST A  
LITTLE DIFFERENT  
IGHT  
OH, SAY, CAN  
SWING?  
IN YOUR EMBRACE  
RUMBAS  
SPIC AND SPANISH  
MY SOMBRERO  
Orchestrations 50c  
EDDIE LAMBERT—Gen. Prof.  
**RADIO CITY, N. Y.**

**HOLLYWOOD SONGS**  
Songs For the  
"ONE IN A MILLION"  
"WHO'S AFRAID  
OF LOVE?"  
"THE MOONLIT  
WALTZ"  
"WE'RE BACK IN  
CIRCULATION AGAIN"  
Featured in the 9th  
Fox Picture  
"In a Million"

**HOLLYWOOD SONGS**  
RCA BUILDING—RADIO CITY—NEW YORK  
PHIL KORNHEIMER, Gen. Mgr.

**Witmark Presents**  
The Sensational Ballad  
**When My  
Dream Boat  
Comes Home**  
From "CHEROKEE STRIP"  
Starring Dick Foran  
"The Singing Cowboy"  
**My Little  
Buckaroo**  
M. WITMARK  
1250 Sixth Ave., RCA Bldg.,  
CHARLIE WARREN, Prof. Mgr.

**FOX**  
FLASHES  
**THE  
WORLD  
IS MINE**  
(TONIGHT)  
NOW THRILLING  
THE WORLD  
**SAM FOX  
PUBLISHING COMPANY**  
1350 SIXTH AVENUE  
RCA BUILDING—RADIO CITY  
NEW YORK

**Harms Presents**  
With Plenty of Money  
and You  
(Gold Diggers Lullaby)  
All's Fair in Love and War  
Let's Put Our Heads Together  
Speaking of the Weather  
From "Gold Diggers of 1937"  
**Cafe Continental**  
When Old Friends  
Meet Again  
European  
**Vienna Dreams**  
Trouble Don't  
Like Music  
From  
"READY, WILLING  
Too Marvelous  
For Words  
Just a Quiet Evening  
Sentimental and  
Melancholy  
HARMS, INC., RCA Bldg., N. Y.  
HACK GOLDMAN, Prof. Mgr.

**MUSIC PRINTING  
DIVISION OF  
THE AMERICAN  
DECALCOMANIA COMPANY**  
1225 W. FIFTH AVE., CHICAGO, ILL.  
quality music & title printing & engraving  
AT REASONABLE PRICES  
Work Done By All Present  
stimulus Fulfilled Without Obligation

IRVING BERLIN'S GREATEST SCORE  
**ON THE AVENUE**  
(20th Century-Fox Release)  
THIS YEAR'S KISSES  
YOU'RE LAUGHING AT ME  
I'VE GOT MY LOVE  
TO KEEP ME WARM  
THE GIRL ON  
THE POLICE GAZETTE  
SLUMMING ON PARK AVENUE  
WE AIN'T GOT RHYTHM  
CURRENT POPULAR HITS  
I Love You From Coast to Coast  
There's Frost on the Moon  
There's a Silver Moon on the Golden Gate  
**IRVING BERLIN, Inc.**  
709 Seventh Ave., N. Y. C. HARRY LINK, Gen. Prof. Mgr.

## Last Week's 25 Best Sellers

[The trade will be interested in comparing the selling relativity to the most-played-on-the-air tabulations, shown elsewhere in this department. Song title and publisher of the best selling 25 are included; only the title of the song is recorded in the air plugs.]

- |                                     |               |
|-------------------------------------|---------------|
| Chapel in the Moonlight             | Shapiro       |
| *Goodnight My Love                  | Feist         |
| *Pennies from Heaven                | Select        |
| When My Dreamboat Comes             | Witmark       |
| *Rainbow on the River               | Feist         |
| *One, Two, Button Your Shoe         | Select        |
| *With Plenty Money and You          | Harms         |
| *Night Is Young                     | Words & Music |
| *There's Something                  | Robbins       |
| *It's De-Lovely                     | Chappell      |
| *I've Got You Under My Skin         | Chappell      |
| Serenade in the Night               | Mills         |
| Timber                              |               |
| *I'm in a Dancing Mood              | Crawford      |
| Sweetheart, Let's Grow Old Together | Robbi         |
| Trust in Me                         | Ager          |
| *Who's Afraid of Love               | Hollywood     |
| Someone to Care For Me              | Feist         |
| I Can't Lose That Long!             | Donaldson     |
| *Hey, Baby, Hey                     | Chappell      |
| *One in a Million                   | Hollywood     |
| *Moonlight and Shadows              | Famous        |
| *Summer Night                       | Remick        |
| On a Little Bamboo Bridge           | Morris        |
| *May I Have the Next Romance?       | Feist         |

\*Indicates film musical song. †Indicates stage production song. The others are pops.

# HOTELS IN BOOKING BIZ

## Pa. Labor Dept. Cracking Down on Unlicensed Philly Agencies; 1 Fined

Philadelphia, Pa. — An unlicensed booking agency is under way being Pennsylvania Department of Labor and Industry. One agent was fined \$33.75 last Thursday (28) and seven were forced to get licenses.

Victor Girard, department's investigator of employment agencies, is running the one-man crusade. Including the seven new licensees, he said only 12 of the city's 117 bookers have licenses. All the others will be forced to get the wall-decorations or will be run out of business, Girard declared.

Bookers have been operating so long without licenses and without being bothered by authorities, the investigator said they are violating the law.

Girard stated that the department is not so interested in the \$100 which the license cost as in having a means of regulating unscrupulous iselers. Although there is no state law which limits what the agent may charge, the Labor Department feels that a licensed operator of an employment agency is less likely to take advantage of clients.

The booker fined was Edward Bienen. Girard testified before Magistrate Elias Myers that, Bienen ran the Variety Theatrical Enterprise. Bienen denied connection with the organization, but was fined when Girard produced a company contract with Bienen's name signed to it and a magazine advertisement in which Bienen's name appears as 'manager.'

Rita Roberts, 22, hooper-singer, testified that Bienen got her \$25 a week job at the local Paramount Grille and she paid him \$5 commission. Laski Brothers, a dance team, testified that Bienen got them engagements at the Casino and Sun Ray Gardens. At the former they got \$35 a week, of which \$5 went to Bienen, and at the latter \$50, of which the agent took \$10.

## RITZ BROS. IN CHICAGO AT \$5,500 PLUS SPLIT

Hollywood, Calif. — Ritz Brothers have pulled out for Chicago to work the RKO Palace theatre beginning Feb. 5, with Palace, Cleveland, week following.

Other p.a.'s may be arranged before they return here for film work. Loew's is dickering for them to play the State N. Y. City and Cleveland dates. at \$5,500 weekly salary plus percentage of the gross over imputed figure.

## Tiger Claws Proske

Capt. Roman Proske, animal trainer, received a mangled shoulder Jan. 29 when one of his six tigers attacked him during his act at the Orpheum theatre. Proske's shoving piece meat at the tigers and then withdrawing it rapidly, as part of his act, infuriated the cat.

His assistants and stage hands rescued him.

## HOTEL NITERY STICKING

Again the lackstone has changed its mind about closing the Mayfair Room. Will keep it through to spring, anyway.

Next week it replaces the current Al Kavelin orchestra. Hugo Mari is band.

## Louise Beavers on Tour

Hollywood, Feb. — Louise Beavers has left to start p.a. tour in Boston Feb. 1, then jumping to the Apollo in N. Y. City, Harlequin, to participate in a Negro revue.

She'll spend eight weeks in the South before returning here.

## 'Mr. Holm'

Baltimore, Feb. 2. — Current on stage of Loew's Capitol, Washington, are Eleanor Holm and her husband, Art Jarrett. Loew publicist in the Cap, Ray Bell, held press section for pair and had the sports scribes on hand to draw out Miss Holm.

Bell made a faux pas, when Jarrett came in, by intro'ing singer to sports writers as 'Mr. Holm.'

## RIO HEATING UP FOR ANNUAL CARNIVAL

Rio de Janeiro, 21. — Niteries hereabouts have been stepping up their music and shows at a dizzy pace with Carnival in the offing. This yearly binge, which takes place the four days preceding Ash Wednesday, is worked up to gradually, first indications being the establishing of the most popular new Carnival songs around Dec. 1. Grand wind-up comes this year Feb. 6, 7 and 8 in a series of street dances, parades of costumed Carnival clubs, floats, fancy dress balls and street battles with confetti, streamers and perfumed ether, which either cools you off or strikes you out.

The Atlantic and U.S. casinos have put on the best shows of the year for the preliminary hysteria. Under Jimmy Shore's direction, the Four Comets, a roller skating act; Hacker and Sidell and Ray Royce are at the Atlantic, and Masters and Rollins, Gaylene Sisters and the Hudson Wonders, also under Shure's wing, are at the U.S.

This year's Carnival music is vastly more pleasing to the American ear than that of last, and if one of the American teams don't learn the Brazilian samba and take it back to rum-ba-ridden patrons in the States they are missing a sure bet.

Carnival songs are not born in a Ti Pan Alley. Their sway and tempo are born to thumpings of drums in the hills back of Rio. As early as October a dark-skinned Brazilian comes down from the mountains with a song in his soul and a straw hat as his only instrument. He goes to the discers, where he pours forth his song, beating time on the straw lid. There it is put to music, orchestrated, and finally emerges for Carnival, possibly the hit song of the year. No American music is played during Carnival, its attempt being boomed or hissed with true Latin ardor.

Two and three orchestras are on tap at all niteries. Soon as one steps another begins and one orchestra's trick is not timed to a taxi turn. The music goes on and on and the samba goes up and down and the morning of Ash Wednesday reveals a populace glad to be good and quiet for another year.

## B&K's Chi Bookings Include F. C. Show

Chicago, Feb. — Bolaban & Katz has set the Beniny Davis unit for the Oriental week of Feb. 12, with Belle Baker coming Feb. 19, and the Scandals unit March 5. Borrah Mineevitch is dated into the Chicago for Feb. 12.

B. & K. is also negotiating for the Casino Parisien show for the Chicago for week of Feb. 26.

Previous Clifford C. ischer shows from the French Casino in Chi and New York have gone into the RKO Palace here.

## ACTS, AGENTS SQUAWKING

Inns Selling Talent for 'Outside' Conventions, Private Gatherings From Own Niteries—No Extra Compensation for Acts—Cutting Into Agencies

## NO SALARY PROTECTION

icago, Ill. — Growing practice of hotels to go into the act booking business on their own by making acts booked for their nite clubs and cafes also work special clubs and convention, is causing a rising yelp of protest among the performers and agents.

Acts claim that they are hired only to work in the specific nite club of the hotel and that they should receive additional compensation if they must play in other rooms before special gatherings.

Hotels are buying acts on the basis of 21 shows a week, and are using these acts for only about 14 or 16 shows in the nite clubs, forcing the performers to fill in the remainder of the contracted shows with what the acts call 'benefits.'

But these special shows in the upstairs private rooms are not benefits in that sense, since the hotels are getting paid for this talent by the conventions and parties, with the result that the hotels often make the total cost of the nite club show from these outside bookings.

Hotels' Answer — Acts have done some squawking about this practice, but the hotels have answered 'em by saying that the acts are all tied for 21 shows a week anyway. He in the theatres they do 30 shows regularly, and sometimes as high as 37 shows weekly.

Whole situation has become loaded with electricity, with the agents also taking a hand. They claim the hotels cannot act as both buyer and seller. Especially if they use musicians, since the Musicians' Union has strict rules against such practice.

Hotels which are also acting as bookers have protected themselves legally by taking out a regular agency license and have set up a special office and personnel to handle this department. Result has been a sharp drop in club bookings by the small agents. Hotels are not even holding up the prices of acts, but are selling them for outside dates for whatever coin they can get, figuring they are ahead no matter how much the acts bring.

Ituation has become so that the smarter acts are now insisting on a clause in all hotel contracts, calling for their appearances only and exclusively in the specific nite club or cafe.

Far's Mezz Steinwayist — Teri Josefowitz, pianist, opens at the Paramount theatre, N. Y., today (Wednesday), as a special attraction in the Music Room on the mezzanine floor nightly for two and one-half hours.

## Mary McCormick, Chi Morris Office, Plan 6-Act Bill for Tank-Town Tour

icago, Feb. — Morris Silver, of the local William Morris office, and Mary McCormick are planning a vaude road show, six acts plus Mary McCormick, to be called the 'William Morris Varieties of 1937,' and to play towns of from 15,000 to 25,000. Show title and Miss McCormick are to be given equal billing. Both the Morris office and the star are interested in the show financially.

Will carry acts beside Miss

## Scala, Berlin, Demes U.S. Acts Aren't Paid in Full, Although Red Tape Usually Causes Some Delay

rom VARIETY, Dec. 30, 1936.)

## NO PAYOFF IN REICH FOR U.S. ACTS AGAIN

London, England. — Americans playing Germany are having a bad time collecting their salaries despite promises made that salary will be paid in full.

Latest Gipsy ina, who just returned being owed \$1,000, which she is not likely to get back for some time, and Hart and Holland, dancers, who managed to collect a week's pay for six weeks' work.

Walter 'Dare' Wahl is due open at the Scala, Berlin, Jan. 1, and is ducking out on date, claiming that his partner, despite being Italian, Jewish-looki

## VAUDFILMER FOR LAGUNA BEACH, CAL.

Laguna Beach, Cal., 2. — Lou Metzger, indie exhib in Los Angeles, Pasadena and San Diego, and Oscar Oldknow, one-time operator of the Fox-West Coast Theatre circuit, announced plans to erect a 1,400-seat house here.

Theatre will be equipped with a stage, it being planned to run vaude during the summertime, bring in artie shows as well as class films for this resort, the home of many artists and Hollywood picture people.

## Midget Act Sues F&M For \$4,500 on Contract

It of Dorothy Magna against Fanchon & Marco for alleged breach of contract expected to be heard March 11 Supreme Court of Westchester County, N. Y. Suit alleges that the agency failed to live up to its agreement with Miss Magna, who acted as representative for Helen Magna and Irving Douglas, midget team. Later is former member of Pettit and Douglas act.

One-year contract with F. & M. si June, 1936, guaranteed a maximum salary of \$125 weekly for each of the two midgets for a period of not less than 20 weeks.

claims it received no money from F. & M. during the period the contract was in force and seeks judgment of \$4,500 and cost of suit. Lou Randell is counsel for the plaintiffs.

London, Jan. 21.

Editor VARIETY: — With reference to your article of Dec. 30, page 43, I enclose herewith copy of a letter received from the Scala Berlin today, which is self-explanatory.

I do feel that, as the representative of the Scala Berlin in London, that these attacks, which occasionally appear in your paper, absolutely unjustified.

The Scala is an extremely useful date for American artists visiting Europe, particularly at the present time, when there is so little vaudeville work in the United States, but these untrue statements, which appear in your paper, have the effect of making artists nervous about playing there. If you will take the trouble to contact any American acts that have played this date, you will find that they have nothing but praise for the treatment received from the management.

There is no doubt whatsoever that the salaries have all been paid in full, and it really is a great tribute to Mr. (Eddie) Duisberg that he is able to arrange with the German government to obtain sufficient currency for this purpose. Naturally should the time arrive when such currency would not be available for the payment of artists' salaries, we would then take such steps as might be necessary to review our position in sending acts to play that date.

I think it would be only you gave as much publicity to this letter as you did the article about the non-payment of salary.

Harry Foster, Piccadilly House, London, W.1.

Re: Article VARIETY, page 43, edition of Dec. 30, 1936.

Thanked for our telephone conversation on the above article we again are sorry to be forced to point out that VARIETY is misrepresenting the facts. In their report dated London, Dec. 21, they say that lists have a bad time in collecting their salaries despite promises made that salaries will be paid in full.

(Continued on page 56)

## THIBAUT SUED BY EX-AGENT, ACC'TING

In a suit filed Friday (29) in N. Y. supreme court, Conrad Thibault, the singer, was named as defendant by Harry Hollander, agent, who seeks an accounting of Thibault's earnings during the period from Feb. 1, 1932 to Feb. 3, 1935. The intiff claims that under an agreement with the singer, he acted as Thibault's business manager during that period and he was to receive 20% of the singer's income from all sources: stage, radio, screen, etc. Not only did Thibault run out on the contract, but gave performances without the plaintiff's consent, it is claimed.

The agent asks the court to order an accounting because of the difficulty to determine just what Thibault earned during the years covered by the agreement. Plaintiff estimates he has more than \$7,000 coming to him.

Thibault has entered a general denial to the agent's claims. He declared agreement in question was twice amended since 1932 and that he had paid the agent everything that was coming to him. Defendant also alleges that Hollander really acted as a theatrical employment agent without a license and as such has no right to sue him. The singer asks the court to dismiss the suit because of insufficient facts.

## BOOKING MANAGER

(Continued on page 59)

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# Vaudeville Memories

(PHILADELPHIA)

By Joe Laurie, Jr.

In the early '70's there was Gilmore's Grand Central theatre (at Walnut above 8th), then there was Fox's New American (now the Chestnut St. Opera House), then there was the Bon Ton on 8th street (sort of free and easy). The International Comi Trocadero, Lyceum, Haris, Auditorium and National theatres were the variety houses of years ago. Then came Keith's Bijou (the second theatre that Keith built), Victoria, Palace, Globe, William Penn, Cross Keys, Forepaugh's, Lubi, Keith's Chestnut St., Girard, Nixon Grand, Fox, Earl, Fays (formerly the Knickerbocker), Germantown, Dixie Opera House, the Broadway, Alhambra, Alleghany, Keystone, Nixon, Frankford. And not forgetting Bradenburgh's Museum which also had variety acts.

The variety artists would stop at Mike Toller's, Mother O'Brien, Flossie LaVan's, the Hurley House, Dad Frazer's (remember the peanuts on the floor?), the Bingham, Zeises', Caravan's, Irvi House, Sylvania, Walton, St. James, Adelphi and the Vendi.

The outstanding vaudeville agents of Philadelphia were Norman Jefferies, Bart McHugh and Buck Taylor.

For food the gang would gather at Bassett's and Springer's at the Reading Terminal, tip the waiter, a dime and get 50c. worth of food. Then came Horn & Hardart's (first one to be built), Boothby's, Kruger's and Kelly's Oyster House.

Some of the actors born in Philadelphia are the Barrymores, Johnny, Gordon and Rae Dooley, Lester and Allen, Tommy Harris, Cartmell and Harris, Ed Wynn, McDevitt, Kelly and Lucy, Frank T. George Kelly, Al White, W. C. Fields, Needham and Kelly, Clarence Marks, Vaughn Comfort, Kellar Mack, Herb Williams, Stan Stanley, Florence Reed, Al Dubin, Frank Dumont, Bobby Heath, George Monroe, Elsie LaMont (Kraft and Lamont), 4 Schrode Bros., Max Arnold, Murphy and Morton, Tom Brady, Oscar Shaw, Miller and Mack, Jim Kelly (Kelly and Pollack), Billy Evans, Jack Norworth, Harry C. Bryant, Pierce Bros., Ed Morton, Jimmy Conli (Conlin and Glass), Mosconi Bros., Florence Moore, Ward and Weber, Clarence Gaskill, McMahon and Chappelle, Jeanette Hackett, Lew Golder, Jim Mullen (Mullen and Coogan), Margie Cassi, Lizi Mulvey, Harry G. Richmond, Tom Phillips, Fox and Ward, Charlie Reynolds, Ford Sterling, Harry Fern and Frank Orin, Walter C. Kelly, Ann Pennington, and Emerson, Margie Coates, Tom Moore, Harry Mayo (Mayo and Tally), El Brendel (Brendel and Bert), Florrie LaVerne (Holmes and LaVerne), Charlie Hill, John W. Kelly (The Rolling Mill Man), Joe Burke, Emmett Welsh, Edna Leedom, Leo Donnelly, Rose Eyttinger, Grace Filici, Laura Nelson Hall, Francis Wilson, Hugh J. Ward, Adele Ritchie, Effi Isler, Lou Anger, Tommy Dugan, Harry and John Kernell, Billy Carroll, Suydam Bros., Joe Mitchell and Fitzgerald and Kelly.

A vaudeville act could work in and around Philadelphia for a whole season. Mr. Jordan of Keith's and Joe Dougherty were the deans of the managers. Charlie Fleishman at Keith's Chestnut St. was the first stage manager to ever don evening clothes and not handle scenery or props—he was the first of the 'directors'.

And don't forget when you thought everything was 'dead' on a Sunday—there were hundreds of 'clubs' running where beer and song ran freely. One of the really great vaudeville show towns of the country and the only city to have a permanent minstrel show—Dumont's and Carnecross. (They contributed many variety acts.)

## 'Gay Boy Rev' Female Impersonators Act, Rescued in Louisville Floods

Louisville, Feb. 2.—One of the parties which evacuated the Louisville hotel was the 'Gay Boy Revue,' a company of female impersonators, under the management of Fay Norman. VARIETY's correspondent here, who is stationed at a refugee depot for the purpose of transferring sufferers to points of safety, the state, noticed the group crowded in the corner of the building.

The manager, Fay Norman, advised that the company had been ordered to evacuate the hotel, where they had been playing for the past nine weeks at the Club Paddock. All were furnished coffee and soup, and buses were procured and they were transported to Elizabethtown, Ky., from which point they had an opportunity to board buses or trains for northern or eastern points. Miss Norman expressed her great appreciation of the wonderful spirit of the local people, who had done everything possible to care for her company and arrange for their transportation to points of safety. They had been without food or heat for three days.

## Posner's Unit Revamped For B'klyn Reopening

Lee Posner's Harlemania unit, recast, with the columnist as m.c., is set for a return at the Folly, Brooklyn, March 1. Gil Boag is now associated with the colored revue. Company of 40 has Bud Lee, Logg's band as musical basis; otherwise it's almost all new talent by Posner in Harlem.

## Minstrel Man Eyes Radio

reennville, S. C., Feb. 2.—Oldtime minstrel man Hamlin 'Ham' McBea is readying show to be aired over WFFB soon. McBea uncovered an array of local kid talent and has knitted 'em into a kid minstrel show. Show will run half hour.

Idea definitely new here.

## Det. Law Would Curtail Fems in Niteries, Saloons

Elimination of niteries and barmans is sought in a bill introduced in the Michigan legislature last week, which also proposes minimum wage standards. Since measures incorporating latter stuff are in general favor, it's hoped bill will be passed.

Under the bill, a commission of two men and one woman would be created to supervise work for females. Hearings would be held to establish proper wage and hour standards, and special attention would be paid to occupations involving physical or moral hazards. A second measure proposed would set midnight as the closing hour for all nite spots in the state, and would raise the age limit for drinkers to 21. Present curfew hour is 2 a. m. in Detroit and 1 a. m. outstate.

## Saranac Lake

once in a while from the Bronx comes a mess of 'good cheer' things to the Actors' Colony from Mrs. 'Tootsie' Heimlick.

Chris Hagedorn, after a three-month try ward off pneumonia and ings, is up and around again.

Alice Carman, in Los Angeles trying to find the right kind of ozone, reports that she's doing well. She's an ex-NVA-ite who saw 10 ozoning service up here.

Mrs. Gordon Wrighter now in St. Petersburg, Fla. The snow that isn't in the Adirondacks got her nanny.

After a run at Camp Intermission, Mrs. Wm. Morris left for the Big Street. Got disgusted waiting for snow.

Four major conventions due here, with carnivals, fights and entertainments being arranged.

Write to those you know in Saranac and elsewhere who are sick.

## GAG CRACKS 2 RIBS

Will Osborne Hurt in Floor Stunt With Eddie Kever

New Orleans, Feb. 2.—Will Osborne, who with his band is appearing in the Blue Room here, suffered two fractured ribs Wednesday night (27) during the floor show. Eddie Kever of the dance team of Miles and Kover, got Will onto the floor to give him a spin while letting him down injured the leader's side.

Examination by a physician proved two of his ribs had been cracked.

## MCA TO PEDDLE WHOLE SHOWS, OR ELSE

Baltimore, Feb. 2.—Music Corp. of America instituted a new ruling on booking its bands for vaudeuses. Agency will insist henceforth on also supplying the other acts on any bill a band under its guidance plays in any theatre. Any spot that shies from that stipulation will not be able to get an MCA band for vaude. In brief, theatres can no longer buy a band from MCA; must buy a whole show.

Stand taken by the agency is that oftentimes past houses have dipped deep in the poke to lay it on the line for a fore-front name band, and then filled out the rest with cheap supporting acts so as to keep within confines of the budget. The MCA idea is that its band, in those instances, had its prestige bruised in public estimation because the show as a whole was often bad—what with so many sour acts defeating the band's fine points.

Another angle which MCA does not seem to be stressing in its new booking formula is that innovation also gives agency opportunity to secure work for the many acts agency has been taking under wing.

First show to be put together by MCA under new policy for vaude is a unit composed of Eddie Duchin's crew, 4 Modernaires, Florence and Alvarez, and Virginia Lee and Lathrop Bros.

The layout has been peddled for \$5,500 net. Opens at the Fox, Phila., on Feb. 19. Then plays the Earle, Washington, following week, and comes into the indie Hippodrome here on March 5.

## DET. STRIKE HITS NITERIES

Detroit, Feb. 2.

Prolonged auto strike here is starting to take toll among local niteries, with one better class spot already folded and several others on the verge. Curtailed spending for liquor and food, as result of month-old strike, has been brutal and spots minus sufficient reserve are getting out before everything's lost.

Peacock Alley, adjoining the Detroit-Leland hotel, folded last week, as have several minor spots in the outlying districts and in nearby towns, which depend wholly on their respective auto factories.

Slump comes in the midst of best year town's niteries have known for several years. With this auto town humming with upturn of car biz up till first of year, nocturne spots flourished and few shuttered during the usual after-New Year's decline. But 30 payless days in a row for 100,000 auto workers is proving too big a nut for lot of spots to

## 1st N.O. Vande in Years Skedded for Indie Spot

Feb. 2.—This city ill see entertainment in the flesh at pop prices for the first time since vaudeville went out a few years ago. Miles Pratt, collector of customs, who owns the St. Charles theatre, has booked Folies Caprice unit for week starting Thursday (4).

The unit includes Frankie Phillips band from WLW, Cincinnati. Phillips comes here from Florida.

## Cliff Fischer Gets 'Folies Bergeres' Title for Term of Years from Stein

### LOOKING FORWARD

Seattle, Feb. 2.—Mrs. Frank Weaver (Elviry) of Weaver Bros. and Elviry, was out of the show for five days of their engagement here at the Orpheum, due to minor operation. Nancy, wife of Leon Weaver, understudied.

Weaver Bros. are a good example of vaude folks who look ahead to the time when the footlights will no longer pay. Leon was distributing automobile trailers the past summer out of Detroit, and Frank (Cicero) has a business in his home town, Springfield, Mo., distributing beverages.

Philadelphia, Feb.

Sam Stiefel keeping customers and trade merry-go-round here, changing policy at his Lincoln and Nixon's Grand every time you turn around.

Latest is colored flesh the Lincoln stage after a four-week trial and a straight pix policy. The Grand will add 'Bonus' game to its present pix and colored stage shows.

Until start of the present season, the Lincoln was city's sole caterer to the Negro clientele. Then Tom Burns, backed by his father-in-law, Bob Lynch, local Metro manager, opened Grand with same policy. Competition for acts got so fierce (and expensive) that Stiefel bought Burns out, continuing with colored names and bands at the Grand and straight pix at the Lincoln. About Jan. 1 he tried running colored acts in both houses, but laid an egg at the Lincoln.

## 3 Mgrs. in 3 Mos. At Cleve. Casino, But No. 1 Is Now Back

Cleveland, Feb. 2.—Three new managers in less than 30 days at the Casino is a new shake-up record held by Mayfair Casino since its bankruptcy and reorganization. Another novel angle is that, after several experiments with different policies and managers, the theatre-cabaret is bringing back its original manager to iron out its difficulties.

Harry Propper, who founded spot two years ago, was reappointed general director last week after three months' absence. Prior to bankruptcy action, when owned by Nate Weisenberger, Propper resigned because of ill health.

Charles Muehlbauer, hotel man, succeeded him. Then Jack Walsh, assistant manager of Neil House in Columbus, O., was a pinch-hitter for a spell. He has returned to the hotel business. Duress (Duke) Crane of the Ralph Hitz chain of hotels has been cast operator, but another change of ownership moved since return of Propper.

Propper plans to re-install large-scale floor shows next month, with name bands.

## Pitt. Show Boat Hit by Flood 2d Time; Damage Nil

Pittsburgh, Feb. 2.—Single niteriy in town to get soaked by high waters here last week, Show Boat, was open for business again yesterday (1). Spot, regulation boat anchored at wharf Allegheny, escaped serious damage, however.

Show Boat, during water's crest, was floating around dizzily near Sixth street bridge, but ropes held fast, and safe stuck to pier. Water got to get away for time, but the same dose of spring, but a bit more seriously, the water was more than 10 feet high.

After much litigation, Cliff Fischer, producer of the French Casino shows, receives exclusive right to the 'Folies Bergeres' title, in America, from the Folies Bergeres Producing Co., Inc., which claims its ownership in the U. S. After Fischer's deal expires in about four seasons, the title reverts to the holding company wherein he and J. C. Stei (president of Music Corp. of America) are co-partners.

Originally Fischer wanted the use of the 'FB' title for what is now the French Casino 'Folies' and was willing to pay a weekly royalty fee. He sued Stein and the FB Prod. Co., Inc., to restrain them from any interference. The case was settled this past week and Fischer pays the holding company an agreed upon fee. Title will probably be the tag of the next revue at the French Casino, or may be alternatingly switched as the handle for one of the F.C. units.

This deal also settles a number of existing minor differences between Stein and Fischer. Stein (MCA) and the Shapiro-Blumenthal management of the French Casino theatre property are still in a state of stress over some booking fees which Music Corp. of Am. claims. It's about \$6,000. This claim has nothing to do with Fischer and Stein's personal deal in the Folies Bergeres Prod. Co., Inc.

Reported that Fischer present partners, Jules Shapiro and Louis F. Blumenthal have also had some difference of opinion.

Other things, such as policy pertaining to the recent Rudy Vallee booking into the F.C. (which was a happy venture), plus the right to do with Fischer and Stein's personal deal in the Folies Bergeres Prod. Co., Inc.

## Now 'n' Then Shows In New Haven Nixed By Diff. With Tooters

New Haven, Feb. 2.—Failure of musicians' local to get together with Paramount management has resulted in killing a plan for once-a-month stage show proposition here.

Idea was to bring in one band show monthly, which would mean stand-by pay for house orchestra. Herebefore, a standby rate was one-half scale, but new figure set by union was for full pay, with one-half going to the musicians. This was to the organization. Negotiations under way for the Rudy Vallee show, which was nixed, with musicians hit a stand off.

## WB Shifts Show-Quality At Fox, Earle in Philly

Philadelphia, Feb. 2.—Change of policy for its two downtown vaude-film houses, Earle and Fox, has been instituted by Warner Bros. Earle, which has been getting second grade pix and top live shows, is now slated to have grade B stage bills as well. Fox, continuing a pix, also to get major stage draws. Lineup at Fox stage for next four weeks offers Ina Ray Hutton, Eddy Duchin, Mary Lewis and Shep Fields.

Fox has always been class house of pair. During recent musicians' strike it did satisfactory business on straight pix policy, while Earle is understood to have run consistently in red during that time. Draw at Earle has always been live shows rather than pix and screen fare. Houses are about same size, ith Fox admittedly higher. Herman Whitman is house manager at Earle. Harold Sidenberg is at Fox.

## LUCAS ORK IN CHI SPOT

Clyde Lucas goes into the Drake hotel, Chi's smart spot on Feb. 12 as Consolidated Radio Artists first band booking in the spot. Hotel has been a Kenway account for nine years with occasional deals with Music Corp. of America.

Lucas replaces the French Casino at the Chi date. Paul and the French Casino, N. Y., Feb. 8. Dick Jurgens exits the Drake hotel, Chi, for a new date.

## Nitery Placements

Marvin Fredericks' nine-piece orchestra moves into the Hotel Cadillac hotel, Casino, Detroit, Feb. 14, replacing Carl Ravell's band. Booked by Delbridge-Gorrell agency.

Dagmar and Sigfredo Nordstrom, femme singers, set at Larue's, N. Y., beginning Jan. 27.

Minor and Root, dance team, for two-week stay at Colony Club, Palm Beach.

Ruth Wynn, tapster, added to show at Park Central hotel, N. Y. Stuart and Les, dance team; Marion Melton, blues singer, and Kajar, magico, also featured.

Jimmy Whalen's band at Bertolotti's, N. Y., now augmented by Rita Renaud, chanteuse; Carol Vance, dancer, and Fran Craven, m.c.

Teddy Grace, femme vocalist, has rejoined Mal Hallett's band at the Hotel Commodore, N. Y.

Joey Zatorski's band installed at the Shelton hotel, N. Y., replacing Phil Darcy.

Dee Lloyd McKay, pianist-singer and the Ebony Rascals, comedy quintet, added to Harlem Uproar House's show.

Sharri Kaye is new vocalist with Al Donahue's band at Netherland Plaza hotel, Cincinnati.

Luise Renee, dancer, in N. Y. debut at Nick Bates' Merry-Go-Round, N. Y.

Roger Burke and band in Persian Room of Hotel Sir Francis Drake, Frisco.

Virginia Hagg, former singer with Tom Cookley and Carl N.Y. bands, is now on the NBC artists' staff in San Francisco.

Gus Van is in the Bal Tabarin, Frisco's class nitery, for six weeks at a top salary for this spot.

Bernie Cummin's band folded at the Palace hotel, Frisco, Sunday (31). Paul Pendarvis replaced Cummin's who goes directly to the Gibson Hotel, Cincinnati, providing the hotel isn't under water.

Nick Long, Jr., has gone to Miami to open a dance engagement at the Palm Island Casino. He recently directed dances in Universal's 'When Love Is Young'.

The Rock Girls are singing at the Club Casanova, Hollywood.

On March 27 the N. Y. Waldorf-Astoria's Sert Room gets a new show comprised of Leo Reisman's orchestra, socialite-singer, Eve Symington; Georges and Val's band team; Edgar Bergen, ventriloquist, and Xavier Cugat's band for rumbas. Spot closes Feb. 8 for the Lenten season.

Don Casanova, singer; La Gitanilla, dancer; La Sultanita, dancer, and La Carita, rumba dancer, featured in

new floor show of Care Valencia, N. Y. mon Juan band and singing.

Yanyevs Voodoo Dancers and Elsie Tuttle's band top new lineup at Le Mirage, N. Y. Billy Haywood, Cliff Allen, Virginia Fair, Marie Almonte, Wanda Goll, Ginger Sutton and Siboney Rumba Quartette complete show.

Paul Whiteman, on closing his one-nighter, opens at the Biscayne Kennel Club, Miami, Feb. 20.

Les Brown band signed for Decca series.

Charlie Barnett's crew doing New England three weeks of one-niters.

Ozzie Nelson remains at the Hotel Lexington, N. Y., until next May.

Dawn and Darrow, dance team, and Jean Kirk, specialty dancer, joined Mal Hallett's aggregation at the Hotel Commodore, N. Y.

Neil Golden's band at the Brass Rail, N. Y.

## WHITEMAN, RAMONA SPLIT COMES TO HEAD

Long pending legal battle between Ramona, pianist with Paul Whiteman's orchestra, and the Paul Whiteman organization, Artists Management Bureau, Inc., and Jack Lavin, was brought to a head this week with her acceptance of a week's engagement at the Nixon Grand theatre, Philadelphia. She is suing Whiteman and Lavin (his manager), and the AMB (which is a Whiteman-Lavin venture) to terminate her employment and managerial contract which dates from March 1, 1934.

Two years ago Miss Ramona sought to leave the Whiteman organization to go with Columbia Broadcasting System exclusively. Whiteman at that time was at NBC. Also she had some RKO vaudeville dates lined up, away from the Whiteman organization. The maestro in both instances served formal notice of exclusivity of contract and both deals were terminated, as neither CBS nor RKO wanted to become involved legally.

There were also union charges at the time, as there are now. The American Federation of Musicians, after hearing both sides, represented legally by counsel, acknowledged the validity of Whiteman's exclusive terms. There are AFM charges now for alleged contempt of the original order.

Ramona's contract of March 1, 1934, calls for \$125 weekly when she works and is in periods of 17 three-month renewals. She's guaranteed \$1,125 annually. Whiteman and the AMB doesn't collect on outside engagements until in excess of \$150, and then the commission is 20% of the excess.

Meaning, Ramona is petitioning N. Y. Supreme Court this week for a temporary injunction to restrain Whiteman's interference with her seeking outside bookings. She wants her contract breached because of alleged lack of mutuality. Noah L. Braunstein is her attorney; J. T. Abeles for Whiteman, Lavin, et al.

## Unit Reviews

### BROADWAY JUNIORS

(HIPF, BALTIMORE)

Baltimore, Jan.

Produced by NBC, idea of assembling group of sons and daughters of w-k's could seem to bear out well. Stunt is novel rift with publicity, value and of the sort that can titillate the ticket sale many a spot.

Some rough edges to be smoothed out before show hits its capable pace but likely the vet stager and songwriter Harry Carroll, who is producing unit for NBC, can wrestle successfully with those details.

Sock of the layout is Joe Dorris, Jr., whose papa was a pro, but on a baseball field and not a stage. His loose-limbed eccentric hoofing, gagging and a workout as well as anything else trotted out for inspection. He's the of the show, on twice.

Joe Cook, Jr., does about same stuff as essayed last April in Gus Edwards' ill-fated 'Show-Wind' stab on Broadway. A ringer for his sire, young Cook pedals a unicycle, juggles three clubs, hoots, gives the squeeze-box a workout as well as recites one of the long rambling stories which are his dad's stock in trade. Boy has quite a personality; what hinders him now is that while he's very comical nothing he does is really outstanding.

Eddie Leonard, 2d, is a trim-looking tenor, who sings ditties o.k. Enrico Caruso, Jr., is, of course, under considerable handicap trying to follow in pop footsteps via the vocal route. He is rather an adenoidal tenor, with plenty volume, but when caught he was doing 'Without a Song,' which is really a selection for a baritone. Also told a very amusing anecdote on his father.

Eddie Foy, Jr., is doubtlessly the most experienced of the second-generation group, who've over a swell, working in and out of the show, and getting some help from that albino stooge, Whitey Stewart, who was in Charley Foy's old vaude act for years.

Frank Tinney, Jr., is on for just a few moments at the finale. He has a grave manner of doing dead-pan, quiet-toned gagging that could be used somewhere to more advantage than in vaude; pix might find a niche for him.

June Carroll, dotter of Harry, has plenty. She m.c.'s the show, works with Tinney and Foy and does a lot to keep the pace going, but she's an excellent straight woman and very swell on appearance.

Ruth Howard, Tom's dotter, on briefly during finale for a flurry of jokes and a pants, but she's a Lait, dotter of editor Jack Lait, was out of show due to hasty trips to Philly, where her husband had undergone emergency appendectomy.

She is, to build up the unit, quartet of four lads, bearing label of Roy Campbell's Chorus, work nearly half a dozen times backing up Leonard's lyrics and Carroll's slick recitation of a spicy Spanish song and couple of chants in other spots. The line of 12 lassies is satisfactory.

Rosalind is, apparently, without illustration, a pants, but she's a Lait, dotter of editor Jack Lait, was out of show due to hasty trips to Philly, where her husband had undergone emergency appendectomy.

Loew circuit had 37 weeks of vaude time with acts playing 26 in 28 weeks. Fortnight lost in travel.

Chicago kick was that the booking agents infested the tryout houses and sought to break up the newcomers. No managerial effort made to stop it.

Long Island towns strong for one-day vaude. One agent booked 235 acts for Thanksgiving day the now 'n' then spots.

The vaude vet Primrose Seaman works a bit with her husband, Dorris, straightening his stuff, also tries the tonsils at singing. Young Cook is carrying along Fred Sweeney, another vaudevillian from back the years. Sweeney, still affecting the grotesque getup and makeup, hasn't much to do. What ticks he has he gets in handily.

Plenty on the credit side are the sets; all don't look new, but all are splendidly conditioned and craftily selected.

The finale, when sighted here at the Hipp, was very uneven and too pretentious. Tinney and Miss Howard don't entrain the show as now stands. Would be better to thread duo into show up ahead.

On screen, 'Plough' (RKO).

## Detroit Agencies Merge

Detroit, Feb. 2. Abe Schiller, formerly with Detroit Artists Bureau, has merged his nitery and convention biz with Delbridge-Ray Gorrell agency. Merger will lead to extensive expansion of agency's quarters and gives agency complete entertainment coverage.

Agency, which books most of major spots hereabouts, has also added Maybelle Vah to take charge of production. Delbridge comes with the end, with Delbridge and Gorrell handling the band bookings.

## Berlin Denies Pay Stall

### 15 YEARS AGO

(From VARIETY and Clipper)

Knickerbocker theatre, Washington, collapsed because of weight of snow on roof. Killed 95 and injured scores. Favorite nabe house for socialites.

rust Lubitsch went back to Germany with a mad on. Felt he had been unkindly treated over here. Still an anti-Germanic sentiment holding over from the war.

Warner Bros. guaranteed Strand, N. Y., \$25,000 on Wesley Barry in 'School Days.' Producers took next \$5,000 and split remainder, if any.

William bought world rights to 'The Two Rhaps' from the author's estate and tied up D. W. Griffith's world sales on 'Orphans of the Storm.'

Thelma and Marjorie White, just kids then, clicked with a sister act at a N. Y. tryout.

Johnnie Burke at the N.Y. Palace an at 11:30 the audience still wanted more. Show ran three hours and a half.

Helen Eby of the new Bill Rock act got attention for her hair. Plastered down, lick, and something new then.

Nora Bayes tolined the N. Y. Winter Garden, but Fred Allen ran her a close second. Allen had next to closing and no nearby comedy opposition. He laid them in the aisles.

Milton Berle was working with Elizabeth Kennedy and telling 'em he was 14. At the Riverside.

Music Box claimed some sort of a record with a bank deposit slip five feet long to list 260 checks received in one day. And all for advance sales.

First of the old-timer acts was 'Stars of Yesterday' with Corinne, Barney Fagan, Tony Williams and Joe Sullivan.

Walter J. Salmon bought the upper end of the triangular block on Broadway at the top of Times Sq. Was to build an office structure, but the old buildi is still standi.

Loew circuit had 37 weeks of vaude time with acts playing 26 in 28 weeks. Fortnight lost in travel.

Chicago kick was that the booking agents infested the tryout houses and sought to break up the newcomers. No managerial effort made to stop it.

Long Island towns strong for one-day vaude. One agent booked 235 acts for Thanksgiving day the now 'n' then spots.

(Continued from page 53)  
Holland and Hart managed to collect one week's pay for six weeks' work.

The facts are that Gypsy Nina received the following amounts on the following dates:

October 26.....	\$ 65.00
November.....	50.00
December.....	160.80

from which you will see that the balance of \$160.80 was paid within 19 days after she left.

The case of Holland and Hart is the following. (They received payment as below):

November 11.....	\$100.00
December 12.....	82.00
December.....	78.00
January 6.....	60.00
January 12.....	17.50

about five weeks is due to that Mr. Holland told cashier that he was in way in a hurry, and not afraid: not getting the money.

Speaking generally we recapitulate that though being the greatest bookers of foreign acts in this country we do not owe money to anybody. We do not deny that on account of the formalities we have to go through with the local icals there may be a delay now and again of a few weeks until full settlement can be effected, but I do not think that the artists we are booking are starving if they get the remainder of their salary a few weeks later.

Therefore the tendency of the article in VARIETY is again misrepresenting the real situation which is the more surprising since I, as you know, and the Scala in general, always have been one of the staunchest and truest friends of American acts. But of late, mainly due to the antagonistic attitude of Vamers, we have repeated reasons to be dissatisfied with the attitude of American artists who played the Scala.

VARIETE-BETRIE  
GESELLSCHAFT  
(Scala Theatre, Berlin)  
(Signed) Duisberg.

Harry Foster (Fosters' Agency, London) and Eddie Duisberg, managing director of the Scala, Berlin, admit that the pay-offs to the acts were made after they left Germany. VARIETY story, cabled at the time, reported that acts were not paid in full, while fulfilling the engagements.

Invariably, a full pay-off occurs, but owing to the legal formalities in the Reich, as showman Duisberg of the Scala concedes, there's usually a matter of some weeks after the act leaves Germany.

Show People All the World Over Will Be Interested to Know That

**SIDNEY FISHER TAILOR**

(Formerly at 25, Wardour Street) is Now Located at More Commodious Premises at  
75/77, Shaftesbury Avenue  
FISCHALL, LONDON, ENG.

## HIPPODROME THEATRE

BALTIMORE, MARYLAND

### MY HAT'S OFF TO YOU CRANNY:

I don't know how you do it, but you do. You played my Hippodrome Theatre in Baltimore last week for the third time in nine months, and you not only broke every record you set, but a few others too. We stopped selling tickets at the first show opening day and again at night, and any time we stop selling tickets it breaks our heart.

But beyond this my patrons were tickled to death. Your show is by far the best you ever had. The 2 Sallors are great. I have never heard people laugh and scream as they did at your show.

You can play for me three years a year—and that's saying something.

This letter happens to be on the level and I doubt if any theatre operator anywhere ever paid an ad himself to let the world know what he thinks about an actor.

But, I forgot—you're not an actor. I can't figure it out. Sweetheart—you're the tops. BUT WHY??

IZZY RAPPAPORT,  
Hippodrome, Baltimore.

CLIFFORD'S  
FRENCH CASINO  
FOLIES

250 Dinner 6:30 to 10 P.M.  
Supper Food & Bev.  
Wk. nights 10:30 to 1:30 in show  
Dance, 12-1:30 1st & 2nd Floor

DANCING  
Clyde, Lucas and Vincent  
Trotter, Dance  
Orchestra

NO COVER  
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French Casino

WORLD'S MOST FAMOUS THEATRE-RESTAURANT

## ROBBINS FAMILY

MARGIE DWIGHT LARRY

Enroute to Rio de Janeiro to fulfill an Eight-Week Engagement the CASINO DEURCA — and then Four Weeks in Buenos Aires.

OPENING IN LONDON IN JULY

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## MINOR and ROOT

NOW --- COLONY CLUB  
PALM BEACH, FLORI

PROVEN THE BEST AND IT NOW COSTS YOU LESS!!

**WILBUR CUSHMAN CIRCUIT**  
AMERICA'S LARGEST CIRCUIT OF STAGE UNITS  
GENERAL FILLS MELBA THEATRE BLDG. DALLAS TEXAS

**NEXT WEEK, Feb. 8**  
**THIS WEEK, Feb. 1**

# RKO

Loey

# Paramount

# Warner

## Independent

## London

01 100 2

## Provincial

## Cabaret Bills

Valley	Pedro V
old	French
and	Adapt

Moderne	Eileen C
Dale	Vera Du
igne Org	Ted Ma
	Bu Du

Sig. Ruff  
Jeanne  
Carlos L.  
Ethel &

**LOS ANGELES**

**CHICAGO**

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	Ge

Advancement of Colored People, National Association for the Advancement of Colored People, National Council to Prevent Nightclub Discrimination, National Student Federation, National Urban League, New Films for the People, National Alliance for the Advancement of the Negro, National Textile Workers, National Urban League, World Peace Council, World Peaceway.

(Continued from page 1)

institutional, but it will be such products as weekly service to the various member organizations' bulletins and or The review of this will attend which meets with disapproval. further this, the executive board comprised of two reps of the members, will request access privileges (not necessarily pr for themselves) and the permit to read questionable scripts. I of the executive board will tating.

News service will include items, production notes, new commodities, etc. printed in weekly bulleti of Film Audie Same will go out to organs of associated organizations for re Local chapters of the organiz will be charged a fee of \$15 and ly. Organizations of a national will pay \$25. Persons not conn with any of the above organiza tions and seeking membership pay an annual fee of \$3 for service.

Literature issued to non-member groups has been signed by our representatives of the following groups, who also attended the first mass meeting: The American Federation of Music, American Jewish Youth Congress, American Youth Congress, Emergency Peace Campaign, Federal Council of Churches (with membership of 20,000,000), Flut Peace Society, Inter-Professional association, League of Nations Association, National Association for Accomplishment of Color, National Council to Prevent National Student Federation, National Urban League, New Films, nance, United Textile Workers, men's National League, World Trade Union, World Peaceways, the Young Women's Christian A

z. It's a picturesque, colorful gir  
d show that needs more support th  
y it's getting from the film, 'Flyi  
Hostess' (U). Fox



## Drama Critics' Box Score

AS OF JAN. 30, '37

Key abbreviations: SR. (shows reviewed), R. (right), W. (wrong), O. (no opinion expressed), Pct. (percentage).	SR.	R.	W.
ROBERT COLEMAN (Mirror)	49	45	2
GILBERT W. GABRIEL (American)	53	48	5
JOHN MASON BROWN (Post)	50	44	6
JOHN ANDERSON (Journal)	44	44	6
RICHARD LOCKRIDGE (Sun)	44	44	6
BROOKS ATKINSON (Times)	44	44	6
RICHARD WATTS, JR. (Herald Trib.)	42	42	6
BURNS MANTLE (News)	34	34	6
DOUGLAS GILBERT (World-Tele.)	31	31	6

(Combined)

(This Score Based on Shows)

## Coleman Takes Top Rank in Legit Box-Score; Gabriel, Brown Follow

A new name heads the first-string it critics' score as the half-way mark is reached. Robert Coleman, N. Y. Daily Mirror's prognosticator on the merits and chances of the Broadway shows, thus has finally succeeded in breaking the stranglehold on first place held interchangeably by Gilbert Gabriel (American) and John Mason Brown (Post) for a number of years. His percentage .918.

Mid-season box-score is predicated on 57 new shows. Of these, Coleman reviewed 49, called 45 correctly, two wrong and failed to make up his mind one way or the other on the remaining two. These are added to the wrong column.

Curious point is that Coleman is the only reviewer tabbed who is not a member of the Drama Critics Circle. Walter Winchell, member of that group which allegedly takes in all the first-stringers, has a contract with the N. Y. Mirror whereby he is acknowledged as the play critic but, thus far this season, he has had time to scan only three productions. He is currently on the Coast making a feature film for 20th Century-Fox.

Gabriel, top man at this time last year, slips down to second place with percentage of .905. Gabriel reviewed 53 shows and called five of them wrong, but, unlike Coleman, carried nary opinion.

Brown, for the first time in quite a while, slipped below the .900 mark. He caught 50 shows since the start of the season, called 44 correctly and wound up with an .880 ranking. To take third place in the box-score are John Anderson (Journal), with .846, and Richard Lockridge (Sun), with .836. Brooks Atkinson (Times), with .829, rank fourth, fifth and sixth respectively.

### Newcomers' N.

Newcomers to the corps of New York first-string play-viewers did not fare so well. On the basis of the mid-season total of shows caught, Richard Watts, Jr., who succeeded to the late Percy Hammond's mantle on the Herald-Tribune, finished up in seventh place with .792. He called 42 shows correctly, nine wrong and tendered two no opinions. Douglas Gilbert, who took over Robert Garland's spot on the World-Telegram, dropped into last place, with a percentage of .620. Along with Garland's berth, Gilbert seems to have inherited the latter's predilection for no-opinions, being scored with a total of five in 50 shows caught. Besides the five yes-and-no's Gilbert called 14 shows wrong.

Burns Mantle (News), dean of the daily drama commentators, is summer-up to Gilbert for last place. Mantle's mid-season percentage is .629. He tops all the others in number of shows caught, having viewed 54, but called 20 wrong.

VARIETY, is natural with any self-scorerkeeping, is still doing all right itself. Muggs caught 57 shows and only juggled five, for a total of .929.

### 'Roosty' for B'way Roost

Hollywood, Feb. 2. 'Roosty,' play being scripted by Frank Thomas, film actor, and Martin Berkeley, RKO writer, for Broadway production next fall.

Frankie Thomas, juve legit and film actor, pencilled in for top spot in cast.

## Current Road Shows

(WEEK OF FEB. 1)

Ballet Russe, Civic Aud., San Cal. 1; Civic Aud., Sacramento, 2; Civic Aud., Oakland, 3; U. of Oregon, Eugene, Ore., 4; Paramount, Portland, 5; Moore, Seattle, 6-8.  
 'Boy Meets Girl,' Auditorium, Long Beach, Cal., 2; layoff 3-4; Savoy, San Diego, 5-8.  
 'Dead End,' Cass, Detroit.  
 'D'Oyly Carte Repertory,' (Ipsburgh).  
 'First Lady' (Jane Cowl), Harris, Chicago.  
 'Follies,' Grand, Chicago.  
 'Fulton of Oak Falls' (Geo. M. Cohan), Shubert, Newark.  
 'Great Waltz,' Auditorium, Chicago.  
 'Hamlet' (Gielgud), Washington.  
 'Hamlet' (Lesli Howard), Paramount, Salt Lake City, 2; Biltmore, Los Angeles, 5-6.  
 'Hey Diddle Diddle,' Philadelphia.  
 'Idiot's Delight' (Lunt and Fontanne), Forrest, Philadelphia.  
 'Jane Eyre' (K. Hepburn), langer, Chicago.  
 'Leaning on Letty' ('Post Road'), Selwyn, Chicago.  
 'Masque of Kings,' Boston.  
 'Mazovka Repertory,' Madison, Wis., 1-2; Milwaukee, 3-6.  
 'On Your Toes,' Hanna, Cleveland.  
 'Petrified Forest,' Hollywood.  
 'Point of Honor,' Flanger, Philadelphia.  
 'Pride and Prejudice,' ial, Boston.  
 'Reason for Youth,' rington Beach.  
 'Reflected Glory' (Tallulah Bankhead), Chestnut, Philadelphia.  
 'Return of Hannibal,' San Francisco.

## Oscar Shaw Gambles, Saves Himself \$1,500 In Suit by Etna Ross

Oscar Shaw, comedian, saved himself \$1,500 on a gamble Friday (28) when he directed his attorneys to settle for \$3,000 the \$50,000 suit for assault brought against him by Etna Ross, dancer, while a N. Y. Supreme Court jury was deliberating on what amount the girl was entitled to. It was reported later he had practically decided to award her \$4,500 damages.

Miss Ross sued on the claim that Shaw pushed her down a flight of backstage steps at a San Diego, Cal., dance between the show, 'Of, Thee I Sing,' in which Shaw played as President Wintergreen. Girl claimed that she was sexually injured and that her injuries interfered with her dancing. She is now appearing in 'Idiot's Delight.'

When the jury had been out nearly three hours, Shaw apparently became nervous. He conferred with his attorney and the latter talked with counsel for Miss Ross. As a result both attorneys informed Judge Noonan that the defendant had agreed to settle the matter for \$3,000. Court accepted the settlement and consented to Shaw paying the damages in installments based on his future earnings.

## Equity Rules Against Recordings In Legit Shows — Just in Case

Whether it shows is not clearly. Equity has adopted new rules covering that possible situation. Adoption of the regulation was made with the idea of keeping up employment of actors and choristers.

Hereafter no producer may use recordings, except by permission of Equity, of any singing, chanting or any business where living actors could be used. If recordings are permitted, the people used to make them must be members of Equity or Chorus Equity.

Equity took this action after 'The Eternal Road' opened at the Manhattan Opera House, N. Y., and it was abandoned.

## Stanford's New \$500,000 Model Campus Theatre; U. S. Premiere of 'Idolatory'

### Uncle Sam Presents

It's no secret that 'Glory for Nat Perrin, is something of altruistic production under the combined auspices of George Jessel, Jack Benny, Bert Wheeler, George N. Burns (and Allen), and a couple of other Broadway names.

Altirum lies (1) in the direction of perhaps creating some jobs for living actors, and (2) to themselves in investing excess income rather than have to live it up as taxes to the government.

## Loop Legit Shortage Has Preds. Worried; To Build New Houses?

Such a scarcity of legit houses in the loop at present that the Shuberts have gone to Balaban & Katz in an attempt to lease either the Apollo or Garrick, former legit spots, but now grind picture houses.

Shuberts would prefer the Apollo because of its seating capacity, but would be satisfied with almost any house in order to have another legit outlet here. B.&K. however, has nixed all offers.

All lease deals offered to B.&K. have been on short time arrangements, running for five or six months in the heart of the regular theatrical season. While the winter season is the best for legit, it's also best for pictures, and B.&K. can't see itself giving up the houses during the top winter months to legit and then having them back in its hands for the summer doldrums.

Another point which must be taken into consideration is the fact that B.&K. has itself tied to a good many picture commitments, having made arrangements for product for the spots early in the buying season. Even without these commitments it would still need the houses to take care of the growing flood of films.

Only solution to the problem of legit housing in the loop seems to be the building of new theatres. Hasn't been a new theatre in the loop in more than 15 years.

### New Party System

Farewell party given in honor of Alfred Lunt and Lynn Fontanne by the Theatre Guild on the eve of their departure to the road in 'Idiot's Delight,' led to the query of why a celebration at the end of the run.

Theresa Helburn had a ready answer, pointing out that too often there are parties on opening nights of shows which, shortly after, are found to be flops.

Lunt's party was gay and may set a new managerial style in such affairs.

ell's Half Acre,' comedy by Paul Conlon and Ted Hamilton, to get spring production by Hammerstein and DuFor.

Palto Alto, Feb. 2. Stanford University's dramatic department walked up and took a plum right out of Broadway's hand, last week when it announced that it would present the American premiere of Talbot Jennings' play, 'This Side Idolatory,' as the first campus production of 1937. Leslie Howard and Gilbert Miller produced it in London in 1933, 11th Howard playing the leading of Shakespeare. Since then when the play was an instant hit even among ardent Shakespeare specialists—notable Broadway showmen—angled to get the play for York run. But Jennings, now with Metro in Hollywood, has held off.

Last fall, however, Gordon Lange, a personal friend of Jennings, stepped into the head director post at Stanford and induced the author to give Stanford the first American production of 'This Side Idolatory.' Both Jennings and Lange got dramatic training with G. P. Baker and his famous Workshop 47 at Harvard and later at Yale.

Stanford's scoop is of a reorganized campus drama up. Later in the spring the university's new \$500,000 model theatre will be finished, and Lange hopes to go through with his plan to present campus talent in new plays, at least new to the west.

Leslie Howard is opening in San Francisco in 'Hamlet' Feb. 15 and will probably arrange to attend one of the two nights of 'This Side Idolatory' at Stanford, Feb. 13.

It was through his connection with Howard in London at the play's initial Lyric theatre run, that Jennings came to the attention of the late Irving Thalberg at Metro. Thalberg brought him to Hollywood, where Jennings spent two years working on the script for 'Mutiny Bounty.' He then soloed the adaptation of 'Romeo and Juliet' and has since screenwritten 'Good Earth,' and 'Marie Antoinette,' latter primed for Norma Shearer in the future.

New ideas in campus production connected with 'This Side Idolatory' at Stanford are a revolving, enabling quick-scene changes. Lange has worked in with seven lighting companies—notably Kliegel in Boston, Century and Monroe W. Peavey in New York—to experiment new tricks in lighting arrangements. The university will purchase for its new theatre the one which proves most satisfactory.

Metro has lent Lange costumes from its forthcoming 'Life of Shakespeare' for the Stanford production, and Jennings is personally interested in this premiere staging.

The Coast has awakened to the fact that Stanford is going ahead with its drama plans to make the university's drama department mean as much out here as Yale's does in the East. Metro and Republic have already arranged to scout the coming production in a search for talent.

## 'Dress' Pulled on Coast Over Matinee Miss-Out

Cal. After four performances scheduled two-week run, Al presentation of Aben Kandel's gangster comedy, 'We Dress for Dinner,' was pulled by Gilmor Brown, managing irector the Community Playhouse. Closing was ordered by Brown after most of the cast refused to show for a Saturday matinee, saying they were told by Rosen there would be no afternoon work. Brown substituted 'Beach House' for the remainder of the run.

Show ran into early difficulties when Rosen posted only part of the Equity bond and, at dress rehearsal time, could not be reached to make up the deficit. Kandel covered the bond when it appeared that the show might be cancelled.

Cast and Playhouse plenty, burned Rosen's 'Dress' drew only mild

'Sun Kissed,' by Kenyon Nicholson and Raymond Van Sickle, will be first production of Helen G. Bonfils and her husband, George Sommes, as new producing team. Starts rehearsals in about. Sommes directing.

# NEW MONEY FOR LEGIT

## 'Eternal' Gets First Profitable Week; Show's Involved Financing

Management and backers of the world's most costly production, 'The Eternal Road,' Manhattan, N. Y., were heartened last week when the attendance of the big spectacle markedly jumped up. For the first time since its premiere the show operated out of the red. While the week's profit was not material, the jump in gross was around \$8,000 for an estimated total of over \$32,000.

Production, which cost around \$500,000, has more backers than any one stage venture in history of the stage. There are 40 such investors, some being in on the original promotion. No show was ever financed along such unique lines. Persistence of its promoters to raise fresh capital after the original activities were halted last year, also unusual stage history.

Over \$250,000 was expended before a money shortage forced a halt, a goodly portion of the coin having gone into changes to the interior of the theatre. Meyer W. Weisgal, one of the original promoters, refused to abandon the venture and, when he joined with Crosby Gaige to raise another bankroll, 'The Eternal Road' again took form.

Public spirited men were asked to subscribe. None of them were called on to put up cash immediately, however. By arrangements with a bank the backers signed notes for the amount of their investments, bank providing the actual coin for the production. Notes are in varying denominations. Most are for sizable figures, but some are for moderate amounts. Lowest of the investors signed up for \$500 each, there being but three such.

It is expected that the notes will be paid off through profits earned by the show, otherwise the signers will be called on to refund to the bank. In that event, however, the signers of the notes may pay off in 20% installments covering a year's period.

Only after the attraction takes care of these notes can there be any money refunded to the original backers. When and if the latter are taken care of, all the investors are to receive an equal portion of profits on a pro-rata basis.

Management is still working on a linking fund plan whereby \$75,000 may be secured so that the show can be carried over lean weeks. Weisgal has gone to Florida for that purpose, Maurice Levin (Hearn's department store head) other backers being down there.

There has been some adjustment of the ticket scale for the spec, especially at the mid-week matinee, top now being \$2.20. Last Wednesday the matinee came nearest to capacity as 'Road' opened, original scale being in use.

## Jones Bows Out On 'Diddle'; Miss Nichols To Present It Solo

'Diddle' will come to the stage of Anne Martin of the newer showmen, was to have been brought in on the Hollywood satire, after the deal was agreed, changed his mind. Check for \$5,000 was tendered by Jones, who, for some unexplained reason, then stopped payment.

'Diddle' was to have been spotted in the Vanderbilt, N. Y., which Jones operates, with Henry Olmstead his silent partner, but that booking is now doubtful. Play 'Philadelphia this week and is due into town next week.

Morris Green brought the Bartlett Cormack script on from Hollywood last summer and was to have been associated in the presentation at first. Differences with management changed his status, with Miss Nichols handling the show solo.

## ANTI-SMOKING LAW NEW LEGIT WORRY

Proposed ordinance, which has passed a second reading before the Board of Aldermen, New York, would place stringent restrictions on smoking in legit theatres. Although different types of theatres are not mentioned, new law would prohibit smoking in theatre lobbies and the string of matches in foyers would bring about a fine, possibly as high as \$250.

Legit managers take the position that this ordinance, and others, are discriminatory, because smoking is permitted in the balconies of picture theatres but denied in legit houses. Pointed out that between 50 and 60% of legit audiences exit during intermissions for a smoke. In former seasons the habit of smoking did not include women but, since that vogue came in, they have caused jams in lobbies and foyers. Picture audiences rarely daily in the lobbies and go directly to the street.

New ordinance is a precautionary measure, since there have been few accidents through smoking reported in legit theatres. Several managers attended last week's hearing on the measure but whether their protest will be heeded is questionable. In such matters the managers were formerly represented by the Theatre League, minus a head since the passing this winter of Dr. Henry Moskowitz.

## 'WOMEN' NEARLY OUT OF RED ALREADY

'The Women,' which Max Gordon has at the Barrymore, N. Y., and which has developed into one of the season's smashes, may recapture its high production costs sooner than anticipated. Show cost approximately \$75,000 to put on, of which \$40,000 went to production and the balance to costs out of town before the Broadway entry.

Last week the gross went close to the \$22,000 mark, but weekly operating costs are also high. Backstage there are 30 stagehands and the all woman cast numbers 38.

Gordon has several partners in the show, including George S. Kaufman and Moss Hart. Latter duo helped get the show into shape when it tried out in Philadelphia and are said to be in on the managerial end for 34%. Counting profits to date, the sale of the film rights has virtually placed the show in the clear already. Price paid was \$125,000, which \$50,000 went to the management and \$75,000 to Mrs. Luce, the Dramatists' Guild 60-40 split.

## Leventhal Dickering For Belasco, Washington

Leventhal is negotiating with Belasco film house for the Washington to add to his circuit of legit theatres. Old house was formerly converted by the Radins, who operate the Cameo, N. Y. Acquisition would give the posed circuit a total of four houses. Leventhal already has the Shubert in Newark, is associate, Jack Linder, operates the Brighton theatre, right on N. Y., and the Locust theatre, Philadelphia. Englewood theatre, Englewood, N. J., until three weeks ago a part of the chain, is now dark.

## FRESH SOURCES UNLIMBER COIN

Several Productions by Unknowns on Broadway—Jessel, Benny, Burns, Wheeler a Comic Combo—Other Ends of Profesh Coming In

### MORE SOCIALITES, TOO

roduction list for late winter and spring indicates fresh money coming into the legit field from sources not previously figured in the Broadway presentation. Some of the new players are from professional comedians, notably 'for All' to be presented by George Jessel. Associated with him are Jack Benny, George (Nat) Wheeler, all four having put up \$5,000 each.

Included in the newcomers group is 'Thirsty Soil,' which is being backed by E. John Brandeis of Detroit. It will be presented by Leila Bliss and Harry Hayden, Coast little theatre operators. Show called 'Sun Kissed' Bonfils and Sommes as a new managerial duo. Latter was a stage manager, former being his wife, heiress to the Denver publisher's fortune. Revival of 'London Assurance' introduces Barbara Robbi, actress, a manageress.

Marc Connelly, who went to don for his debut legit presentation, will bow onto Broadway a manager, ill 'Having a Wonderful Time.' Michael Todd, another new legit name, is a vaude and tab presenter. He is readying 'Call Me Ziggy.' Luther Greene, who was interested in the Nazimova tour last season, ill offer 'A Point of Honor.' John C. Wilson, who is presenting Noel Coward, will present 'Excursion.'

Some of the best-known producers have already called it a season, but others are readying new plays. That group includes 'John Golden' with 'And Now Good-Bye' (opened this week), 'The North Star' and 'Susan and God'; Anne Nichols with 'Hey, Diddle Diddle'; Theatre Guild with 'The Masque of Kings' and 'Storm in a Teacup'; Gilbert Miller with 'The Amazing Dr. Clitterhouse'; Brock Pemberton with 'Now You've Done It' ('Me Third'); 'Chalked Out' and perhaps 'Red Harvest'; Brown and Henderson with a book musical; Dwight Dore Wiman with 'Babes in Arms.'

Richard, rich and Richardson Myers, most active of the socialite showmen, having withdrawn 'Aged 26' have several additional plays in preparation. Their 'Tide Rising' opened last week the Lyceum.

## 'TONIGHT' EXTENDED

Announced for Only 12 Weeks, But Will Stay On Indef

ight at 8:30' will extend weeks ori road-way engagement, tickets at the National are now on sale until Feb. 20 and it is not unlikely that the three series of playlets ill continue if not through March.

Management the booking contract is indefinite, elastic enough to permit indefinite continuance. It has one unusual feature, however, for a straight attraction (although a 10-piece orchestra is in the pit). That stipulation is an \$18,000 stop limit. Attraction has never fallen below the \$24,000 mark thus far.

Final weeks have not been announced, but it was claimed that 1,000 persons were turned away last Saturday afternoon and around 500 at the Wednesday matinee.

## Managers-Authors Amend Film Purchase Pact; Film-Financiers Of Play Now Get Break on Bids

### RUSH PLAGIARISM SUIT ON 'DEAD END'

arism it concerning 'Dead End,' written by Sidney Kingsley, will shortly be tried, having been given preference by Judge John C. Knox in the U. S. District Court. Case was marked for trial after Sidney Fleisher, counsel for Kingsley, told the court that he would be willing to submit the scripts of 'End' and 'Money' rest his case. Suit was not due for hearing for another year or more. Judge Knox assigned Judge Woolsey to the case.

Claim was made by Edna Buckler to the effect that her drama 'Money' had been submitted to the late Joseph P. Bickerton, Jr., Fleisher's former law associate, her further contention being that Kingsley subsequently came forth with a similar story 'Dead End,' which Norman Bel Geddes produced the Belasco, N. Y. (still current).

It was stated by the late Bickerton that he hadn't become acquainted with Kingsley until after Miss Buckler made her claim. There also is claimed to be a discrepancy in dates, indicating that Kingsley's play was written before the complainant submitted her scri.

## Guild Finally Gets Exemption For Livesey

the third time, the Theatre Guild appeared before Equity's council and succeeded in lifting the six months' rule as applied to alien actors. In the case of Roger Livesey, whom it desires to use in 'Storm in a Teacup,' British actor, currently in 'The Country Wife,' was granted permission to play 'Teacup' but thereafter cannot appear in it show over here for one year.

Tuesday (2), the association's offices, the Guild advanced further reasons why its request for an exemption Livesey should be granted, especially of the fact that Equity favored similar applications in two other instances recently. Those given exemptions were Sir Cedric Hardwicke, who appeared in 'Promise' and is rehearsing in 'The Amazing Dr. Clitterhouse,' and Wilfred Lawson, who was in 'Fetters to Exile' and is appearing in 'A Point of Honor.' Both are English actors, not resident aliens.

Principal Guild argument is that Lawson was exempted although he is enacting an American role in 'Honor.' Guild states that the 'Teacup' play's chances depend on catching the spirit of the presentation, as done in London, where Livesey originated the lead. Fact that he left it before the end of its London run not material, the Guild argued.

'Teacup' was tried here long ago by Harry Moses, who used a different version 'Storm' a Wasserglass, German play, but withdrawn after a try-out. That is another point advanced by the Guild to Equity to emphasize its plan for the London version.

Guild still has the problem of producing one more play in New York to complete its six play guarantee to subscribers, four having been presented to date, 'Jane Eyre,' which would have been the sixth Guild entry, will be held out until next season.

committee of managers authors, which was formulated last Spring when new Dramatists Guild contract was negotiated with the manager-members of the Theatre League, last week, major rules covering sale of film rights produced plays was adopted; certain plays backed picture firms. Regulations provided the author to have the film end name the amount it is will be the ri. If that satisfactory author he may then seek higher figure from another firm.

It was discerned that is rule inequitable in the form originally adopted and provided a loop-hole for possible sharp practice. Therefore been changed to stipulate that the author cannot sell the rights to another picture firm at the same price offered by the company which backed his play. If the author is unable to secure a higher figure, the backing firm may secure the rights at the price first named.

Understood the original rule was one of the points objected to by 'Hollywood' film people figuring it would lay them open to the whims of authors. Revision in the film rights procedure may lead to change in viewpoint of film execs; who declared Hollywood off of financing legit plays.

Joint committee functioned without friction. That will iron out other possible points to come up in the contract and supplementary rules, to which the film people object, was indicated by the smoothness of last week's session.

## Billy Rose to Be Exam. In Hecht-MacArthur's 'Jumbo' Radio Suit

Billy Rose must submit to examination before trial in the suit brought against him by Ben Hecht and Charles MacArthur, playwrights, for breach of contract, N. Y. Supreme Court Justice McGehean decided Thursday (28).

The plaintiffs accuse Rose and Billy Rose's Jumbo, Inc., Hanft-Metzger, agents, the Texas Co., and John Hay Whitney with having failed to pay them for material they supplied for the show, 'Jumbo,' which they used on radio programs without their consent. They ask \$2,300. Defendants deny material written by Hecht and MacArthur was used in the air programs. No date has been set for the examination of Rose.

## Ford's, Balto, Seeks Return of Guild Shows

Baltimore, Feb. 2. Likely that the Theatre Guild will revive its subscription series in Balto next year. John Little, manager of Ford's, UBO site here, goes to N. Y. tomorrow (Wed.) to huddle with Warren Munsell, Guild booker, plan of restoring series in Balto. Legit biz in Balto has been on the bounce this year.

'satire on radio by Lou Gerson and Nat Brown, taken by Lawrence Jacobs for immediate production. Jerry Cooper in lead.

'When the Cat's Away,' musical by Larry Johnson and Beulah King, proposed by Albert Bannister and J. Edmund Byrne.



# Ch's Loop Still Hot for Legit, 4 Shows, All Socks; 'Follies' 28G's

Chicago, Feb. 2. It's just a question of how many seats here. This is the finest legit season in many years. Customers are falling over themselves trying to squeeze into the theatres; only trouble is there aren't enough houses to take care of the demand.

Again it was a four-way snack-eroo list last week. The 'Follies,' 'Jane Eyre,' 'First Lady,' and the Charlotte Greenwood long-runner, 'Leaning on the Fifties' (East Road), all well. And into town last Friday returned 'Great Waltz' for a short stay at the Auditorium.

Two of the savviest hits close their local runs on Saturday (6). 'First Lady' going out of the Harris to be replaced by a new company of 'You Can't Take It With You' while 'Follies' screams after a truly sock biz gallop at the Erlanger, making way for the D'Oyly Carte Gilbert & Sullivan gang.

Capacity signs are still up at the Grand. Gertrude Bromberg of the Shubert office here has been doing a wallowing fine job on press and exploitation, filling full pages in the top dailies with photos and feature yarns.

WPA opened a new show, 'Within These Walls,' for a fortnighter at the Blackstone, and will replace with 'Good Old Summertime' (Feb. 17). Musical, 'O. Say Can You Sing?' has perked steadily at the Great Northern and is now turning a pleasant week for gross.

**Estimates for Last Week**  
'First Lady,' Harris (1,000; \$2.75) (6th-final-week). Finishing to pretty capacity; business, having been a sell-out from the start. Around \$15,000, great.

'Great Waltz,' Auditorium (4,000; \$2.20). In for 12 performances, from Friday (29). Opened well over the week end.

'Jane Eyre,' Erlanger (1,400; \$3.30) (4th-final-week). Goes out Saturday (6), after holding over an additional week. Hit over \$22,000 last week. D'Oyly Carte troupe in Monday (6).

'Leaning on Letty,' Selwyn (1,000; \$2.75) (11th week). Can stick into Spring without difficulty; getting a steady play and powerful profits weekly. A sell-out over \$13,000 last week, magnificent.

'Ziegfeld Follies,' Grand (1,300; \$3.85) (5th week). Need a shoehorn here regularly to pack them in. To the walls again with \$28,000. Top admish price in years for this town not hurting bit in any way.

**WPA**  
'Say Can You Sing?' Great Northern. Building steadily and grossing nicely now, around \$2,500 last week. This is money when compared with the week end gross of most of the WPA legit projects handle.

'Within These Walls,' Blackstone. Opened last Thursday (18) for a two-week stay. Play about to be replaced on Feb. 17 by Martin Flavin's 'Good Old Summertime.'

# Toes' Too Smart for Hinterland? \$17,500 in Pitts.

Pittsburgh, Feb. 2. Inning of 'On Your Toes' four pretty disappointing at the Coliseum last week and makes the roadway musical hit of last season look like a doubtful road property. Of course, the flood scare had a lot to do with the mediocre gross of \$17,500, which represents plenty of red on both ends, but that doesn't entirely tell the story.

Critics re-echoed the lavish praise of Manhattan reviewers, but it was the general feeling that 'Toes' is too smart for the hinterlands. Satire was going over most of the heads throughout the week and customers didn't know when ballet was being kidded and when it was done seriously.

On account of the flood in Cincinnati, 'Toes' went from her to Cleveland, but length of the tour is problematical in face of the local showing. Producers only expected to keep it out until April, when Ray Bolger must report to MGM on the coast, but from the looks of things now, it may not get even that long a run.

Nixon has the D'Oyly Carte company current for one week of repertoire with the Savoyards opening last night (1) to a tremendous advance sale.

**Estimate for Last Week**  
'On Your Toes' (Nixon): \$8,422. First road stop for the musical hit after 10 months on Broadway. A disappointing week, but couldn't keep some biz away, but couldn't entirely be blamed for week \$17,500.

# FRISCO SHOW DISMAL FLOP- \$5,000 AND OUT

San Francisco, Feb. 2. 'Battle Hymn' was presented by a cast of 100 Federal Theatre Project Players. Columbia theatre Thursday, Jan. 28, to a packed house. Reception public and press was excellent. Advance sale indicates a healthy

'Cocktail Bar' closed a 17-day run at the Geary theatre Saturday (3). Show was a dismal flop and is getting nice biz. There is talk of changing some of the top pieces in the cast and moving it on to Los Angeles.

**Estimates for Last Week**  
'Cocktail Bar' Geary (2nd wk) (1,750; \$2.50). New Lloyd Chase operaetta did floppo. Lucky to have picked up \$5,000 on the last 10 days.

**WPA**  
'ymn,' Columbia (4 performers) (1,800; 50c.). FTP has turned in a fine production and is getting nice biz. Did a little under \$2,000 on three night and one matinee performance on midweek opening.

# 'Boy' \$10,000 on Thrd Week, L.A.; 'Forest' 6G, Oke

Los Angeles, Feb. 2. Following the three weeks healthy run 'Boy Meets Girl,' which closed here Saturday (30), little more is dark until Leslie Howard moves Friday (5) for a limited stay with is version of 'Hamlet.'

'Boy' currently inaugurates a tour of one and two lighters that will take it back to the Atlantic seaboard.

Henry Duffy brought 'Petrified Forest' into the Capital last week, using the same company he presented in San Francisco several months ago.

**Estimates for Last Week**  
'Boy Meets Girl,' Biltmore, Los Angeles (C-1,656; \$3.30) (3rd-final-week). Lack of outstanding names failed to dent this one and final stanza neatly profitable at \$10,000.

'Petrified Forest,' El Capitan, Hollywood (D-1,571; \$1.65) (1st wk). Fair interest in this Duffy opus, with trade probably held down through the fact that picture preceded it. At \$6,000, initial stanza okay.

**WPA**  
'Revue of Reviews,' Hollywood Playhouse. Run again extended, this time to Feb. 11, with trade holding consistently.

'Roaring Girl,' Mayan. Opens Thursday (4) for four weeks. Original newspaper meller by John C. Moffitt.

'Help Yourself,' Musart. Another holdover, with Feb. 14 now set as the closing date.

'Ladies and the Jury,' Mason. Winding up Sunday (7), after a healthy run.

'The Jewel Tree' (mats). 'Marionette Varieties' (nights), Marionette theatre, indefinite.

# D'OYLY CARTE \$26,000 2D WK.

Washington, Feb. 2. Second stanza of the D'Oyly Carte troupe hopped up to approximately \$26,000 at \$3.30 top as against \$20,000 for the opening seven days at the National. Figure is being hailed by the localities, who were pretty sheepish about the first week, as proof that the Capital really is the can't-stop trade busy of official functions.

Current is Gielgud's 'Hamlet.' With Tullulah Bankhead's 'Reflected Glory' to follow. Latter should draw the swank trade on strength of the star being a daughter of the Speaker of the House, now in session.

# 5TH 'TOBACCO' SHOWING SOCK \$8,000, NEWARK

Newark, Feb. 2. Surprise of the season was the return engagement of 'Tobacco Road' at the Shubert Theatre last week. This marked the fifth showing of the drama in New Jersey territory in less than 12 months, and an \$8,000 sock, with only the first two nights of the week cut-rate.

Current attraction is 'Fulton of Oak Falls,' starring George M. Cohan, before Broadway.

**Tobacco Road** (Shubert) 1,970; \$800-\$1,500. This hardy drama has taken root hereabouts, apparently, and in its first appearance garnered a splendid \$8,000.

# DESPITE STRIKE, 'END' \$15,000, DETROIT

Detroit, Feb. 2. Looks, playing havoc with show biz and everything else along the Ohio River, are displaying a silver lining here currently. 'Dead End,' booked into Cincinnati for this week, was forced to cancel and stayed here for a second session, thereby solving two problems nicely: provided the Cass with something to fill its first scheduled dark week this season, and saved pay checks for the 'Dead End' cast.

Manager, McKee, of the Cass, didn't guess wrong, either, for the play's first session, at \$15,000, is plenty beaucoup for town that's been plagued for a month with 100-000 workers forced out of jobs because of strikes. And the second stanza started off icily, which should mean a little extra cash all around.

On a wave of rave reviews, 'End' got a heavy play from the start. Pop-pire matinees were virtual sell-outs last week and the lights filled well. Booked to follow 'Dead End' into the Cass, 'Toes' opens a one-week stand next Monday (6).

**Estimate for Last Week**  
'Dead End' (Cass; 1,400; \$2.75 top). Got rave notices and given a hefty play at \$15,000. Canceled because of engagement in Cincinnati because of flood.

# 'MASQUE' OKAY \$15,000, BOSTON

Boston, Feb. 2. Maxwell Anderson's 'Masque of Kings,' with Henry Hull, Margot, Dudley Digges and Pauline Frederick, easily led the town last week, with the help of a juicy Theatre Guild subscription list. Although rated a possible hit, the third act is undergoing some re-writing. Top-flight cast should carry this blank verse historical piece a long way when it hits Broadway.

'Pride and Prejudice,' another Guild subscription play, holds over for fourth week. 'And Now Goodbye' folded Saturday (30) after two weeks. Nothing booked into the Plymouth this week to succeed it.

Gielgud's 'Hamlet' is booked for the Shubert for one week, Feb. 8, and 'Idiot's Delight' comes to the Colonial Feb. 22.

WPA's 'Help Yourself' continues for a third week at the Copley.

**Estimates for Last Week**  
'Masque of Kings' (Shubert; \$2.75; 1st week). Clicking handsomely to over \$15,000 for the opening frame. Received warm critical welcome. One more week.

'Pride and Prejudice' (Colonial; \$2.75; 3rd week). Holding its own. Around \$11,000 last week. One more stanza.

'And Now Goodbye' (Plymouth; \$2.75; 2nd week). Left Saturday (30). Too good promising future after \$9,000 final frame.

**Kingsberry to N. O.**  
New Orleans, Feb. 2. Appointment of Jack Kingsberry as direct of the Federal Theatre here was announced Thursday (28) by James C. Hutchins, state WPA administrator.

# Broadway List Strengthens Again; Three Shows Now Over \$30,000 Mark

roadway's attendance strengthened again last week, advancing to the peak of the season. Having absorbed the holi card, we hit, show business looks forward to the incoming attractions, there being 10 carded this week and next.

legit patronage. indicated by the fact that there are no carded closings this week.

Aside from the general prosperity of most attractions on the list, the jump in business last week at the Manhattan Opera House for 'The Eternal Road' was the outstanding feature. Management is now talking of presenting in London and other centers over here, also considering cooling system for the Manhattan, in anticipation of spanning next summer. Gross went up about \$7,000 for a total estimated over \$32,000.

There are now three shows topping the \$30,000 mark—'Show is On' (10th week), 'White Horse Inn' (10th week), and 'White Horse Inn' (10th week). 'Red, Hot and Blue' topped its pace and was rated at \$28,500. Straight show set-up has eight attractions getting more than \$15,000 and, of that group, three are topping \$20,000 regularly. Some of the other successes would doubtless have similar marks but for the limited capacity of the theatres in which they are spotted.

'Tide Rising,' last week's solo premiere at the Lyceum, drew a weak press but \$5,000 and may move to another house dependent on this week's going. There are four shows arriving this week. Next week's card, 'Masque of Kings,' Shubert; 'Fulton of Oak Falls,' Morosco; 'A Point of Honor,' Fulton; 'Yes, My Darling Daughter' (All About Love), Playhouse; 'In Gold We Trust,' Little and 'Call Me Ziggy,' Longacre. 'Howdy Stranger' is slated to move from the latter spot.

'The Country Wife' remains two weeks more at the Lyceum; it was slated to close last Saturday.

'It Can't Happen Here,' WPA show, is announced to close at the Adelphi this week.

**Estimates for Last Week**  
'And Now Goodbye,' Golden (1st week) (C-789-\$3.30). Presented by John Golden; adapted from James Hilton's novel, by Philip Howard; opened Tuesday (2).

'Boy Meets Girl' (63d week) (C-1,059-\$3.30). Holdover laugh show in the money; every week business around \$8,500; not costly to operate.

'But for the Grace of God,' Guild (4th week) (D-914-\$3.30). Slated for another week, which ends the subscription period; around \$11,000, all from the box office.

'Behind Red Lights,' Mansfield (4th week) (D-1,097-\$3.30). Shows activity and may make the grade; improved to around \$7,000 last week, with some cut-rate aid.

'Beverly Hills,' Biltmore (6th week) (C-981-\$3.30). Settling down for a run after slow start; laugh show around \$15,000; excellent figure for non-name cast.

'Dead End,' Belasco (67th week) (C-914-\$3.30). Settling down for a run after slow start; laugh show around \$15,000; excellent figure for non-name cast.

'Frederika,' Imperial (1st week) (D-1,468-\$3.85). Presented by the Shubert; adapted from the novel by Franz Lehar opens Thursday (4).

'High Top,' Beck (4th week) (D-1,214-\$3.30). Strength of draw indicated by excellent figures; running around \$8,500; nearly all directly at box office.

'Howdy Stranger,' Longacre (4th week) (C-1,019-\$3.30). Better than first indicated, but modest grosses; last week estimated around \$5,000; around \$10,000 for the week follows here.

'Red, Hot and Blue,' Ivi (15th week) (M-1,355-\$4.00). Went up \$1,000 for a gross of around \$28,500, although agency buy expired; proves handled as many tickets as before.

'Show is On,' Winter Garden (7th week) (R-1,671-\$4.40). Broadway's leader and going around capacity at all theatres; with gross quoted at \$40,000.

'Stage Door,' Music box (16th week) (C-1,013-\$3.30). Stable hit; though under pace of earlier going, is faring better; last week's gross easily topped \$16,000.

'The Eternal Road,' Manhattan O.H. (5th week) (M-2,780-\$4.40). Jumped up to around \$33,000, showed a net operating profit for the first time.

'The Winslow Boy,' Empire (7th week) (D-1,099-\$3.30). Among dramatic leaders and aimed into spring; last week's gross approximately \$17,000.

'The Women,' Barrymore (5th week) (C-1,048-\$3.30). Leader of the new socko attractions; 10th capacity plus stand-in for all performances; \$21,000.

'Tide Rising,' Lyceum (10th week) (D-1,099-\$3.30). Leader of the new socko attractions; 10th capacity plus stand-in for all performances; \$21,000.

(D-957-\$3.30). May move; 'Having Wonderful Time' booked in; around \$5,000, okay considering weak press. Thursday (3), 48th St. (1st week) (D-957-\$3.30). Presented by Leila Bliss and Harry Hayden; written by Raymond Bond; tonight (Wednesday).

'Tobacco Road,' Forrest (165th week) (D-1,017-\$1.65). Around \$8,000; good figure for long run drama; no telling how long it will stick.

'Tonight at 8:30,' National (11th week) (C-1,132-\$4.40). One of season's strongest draws, with capacity the rule; gross rarely varies with takings last week over \$25,000.

'Covarrhe,' Plymouth (17th week) (C-1,058-\$3.30). Another comedy smash, with figures that add up to \$21,000 and better weekly.

'Victoria Regina,' Broadhurst (re-run) (49th week) (D-1,110-\$3.30). Another excellent gross; \$18,500, which topped recent weekly figures.

'White Horse Inn,' Center (19th week) (M-1,321-\$3.85). Commanding a big slice of patronage from visitors; business around \$34,000 last week.

'You Can't Take It With You,' Booth (8th week) (D-704-\$3.30). Strongest of the laugh plays; limited size theatre makes for standee trade regularly; over \$15,300 was new high.

**Revoluts**  
'King Richard,' St. James (week) (D-1,400-\$3.30). Revival of rarely played Shakespearean work; opens Friday (5).

'The Country Wife,' Miller (10th week) (C-1,034-\$3.30). Business improved \$1,000 to over \$11,000 and engagement extended two weeks.

'Naughty, Naughty,' American Music Hall (1st week). Melodrama; former church drawing excellent patronage.

**WPA**  
'Dr. Faustus,' Elliott. 'Iolanthe,' Daly's 63d Street. 'Sweet Charity,' Playhouse. 'It Can't Happen Here,' Adelphi; closes this week. 'Native Ground,' Majestic; lyn.

# 'FREDERIKA' OK \$22,000, PHILLY

Philadelphia, Feb. 2. Looks as if some kind of celebration ought to be the order of the day. This week, for the first time this season, Philadelphia's regular legit shows on at the same time.

Town's had four shows running once before this season, but one of them was a top-priced offering at the Locust. This week, at the house, Anne Nichols' 'Hey Diddle, Diddle,' which has a regular \$2 scale, without cut-rate attachments. Booking was made suddenly last week and is for a single week only.

Erlanger is also open again, after a couple of dark weeks, with a try-out of 'Point of Honor.' This is also in for one week only.

Forrest has 'Idiot's Delight,' which was almost a total sell-out for its entire two weeks before it opened. Show was made suddenly last week and is for a single week only.

Fourth show here this week is 'Reflected Glory,' playing its second and last week at the Chestnut.

Next week is skedded to find a quartet of shows also, with the Locust announcing 'Mulatto,' the Erlanger, 'Point of Honor,' and 'Glory for All,' another try-out, and the Chestnut getting a return engagement of 'Pride and Prejudice,' which opened here last year.

Last week's managing to pull out a \$10,000 week at the Chestnut, with 'Frederika' picking up to hit the \$22,000 mark in its second and final week at the Forrest and 'Reflected Glory' managing to pull out a \$10,000 week at the Chestnut.

'Lady Chatterley's Lover' (Locust), in for single week at the Locust, took an unmerciful panning at the hands of the critics and after a week of curiosity at the start, faded to nothing.

**Estimates for Last Week**  
'Reflected Glory' (Chestnut, 1st week). Good start and Bankhead followed; helped win \$10,000, with some variation of a bigger second week.

'Frederika' (Forrest, week). Pulled up to \$22,000 in second week. Last week's gross was as long as from capacity at \$3 top, but generally satisfactory. 'Idiot's Delight' hit week.

'Lady Chatterley's Lover' (Locust). Last night's gross was a little better than the week. 'Hey Diddle, Diddle' hit week.

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**N. Y. World-Tele Guild, Negotiations**  
Management of the N. Y. World-Telegram, through Noel McLeish, acting publisher, and Lee Wood, executive editor, clarified its stand in negotiations with employees of the paper by issuing a statement on Jan. 29 to the effect that it hoped the negotiations would result in an agreement with a contractual status as of the same time, definitely and specifically recognize the Newspaper Guild of N. Y. as the chosen bargaining agent of the World-Telegram employees.

Statement followed passing a resolution by the W.T. employees calling for a definite answer to the question, on which the management has heretofore hedged. Guild representatives were under definite instructions not to proceed with negotiations until the management announced its intention.

Guild representatives were apparently satisfied with this statement and negotiations were taken up at the meeting concerning the five-day week, overtime pay and preferential shop. It is no decision reached. Discussions between Guildmen and the management on these questions were resumed last night (2).

#### Multi-Copyright Library

A national library system, containing duplicates of all matter registered for copyright at the Congressional library, is proposed in a bill introduced in Congress by Representative Ross Collins of Mississippi.

Collins, who sponsored U. S. purchase of the Gutenberg Bible, suggested regional reading centers be established at New York, Memphis, Chicago, Denver and San Francisco. Each would be a depository for government documents as well as all private work.

Amendment to the copyright law, designed to facilitate expansion of the regional library collections, would require all individuals seeking copyright to file 12 complete copies instead of two at present when making application for protection. Requirement would not apply to limited editions under 300 copies and costing more than \$500 apiece. Bill proposes an appropriation of \$500,000, to \$1,000,000 for each library.

#### Skolsky's Film Annual

Sidney Skolsky, whose Hollywood column has been in the 60 newspapers, will edit for Random House an annual volume on pictures similar to Burns Mantle's series on the New York theatre.

Book will be titled "Best Pictures of 1937." Will contain the complete story of the year's best films, with much of the actual dialog. Also include "tuff" behind productions and shoot. There will also be an index containing the complete cast of every production in Hollywood and abroad.

Deal was closed by Bennett Cerf on Skolsky's last trip to New York.

#### New Yorker ranks Radio Taboo

Unofficial taboo by magazines of articles and fiction giving radio a heavy play was broken last week by the New Yorker's Reporter-at-Large piece by George Weller, which described WMCA's non-commercial street forum, worked at Times Square.

Weller is here on leave after four years' headhunting with political censorship in Greece for the N. Y. Times correspondent. Greek dictator Metaxas forced the resignation of Weller, substitute on Jan. Weller is remaining here, however, his leave having been indefinitely prolonged. His play "Diplomats in Dresses" satirizing Balkan censorship and written during his sojourn off duty is now being read by MGM.

#### Dramatists First Due

First two plays to be published by the Dramatists Play Service will be Marie Baumer's and Martin Berkeley's "Seen But Not Heard" and Marzi Flavin's "Around the Corner," which are expected to be out March 1.

Special typography selected to combine utility for nonprofessional producers with an attractive format. Several other publications are planned by the Play Service for the early spring.

#### Ashton Stevens' O.O.

Ashton Stevens, drama critic at the Chicago American, has gone to Rochester, N. Y. for a consultation with the Mayo brothers. Second time since the fall that Stevens has been off the paper, having spent five weeks in the hospital recently and coming back to work for only about three weeks before having to leave for the hospital again.

## One Excuse

Newspaper Guild started picketing the North Shore News published at Flushing, L. I., last week. Guilders on the N. Y. Daily News were naturally included in the picketing assistance, at Harry Forbes, a young reporter on that daily, declined to act.

Asked why, he explained that his father published the Long Island daily and estimated what the old boy might do.

#### Ferry Phillips Dies

is Percival Phillips, 59, American-born war correspondent for The London Daily Telegraph, died at a London nursing home on Jan. 29 of acute nephritis. He had been active until two weeks ago, covering the Spanish rebels, and later was at Gibraltar and Tangi. Two weeks before his death he was taken sick and was brought back home.

Sir Percival's assignments during his 42 years as a newspaper correspondent took him to every war and revolution in the world from 1897 to date. He had a peculiar knack for anticipating news, and was often on the spot long before other correspondents. In 1935 he scooped the world on the oil deal which Francis Hackett, British promoter, negotiated with Haile Selassie. He was waiting in Belgium in 1914 with the first German contingents came through. He was vacationing in Jamaica during the earthquake in 1907. He was in Ethiopia before Mussolini started branching out.

His first job was counting wraps for the Monongahela Herald. After working at the Pittsburgh Times a short time, he saved \$78 and started out for Greece to cover the war against Turkey. He had no idea at the time to whom he would sell his stories, but on the train to New York met H. H. Kohlsaat, publisher of the Chicago Inter-Ocean, who was impressed by him and contracted for the yarns.

He covered this war on a bicycle, then covered the Spanish-American war, and then the Boxer Rebellion. In 1901 when the London Daily Express Americanized its news treatment, he was taken to London with several other reporters and remained with the Express for 21 years.

Phillips was born in 1877 at Brownsville, Pa. He never married, and his only known relatives in the U. S. are a sister-in-law and two nephews in Phoenix, Ariz.

#### Conn Quits Salt Lake Telegram

Kenneth S. Conn has resigned as managing editor of the Salt Lake Telegram (evening) to join the executive staff of the Gardner Cowles Publications in Des Moines, Iowa.

His successor, Will W. Bowman, formerly held down a similar post with the Ogden Standard-Examiner, Ogden, Utah.

Conn joined The Telegram October 1, 1933. His new duties will be with Look, new picture mag.

#### Moore and Riblett Switch

C. A. Moore, business manager of the El Paso Herald-Post, has been named for the same spot on the Denver News.

He succeeds Merritt Riblett, transferred to Dallas, where he takes charge of Scripps-Howard national advertising for that region.

#### Uhl and Lloyd

Al Uhl, Madrid bureau chief for the Associated Press, for two years, and in Spain since the fracas broke out, has gone to Paris for a rest.

John Lloyd, chief of the Paris bureau, replaces him on the Madrid assignment. Lloyd has worked for the A. P. in Moscow, Rome and Mexico City.

#### Brooklyn Times Shakeup

Staff of the Brooklyn Times has been informed of a shakeup which will drop 15 men. Among those replaced is Roland Field, drama reviewer who was with the paper 14 years, and covered shows for the past 11 years. His spot will be given to Lou Schaeffer, who was covering the borough of Queens—the Times.

Sheet was recently bought by the Brooklyn Eagle and eventually the Times will be published in that plant.

#### Kent's

Ira Rich Kent, editor-in-chief of Houghton-Mifflin Co., is in Hollywood conferring with Lloyd Douglas, author of "Green Light," "White Banners," and other books, and with Warner Brothers execs. Studio recently completed a picture on "Light" and soon will do one "Banners."

Kent also discussed new tomes with Lee Shippey, Los Angeles author and columnist, the L. A. Times. Shippey has authored several books with Southern California settings.

#### Marg. Widdemer's roadcasts

Margaret Widdemer, novelist and poet, will conduct a series of weekly radio broadcasts over NBC's Blue network starting Feb. 17. Program, titled "Do You Want to Write?" will go out Wednesdays from 3 to 3:15.

Idea is based on the old theory that everyone has a novel in him. Substances of the broadcasts will be published later in book form by Farrar & Rinehart.

#### Joe Barnes to Moscow

Joseph F. Barnes will leave next month for Moscow to head the New York Herald Tribune's bureau there. He is at present a general reporter on the N. Y. staff of the daily.

Joseph B. Phillips, who heads the bureau there at present, wants to return to the U. S. He will join the general staff in N. Y.

Eddie Brietz, sports writer for the Associated Press, has pneumonia and is in a critical condition. He writes "Sports Roundup," a gossip column which goes to more than 500 papers. "Scotty" Reston, former E. W. York columnist, is pinch-hitting for Brietz. For inquiries as to Brietz' condition came from so many quarters that the A. P. now sends out bulletins on his condition.

#### Chapman Yarn on Kaufman

John Chapman, drama editor of the N. Y. News has been commissioned to write an article on George S. Kaufman for the Saturday Evening Post. It will be the first personal story, that weekly has used in years. Expected the Post will use a number of other articles of similar type.

#### Eleanor Barnes to Wed

Eleanor Barnes, drama editor of the L. A. Illustrated Daily News, has resigned to marry Lieut. Comm. Anthony Mara of the U. S. Navy. Harry Mines, her assistant, takes over.

#### Paul's New Termer

Mauri H. Paul, who writes under the name of Cholly Knickerbocker for the N. Y. American and other Hearst papers, has been signed for a new five-year stretch.

Salary involved is said the highest ever paid to any newspaper society scribbler.

#### Vice Fry

Robert Baker, formerly associated with Current History, replaced Varian Fry this week as editor of The Living Age. Fry left because of differences of opinion with the publisher, Archibald Watson, and politics.

# Mainly About Manhattan

By JOHN CHAPMAN

(Following column, by John Chapman, is a travesty on the Broadway columns. Rated the most conservative of the tabloid fourth estate around town, Chapman's stuff appears on the same page with Ed Sullivan and Sidney Skolsky in the Monday editions of the News.)

(Reprinted from N. Y.)

(1937)

## Your Third Avenue and My Error

The Joes (he's the ice man in the basement) anticipate another pound... Elwyn van Twerp of the Park Ave. kwerps is hold'g the with-himself... That Fellow itemed that the Harry Handsones, the flicker set are preparing a Mexican chill when they aren't even married yet. The same item appeared in this pillar on the Ides of March, 1066, so I had it wrong first... President Roosevelt: "Nice goin'," id, I'm proud of you... Bulova Watch Time has jumped to 794 in the Crossley report... Greta Garbo is hiding at a certain hotel disguised as a chambermaid with fallen arches... J. P. Morgan: Okay, pal... A year ago today was a Saturday and I'll be damned.

"Who was that lady I seen you with last night?" queried George S. Kaufman the other ho him at Abe's "Do" Room. "That was no lady, that was my wife," quipped Mr. Murray. Note to Mayor LaGuardia: Your shirt it's hanging out... The only thing I ever gets on Broadway is a knife in the back. Nobody is your pal but they'd all love to be your pal-bearers... Skip it. It's probably old anyway but I might as well make it public... Arthur Murray says a penny saved is a penny earned... Tootsie Whoops, the new baritone at Murphy's Rathskeller, is clicking... She pulls her knuckles and I wish to God she's stop... John D. Rockefeller: No, thanks, keep... A model is a small imitation of the real thing and he knows who I mean... There's a broken heart for every light on Broadway, or did somebody say that before?... Recommended: Tom McNaughton's hot platter, "No News or What Killed the Dog"... There's a big deal on to merge M, G and M but I can't say anything about it.

Shirley Lastfogel, the hat check girl at the Dive, is wearing the Cullinan diamond... Broadway used to be a cow trail which accounts for all the funny things you see on it... Butch, the gyp hackie who waits for drunks outside Rafferty's hot spot, is courting Delight Delovely, who's in charge of the powder room... Katharine Hepburn may wed Howard Hughes... La Hepburn may not wed Le Hughes... Well, as Arthur Murray says, when the hell, that's life... Bishop Manning: Ah-ab-ah!... Fingy Film, newsdealer at the corner of Third, and Doty dot Dope, the trash-parrel prowler, are reading a Page One Flash... Broadway is all right when you are going up but when you're going down they hope it's for the third time... Note to Henry Ford: How'm I doin'?

The Joes (he's the ice man in the basement) short-weighted themselves and got only a five and a half pounds, and you'd expect that sort of thing of Joe... Sherman Billingsley may veto free loading and the panie is on... Ladys Gleep, 18-year-old nitwit of the Park Avenue set, and Horace van Gloop, Sapp 11 (whose only good point is that Horace van Gloop Sapp it has right billion dollars and no control over his son) got stinking, wuh-wuh drunk last night at Seventy and didn't dash out to get married... The genial proprietors of the dump were fit to be tied at such a violation of the rules and Glady and Horace will be barred... "How's things?" a press agent asked Arthur Murray the other oh dear at Wimp's hamburger stand. "Everybody complains about the weather but nobody ever does anything about it," quipped Murray... Personal to Aimee Semple McPherson: Sure.

Third Ave. novelette: e loved her. She loved him. He str: She still loved him but she wept. So now she's the blues singer at B Sub-Basement, getting \$483,000 a week, and the hell with him.

The tunes from "Gold Diggers of 1941" are all yours. You'll be to hear them if you live that long, and don't you wish you was me? Arthur Murray says, nothing succeeds like success... Eugene O'Neill: it wouldn't if I were you... Milton Berle is clicking at Loew's State, which is a record... As Doty Parker put it the other nit, the lo affair between That Fellow and That Fellow will go down as one of the great romances of all time... Whisper to the Duke of W: Thass all right, old fruit, I understand... Four years ago today a Republican was in the White House and doesn't that beat all?

Candid Camera Shots, All Out of Focus: The loose cobblestone at the corner of Third... The cop helping the old lady across the street like she was his mother. She was, and the cab driver saying "I'm engaged" and Arthur Murray saying "I hope you'll be very happy." The blind dog with a tin cup on its back leading a healthy beggar... Shirley Lastfogel coming out of a pop shop without the Cullinan diamond... The store at the corner of Third that isn't being picketed... The skyline... The doorman at Seventy-Five, who owns the Boston Red Sox, two Park Ave. apartment buildings and 15,000 shares of Tel and Tel—but who keeps right on being a doorman because he's got the soul of a New York City doorman.

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#### CHATTER

Harlan Hatcher's new novel titled 'Central Standard Time.'

Associated Press has nine portable transmitters in the flooded areas.

Louis Untermyer will be a guest lecturer at Knox College next month.

Associated Press in N. Y. will install a partial five-day week shortly.

Sid Desfor appointed photographer for special events and spot news at NBC.

Katherine Albert on the Coast digging data for personality yarns.

William A. Brady's memoirs, 'Showman: My Life Story,' will be out Feb. 23.

Meyer, film critic for Esquire, has written a novel titled 'The Old Bunch.'

Pierrepont B. Noyes has written a book on the Oneida Community titled 'My Father's House.'

Robert Hale has bought the English rights to Desmond Holidridge's 'Escape to the Tropics.'

Edgar Snow, now in Peiping, has edited a symposium of modern Chinese writers titled 'Living China.'

Sean O'Faill is in a Dublin jail. His book 'Bird Alone' was suppressed in Ireland a couple of months ago.

Robert Nathan, for ice on Feb. for a month. He will work on a new novel there; out in the fall.

Beth Campbell, formerly on the Oklahoma City Times, joining Mrs. Roosevelt and the Presidential family for the Associated Press. Replaces Bess Furman.

Angus Thirlwell is her from England for her first visit here. Will spend most of her time in Boston. Her new novel 'August Folly' (Knopf) is due March 15.

Dee Lowrance of Young America has a walk-on part 'Tide Risi' She is the wife of drama critic for Cue, who rites the Herald Tribune's news of the theatre.

L. D. Heywood has left the copy desk of the N. Y. Herald Tribune to join the A. P. feature service desk. Foster Hailey, formerly the A. desk, has Y. Times.

A. Cassan French poster artist, ing a series of covers for Harper's Bazaar.

Both Haynes rebor, managing editor, and Robert Patterson, city editor of the North Shore (Flushing, L. I.) Journal, where a strike is in progress, refused to go through the picket lines on Mon. (1). Leaves T. Harold Forbes, publisher, out the paper single handed.

## Best Sellers

est Sellers for the week ending Jan. American News Co.,

'Gone With the Wind' (\$3.00)..... Margaret Mitchell  
'Drums Along the Mohawk' (\$2.50)..... By W. Edmonds  
'Late George Apley' (\$2.50)..... By John Marquand  
'Street of Fishing Cat' (\$2.50)..... By Joan Hobart  
'Yang and Yin' (\$2.50)..... Alice T. Hobart  
'Dumb Gods Speak' (\$2.00)..... Illinois Oppenhei

#### Non-

'How to Win Fri' (\$2.00)..... Carnegie  
'An American Doctor's Odyssey' (\$3.50) By Doctor ictor G. Heiser  
'Live Alone and Like It' (\$1.50)..... By Marjorie Hillis  
'Lancer at Large' (\$2.75)..... By Francis Weiss Brown  
'New Old Men' (\$2.50)..... rew Pearson and Robert S. Allen  
'I Was a Probationer' (\$2.50)..... By C. J. Kern

# New ASCAP Revolt

(Continued from page 51)

the remaining 16% voted could only be considered as so much futile motion.

**Want System Reformed**  
Insurgent group holds that it would be best to let the availability committee remain as is and that, instead of trying to elect one against it, direct the efforts of the small publishers toward effecting an entirely new system of availability classification.

Leading the attack on the present availability setup is the Warner Bros. publishing group, which recently in a brief filed with the ASCAP directorate demanded that the rating of its various firms be upped. This brief charged that the ratings as they now stood were to a major degree unfair and in support this claim advanced statistical data comparing the use of various catalogs and the availability ratings granted these same catalogs.

Excerpts from the Warner presentation of the critical view showing such comparisons are contained in adjoining boxes.

**Sam Fox's Squawk**  
Protest against the electoral system which the publisher faction of the Society of Composers, Authors and Publishers want to use in selecting the new 'availability' committee is in a letter which Sam Fox, head of the Sam. Fox Publishing Co., addressed to the Society yesterday (Tuesday). Fox demanded that the Society put this election on a more democratic basis or that it postpone the event until the method of conducting the election is established.

Fox's letter follows:  
'We wish to vigorously register our protest to the method of conducting the election of the Publishers' Availability Committee, as indicated in your letter of January 28, 1937.

In the next to the last paragraph of your letter, you state the following:

It is the sincere desire of the directors and officers of the Classification Committee that the choice of

persons to serve upon the Publishers' Availability Committee shall represent the preference of a majority of our entire membership.'

'If it is actually the sincere desire of the directors and officers, and of the Classification Committee that the choice of persons to serve upon the Publishers' Availability Committee shall represent the preference of a majority of the entire membership, then we ask that the directors and officers and the Classification Committee be given copies of this letter and protest, and that it similarly be distributed among the membership of the organization.

The letter clearly: though it is unclear always, the method of counting ballots will be each vote at a value equal to the number of classification points to the credit of each voting member at the close of the year 1935. If that is so, it certainly permits no preference by a majority of the entire membership. The present few members of the Publishers' Classification Committee undoubtedly have an overwhelming majority of the classification points at the close of the year 1935. This is true whether terminated upon availability points or seniority points (which is also not made clear in your letter). It is therefore obvious that the Publishers' Classification Committee controls the election and that the membership other than those constituting the Publishers' Availability Committee cannot under circumstances fairly participate in the election.

'We therefore demand, in the interest of the Society and in fairness to the membership at large and not to the top few, that a fair and decent method of counting votes be established immediately, and that such method be explained to all publisher members. We also demand that the election be postponed until a fair method of conducting the election is established and that such method be explained clearly to the members and that they be given an opportunity to participate in the election as you state to be the sincere desire of the directors and officers and of the Classification Committee.'

## Uproar in Fem Crisis Ends with the Ladies Posing for the Camera

Baltimore, to let two women in the Balto. Symph. Pair of musicienne Cardera Conn Mrs. Feldman, were chosen by the Symph along with some other femmes after ore decided to drop the bar on eligibility of women.

Union mixed the duo because they were not members of organization, but applied for cards when tabbed by Symph. Barred ladies told they could play i Symph next season if joined u ion now. Union's idea was that pair would not have wanted to belong to craft if could have worked in Symph without unionizing.

got in daily papers, with result union got sort of a bad press, and a lot of the burg's most ardent feminists demonstrated. Laugh of the week was fact flock of lam gathered at musical union quarters when a board meeting last Thursday (28) was deciding final fate of banned duo. Musical bosses latched the door to ing so femi lists could not come in, and the cops were called. When the blue-coats arrived they swung ajar the door and the demonstrating ladies, thus entered. They had hardly time to scrape their shoes on the floor when an Evening Sun photo bounced i and asked the demonstrators to step outside building and pose for a pic. Avid as usual for publicity, the ladies trooped. While they were grouped for the pic the union bosses took opportunity of locking 'em out again, i they didn't get back.

and colored light, which gave the desired effect of motion.

Many managers felt that the lobby display does not matter so much, since if they get the clients to the theatre they are pretty apt to come in, but it is just at this moment that the final appeal should be made, and this can best be done with well-studied displays and the suggestion of up-to-dateness. A sale is never closed until the patron is past the box office.

## For That Twain

With luck Finn and Tom Sawyer about to make their return to the screen, a host of previous stunts will be remembered. One of the best worked, a number of years ago was an essay contest, which school children expressed a preference for either boy as the more interesting of the pair, and gave reasons for this partisanship. If it can be promoted through a newspaper, there is a good chance that Pro-Bono Publico and Constant Reader with horn-in on the stunt through his juvenile magazine, columns and amplify the lining.

Another swaggy stunt was a window in which two girls, dressed as the juvenile heroes, fished in a tin pond in a store window for three days ahead and during the run of the picture. Boys can be used, but the girls are more attention.

Most of the old fence 'stunt for the lobby are out, due to a more careful supervision by the fire department, but if there is a vacant lot nearby, the whitewash incident can be repeated with a sign later lettered on the white surface. It is too cold for impersonation contests unless the stunt is held on the stage, but this can be done to advantage or can be laid off to a store with an auditorium, particularly if it specializes in children's wares.

But the wise manager will not content himself with juvenile appeal. The characters are equally appealing to the adults, who pay more for their admissions, and library drives, contacts with lodges and societies and a hook to other Twain books will bring in old and young alike. Too much stress on the juvenile angle will cut down the adult appeal. Get everyone.

Merchandising tips-ups were used to good advantage by Walter F. Davis, at the Capitol and the Groses, at Jack Benny's College Holiday.

General Foods built an elaborate display in the foyer of Jello and Maxwell House coffee, using a radio broadcasting atmosphere. Hot drinks of coffee were served afternoons and evenings. Each of more than 100 stores used theatre advertising tied in with the General Food material on Jello and coffee.

Eugene rmandy, conductor of Philly Village Band since last Oct. 2, will be awarded the honorary degree of doctor of music by the University of Pennsylvania at the mid-year convocation Feb. 13.

## SING—TALK IDEA Public Seems Receptive, Thinks Exemplar of Formula

Chicago, Feb. Reinald Werrenrath in Chicago for a continuance of the lecture-concerts in which he gives an all-American program of songs, and a discussion of them and their composers, reports that the road receives recitals well.

Has given 14 recitals in 18 days, covering Troy and Utica, N. Y. Wheeling, W. Va., Royal Oaks and Detroit, Mich., Warren, Ohio, Beaver Falls, Pa., and Oak Park, Ill., giving a good cross section of the road from the East to the Central West.

## CLEVELAND SYMPHONY TOURS EASTERN AREA

Artur Rodzinski, taking is Cleveland Symphony orchestra out on two weeks' Eastern tour Feb. 7, after which the director is going to New York to act as guest-conductor of the New York Philharmonic. Rodzinski will take from Igor Stravinsky, now, guesting for Manhattan's symphony, for eight weeks starting Feb. 25.

During Cleveland orchestra's return from tour, Stravinsky is coming here to pinch-hit as conductor in Severance Hall Feb. 25 and 27. Samuel Duskin to be his violin soloist. Georges Enesco, violinist-director, will do same March 4 and 6; Vladimir Golschmann, on March 25 and 27; Hans Lange with Nathan Milstein as soloist on April 1 and 3. Rudolph Ringwald, associate conductor, to direct March 11 and 13.

Local symph also set to play for Monte Carlo Ballet Russe in civic auditorium March 19 for three days. Tour is tak i on Feb. 7 to Buffalo; Feb. 9, Jamestown, N. Y.; Feb. 10, Albany; Feb. 11, Schenectady; Feb. 12, Williamstown, Mass.; Feb. 13, Northampton, Mass.; Feb. 14, Springfield, Mass.; Feb. 15, Wellesley College at Wellesley, Mass.; Feb. 16, Providence, R. I.; Feb. 17, Hartford, Conn.; Feb. 18, Princeton University; Feb. 19, Allentown, Pa.

## DETROIT'S OPERA'S TOPPER

Line Up Well Known Names for Motor City Culture Spree

Six artists have already been signed for Detroit Civic Opera Society's 10th annual season, ing April 22. These are Richard Bonelli, Elisabeth Rethberg, Armand, Katyan, Marie von Essen, Ni Ruisti and Helen Kaskas, new Met mezzo-soprano.

Soloists for the opening opera, Verdi's 'Requiem' in honor of the late Ossip Gabrilowitch, include Rose Tentoni, Bruna Castagna, Paul Althouse, Ezio Pinza, Franco Ghione come from Milan to conduct the series of five operas, which are 'Lucia di Lammermoor', 'Madame Butterfly', 'Cavaleria Rusticana' and 'I Pagliacci', and 'Requiem'.

New officers of the soci are Mrs. Fred T. Murphy, chairman; Mrs. Wilson W. Mills, Mrs. C. K. Chapi, r. Clifford F. Brunk, Oliver Spaulding, and Thomas C. Wade.

## Capetown Hosting

ill be host eral musical personages during 1937. expected by Sir Dan Godfrey, British conductor; ville Bantock, Arnold Bax, Sir John McEwen, former head of the Royal Academy of Music; and Jean Sibelius, Finnish composer-conductor.

Cheyele Grober Back disease and folk songster. S. last week after touring Europe and Asia for the past seven years. Miss Grober gave over 500 performances during her trip abroad.

With a new repertoire, Miss Grober opens at the Adelphi theatre Y., Feb. 21.

## DRAWS SALARY; DOESN'T PLAY

Philadelphia Schima Kauffman, for several years second fiddle with the Philly Ork, is no longer playing with the symph, it was learned this week, but will continue to pull his \$80 per until his contract expires in May. He is still officially a member of the orchestra.

ing to say on the matter. It was rumored that Kauffman had difficulties with Eugene Ormandy, new conductor, but this was denied by the Union. It said the trouble arose with the management during the transcontinental tour made last spring.

Kauffman is in New York working for a publishing house and writing on musical subjects for magazines. He has done much writing during the past several years.

## BALLET ESPAGNOL SAILS FOR CASINO DE PARIS

Ballet Espagnol sailed Paris Jan. 27 for an engagement at the Casino de Paris. Troupe had been in N. Y. for a 10-week concert date at the Bayes theatre.

Negotiations for the ballet to make some film house appearances around N. Y. were dropped for the European date. Manager Ed Perkins and Carlos Montoya, guitarist with the show, did not sail. Perkins left for Hollywood to visit his mother who is ill. Montoya accepted an engagement at El Chico, niety, Greenwich Village.

## Sir Julian Cahn B. R. Behind Chaliapin Tour

London, Jan. Sir Julian Cahn, retired banker (who is financing the English cricket team's tour to India), is bringing over Fedor Chaliapin to do a series of concerts, starting at Covent Garden, Feb. 18, and then one night-stand at Glasgow, Liverpool, Manchester, Cardiff, Edinburgh, Newcastle and Bristol. Sir Julian will bear entire expense, with profits to go to the devastated areas in England.

Second project is to import the entire Philadelphia Philharmonic Operatic Company, to follow its Paris engagement during month of May. Company will appear either at the Covent Garden or London Coliseum, whichever is available. Michael Mitchell, local agent, handling the deal for Sir Julian.

## Benefit for Arbos

St. Louis, Feb. Approximately \$500 has been contributed by members of St. Louis Symphony for E. Fernandez Arbos conductor of Royal Orchestra in Madrid, Spai who was guest conductor of St. Louis symph several times during 1929 and 1930 season and whose personal fortune and home have been wiped out by civil war in Spain. Arbos' St. Louis friends report that horrors of war have caused famous eyesight to fail.

After Arbos' home in San Sebastian was destroyed he fled country and now is living in southern France.

## Cadman Opera Produced

Detroit, Feb. Charles Wakefield Cadman is slated to attend performance of his opera, 'South in Sonora', which Opera Guild of Detroit will produce Thursday night (4) at Temple aud. here. Local group, non-profit make directed by Kitching Cordes.

## Serkin Subs in St. L.

St. Louis, udolf Serkin, Bohemi ist, will appear as soloist with Symphony Orchestra at concert Feb. 26 and 27, replacing Vladimir Horowitz, Russian pianist, who has been forced to cancel his entire American engagement for son because of illness.

Orchestra's management announced that Horowitz' engagement has been transferred to concert series for 1937-38 season.

## Television

(Continued from page 5)

of economics; vague as engineers view it.

The chief reason for obstacles being in the way of framing an interstate or national network is almost entirely one of economics. The traffic simply will not bear the cost of expensive co-axial cable networks at the present time. Unlike presently used telephone cables, which carry numerous calls, the co-axial cable designed as suitable for television program broadcasts thus far are capable of carrying only one program at a time.

Aside from this angle, which means that a separate cable must be employed for every broadcast going out simultaneously, the cable li themselves are extremely expensive. The American Telephone & Telegraph Co. estimates that it cost at least \$540,000 to lay one from New York to Philadelphia, distance of 90 miles. This means that the cable needed for televisual work will cost about \$6,000 per mile, which is viewed as far excess of what industrial firms are able to pay at the present time for any network plan for television broadcasts.

An additional factor that perhaps will hold back television on any thing resembling a national scale is the program study and work that must be done before a typical television program can be adjudged anywhere near perfect. National Broadcasting Co. (N.B.C.) has its best program department personnel intensively studying televi program requirements. They not only through the routi measures, such as timing, perfect production of a full 15-minute program both as to sight and sound, but have been making a study of films that are employed on test broadcasts. Television authorities estimate that it will require eight to nine years to get anything like near perfect results for television programs. ones that would measure to the present national radio network stand-

Uniform 441 Lines  
RCA (National Broadcasting), Philco and Philco Farnsworth have gone ward in hand. ion test in hand.

All three have switched over to higher standard line pictures in their experimental work. Up to the first year, Radl Corp. had been using 343-line pictures sent out from its experimental station atop the Empire State buildi. Since then, the company has shut down the transmitter in order to change over to the new standard of 441 lines. Philco and Farnsworth also will make the change the larger lineage image.

When RCA (National ing Co.) goes on the again, it will be following the new standard of 441 lines. This should be in the next two or three months. New larger line picture has twice the detail of the 343-li lecture.

All of which indicates how seriously Radio Corp., Farnsworth and Philco are treating the problem currently. In other words, these companies are striving to make television as near perfect as possible before it is offered to the public.

Incidentally, the standard of 441 lines is the one recommended by the Radio Manufacturers Association to the Federal Communications Commission which has not acted on the matter thus far. In the meantime, Philco, Farnsworth and RCA are conforming to the suggestions without awaiting official confirmation.

With the three principally interested U. S. rms conforming to such ideas, it means that television will have a uniform-type of transmission in this country, rather than having to adapt sets to the peculiar variety of transmission offered.

## Exploitation

(Conti ued from page 21)

small bits of various colored tinsel around the edge of the back of the plaque and using a flasher light in the center, the plaque being ised about two inches above the backing. When the light was on, the colored tinsel was reflected on the silver backing, giving a rich effect and raising the display value.

In a somewhat similar display a straight silver tinsel was used on the underside of the plaque, and three colored tubes were mounted on a wheel which was slowly revolved; contact being made with each lamp as it passed over two contact points, with the result that there was a continuous alternation of white

## Broadway

George O'Brien in town.  
 Jack McInerney's back from Miami by car.  
 George Daws is back at the Warner h.o.  
 Julius (Blutch) tone downed by infuena.  
 Ted Lesser in from Coast and back after five days.  
 Lou Golden back to the Coast after a Broadway o.o.  
 Kay Francis remain in east under doctors' care. Flu.  
 Jean Durand, recently from Coast, is indisposed.  
 Billy (Spike) Harrison, comic, wintering in Miami.  
 Al Stefes, Minneapolis in town for quickie visit.  
 Joseph Phillips, prez of Burlesque Artists Assn., laid up last week.  
 Beth Brown writing short stories while she blocks out a drama idea.  
 Tito Guizar at the Merry-G-Round, Maisonnette Russe, East 54th street.  
 C. J. McCarthy going to Coast in a few days for Santa Anita racing season.  
 Helen Hayes received an autographed photo of Queen Mary of England.  
 Herman Bernie submitting Irving Jaffee, Olympic ice-skating champ, for films.  
 Vinton Freedley to Miami for week and then two weeks at Nassau for fishing.  
 Leonard Gaynor has taken a "town" apartment rather than battle Jersey snowdrifts.  
 C. N. Odell recovering from heavy duties in Washington in behalf of Paramount.  
 John Keady working on details for giant midway and exhibits for World's Fair.  
 Valeska Wilner seriously ill in Princess Bay Memorial Hospital, Staten Island.  
 Montague Gower, Par theatre controller, sneaked off for Florida during the past week.  
 Marvin Schenck of Hollywood, Fla., Mrs. Schenck and in-laws (J. H. Lubins) already there.  
 Abe (Pat) Keady, who is in on the Rocky Grant talk business, Blunt, the colored fighter.  
 Herman Fallick's present of a bill fold from Vinton Freedley and his idea of autographing a bill.  
 "Gouldie" see to Louis Lotito at Center theatre, has patch on eye, but swears it wasn't from left hook.  
 Harry Rice, Chicago concessions man, in town to talk business with officials of N. Y. World's Fair.  
 Jack Miley, of the News, rubbering around the Garden the day Louis and Pastor fought and got a parking ticket.  
 Ralph Kirby, NBC's Dream Singer, has his plane on exhibition at Airplane Show in Grand Central Palace.  
 Graham MacNamee suffering from heavy cold, but still carrying on with broadcasts and as Universal newstreet commentator.  
 Francis Albertanti given tribute for his press work during New York Bowling Assn. dinner at Villa Venice Saturday (30).  
 Monte Crozier's flu almost deferred Dorothy Kaye's winter season at Balboa, C. Z., but she sailed Saturday on schedule.  
 The Fredrick, Mark, and George Elidridge, back to Hollywood Sunday to report for a new contract International assignment.  
 Eleanor Harding, press sister of Lou Minding of MCA, gets back from her six months' stay with the Moscow Arts Theatre, Feb. 9.  
 Hotel Astor may open the North Room as a bigger dance in place of the grill when the weather gets warm. Vincent Lopez to continue.  
 Charles J. Freeman, accompanied by Jack Kelly and Maurice and George Golden, yesterday (Tuesday) scrambled to Texas on 10-day biz trip.  
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 Cynthia White, mayoress of Greenwich Village, will "expose" the Village in a series of eight special Sunday stories commencing Feb. 14 in N. Y. Daily Mirror.  
 David L. Brown, formerly chief trial counsel for the N. Y. State Mortgage Commission has become a member of Hirsch Newman, Reass and Becker, New York's law firm.  
 Arlene Judge, 20th-Fox player, hurried into New York from Florida to deny that she was seeking a divorce. Probably will remain in Manhattan until called back to Coast studio.  
 Because he would not permit a woman to go to head of b.o. line at the Miller, which sold out last Thursday (28), special officer was socked on the chin. Femme disappeared in the crowd.  
 With his wife vacationing on the Coast, Mack Miller, Broadway publicist, flies to Miami Friday to o.o. the premieres of Wini Shaw, Mitz Green and Benny Fields, slated for Florida midweek.  
 Cotton Club has holding up, despite Bill Bailey subbing for Bill Robinson. Amount of entrance applause latter, only 22 cents, leaves the impression 10 some that the customers won't even leave the door.  
 The difference between the two B. B. B. Boujangles.

## London

Brady-Pratt fighting flu.  
 June Knight to Paris for a vacation.  
 Howell and Harger off to the States after two years in Europe.  
 Carolyn March, the only American to televise two weeks in succession.  
 June Clyde bidding farewell to Thornton Freeland-Sahara bound.  
 Capitol's "For Valor," starring Tom Walls and Ralph Lynn, nearing completion.  
 "Two Bouquets" goes from the Ambassadors to the Garrick on two-for-ones.  
 Charles Laughton out of the Capitol Hook role in "Peter Pan." He couldn't take it.  
 Vivien Leigh rehearsing a new play with his leg in splints, following a skiing accident.  
 Frank Laube being talked of as an attraction for one of the Palladium "Crazy" shows.  
 Al Bowley on the air again for the Lew Stone band and broadcasting from the Cafe de Paris.  
 Gerald's big air feature, "The Music Shop," plugging three Irwin Dash numbers in a row.  
 New Fifth Shepherd show, which completes his quartet in the West End, is titled "Wise Tomorrow."  
 Jack O'Connell, Sophie Tucker's English bulldog man, makes his first trip to New York, Feb. 24.  
 Roger Marchette wants Harry S. Marks to return to Hollywood, but Marks is still in pretty good here.  
 C. B. Cochran, says his latest revue, "Home and Beauty," will be his last. But he's said this before.  
 Arthur Lesser ill with head pains and attended by three doctors, with each giving a different diagnosis.  
 British Lion lunching the Sheffield exhibits to show the latest Sandy Powell epic, "Star is a local boy."  
 Milton Shubert, who came here to exercise an option on "Balalaika" for the Shuberts, can't make his mind show that follows "Made-moiselle" at Wyndhams will be called "Because We Must." Appropriate?  
 Edwin Williams enjoying Swiss winter sports before appearing as Caligula in Korda's production of "I, Claudius."  
 Milton Shubert here to see "Balalaika" currently at the Adelphi, on the Shuberts have an option for America.  
 London County Council was getting ready to buy "Lion" but they by a day and took that rough biz out himself.  
 Dwight Wiman has the rights to "French With a Tear," a comedy hit, despite three other bids from Broadway producers.  
 "On Your Toes" opens at the Palace (30).  
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Elstree, where Clark was rushing to keep an appointment.  
 Andrew Kramer, formerly producer at Victoria Theatre, Madrid, who staged "White Horse Inn" and "Ball at the Savoy," back from Havana. He returns there March 31 to produce a new continental revue, for which he is lining up new talent.  
 Flu has taken big toll of the United Artists office here. Besides several minor officials, Teddy Carr, head of the sales force, and Arthur Silverstone, who has been away with Murray Silverstone just escaping by dashing off to Switzerland for 10 days.

## Paris

Ruth Chatterton in town.  
 Albert Tavel back from Africa.  
 Jeanne Aubert at le Grand Jeu.  
 Fred Addison on a Swiss tour.  
 Soe Leung, cocktail waitress, boys Irene Hilda touring in Switzerland.  
 Gretl Verno singing over Radio-Cite.  
 Mme. Irene Karinsky in from New York.  
 Chez new Montmartre nightie.  
 Raimu Henry Garat off to London.  
 Maurice Lehmann packing for an American trip.  
 Della and illy Mack lettering from America.  
 Zou Pitts looking over the town for the first time.  
 Carolyn Marsh scheduled for the next Alhambra show.  
 Serge Liffart, a charity performance in Marseilles.  
 Grock held over for a second time at the Cirque Medrano.  
 Elizabeth Gould featured in "Julius Caesar" at the Atelier.  
 Of six new films shown in Paris this week five are French.  
 M. Lamarchand and Alexandre Ficus back from America.  
 "Christian," starring Harry Baur, winding up at Theatre Varietes.  
 Pierre Lazareff, Paris-Soir editor, back from an American vacation.  
 Sterner Sisters signing with Sandrini for the new Bal Tabarin show.  
 Comedie Francaise celebrating 35th anniversary of birth of Moliere.  
 Varna's "C'est Marseilles" revue at the Alcazar broadcast over Poste Parisien.  
 Jean Murat scheduled to command "Troika" early in February.  
 Jean Deville meging.  
 Sacha Guitry's latest film, "Faisons un Reve" ("Let's Make a Dream") opens at the Majestic.  
 Louis Metayer, president of the Distributors' Syndicate, made a Cheval of the Legion of Honor.  
 Success of the Montmartre "Amuse" at the Trianon Music Hall making Mitty Goldin decide to run revues hereafter in the house, instead of variety bills.  
 "C'est un P'tit Nuit de Rockland" ("The Strange Night of Rockland") at the Deux Masques celebrating 20th performance by treating spectators with a dance.  
 "Le Pelican," French adaption of Somerset Maugham's "The Bread Winner," closing at the Theatre des Ambassadeurs after a short run.  
 House goes back to pictures.

## Chicago

Fred vans out of hospital after appendicitis.  
 Balaban & Katz Employees Club held their jamboree at the Steuben Club.  
 Joey Jacobson, Chez Paree impresario, left on South American cruise.  
 John Balaban elected director of State St. Committee, Chi business men's club.  
 Eddie Wieseloff, Milwaukee River-side manager, chairman of the President's Ball committee.  
 Bebe Lupino, dancer, forced to cancel Youngstown engagement due to death of her brother.  
 Ralph Bellamy Chi's favorite actor back from appearance on the John screens, the State-Lake, Clark, La Salle and Monroe.  
 The Tim Keelers celebrated their golden wedding anniversary yesterday (Tuesday). Keeler was formerly traveling representative for Western Vaudeville and for Keith.

## Palm Springs

Reardon, National League umpire, now managing the Plaza Sportland.  
 George Horace Lorimer, chairman of the Curtis-Publishing Co., spending month here.  
 Fred Astaire and Frederick Lonsdale, head Beaverbrook's "The Great Show" in London.  
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## Berlin

"San Francisco" (HG.) a b. o. smash.  
 Ufa maki Don Cossacks shorts.  
 Annual Press ball booked for Zoo Feb. 6.  
 Maria Roland, Bavarian yodeler, in Sweden.  
 Louis Trenker and wife back from shooting "Condottiere" in Italy.  
 A. A. Milne's "The Dover Road" next on English theatre program.  
 "Der Elfenbein" has reached 100th performance with original cast.  
 Premiere of Hans Kyser's comedy "Moliere Plays" at Mannheim this week.  
 "Finka," opera by Swedish composer Albert Henneberg, being produced in Chemnitz in April.  
 Ralph Benatzky writing music for new Carl Froelich film "Di Ganz Grossen Torheiten".  
 Artists and actors to make whoopee at Reimann ball, first hop of the Carnival season in Berlin.  
 William Furzwangler holding the baton with the Berlin Sympy Feb. 10, after a long absence.  
 Stravinski's "Divertimento," never heard in Germany, to be batoned by Carl Schuricht in March.  
 Official Nazi publishing house bringing out new periodical called "An in Third Reich".  
 Hans Zerlett, film writer and director, contracted for '37 by Tobis. First pic to be a review.  
 German version of obscure Wilde play "The Horoscope of His Lordship" big b. o. click in Hamburg.  
 Every Tuesday morning is a get-together hour at Berlin Funkhaus for newspaper and radio folks.  
 Hilde Hildebrand off for the German sticks in February, playing the lead in Ibsen's "Hedda Gabler".  
 "Adventure in Warsaw," Polish-German co-prod pic, gone to studio in Warsaw. Carl Boese directing.  
 Robert Bluthner retiring from the firm at age of 70. Over 120,000 pianos sold during his 30 years there.  
 Carl Schuricht to wield the baton abroad, conducting in Switzerland, Greece, Hungary and Rumania.  
 Mary Wigman and her dance group enjoying big success. Four new numbers inspired by Hungarian folk songs.  
 Brigitte Hornby back to Berlin for finishing the House of Spain, laid in English for Phoenix Films in London.  
 Paul Scheffer, editor of Berliner Tageblatt, off to the U. S. as reporter. Erich Schewarzer stepping in to his shoes here.  
 Sepp Rist, signed for Eichengruber's "The Tiger from Eschnapur" and "The Indian Memorial," enroute to location in India.  
 New opera by Paul von Kleinau, "Rembrandt van Rijn," premiering Jan. 23 at Berlin State Opera. Robert Heger at the baton.  
 Marburg to have 11th festival season from June 19 to July 18 with Shakespeare's "Much Ado About Nothing" one of the features.  
 Paintings and sculptures of the American Indian by Winold and Hans Reiss, respectively, on exhibition here. Gallery gets plenty of visitors.  
 Guila Bustabo, 17-year-old American girl of Italian and Bohemian parents, chosen to riddle Dvorak violin concerto with the Berlin Philharmonic.  
 Director Carl Froelich starting on his last two contracted pix for Tobis-Litropa. First will be "Die Ganz Grossen Torheiten" adaption of a novel by Marianne von Angern. Paula Wessely and Rudolf Forster coupled in the leads.

## Pittsburgh

By Hal Cohen

Flood scare got a lot of show people out of town in a big hurry.  
 Ben Washer hitting the road for the first time ahead of "Dead End".  
 Ira Cohns back from their 18-day cruise, and Harry Kalmi off on one.  
 Joe Feldman's six-year-old son, Wally, turned out his first piece of poetry.  
 Herman Middleman's frau and her brother off to Miami for a few weeks.  
 Al and Ali Marfield back at Nixon Cafe for second engagement of year.  
 Al features Willie Ryan, checker champ, ily lounge exhibitions.  
 Baseball writers honoring Jimmy Long with testimonial dinner Feb. fourteen.  
 Ross Hall turned down Joe Venu's offer to organize band of his own locally.  
 George Lafee pulling this weekend for his annual w trek to Hot Springs.  
 Paul Adams joined Pittsburgh Playhouse's permanent company, succeeding Franklin Gray.  
 Forrest Crosman back in town for second time this season, currently ahead of "Reflected Glory."

## Hollywood

Kent Taylor vacationing in Frisco.  
 Tala Birell back from Santa Barbara.  
 Walter Lantz went for a tonsil snipping.  
 Horace Jackson to N. Y. new play.  
 Jerome Beatty is in town for the American mag.  
 Dean Jagger changed his monicker to Dean Jefferys.  
 Benny Baker taking a dramatic test at Paramount.  
 Alexander Carr battling flu germs at Hollywood hosp.  
 Kay Francis trained in for "Mazurka" at WB.  
 Delmar Daves is back from Europe to start work at WB.  
 Nick Stuart around town eight-month absence.  
 Suzanne Kaaren slit a digit, sitting four stitches.  
 Ed Melcher, Washington newsman, ogling studies.  
 Jack Shalit off from the east to lense color stills for "Vogues of 1938".  
 Gloria Stuart and hubby, Arthur Sheekman, planning Mexican vacati.  
 Frieda Green and Ben Ray Redman season in here.  
 Edmund Gwenn planning trip to England when "Farnell" washes up at MG.  
 Charles MacAdams, head of the McNaught Syndicate resting on the Coast.  
 Nat Finston went to the Cedars of Lebanon show to rid himself of influenza.  
 Tilly Losch bringing her mother over from Vienna to live here permanently.  
 Vic Fleming making daily visits to "Captains Courageous" set at Metro after his op.  
 Beverly Roberts spends odd moments taking juggling lessons an aid to grace.  
 Ladislav Bus-Fekete is here confabbing with Metro execs concerning picture work.  
 Vladimir Sokolow, arrived from London Warner contract.  
 Newest residence take-upper here is Louis Cohen, former Fox-West Coast realty head.  
 Ned Holmes handling advance for Leslie Howard's "Hamlet," opening at Biltmore Friday (5).  
 Richard Talmadge, Paul Schofield, Robert Watson and Ralph Stock, writers, have left the Par lot.  
 Vallarie Merryville, singer in Doug MacLean's "23 Hours Leave," is the retagged Vivian Janis.  
 Around 20 newspapermen interviewed Erich Schewarzer stepping in to his shoes here.  
 Alec Rackowe, Chicago newspaperman, handed writing contract at Columbia after selling studio a yarn.  
 Vivian Janis, who washed up her Metro pic chore, and hopped to Chi to rejoin "The Great Waltz" company.  
 Bernice Williams, Warner's publicity fan mag contact, placed in charge of still and portrait departments.  
 S. Jay Kaufman has been transferred to the God Samaritan hospital to the Glendale sanitarium to convalesce.  
 Jack Scholl and M. K. Jerome, who wrote "The Great Waltz," went to Louisiana in the pic as a pair of songwriters.  
 Southern flood caused Cecil B. De Mille to cancel proposed research trek into Louisiana on his forthcoming "The Buccaneer".  
 Victor Fleming, recuperating from an operation, is hopping from the God Samaritan hosp to Metro for daily ogie of "Captains Courageous" set.  
 C. Pat Collins, who was injured when a pistol he was loading accidentally discharged, will not have to undergo an operation for the leg wound.  
 Among those hit by the flu included: John LeRoy Johnston, Harry Niemeyer, WB publicists, Warren Hymer, working in U. S. "We Have Our Moments," and Walter Brennan acting in "When Love is Young," at Universal.

## New Haven

By Harold M.

Nate Rubi  
 Brother  
 Feb. 8.  
 Fire ladders vaude benefit set Feb. 8.  
 Yale Dramat will tour with "an for Yale".  
 Ben Cohen back from "with Romeo".  
 Yale pinch-hitti as manager at College.  
 "Idiot's Delight" bert Feb. 19-20.  
 George Lafee pulling this weekend for his annual w trek to Hot Springs.  
 Gertrude Michalove handling WPA theatrical pic, Ecly.  
 James Milt, ex-Paris Player of Branford, Feb. 28.  
 Yale drama dept's next major production will be "Barchester Towers" in mid-Feb.



# Bill Rice Recalls L. A. Daltons From Their Early Texas Fairs

By BILL RICE

Santa Barbara Feb.

Dalton Bros., operators of the Folies burlesque house in Los Angeles, originally started in the show business as concession operators at Texas fairs. Ennis, Texas, was the town and met them when playing the spot with my 'Great Alamo' shows. Pete and his father were operating the local theatre and I was astonished to see the 'Four Cohans' billed all over the place. It turned out to be a rep show that, addition to Cohans' paper, was using Lillian Russell and Dick Carle in the 'Spring Chicken', Ben Hur, Hanlon's 'Superstition' and, of all things, 'East Lynne'. Those were the days when you could buy most anyone's paper from the local advertising agents at 2c. a sheet. The next season I had out a tent opera called 'Copeland Bros. Stock' and took full advantage of everyone's paper, but I had 2 color strips made for tops and bottoms, any sized litho and streamers for the stands, I, at least, was not using the titles. We posted and hung at least 2,000 sheets for any village. Made country routes same as any circus.

Jack Beach, the old-time circus banner man who with his wife Mayme own and manage the Lake Crest Drive Apts in Chicago, now visiting in California, purchased ground in Culver City for a bungalow court. Work will be started immediately.

John Fowler's chimpanzee Skippy that did such a good job in the last 'Terzan' picture now playing dates in picture houses. Special truck job houses the animal and props. Makes a swell ballyhoo on the street.

Jake Neumann, at Baldwin Park, lining up his advance forces for the Al G. Barnes' Wild Animal and Sells-Floto Combined Shows. Adding 3 cars. Will open in March.

Fat Alton, left before the holidays to bring his motorized carnival equipment from Sparks, Nev. to Los Angeles for the spring opening. Still snow bound and may have to use the railroad to get out.

Alice May Brown producing local amateur shows for the concert with Polack Bros. Indoor Circus. They have proven a big draw. Starts the contest opening night and awards the prizes on the close. Good idea for any show playing week stands.

Max Goodman, who purchased the William Glick shows now stored at Baltimore, surprised most everyone by closing for some of the best fairs in mid-west. Goodman and E. A. Hock, for many years partners in furnishing many of our largest fairs with concession operators, are up and up. On account of many of the fair choice dates being lost to the carnival companies, who insisted on the concessions if their shows were to play the date, Hock, in 1936, put out his own show, which was a great success. This, no doubt, influenced Goodman to enter the business.

Veteran Bill Davis (Bill) Davis is the oldest living showman in the number of years in the business. Sixty-seven years. At the age of eight Davis ran away and joined the Adam Foregaugh circus and did a carry act with Mollie Brown. Season 1870. Has been engaged in every branch of the amusement business and last season was with Dodsons World's Fair Shows and signed up again for 1937.

Charles Bernard, the circus historian, is the same age (75), but not active in the business. Bernard still does plenty of writing and has sold circus photo business at Savannah, Ga. He recently sent me a photo of Bertie Cole, the World's Champion Rick-Drummer, 'who will be seen in our parade daily tossing his drum sticks higher than the tallest buildings while playing.' This is Bert Cole who was the top money banner man with any circus. Banner men are still shooting at his record season 1928 with the Hagenbeck-Wallace Circus. His end-net was better than \$34,000. This was 50% of the net after taking out cost of painting the banners. Cole was

Just saw a unique novelty in the underground Chinatown, Opland, Desquite different from the 'Optim Dens and Narcotic Shows' seen in

## 'Worst' Burlesk

5th Ave. theatre, N. Y., advertises itself in local tabloids as 'the worst burlesk in N. Y.' Admiss is 15c and 25c.

Ads, although come-ons, do not represent. House has been caught twice by Variety which corroborates statement.

museums and carnivals for men only. This show gets a play from women and children, and would get business anywhere with proper ballyhoo. The finish and feature is a complete transformation from a Hop joint to a Chinese Laundry in two seconds. The owner tells me he played the Keith and Orpheum time years ago. Should be on a major carnival.

Harry Sebers now operating a

## Burlesque Reviews

### NATIONAL, DETROIT

More or less, burlesque has been a paying proposition in Detroit for the last several years. Patrons have gotten pretty much what they like, viz. plenty of stripping, and as a result at least three and sometimes four houses have been leading the year 'round to well-filled chairs. Police have stepped in occasionally to demand a few more clothes on the females, but, except in rare instances, has the censorship meant more than hyped grosses.

Until last fall, local houses had trowed on wheel shows. Figured their locally-produced shows were o.k., but suddenly experienced a change of mind and all three spots added some sort of circuit stuff.

National, located in the heart of old Detroit's show row, got in on the ground floor with the Metropolitan burlesk wheel. Until recently, circuit comprised three spots, the Roxy, Toronto, one in Buffalo, and the National here. Cast at each spot was then changed completely every two weeks. With temporary dropping out of Buffalo, shift of casts between Toronto and Detroit has been lengthened to once every three weeks, with a new show each week.

National, owned by the veteran Dave King, managed by George Schiller, and produced by George Schiller, is a well-run, well-handled production work at this end of the circuit, with bookings by Milt Schuster, Chicago. House, which seats about 1,000, is the center top, is running on four-day basis, with an extra midnight show on Thursdays. Show 'tough' (28) was tagged 'Spice of Life', just a title. Its chief 'forte' consisted of snappy costuming and fairly pretty gals in the line of 12. Strippers (there were five in this show) have plenty to tease with, but can't make the best use of it. Two comedians, Jimmy Rose and Billy Lee, not comical.

Latter is probably due to fact patrons of this house have become so used to Tommy (Scotty) Miller, a purveyor here for past five years, that they can't quite comprehend other comedians. Miller, who also shifts with other members of cast, is now in Toronto.

Production as a whole flows freely, and settings are above average. Standout is Kitty Ellis, dubbed 'platinum warbler'. Also, the runway appearance. She's spotted only once in the 90-minute show, and that near close, but her peeling makes up for it. Other strippers, who appear several times and take part in several little skits, are Virginia Myle, a shapely brunet; Esther Alger, red-headed bomb; Barbara Bow, with a blonde voice; and Eleanor Cote, a blonde. Costuming is nice.

A tall blonde gal, Violet O'Brien, brought out of the line for couple strip turns, has possibilities with a little more practice. Needs a little un-stiffening.

Usual bedroom, salesman and hot-dog vendor skits put on by comedians and their foils. Cracks run overboard at times, but audience doesn't seem to go for 'em. The simple, clean ones hit the spot here.

Show could use some good individual tapers and at least one first-class warbler. Also, the runway isn't employed enough. Balheads in front rows starting to complain.

Pete.

### Casino, Pittsburgh

(SWING YOUR BABY)

Pittsburgh, Jan. 29. Your packed house daily, at well-located Casino. Cutting down the wheel shows to 85 minutes, tossing in an hour of film fare (shorts, newsreels and cartoons), peddling the most popular products in the season and 40 cents at night, and counting up the profits.

As always, one of burlesque's most

puzzling mysteries are those titles. Why 'Swing Your Baby'? Why anything, in fact? Just the simple word burlesque would do and it would have marquee wear and tear.

'Star' of this one is Louise Steward. Good looking, but mediocre stripper, and her single appearance at the Casino, was a stretching of it up and eager engineering. Only other discover is Diana King, and she, too, could take a few lessons in her specialty. Any dame can walk around a stage taking one piece at a time. That's no tease, that's merely going-to-bed exercises.

Chief comics of 'Swing Your Baby' are Billy (Cheese and Crackers) Hagen and Harry Seymour. They're funny, dirty and stick around too long. Burlesque clowns are still taking a single gag, sometimes not even that much, and stretching it out to deadly lengths. Hagen's best is a box bit he does with a dead-pant and putty-nosed comic turns it into show's high spot.

But the show's merely pretty bad vaudeville. LaRue Sisters sing and dance. Dolores Leland is the femme interest in the sketches, comes on in a Hebe White rig that starts out in strip-fashion, but doesn't end up that way. Dick Vernon is a listless tenor who does some average imitations of Joe Penner. Ed Wynn comes on straight. Al Fox and George Rose straight it for the comics.

Cohen.

## COOLING PLANT FOR SUMMER STRIPPING

Pittsburgh, Feb. 2. Flushed with well-embellished burlesque this year, George Jaffe is having a cooling plant installed at Casino and plans to operate there all summer with stock. At present Jaffe is playing wheel shows and for first time since 1931 he hasn't had a losing week all season.

In past Jaffe has closed shop for months of June, July and August, but figures bookings are ripe for warm weather trade now. Burlesque inn presario got a break at Casino when rival house, Variety, was torn down early in fall to make room for a parking lot. That left him without any competition.

## Independent Burlesque

Week of . . .

'Deaf Trust'—Gayety, Minneapolis.  
'China Doll'—Blatko, Chicago.  
'Made of Manhattan'—Casino, Toronto.  
'Monte Carlo'—Newer, New York.  
'Teasers and Wheelers'—Lyric, Allentown.  
'Mon. Tues.'—Majestic, Harrisburg, Wash.  
'Capitol'—Reading, Thru, St. Albans, Williamsport, Pa.  
'Fun for the Money'—Thru, St. Albans, Williamsport, Pa.  
'Bozo Snyder's Show'—Union City, N. J.

'Crazy, Quilt'—Jacques, Waterbury, Conn.  
'Twinkle Toes'—Howard, Boston.  
'Tolland'—Emmure, New York.

'Swing Your Baby'—Gayety, Washington.  
'Nobility'—Damen, New York.  
'Made of Manhattan'—Casino, Toronto.  
'Paris by Night'—Gayety, Detroit.  
'Faded and Faded'—Thru, St. Louis.  
'Top Hat Revue'—Casino, Pittsburgh.  
'Faded and Faded'—Thru, St. Louis.  
'Faded and Faded'—Thru, St. Louis.

'Mother of Minnetta Ellen' (Mrs. Barbour in 'One-Man's Family' NBC serial) died in Oakland, Cal., Jan. 26, after several months' illness. She was 81.

'Mother of Brock and Murdock' Pemberton died in Emporia, Kans., Jan. 30.

## OBITUARIES

### FEAZER COULTER

Frazer Coulter, 88, died in East Islip, L. I., Jan. 28, after a long illness. Since his appearance in 'O Promise Me' in 1931 he had been a guest of the Percy Williams home.

Born in Smiths Falls, Ont., Mr. Coulter went on the stage in the '70s, making his New York debut in support of Mrs. Sheridan Shook in 'School for Scandal' at the Union Square, then operated by Shook & Collier. He was in 'Vigilantes' at Niblos, the same season. He had played with John E. Owens, Lawrence Barrett, Robson and Crane, was in the original production of 'Hazel Kirke', and supported Thomas W. Keene in classical repertory.

He put in a season with the Boston theatre stock and later supported Richard Mansfield, Margaret Lawrence and Katharine Cornell. He also played in several revivals by the Players.

A sister survives. Burial was in Woodlawn cemetery.

### JOSEPH E. FOX

Joseph E. Fox, 84, noted end man in minstrels and member of old vaudeville team of Fox and Ward, died Jan. 25 in Philadelphia, after a brief illness. His partner, William H. Ward, with whom he trouped for nearly 60 years, died three years ago. The team retired in 1927.

Born May 7, 1852, at Ogdensburg, N. Y., Fox met Ward as a 15-year-old boy while working as a bellhop in the old Adams House in Chicago. They practiced dance steps and pat-

IN MEMORY OF  
My Good Friend  
**ALFRED DE MAMBY**

Who Died  
February 1,

**JERRY VOGEL**

ter and went on the stage. They made their debut as a professional team Dec. 27, 1868, in the old Winter Garden, in Cincinnati.

Since his retirement in 1927, Fox had lived in Philadelphia. His only survivor is a nephew, James Fox, also of that city. Burial was last Friday in Arlington Cemetery, Philadelphia.

### KEM YATES

Kem Yates, 45, retired as a vaudeville agent for several years because of illness, died Jan. 28 in Chicago. Death came in his sleep following a heart attack.

For a time Kem Yates was associated with his brothers, Irving and Charles, in the agency, and vaude producing business. Arthritis forced him to retire and remain in Chicago while his brothers went to New York, where they are currently still in business. Besides Irving and Charles, parents, two other brothers and a sister survive, as well as Kem Yates' widow and 20-year-old son. Burial took place in Chicago Jan. 29.

### AL M. SMITH

Al M. Smith, 51, founder and head of the Al M. Smith motion picture advertising firm, Minneapolis, Minn., died in Minneapolis after a brief illness. He was well known in the theatrical and motion picture industry and was a prominent magician.

He was a member of the City Variety Club, the International Brotherhood of Magicians, the Society of American Magicians, and was president of the Minneapolis chapter of the latter organization. His wife, two sons and one daughter survive.

### WALLACE SMITH

Wallace Smith, 48, author, scenarist, artist, died Jan. 31 in Hollywood.

He authored 75 short stories, seven published books and when stricken was concocting serial for Republic musical.

Among his screen plays are 'Lost Squadron', 'The Trumpet Blows', 'Captain Hates the Sea', 'Border Town'. His books included 'Two Arabian Nights', 'Captain Hates the Sea', 'Bessie Cotten', 'The Happy Alienist', 'Glad Desperado'.

He was soldier of fortune and roving newspaperman after leaving Chicago. He leaves widow and mother.

### LILA STEWART

Lila Agnew Stewart, nationally known as an organizer and director of society pageants, balls and charity spectacles, died in New York Jan. 28, of a complication of diseases. It

is estimated that she trained more than 40,000 persons for her various productions. At the time of her death she was superintending the President's Birthday Fete at Waldorf-Astoria.

Interment was in Middletown, N. Y. A brother, Charles Stewart, survives.

### FRANK J. (BUZZ) LALOR

Francis J. Lalor, 68, prominent in burlesque in the early part of the century, died in St. Catharines, Ont., Jan. 21.

He had a show on the old American Burlesque 'Wheel' and was a member of the Burlesque club. He retired in 1922 and went to his old home in St. Catharines to live. His last show was the Aviator Girls.

He is survived by a sister, nephews and three nieces.

### TOMASO TITTONI

Tomaso Tittoni, 25, who had been in the cast of 'Idiot's Delight', died of pneumonia Jan. 29 after six-week illness. He was a great nephew of the Italian statesman of the same name who died in 1931.

He was the son of Major and Mrs. Renato Tittoni. Besides his parents, he is survived by his widow, former Margaret Nelson.

### ELLIS R. SMITH

Ellis R. Smith, 84, for many years Battle Creek's (Mich.) only theatre manager and later founder of an advertising agency, died Jan. 27 in Battle Creek, Mich.

Smith managed the Hamblin Opera House in the '90s and the Post theatre for 13 years after it was built in 1903.

Survived by wife and daughter.

### W. IRVING JOHNSON

W. Irving Johnson, 76, president of Cluett & Sons, Inc., Troy music concern, and friend of many concert artists, including Paderewski, died Jan. 31 in his suite at the Hotel Troy after a brief illness. Was a pianist.

A daughter, a sister, grand and great-grandchildren survive.

### ASHLEY SNOW

Ashby Snow, 66, Utah industrial and railroad magnate and prominent in the L.D.S. (Mormon) church, died of a lingering ailment. He had been in ill health for nearly two years.

Included in his vast holdings was Saltair resort, which reportedly had the largest dance floor in the world.

### FRED PAULO

Fredrick J. Mongeon, 66 (Fred Paulo), retired actor, died Jan. 26 in Grand Rapids, Mich. He appeared in a Grand Rapids theatre in 1871, was impressed by the beauty of Reeds Lake near that city and quit the stage and returned to Grand Rapids in 1907 to build a chateau, in which he lived till his death.

### IRVING ROSE

Irving Rose, 37, dance orchestra leader, died in Dallas, Texas, Jan. 28. He was orchestra leader for one edition of the 'Ziegfeld Follies'.

Survived by his wife, the daughter of a wealthy ranchman, and two daughters.

### EMMA VAN GORDER OLIVER

Mrs. Emma Van Gorder Oliver, 66, former vaude performer, died last week in Canisteo, N. Y. She had been a cripple confined to a wheel chair for many years.

### A. F. ROSS

A. F. Ross, general manager of African Theatres in early days, died Dec. 19, in Cape Town. Recently revisited South Africa for health reasons. Widow survives.

### HAROLD NELSON

Harold Nelson, bit player in pictures, died from pneumonia at L. General hospital, Jan.

### LORA J. CONROY

Mrs. Lora J. Conroy, in charge of dressing rooms at Paramount studio died Jan. 26 in Hollywood.

### VAL DURAN

Val Duran, 41, film bit actor, died Feb. 1 in Los Angeles of influenza.

Mrs. Nellie Brown, 86, died in Alhambra, Pa., Jan. 23. She was well known to old time professionals, having traveled with her grandchildren, the Heim Children, later Bud and Nellie Heim, for many seasons.

# St. Paul Ice Carnival Mishandled, Crowds Interfere With Marchers

Nearly 350,000 peasants, but from in near-zero weather waiting for the parades, when St. Paul's winter Carnival was ushered in to the yokelry Saturday (30) night.

Nearly an hour late in starting to begin with, one woman died of a heart attack from being jostled in the crush of humanity, while several persons were injured when horses stampeded along the line of march, which—instead of being cleared and kept open—resembled in compactness and density the crowds which lined Broadway when Lindy came back home.

A few marching clubs and a couple bands would struggle through, then the path would "close" solid from both sides, then the cops and firemen would push, tug, push some more, yell and cuss. Delay of 20 minutes, then—if you were lucky—you'd see another float or trick balloon or a sleighful of some one advertising something. Thing repeated itself all night, with many marchers getting disgusted and whining away the time between waits with impromptu pavement dancing or a bit of community singing.

**Traffic Jam Fierce**

Reviewing stand was a "joke," with people pressed so deep in front of it the judges might better have been seeing their time playing pinocle. Long before the end, paraders, instead of marching, straggled along looking like they were trying to spell something, like college students at football games.

Thing wound up at about 11 p. m., when properly handled, it should have been all over before 9:30. Then came bedlam. With some loop streets roped off for toboggan and sled slides, remaining ones had cars parked double. Street car traffic was paralyzed.

Niteries knocked 'em dead, with hundreds waiting for hours to get in to practically any place in town. Dives which might have considered folding several weeks ago were doing biz. R. O. queues half a block long. Though likelier showed like water, little excessive drunkenness was witnessed, and no street brawling.

## Wants N. C. Fair Back

Charlotte, N. C.

Proposals that the state operate the State Fair each year has hit legislative hopper.

Senator Clarke of Edgecombe introduced a bill in the senate to provide for appropriation of up to \$25,000 yearly from the emergency and contingency fund to meet any deficit the board of agriculture might incur by operating the fair instead of leasing it, as it now does. The board recently adopted a resolution providing for it to operate the fair if the legislature voted it protection.

## N. B. Nixes Gambling

St. John, N. B.

An attempt to legalize games of chance and skill on the midways of Nova Scotia fairs, with special application to the annual Halifax fair, has failed. The Nova Scotia Exhibition Commission split 4 to 4 on a motion calling for introduction of a bill to the provincial assembly that would modify the gambling laws of Nova Scotia to allow the operation of "harmless" games on the midways of the provincial fairs, and the use of admission tickets with prizes for the holders of the "lucky" coupons.

City council of Halifax is strongly in favor of the legislation, the only way to take the local fair out of the red and into the black.

## FIGHT FLOPS; KEARNS STICKS

DETROIT, Feb. 2.

Jack Kearns' initial ventures of Detroit back in the big-time boxing field, the Barney Ross-Al Manfredo bout at Olympia last Friday (29), out to be a mild floppo.

Kearns won't quit, however, as co-promoter with Olympia and figures he's broken the ice.

Although paid attendance was only \$2,966 in an arena that easily holds 20,000, the gate was \$12,826, at \$2.60 top, which is a lot more than town has shelled out for a fistie encounter many years. Ross, the winner, set around \$3,200, and Manfredo \$2,000.

## Protecting the Title

DETROIT, Feb. 2.

Investigation is under way to determine legality of Mt. Clemens baths, being advertised in New York and Pittsburgh.

Bathhouse hotel owners in suburban Mt. Clemens are up in arms, declaring that efforts apparently are being made to capitalize on town's reputation as a curative mineral water center.

## SHIFTS IN S.F. PERSONNEL

Many Changes in Staff of 'Frisco's '39 Exposition

San Francisco, Feb. 2.

Arthur H. Halloran appointed acting director of exhibits and concessions of the 1939 Golden Gate International Exposition last week by Colonel J. Franklin Bell. Halloran will retain his present post as chief of electrical exhibits.

personnel department: pointments and transfers announced by Bell were:

Frederick Weddleton, chief of the concessions divisions, in charge of rules, policies and options.

P. M. Sandusky, executive assistant to the director of exhibits and concessions.

Dr. A. W. titing, chief of foods, beverages and agricultural exhibits.

R. F. Allen, chief of homes and garden exhibits.

Frederick Black, sales promotion division of the exhibit department.

Emmett Hayden, transferred to the governmental participation division, where he will be actively engaged in securing foreign, Federal, state and county government exhibits.

## Protecting the Fair

Lincoln, Feb. 2.

First anti-show biz bill came before the unicameral legislature here this week and is a protective measure for county and state fairs, picnics, and ag shows. Bill provides that no carnival, tent show, circus, or other travelling amusement enterprise shall be able to show in or near a town where the show or is to be up to 30 days previous. Idea is to protect that amusement money.

## Rose's Triple Cleve. Threat

### Signs for Three Shows at Lakefront Exposition—Off on Another 'Dream' Spree

Cleveland, Feb. 2.

Second edition of Cleveland's Great Lakes Expo this summer will go in for super-spectacles which rubber-necks will look at through Billy Rose-colored glasses. That, of course, means the pin-styled 'Jumbo' producer will have more than one finger in it. In fact, at least three fingers, living up to his old reputation, as a promoter.

His appointment yesterday (1) by Lincoln G. Dickey, m., as director of entertainment is most important sign of percentage basis. Rose was given unparalleled authority to make any changes he wants if they are sure-fire. "You can't bring expo crowds back for second year by just a different coat of paint," he said in selling himself to civic backers. "You have to change everything and I'll give the midway an entire new face for its reopening May 29."

Major change planned by Rose will be transformation of last year's Marine Theatre into what he calls a super-super 'Aquacade.' Built on lakefront, his newest brain-storm is to have 5,000 covered seats, ing facilities for another 2,500 and a larger stage in front of the outdoor swimming pool. The Roseate trick of talking in terms of thousands again breaks out in this venture. For a his aquatic musical revues, he won't be satisfied with anything less than 100 swimming Gypsy Rose Lees, 36 Robert Taylors who can do a fancy crawl, a 16-voice ensemble, 10 specialty acts, a couple of orchestras and a nationally known swimming guster. The only thing missed, mentioning is submarine, but he may get around to it.

Stars and Bands

Promoter is hoping to get either Johnny Weismuller, or Eleanor Holm

# Indoor Circuses Take an Upswing, More Popular Than Ever Before

## What the WPA Found

Charlotte, N. C., Feb. 2.

WPA workers, at their task of unfolding an ancient county records for the State Historical Commission, came across the original marriage bonds issued when the original Siamese Twins, Barnum's Chang and Eng, married the Yates sisters in Wilkes county, N. C., where the twins made their homes.

The twins applied for the bonds April 13, 1843, and the father of their bride, Jesse Yates, posted the \$1,000 bond required for each marriage.

## Good Publicity, But Johannesburg Empire Expo Cost \$375,000

Capetown.

Officials of the Johannesburg Empire Exhibition have reconciled themselves to a loss of \$375,000 on the enterprise when it closes. However, they feel compensated in the financial loss with the resulting publicity given South Africa and consider it already marked off the books.

Failure of the Exhibition was blamed on poor attendance of natives, particularly those of the immediate district. Patronage was way off the anticipated numbers.

Long stretches of inclement weather, especially at night, another factor in the flop.

## Virginia Elects

Lynchburg, Feb. 2.

H. Watkins of Danville has been reelected president of the Virginia Association of Fairs. Other officers are: T. B. McCaleb, Covington, Va.; Charles A. Somma, of Richmond; R. W. Eanes of Petersburg; and W. L. Tabacco of Lewisburg. W. Va., presidents, and C. B. Ralston of Staunton, sec-treas.

Chicago.

ircus acts used to be the step-children show business in the wintertime, in Reading, Pa., or Topeka until spring rolled around again and the canvas was ready to go up. Those few turns which were able to snap up some vaude time in the winter months were relegated to opening or closing spots on the bill, and the rest of the acts often disdained even to talk to 'em.

But today the ugly duckling has become the darling of show business, with more consecutive working time than any other type act. Circus acts work the outdoors all through the summer, and then go right into indoor arenas when the snow starts to fly.

In the past couple of years the indoor circuses have become more and more important, until this year it has reached an all-time high in the number of indoor circuses and the amount of coin being expended talent.

Expected that by April 30, when the indoor business will be finished, the total coin spent on circuses under roof will have reached nearly \$750,000. There are indoor circuses scheduled this year which run as high as \$50,000, such as the Shriners Circus in Detroit on a fortnight's engagement.

**Budgets Up to \$15,000**

Annual Police Circus and Show in St. Louis dated for April 9-18 this year has set up budget of \$15,000 for the nine days, booked through the Sidney Belmont office.

Mystic Shriners have gone for these indoor circuses in a big way, and are finding this winter-time circus one of the best means of raising money for its many charitable purposes. And the Veiled Prophets Grotto in Cleveland is holding a two-week circus in February with more than \$25,000 to be spent on the show alone.

Big Shrine circuses are scheduled for Grand Rapids, Buffalo, Rochester, Des Moines, Denver, Minneapolis-St. Paul, Omaha, Kansas City, Pittsburgh and other key cities. Booking of the bulk of the Midwest Shrine circuses is in Orrin Davenport's hands. He is holding a tour through the Stinsons in Detroit, though George Ham and Bob Morton are also coming into the field with plenty of activity. Strangely enough, the Barnes & Carruthers Fair Agency here, while it does a huge amount of summer-time fair bookings, has been inactive in regard to these indoor circuses.

Every type of act which goes under the name of circus is in the indoor circuit, with the booking offices handling old contracts running as high as 16 weeks to acts, which are particularly in demand for the winter time circuses.

Chicago and New York, strange to say, have not yet gone in for the sponsored winter circuses, though there are indications that Medinah Temper, Chicago, will shortly join the parade with an annual two-week circus to be held in December or January.

## Reducing Carney Tax

Charlotte, N. C., Feb. 2.

Carnivals will no longer be forced to hide behind the name of various and sundry agricultural fairs North Carolina—at least so far as taxation is concerned—under terms of the new revenue act draft already approved by the joint finance committee of both houses of the legislature, now in session.

The new act reduces the tax levy on carnivals and strikes out the exemption from taxation heretofore extended to those operating "within the grounds of agricultural fairs" approved by the state department of agriculture.

In the past the tax of taxation was such as to render exhibition outside fairs a practical impossibility, with the state levying \$400, the county having the right to assess a like sum, and the municipality permitted to demand what it would. Result was that every carnival hid behind a fair and was exempted altogether. By striking out the exempting clause and reducing the levy more money will be collected in the aggregate. It is thought by all who are familiar with the situation.

## WANT DIRECT SUBWAY LINK TO WORLD'S FAIR

Officials of New York's World's Fair have launched a concerted drive on the N. Y. Board of Estimate to obtain some \$1,200,000 for building a branch from the presently used Kew Gardens wards of the Independent Subway system to the midway entrance of the exposition grounds. It would land fair visitors at the gate which leads immediately to the midway and street of a thousand variety shows. This entrance is being plotted to handle 40,000 visitors per hour, though right now it is doubtful if one-fourth that number would enter the fair by this gateway unless the present city-owned Indie Subway line is extended nearly two miles.

Seriousness of this transportation problem recently was outlined in a comprehensive letter submitted by N. Y. Fair executives to the New York City estimate and apportionment board. Without the branch line from the Kew Gardens present operation, fair officials fully realize that the great carnival or show street of the world's biggest exposition could not be reached directly by popular means of rail transportation.

## Filmed Opera

(Continued from page 3)

only the plot and principal arias remain. Musical background provided by a large orchestra would retain the mood of operas without leaving in the recitative portions. The major theme would remain for the big voices of the production plus orchestral effects. This appears to be the real out for straight operas in films.

That in time the film industry will swing around to such methods of handling this type of fare is supported by the trend in music of the screen and former hands-off attitude towards operettas. Six or seven years ago, average picture company was unable to turn out a musical production that was a box office hit. But improvement in technique and experience has altered the situation. "Rose Marie" type of operas can be accomplished with light operas. Some executives feel that similarly, in time, a method will be found for treating grand operas.

Metro-Goldwyn probably has given grand opera as serious study and consideration as any major company. Indicative of the official attitude of this company is the fact that Mary Garden has been under contract as operatic talent voice scout with the entire world as her field. Her option was picked up last year, but no mention was made of operas. She is simply tabbed as musical talent scout, with policy on operas to be ironed out probably in next few weeks.

## Johnson Pic

(Continued from page 1)

papermen, my purpose would not be to capitalize on Johnson's reputation. After all, went the Borneo expedition only mechanical capacity.

Los Angeles, Feb. 2.

Osaka widow of Martin Johnson, led from injuries received in a recent plane crash and now recuperating at the Good Samaritan hospital from a leg fracture suffered in the wreck will start a four-month lecture tour wheel chair.

Clark Gettis is her manager.



**CLYDE FREEMAN:** *Steel-Nerved Auto Test Driver.* "You bet I smoke Camels. Camels help my digestion—and they never get on my nerves."

**MRS. VINCENT MURRAY:** *Speaks for millions of housewives.* "Camels are not a bit harsh—a quality that we women especially appreciate. I can smoke as many Camels as I please."



**LAWRENCE T. K. GRISWOLD:** *Explorer, now deep in the African gorilla country.* "On an expedition Camels are listed as a necessity. I find that smoking Camels is a great aid to my digestion."



**"HERB" LEWIS:** *High-scoring sparkplug of the champion Detroit Red Wings.* "I smoke Camels right through the training season. With the constant strain of keeping on my toes and traveling, my digestion takes it on the chin. But smoking Camels with my meals and afterwards eases tension." At mealtimes Camels aid digestion—speeding up the flow of digestive fluids, increasing alkalinity—bringing you a sense of well-being. Camels are mild—better for steady smoking. Camels set you right!



**MRS. DOROTHY POYNTON HILL:** *Champion High Diver.* "I enjoy smoking Camels whenever I want." For digestion's sake—smoke Camels.

# WHAT STEADY SMOKERS HAVE LEARNED ABOUT CAMELS

Copyright, 1937, H. J. Reynolds Tobacco Company, Winston-Salem, N. C.



**TONY MANERO:** *National Open Golf Champion.* "I have a grand feeling of being at ease afterward...when I enjoy Camels along with my meals."

**LEE GEHLBACH:** *Recognized as America's No. 1 Test Pilot.* "I'm a steady Camel smoker. Camels don't fizzle my nerves. When I feel bogged down, it's great to smoke my Camel and get that cheery 'lift.'"



**SIR HUBERT WILKINS:** *Again exploring the Arctic.* "Everywhere I've gone, Camels have gone. Camels are my stand-by. They add gusto to my meals."



**MISS DOROTHY KILGALLEN:** *Spunky Girl Reporter circled the globe in 24½ days.* "Smoking Camels kept my digestion tuned up every minute."



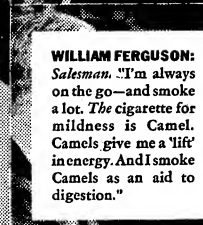
**LOU MEYER:** *Won Indianapolis Auto Classic three times.* He's a steady smoker. "In this game I need a mild cigarette," he says. "So I smoke Camels."



**MRS. CHARLES SICKLES:** *Busy New York matron.* "I smoke Camels whenever I feel like it—and they never get on my nerves or tire my taste. Smoking Camels adds special zest to any meal."



**"PAT" PATTON:** *Oil-well fire-fighter.* "I couldn't handle this job if I let myself get the jitters. That's why I smoke Camels. They don't get on my nerves."



**WILLIAM FERGUSON:** *Salesman.* "I'm always on the go—and smoke a lot. The cigarette for mildness is Camel. Camels give me a 'lift' in energy. And I smoke Camels as an aid to digestion."



Camels are  
made from finer,  
More Expensive Tobaccos  
...Turkish and Domestic...  
than any other  
popular brand.

## COSTLIER TOBACCOS

**TUNE IN EVERY TUESDAY NIGHT**—Hear "Jack Oakie's College"—a full-hour gala show with Jack Oakie! Benny Goodman's "Swing" Band! Hollywood comedians and singing stars! Special college amateur talent every week! 9:30 pm E.S.T., 8:30 pm C.S.T., 7:30 pm M.S.T., 6:30 pm P.S.T., over WABC-CBS.

RADIO

SCREEN

STAGE

# VARIETY

 PRICE  
15¢

 Published Weekly at 154 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$5. Single copies, 15 cents.  
Entered as second-class matter December 22, 1905, at the Post Office at New York, N. Y., under the act of March 3, 1879.  
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Vol. 125 No. 9

NEW YORK, WEDNESDAY, FEBRUARY 10, 1937

64 PAGES

## RADIO LOGROLLING AN ART

### Conservatives Ban Television At Crowning; Figured Sure Set-Seller

London, 9. Seen as an outcome of the reaction following the abdication of King Edward, Westminster Abbey authorities have refused permission to the British Broadcasting Corp. to install television apparatus for the purpose of radiating the full coronation ceremony.

King Edward, supporter of all progressive trends, favored such plans, but since accession of George VI the Government has rejected many innovations and restored ancient traditions to the fullest degree.

Television companies are gravely disappointed at the news, anticipating the coronation transmission would put the service on the map and sell many sets. B.B.C. had planned the job in detail, fixing camera spots and planning lighting requirements.

Decisions of the authorities pass over the newsworld companies, which had anticipated permission to film inside the Abbey, establishing a precedent thereby. Television impasse may be solved by putting the newsreel on the air same day.

### Make Uncle Sam Host And Washington, D. C., Convention City—Idea

Washington, Feb. Campaign to put the Federal Government into the convention-hosting business in competition with cities all over the country moved forward last week, when Congress authorized a Capitol Auditorium Commission to prepare plans for a huge assembly hall for public use.

Under terms of a bill sponsored by Senator Joe T. Robinson of Arkansas, a group of Congressional chiefs and Federal officials would compose the commission, which

(Continued on page 80)

### Tourists Escape Auto Radio Tax in Canada

Montreal, Feb. Officials in charge of issuing radio licenses have ruled that anyone paying the annual \$2 levy for a receiving set in the home is not required to obtain another license for a radio in an automobile, but if a citizen has no radio in his home but has one in his car, the device must be laid on the line. Officials claim this new ruling parallels the license system of Gt. Britain.

Fact that many American cars entering Canada are equipped with radios was not overlooked. Tourist travel has become a major industry within the Dominion in recent years and any danger of annoying motorist holiday-seekers by slapping on two-spot levy for ownership of a radio has been removed by the new ruling. Visiting motorists, having a radio in the car, will not require a Canadian radio permit.

### Makes It Official

Pix spun off at the Cervantes, N. Y., Spanish language house, undoubtedly have less celluloid in 'em when they finish their run than when they started.

When crix ask for cast and credits, the manager, in lieu of issuing press books, calmly snips pieces out of the film.

### SONG-WRITING BUG BITES FDR

President Franklin Roosevelt has turned songwriter, and is so doing, has dissipated the myth that his favorite song is 'Home on the Range.' The Prez one night sat himself down at a piano in the company of his immediate family with Mr. and Mrs. Eddie Peabody and plunked out (one finger system) a folksy song called 'Yellow Rose of Texas,' while Peabody copied the notes and lyrics.

The Peabodys have been White House guests many times for dinner and entertainment. F.D.R. is reported especially fond of Peabody's banjo instrumentalizing. It was during one of these home gatherings that the tunesmiths collaborated in putting the original 'Rose' down on paper.

The President first heard the song while attending Harvard in 1904. A roommate, Charles Shea, hummed the tune incessantly. Mr. Roosevelt was caught by the tune and has since that time nursed the idea of getting it on a sheet. A song of the same title exists, but it is reported entirely different from the President's favorite.

Song was first grand scale after in Washington. the song for the assemblage.

### Eva Le Gallienne Coaches Thespis Prisoners' Play

Hartford, Feb. 9. Coached by Eva Le Gallienne, the Connecticut State Prison Players presented 'The First Legion' twice last week.

When the prisoners, several weeks ago, decided to form a dramatic club, they wrote to Miss Le Gallienne for advice. She made the suggestion to try 'The First Legion,' and came to Wethersfield State's Prison on her own to coach them. Regular direction was Luman Beckett, a lifer.

### LITTLE RIBBING, MUCH SALUTING

Old Vaudeville Exchanges of Barbed Wit Figured Appropriate—Light Kidding With Essentially Complimentary Emphasis Is the Key to the Art of Reciprocal Visits

### 'GUESTS'

Logrolling among performers on the air is fast developing into an Alphonse-Gaston routine of gentility. It is a sharp contrast with the mode of combat which used to prevail among the top liners vaudeville. Whereas the visit of one comic to another on the stage invariably sprouted into a hot and heavy ribbing fest, the boys of the mike try to outvie one another in syrupy compliments. Slap on the back has replaced the plying of the needle.

Agency men say that is the way it should be. It is a logical code of manners for radio. Whole psychology of air entertainment is predicated on the theory that the mikes are the listener's visitors and

(Continued on page 60)

### 'ACT OF GOD' WILL CLOSE 'STAGE DOOR'

'Stage Door,' which was figured to last into warm weather at the Music Box, N. Y., may have to call it a season before Easter (March 28). Reason is that the play's featured actress, Margaret Sullivan, will become a mother some time next summer. She is Mrs. Leland Hayward in private life.

First for to be closed similar was 'Coquette,' which starred Helen Hayes (Mrs. Charles MacArthur). Her child was referred to the 'Act of God Baby' after Equity ruled the management was not responsible.

Miss Sullivan will tour in 'Door' next season. Show is now in its 17th week and rated one of the season's comedy standouts.

### LITERARY TRUSTEES

Hollywood, Feb. 9. Writers in that indie studio which houses its overset in an auto court refer to the scribblers outside the gate as 'trustees.'

### \$130,000 Radio Rights for 2 N. Y. Mammoth Flood Shows; 200G Gross

### That's One Way

Budapest, Feb. Last week Karoly Guttman, local rep for MGM, and Sander Lederer, theatre manager, fought a sabre duel. This week the theatre is playing Metro product exclusively.

### SHUBERTS' SHAW PLAYS FOR U. S.

Milton Shubert has closed a deal here with Bernard Shaw for the Shuberts to control sole rights to all past, present and future works of the playwright in America. That takes in all rights for legit production, pictures, amateur rights and radio having gone into effect immediately.

Shubert sails back for New York tomorrow (10).

VARIETY stated about a year ago that the Theatre Guild, which had been producing all the GBS plays in New York for years, has grown cold on the idea of producing any more of the series. At the time the Guild stoutly denied it, insisting it still intended to do new Shaw plays if and when, and laughing off all thoughts of the 52nd street house being chary of possible losses.

There have been no Guild productions of Shaw plays since and Shaw himself has remained consistently quiet on the subject.

### U. S. Hall of Fame

Washington, Feb. 9. Erection of an American Hall of Fame was suggested last week by Congressman George Holden Tinkham, of Massachusetts.

Pained at the lack of a suitable building to house busts and statues of renowned Americans, bewhiskered Massachusetts legislator, art patron, introduced a bill in Congress requiring a Government commission to prepare plans and estimates of the cost of such a structure. Hall would be last resting place of sculpture now strewn around the Capitol and other Federal buildings. New York University's Hall of Fame, in N. Y. City, is perhaps the best known of this type.

Two largest theatrical benefits ever tendered are scheduled for Carnegie Hall and Radio City Music Hall in N. Y., Feb. 20 and 21, respectively, to aid the Red Cross relief fund for flood sufferers in the Ohio Valley. Estimated gross of the combined shows is expected to top \$200,000, with radio sponsors of the events biting off greatest chunk. Henry Ford is radio-underwriting the Carnegie show for \$100,000 and Wrigley Gum is bankrolling the Music Hall gala for \$50,000, in exchange for the radio rights.

Show at the Music Hall, arranged by allied theatre interests, will start on midnight, Feb. 11, after the house closes. Theatre committeemen have arranged for every available leading theatrical personality to perform. Over 100 acts and stars have signified their assent. Billy Rose, Leonard Sillman, and Leon Leonidoff are planning the layout.

Program, expected to last four or five hours, will be picked up by the four nets, NBC, CBS, Mutual and Inter-city, on a time-sharing basis. House is scaled from \$1 to \$10, which will bring in about \$30,000 more. Souvenir book will carry advertising.

(Continued on page 4)

### 9-Yr.-Old Tenn. Bride Offered Stage Dates; Lawyer Acts as Agent

Tennessee's nine-year-old child bride, Eunice Winstead Johns, and her 22-year-old husband, Charlie Johns, are being approached with offers of stage contracts.

Lewis Winstead, father of the girl, and her husband, have engaged A. T. Rinnon, an attorney of Morristown, Tenn., legal and personal representative.

Legal barriers have stymied the attempts of New York agents to contact the principals of New York's own child marriage, Leona Roshia, 12, and her husband, Stanley Backus, 18. Backus is held by police of Watertown, N. Y., and his bride is in the hands of a Welfare agency.

### Kids in Sit-Down Strike When Giddyapper Stalls

Hundred youngsters engaged in sit-down strike at a Lewistown, Montana, theatre when the western thriller failed to arrive as advertised.

Stayed all day, into the night, and finally left when Manager Jack Edwards gave them rainchecks.

Hollywood, Initial yarn concerning down Romeo of Excelsior Mo., has hit the studios. Charles Kenyon, Universal scenarist, is peddling the story.

### Radio Station Showmanship Survey

THIS ISSUE—PAGES 31-35

# Radio Interests Jom Hollywood In Combating Anti-Foreign Talent Ban; Awakened to Its Seriousness

Washington, Feb. 9. Interest light in history over the question of prohibiting importation of foreign talent looms on the Congressional horizon.

With the House of Representatives Immigration Committee almost certain to stamp approval on those perennial alien-actor bills, principal parties in the controversy are ready for an unprecedentedly serious scrap in contrast to the customary what-of-it attitude of employers and listless manner of labor groups. First round is carded for Feb. 17 when the house crowd opens hearings on the Kramer and Dickstein measures.

A solid-front crusade by film and broadcasting industries is plotted, despite conviction of local politics-watchers that the restrictive legislation cannot be headed off in the lower branch of Congress. Organized labor is preparing to counteract the pooling of resources by radio and lecture groups.

The situation of the alien-actor front is entirely different from the past, now that films and broadcasting have joined hands in a cooperative attempt to out-argue advocates of stricter immigration rules. Formerly the broadcasters were almost 100% disinterested, merely going through the motions of opposing such legislation, while the film industry never has made more than perfunctory efforts to kill or liberalize the legislation. It is all different this year.

## Joint Campaign

While there is no complete agreement, strategy of radio and film interests involves an attempt to outmaneuver the advocates of alien talent bans by staging a show at the hearing which will blanket the fulminations of the America-first legislators. Pictures and broadcasting will make a desperate play for public support by bringing big-name contingent on from New York and Hollywood to grab headlines and demonstrate that locked doors against foreign talent would mean poor screen and in entertainment. As usual, battle cry will be freedom for the arts and protection from Federal bureaucracy.

Detailed arrangements are incomplete but general understanding has been worked out that radio, legit, and film interests will coordinate their fights instead of following an every-man-for-himself technic. CBS and NBC are planning a joint presentation for the sake of their concert and artist bureaus. The Hays organization will manage the defense for the film industry. Legit managers will send their customary spokesmen down to argue their case. The only unit which is still aloof is National Association of Broadcasters which intends merely to submit written protest against the whole idea of alien bans.

A dispute over strategy may result in modification of the scheme to send a number of performers with widely-known names to head up the opposition. Some observers feel that radio in particular would be sticking its neck out and that all opponents are due for heckling and razzing by committeemen who not only like to make long-winded speeches just for the fun of it but also are delighted at chances to berate films and broadcasters. The advocates of conservative opposition appear at present, however, to have been squelched by individuals who think the situation is serious enough to risk everything.

This division of opinion results from the fact that a preponderant majority of the House Immigration group is entirely convinced of the fairness and workableness of the proposed legislation, has a deep bias against films and radio, and will not consider the subject rationally and logically. Judging from past performances, at least, there is plenty of reason for taking this stance.

## Must Muster Forces

The strategists who want to make a serious fight against the bill right from scratch are staking their hopes on changes in committee personnel during recent years. They are particularly heartened by the attitude of Representative Carol O'Day, of New York, who has been energetically rounding up votes to head off the bill when it gets to the floor and who has been urging the industry on page 25)

## Rain Over H'wood

Hollywood, Feb. 9. There are two kinds of rain the picture biz—real and phony. When Universal tried to shoot outdoor scenes last Saturday (6) for 'Wings Over Honolulu' it rained real rain so the day's work was ruined. What was required was synthetic juice.

Now the company has to stand by for a sunny day so the rain scene can be shot.

## COLUMBIA'S CARY GRANT FOR 4 YEARS

Hollywood, Feb. 9. After Paramount, Cary Grant has signed a four-year deal at Columbia. Ticket provides for two pix yearly over that period and permits the actor to freelance. During negotiations for a new Par pact, studio refused to permit actor to be loaned out to other companies. Grant's last picture was with Grace Moore in 'When You're in Love' at Columbia.

## Pic Troupes on Location Find Going Too Tough

Hollywood, Feb. 9. Two picture troupes location found the elements too tough to buck and were ready to call it quits unless more favorable weather set in. In Sun Valley, Idaho, Paramount's 'I Met Him in Paris' outfit was virtually isolated by snow drifts 16 feet high and the mercury dropping to 20 below. Doglegs were pressed into service to transport provisions. Heavy downpour at Kernville, Calif., virtually marooned Republic's 'Gilt Along Little Dogie' company. Bridge went out and villagers had to pontoon the troupe to safe ground.

## Cagney in 'Hot Oil'

Hollywood, Feb. 9. Richard Rowland will produce the next James Cagney picture, 'Hot Oil', for Grand National. 'Without Honor' will be a Warner remake of 'He Was Her Man', which had Cagney and Joan Blondell in top spots.

## STRAUSS SAILS FEB. 17

Paris, Feb. 9. Oscar Strauss sails for New York Feb. 17 from here. He goes to Hollywood to write the score for the next Bobby Breen picture, 'Boy Blue'.

Strauss' last film chore in America was at Paramount four years ago for Maurice Chevalier.

## SAILINGS

Feb. 9 (Paris to New York) Oscar Strauss (Champlain).  
Feb. 10 (London to New York) Milton Shubert (Berengaria).  
Feb. 10 (London to New York) Irwin Dash, Douglas Fairbanks, Jr. (Aguitania).

Feb. 10 (London to New York) Nicholas Bros. (Ile de France).  
Feb. 6 (New York to London) Mark Leddy, Lou Wolfson, Mr. and Mrs. Robert Schles, A. K. Mills, Yascha Bunchuk, Herbert Brenon, Jean de Cavaignac, Mary F. McCarthy, Billy Revyl, Marie Hollis (Paris).

Feb. 5 (West Indies Cruise) Paul Lareux (Carinthia).

Feb. 2 (New York to London) Tullio Carminati, Brian Aherne, Mr. and Mrs. Henry Wilcoxon (Bremen).

## ARRIVALS

Mr. and Mrs. Joseph V. Connolly, Sir Harold A. Wernher, E. M. Dalafield, Artur Schnabel, Milowa Neiburger, John Brownless, Marcel Duthey, Lou Holtz.

## MARLYN STUART

Boston Record, Jan. 1, said: "Mama, That Man's Here Again," a childlike treble familiar to radio's millions through the Ken Murray program is the voice of Marlyn Stuart, who is one of the prettiest blondes in the show world."

Opening with Ken Murray and Oswald, Chicago Theatre, Chicago, February 12.

Direction:

WILLIAM MORRIS AGENCY

## FRENCH PLAYWRIGHT TO SCRIPT U PIC FOR WIFE

Hollywood, Feb. 9. Henry Ducoi, French playwright, has been signed term writing contract Universal. Studio recently signed his wife, Danielle Darrieux, and both the actress and writer will come from Paris early in the summer. Ducoi will do a story to star his wife as his first assignment.

## Farewell to Mustangs

Hollywood, Feb. 9. Jimmy Hopper, who appeared in the Hopalong Cassidy pictures for Harry Sherman, is being pulled from his boots and saddles to appear in Sherman's production of 'The Barrier', which goes before the camera in April.

Russell Hayden, recently contracted by Sherman, replaces Ellison in the gallopers.

## Seiter's 'Latchkey'

Hollywood, Feb. 9. William Seiter will direct 'Three on a Latchkey', which Edward Kaufman produces at RKO. Production start is slated shortly.

Cast includes Gene Raymond, Joe Penner, Thelma Lee, Parkyakarkas, Victor Moore, Helen Broderick, Eric Blore and Erik Rhodes.

## Hollywoodites' Recent Defits to Publicity Threats 1 Way to Lick It

Hollywood, Feb. 9. Typographical stickups, which have become the squawk of the town, are due for the works from now on, the stars and dicks agreeing that runarounds aggravate the issues.

Clark Gable's fast run-out of an attempt to stick a paternity pin on him, proof of the square-shooters among the constabulary point out, of what can be done by following the sue-and-be-damned technique.

In Gable's Federal men proved to their own satisfaction that Gable was never in England before they acted inst the mother of a 13-year old girl when the mother claimed Gable had sired the moppet in England and under billing of Frank Billings. Convinced that Gable was in the northwest at the time, the gendarmes took the offensive.

Mary Miles Minter's demand that the county either prosecute her for the William Desmond Taylor murder or stop dragging her name into the thing was another case of showing that put-up-or-shut-up is a better approach than sh-sh. Cops after 15 years had to admit that there never was a nightie with M M M embroidered on it in their exhibits as evidence.

Worst forms of blackmail stars have to face and for which no solution has yet been found are the au-

## Academy Announces Nominations; Best Pix, Players, Directors, Et Al.

### Acad's Stiff Rap

Hollywood, Feb. 9. Film players on the Coast are burning plenty about the invitations to the annual Academy of Motion Picture Arts and Sciences awards banquet March 4. Invitation establishes price for performers at \$5 and guests \$10 and then specifies that preferred, or ringside seats, will cost \$25.

Many players and workers believe the tariff is too steep.

## FRED STONE READY TO LEAVE H'WOOD HOSP

Hollywood, Feb. 9. Fred Stone slated to leave Cedars of Lebanon hospital next week, after stay of number of weeks.

Following appearance at an amateur rodeo last fall, Stone developed a trouble, heading back to his airplane accident of several years ago. Osteopathic treatment given him only aggravated the, and it was necessary for him to enter hospital, where he has been most of winter.

Back to normal, vet showman is expected to be able to resume film work by next month.

## Next M-G Rainer Film From Molnar 'Trieste'

Hollywood, Feb. 9. 'Once There Was a Lady', an adaptation of the Ferenc Molnar stage play, 'The Girl from Trieste', will be Lulise Rainer's next production at Metro. It will go before the cameras upon the actress' return from New York.

Dorothy Arzner will direct, Joseph Mankiewicz producing.

## 'Skidding' Skids to Seitz in M-G Switch

Hollywood, Feb. 9. George B. Seitz is directing Metro's 'Skidding' in a studio switch that gives Edwin L. Marin 'Married at Noon' his first supervisory job for Sam Zimbalist. Marin previously was slated to handle 'Skidding'.

Lionel Barrymore, Cecelia Parker and Eric Linden top 'Skidding', which was partially prepared by Lucien Hubbard before he moved to Paramount.

Hollywood, Feb. 9. The Academy of M. P. Arts and Sciences has announced its nominations for the awards March 4 in the acting, writing and directing divisions. Selections were made by 50 members representing the five branches of the organization with secret ballot by general membership to determine the winners.

Nominated as the 10 best pictures of the year are 'Anthony Adverse', 'Dodsworth', 'The Great Ziegfeld', 'Libeled Lady', 'Mister Deeds', 'Romeo and Juliet', 'San Francisco', 'The Story of Louis Pasteur', 'A Tale of Two Cities' and 'Three Smart Girls'.

The nominations for best performances by an actor: Gary Cooper in 'Deeds', Walter Huston in 'Dodsworth', Paul Muni in 'Pasteur', William Powell in 'My Man Godfrey', Spencer Tracy in 'San Francisco'.

Best performances by an actress: Irene Dunne in 'Theodora Goes Wild', Gladys George in 'Valiant Is the Word for Carrie', Carole Lombard in 'Godfrey', Louise Rainer in 'Ziegfeld', Norma Shearer in 'meo'.

Best by an actress in a supporting role: Beulah Bondi in 'Gorgeous Hussy', Alice Brady in 'Godfrey', Bonita Granville in 'These Three', Maria Ouspenskaya 'Dodsworth', Gale Sondergaard in 'Adverse'.

Best support by an actor, Mischa Auer in 'Godfrey', Walter 'Come and Get It', Studt 'Pigskin Parade', Basil Rathbone, 'Romeo', Akim Tamiroff, 'The General Died at Dawn'.

Best direction: William Wyler for 'Dodsworth', Robert Z. Leonard for 'Ziegfeld', Frank Capra for 'Deeds', Gregory La Cava for 'Godfrey', W. S. Van Dyke for 'San Francisco'.

Best original story, 'Fury' by Norman Krasna; 'Ziegfeld' by William Anthony McGuire; 'San Francisco', by Robert Hopkins; 'Pasteur', by Sheridan Gibney and Pierre Collings; 'Three Smart Girls', by Adele Comandini.

Best screen play 'After The Thin Man', by Frances Goodrich and Albert Hackett; 'Dodsworth', by Sidney 'Deeds', by Robert Riskin; 'Godfrey', by Morrie Ryskind and Eric Hatch; 'Pasteur', by Gibney Shendon and Pierre Collings.

Best by an assistant director or unit manager: William Cannon for 'Adverse'; Jack Sullivan for 'Charge of the Light Brigade'; Eric Stacey for 'Garden of Allah'; Clem Beauchamp for 'Last of the Mohicans'; Joseph Newman for 'San Francisco'.

Nominating committees of the art directors' and assistant directors' sections of the Academy of Motion Picture Arts and Sciences have made their select for the annual awards.

Seven films were selected for art direction. For the first time the production is to be selected from those nominated by the committee representing the directors as well as all other branches of the Acad, rather than by a general vote of the membership.

Nominations are: 'Anthony Adverse' (WB), Aston Grot; 'Dodsworth' (Goldwyn-UA), Richard Day; 'The Great Ziegfeld' (MG), Cedric Gibbons and Merrill Pye; 'Lloyds of' (Continued on page 62)

## L. A. to N. Y.

Irving Barry.  
Myrt Blum.  
Ned Depinet.  
Sam Hellman.  
George Hirshman.  
Stan Holt.  
Milt Hossfeldt.  
Stan Laurel.  
M. H. Langford.  
Jules Levy.  
M. Machnovitch.  
J. J. Milstei.  
Charles Paine.  
Bill Powers.  
Spyros Skouras.  
Lelah Tyler.  
Herbert Yates.  
Ed Zabel.

## N. Y. to L. A.

Marlene Dietrich.  
Charles S. Goetz.  
Sol Lesser.  
Cecil Lewis.  
Marian Spitzer.  
Roger Stern.  
Harlan Thompson.  
Gene Towne.

# M-G BAN ON BROADCASTING

## 'On the Avenue,' Radio-Excerpted, Cues Pitfalls of Such Air Bally

Unsolved problem of radio-film overlapping concerns the question of whether excerpts of film releases delivered over the radio helps or hurts the box office probabilities. There is obviously something to be argued both ways. Danger on occasion seems pretty real. Example within the past week was 'On the Avenue,' 20th Century-Fox picture which was used on the Campbell soup 'Hollywood Hotel' program last Friday (5).

just opened at the City Music Hall, New York, first half of the hour-long radio program was a salute to composer Irving Berlin and was rated socko (see radio review this issue). But the second 30 minutes developed an almost complete synopsis of the film's plot. And that's where the possible rub comes in.

Two points may be made: First, the excerpt was an unflattering sample with which to whet the public appetite to see the picture.

Second, the whole story is revealed in advance and would leave little for the radio listener to enjoy as rise or tension is cancelled.

'On the Avenue' is in itself probably good example of the type of thing that poses a challenge to judgment. It's a musical which means the plot, screen of its musical trappings and visual values, is pretty thin and transparent when reduced to radio continuity. It must almost inevitably give a weak approximation of its celluloid virtues when compelled to stand on a plot never meant to bear such a critical weight as the radio listener—cold-blooded at the loudspeaker—may give it.

**Pros and Cons of the Plug**  
Publicity value of the plug is very real. But the over-easy device of using the actual plot of the film seems dubious. Trade may no doubt eventually evolve a substitution. Probably a line of patter between the players using comedy comment about the story, but without tipping it off, would keep the publicity advantages and at the same time side-step the menaces.

It's practically impossible to accurately gauge the result of such spurges as the Campbell soup event. On the one hand the transaction is ballyhoo for the music and its composer, plus the attention-getting array of personalities from the cast, must whip up a lot of fan interest. Against that, the not-very-funny radio excerpt of what's supposed to be a comedy cannot fail to have some adverse influence. Perhaps enough to justify a warning and a change of the technique in presentation of film material over the air.

This matter is entirely a question of plot and story values and omits the matter of star or featured players being damaged. That has been extensively debated during the past year. It requires no recapitulation here and now.

## It's True About 4 Dixie Gals Anyway—'Wind' Tests

Atlanta, Feb. 9. Well, looks like some of the gals are going to get a crack some of those 'Gone With the Wind' roles after all.

Louisa Albert, Atlanta socialite daughter of 'Chip' Robert, well known in political circles; Adela Longmore, New Orleans stenographer; Susan Fullington, Georgia U. co-ed; and Alicia Rhett, Charleston, S. C. socialite, had been chosen as four Southern beauties who will be given screen tests for part in the forthcoming picturization of Margaret Mitchell's tome.

## Major's Stiff Shirt

Hollywood, Feb. 9. 'Man in Evening Clothes' will be made by Major Pictures as a Paramount release.

Picard-Yves Mirande play was given a Broadway staging by Henry Miller.

## Dietrich's 'Rapture'

Hollywood, Feb. 9. 'Careless Rapture,' an original by Edwin Justus Mayer and Franz Schulz, is being written into a vehicle for Marlene Dietrich at Paramount. Schulz is working on the treatment.

Mayer currently is doing the story, 'The Buccaneer,' for C. B. De Mille.

## Proposed New Org. of Pix Fans Meeting Opposish

Announcement of aims and purposes of the recently organized Organization of Film Audiences brought unfavorable reaction among various groups affiliated with the Better Films Council program this week because it was feared that the new outfit would drag in the controversial angle in film reviewing. Another angle hit in the Film Audiences Association setup was the announced intention of going over questionable scripts since industry spokesmen pointed out that obviously the Joseph L. Breen code administration (Hays organization) office undoubtedly would refuse this request to an outside organization set up on a commercial basis.

The public wants unbiased pictures and that it would lose confidence in screen productions if swayed by propagandistic organizations was the opinion expressed by Howard M. Le Sourd, an educator, entirely outside the film. Le Sourd, who is dean of the Graduate School at Boston University and chairman of the Committee of Social Values in Motion Pictures, said he felt that this new association could add little to the evaluating activities of numerous church, fraternal and club organizations now in existence for several years. It was his opinion that the idea of developing audience interest and so conditioning motion pictures in a constructive social direction is not new by any means. The plan of interesting certain public groups in films so as to make the pictures take a definite trend in the way the particular organization thinks is an old one, according to Le Sourd.

## Arthur Ripley's Chores

Hollywood, Feb. 9. Arthur Ripley, signed by Walter Wanger to a term as a writer-director, for his work on Fritz Lang's 'You Only Once' and Frank Borzage's 'History Is Made At Night,' added scenes on later production Saturday (9) and began Monday 'Summer Lightning.'

'Lightni' was originally penciled in for William K. Howard to direct, but Howard n.g.d. the thing, causing Wanger to shelve it. He is being dusted off now for Ripley's first under his new two-way deal.

## LAEMMLE'S PEG O'DONNELL

Carl Laemmle, Jr., dickering with the William Morris office for Peggy O'Donnell, currently in 'Idle Rising' on Broadway. He'll take her to the Coast for tests after the show folds.

## ADLON, JR., TO ACT AT U

Hollywood, Feb. 9. Louis Adlon, Jr., son of the European hotel family, has been handed a hotel in Universal's 'The Road Back.' Adlon recently personal-repped for Pola Negri at Ufa.

## AUGURS OTHERS WILL DO DITTO

**L. B. Mayer's Move Follows New York Visit—Chiefly a Curtsy to the Exhibitors —B. O. Damage Fetched Squawks—Metro Figures It Won't Complicate Its New Selling Season Any More Than Necessary**

### FEW EXCEPTIONS

ARTHUR UNGAR

Hollywood, Feb. 9. Metro has put the ban on broadcasting by all its contract people with the exception of a few who have this privilege in their contracts. Other studios are expected to follow it and with it ban all free broadcasting by their people in the future.

[See herewith Paramount's idea of its own radio commercial program.] This decision was made at Metro by Louis B. Mayer following his visit to New York. Exhibitors' squawks were responsible for the ban and as result, two of Metro's most important pictures of current release date will not hit the other lanes. They are 'Good Earth' and 'The Last of Mrs. Cheyney.'

Metro resisted all of the heavy pressure brought to give the two pictures the usual Hollywood free send-off, via the other lanes, and other studios which have been reluctant to say no to the free airing are now prepared to do likewise.

Understood that strong home-office pressure has been brought on the studios to soft-pedal on the other problem. With a new selling season on and exhibitors letting out plenty of steam on the quality of 'B' or slough product, the sales department does not want any more resistance on the part of the exhibitors than is necessary. Having been informed by the latter that there must be a ban on star personalities doing any broadcasting, word has been passed to Hollywood to nix free air shows and to restrain contract people, unless they had specific contractual provisions to the contrary, from doing any other chores in the near future at least.

Another angle the New York bosses (Continued on page 60)

## Zukor Favors Par's Own Radio Show, Supervised Direct from Hollywood

### Radio's 50% Dent

Minneapolis, Feb. 9. The fact that business fell off as much as 50% local theatres last Monday during the two-hour all-star Red Cross flood benefit radio broadcast is being cited by Northwest Allied States leaders here as evidence of the harm done to the box-office by other entertainment.

The local organization has made a demand upon Metro that it prohibit its stars from broadcasting on commercial programs.

## NBC CALLS OFF PAR'S FILMING 'MAN'S FAMILY'

Hollywood, Feb. 9. Negotiations between Paramount and National Broadcasting Co. for the filming of 'One Man's Family,' radio serial, have gone by the boards. Don Gilman, NBC Coast head, called off the deal after several months of huddling when studio execs held out for their own director, screen play and general handling of the production. Contract drawn up gave Gilman and Carlton Morse, show's scripter, an equal say on the production.

After the chilling Gilman issued a statement to the effect that 'it would not be fair to the 'One Man's Family' audience, which has again and again manifested its loyalty to the program, to offer a film production which might be in any degree inferior to the standards which have been set on the air.'

Several of the cast had gone through plastic surgery in anticipation of their film bow.

### MARY PICKFORD'S OP

Hollywood, Feb. 9. Mary Pickford is recovering from a gallstone operation at St. Vincent's hospital. She is expected to leave the institution within a week.

## CBS Prexy, Paley, Sees No H'wood Tiffing With Radio—Just Palsy-Walsy

Hollywood, Feb. 9. and/itors have anythi in their craw against radio's encroachment on their talent it has not come to the attention of William S. Paley, Columbia Broad-

casting prexy. He said he knew of nothing serious in the wind and was sure that everything would straighten itself out so that even a friendlier relation with the studios and theatre operators would result. Paley is here to look the KNX layout.

While intimating that the Coast would lose a lot of air shows if the studios cracked down with a non-airing edict to its acting personnel, Paley doesn't share the belief of others that Hollywood would be a dead duck if the film players re withdrawn from the kilocycles. He doesn't look for a wholesale exodus east, but admits things won't be the same.

Whatever acti exhibi in Miami convention may take against air competition will come as a complete surprise to radio, Paley said. He added that no concessions have been talked to square accounts in the event the exhibs reared up and brought enough pressure on the

studios to give their players the air—but not the government-controlled kind.

**Sapoliating—what again?** Another revelation to Paley was the report that radio big lies were overturning the Hays ice and studio publicists on how best to campaign against possible adverse legislation growing out of concerted squawks. Picture industry came through a major crisis unscathed and if such an eventuality dawned on radio it wants to be prepared. He said it was all news to him and that he thought 'we had our housecleaning some time ago.'

Television, he thought, was around two years away. Sets will sell for around \$400 and Hollywood will retain its importance as a broadcasting center.

As long as picture names maintain their popularity with radio's millions they will continue to be top draws, he opined.

He exploded a Hollywood myth when he said that the average mentality of the masses is way over the accepted 12-year-old level. Radio has made cosmopolites out of provincials, he said, and the crossroads are as up to date as the population centers.

Paramount is seriously considering a program of its own on the air and may reach a decision on the matter shortly, either in the east or at the studio where Adolph Zukor is in charge and where a Par program would originate. However, while the company is enthusiastic about going on the air and Zukor is known to favor the idea, to date nothing concrete has been worked out.

It is understood that a broadcast by Par from its Hollywood studio has been discussed for some time and that recently Zukor and others have grown particularly warm about developing plans in that direction. When Zukor was in New York a few weeks ago the matter was discussed with home office executives, it is learned. Boris Morros, Par's musical director, who presumably would supervise the radio programs, was here at the same time and is said to have figured in the discussions along with Zukor.

Par had a program of its own once before when the company was Paramount Public and a 50% interest was held in Columbia Broadcasting Co. That interest was turned back around seven years ago. At that time Par's own program was sustaining but if returning to the air the sponsor will be sought. This and other angles, including the limitations, have been discussed, including whether the Par studio would have difficulty in providing material for an hour's broadcast each week. Many of its own people are tied up for radio, including Bing Crosby, Jack Benny, Burns and Allen, Bob Burns, Fred MacMurray, Martha Raye and until recently Jack Oakie, now under RKO contract.

### Rita Johnson Set

Rita Johnson, opening tonight (Wednesday) at the Morocco, N. Y., in George M. Cohan's 'Fulton of Oak Falls,' has a deal set with Sam Goldwyn for pix. She'll go to the coast after the run of the play.

William Morris office agented.

## VARIETY

Trade Mark Registered  
FOUNDED BY TIME SILVERMAN  
Published Weekly by VARIETY, Inc.  
815 Silverman, President  
154 West 46th Street, New York City

Annual ..... \$1  
Single Copies ..... 15 Cents  
Vol. 120 No. 9

### INDEX

Advance Production Chart	
Bills	
Chatter	58
Concert	61
Exploitation	58
Film Reviews	48
House Rev	50-51
Inside—Legit	54
Inside—Music	45
Inside—Pictures	6
Inside—Radio	30
International News	12-13
Legitimate	53-57
Literati	59
Music	45-47
New Acts	62
News from the Dailies	62
Nite Clubs	48
Obituary	62
Outdoors	
Pictures	2-28
Radio	29-44
Radio Reviews	36
Radio Showmans	41
Shorts	14
Times Square	60-61
Units	51
Vaudeville	48-49
Women	11

## Physical Damage in Tri-State Flood Sector Low; Theatres Wary

Ittsburg, Feb. 9. Check-up over the tri-state territory in flood's wake reveals very little physical damage to theatres. In most cases, losses will be confined almost entirely to shutdowns and expense of labor crews necessary to clean up the debris.

Warners' experience in Parkersburg, W. Va., pretty ical. There, as elsewhere, managers weren't caught short, as happened almost generally last year, and were fully prepared for the WB's two houses in that city were under water but rugs, seats and equipment susceptible to dampness were all removed to safety in plenty of time.

C. J. Latta, assistant zone manager WB here, jumped down to Parkersburg over week-end and also skirted other towns hit by high water and came back with practically same report from everywhere. Houses are rapidly being readied for resumption of trade and it's expected that all of the closed sites will be going full blast again by end of week.

Although danger is practically nil now, town won't really be breathing easier until after next month. It was in March that the disaster hit in 1936 and heavy snows distrustfully, remembering that it was just this that touched off the fireworks a year ago.

Charlotte, N. C., Feb. 9. Objections of Baptist ministers at Greenville, S. C., resulted in cancellation of three scheduled Sunday shows for funds to aid flood sufferers. Greenville Red Cross officials announced several days ago films would be shown at three theatres Sunday afternoon at which free will offerings would be taken.

Ministers at the reunite and North Greenville Baptist association met and adopted resolutions disapproving the shows and asking Red Cross officials to cancel them.

While winter floods have taken their toll from Pennsylvania to the upper reaches of the Mississippi and are endangering the states of Arkansas, Mississippi and Louisiana, no fears are felt by operators that there will be a recurrence of last spring's floods later on. This is predicated largely on the fact that the winter hasn't far to go and there is little likelihood the snow and ice will lie up as it did last year.

New England operators who were severely struck last spring when the big thaw came, accompanied by no more apprehensive over the possibility of spring floods than other theatre men. In spite of the fact that New England, particularly the upper states, are in the heavy snow territory, this year the flakes have been few and far between. New England was for a while gently threatened by floods last month but the threat didn't materialize, which makes this territory much better than the Ohio and Mississippi areas, in both last and this winter.

Showmen League's \$750. Chicago, Feb. 9. McCaffery, president of the Showmen's League of America, last week presented a check for \$750 to the Red Cross as a donation from the League for the flood relief.

Springfield, Mass., Feb. 9. Nate Goldstein, of Goldstein Bros., Paramount partners in Massachusetts, who with Mayor Henry Martins of Springfield is on the flood relief committee, has arranged three benefits for sufferers. One was held Monday night (8) at the Par, Springfield, with the house scaled from \$1 to \$3 in hopes of raising around \$5,000 on that benefit alone. Goldstein made this estimate last week when in New York contacting the Par home office.

The other two benefits were held Tuesday night (9) in the Capitol, Pittsfield, and the Par, North Adams, at \$1 top.

St. Louis' \$12,000. St. Louis, Feb. 9. A seven-hour show in municipal auditorium, sponsored by MPTO of St. Louis, raised \$12,000 for flood sufferers Saturday (6) and this added to other donations raises city's donations to \$300,192 to date. Show, which started at 8 p. m., attracted 9,000 who paid from \$1 general admission to \$5 for box seats.

Paul Whiteman, currently at Ambassador, took his troupe for first

half of show which ended at 11 p. m., and Johnny Perkins, m.c., at Fan-ehon & Marco's St. Louis, took up stint until curtain was lowered at 3 a. m. Besides talent from F&M's two houses, performers from every radio station in town, KSD, KWK, KMOX and WIL, in addition to acts from hotels and nighteries, participated. The band of Sixth Infantry, U. S. A., stationed at Jefferson Barracks, Mo., played throughout show.

Cincinnati, Feb. 9. Flood layoff all RKO employees, including card boys, were paid in full for first week and half salary for second week, with lesser help drawing regular pay throughout.

## COAST'S \$50,000 FLOOD RELIEF

Hollywood, Feb. 9. Picture industry contributions to flood relief totals more than \$50,000, \$20,000 of this cleared through the producers' association. Shrine benefit sponsored by picture names got \$10,000.

Numerous other benefits being held this week with Fox-West Coast affair at Grauman's Chinese expecting a \$4,000 sellout.

### Fields' Flood Film

Hollywood, Feb. 9. While Leonard Fields, Republic producer, was in the east during the flood he had newsreel lenses grab off a flock of shoes for him. Then he wrote a story about the ravaging situation.

He is trying to peddle his property to all studios, not necessarily public.

## 'B' Pix Send More and More Eastern Talent Into the Hollywood Hopper

Vast increase in the number of Class B and program pictures in the last six months not only has hiked activity of eastern talent departments, but it also has given young contract players, sent to the Coast from N. Y., an opportunity they have not realized in the past. It has speeded up their 'testing' in actual feature production work by placing them in secondary featured roles at the outset.

With production schedules of not only independents but all major companies considerably increased and enlarged demand for pictures suitable for spotting on the ever-increasing quantity of double bills, the search for talent along the Atlantic seaboard has been intensified in recent months. Consequently, veteran talent officials in N. Y. are not greatly disturbed when some West Coast executives suddenly decide there is no talent in the east after spending a week in Manhattan. They figure the Hollywood exec on an eastern junta won't be able to uncover talent easier than a New Yorker visiting London would be able to straighten out Europe's problems in a week's time.

Top West Coast talent officials of old-line major companies realize that the smearing of suitable screen talent in the east or anywhere is the routine process of assembling and inspecting 500 to 1,000 different people in hopes of discovering one suitable performer.

It's a well known fact that a majority of major companies are bending over backwards to encourage and aid the eastern divisions in their quest for embryonic talent. Detailed reports are received daily giving the outline of Coast current casting problems. Grand opera, burlesque, vaudeville, WPA theatres, amateur shows, college productions, radio, night clubs and every walk of life are combed thoroughly in hopes of locating suitable new people for films.

Constantly Scouting. The average major company's New York talent office is patterned

## Parkersburg OK Again

Pittsburgh, Feb. 9. Waters in Parkersburg, W. Va., had receded enough and damage was repaired in time to permit Warners to open the Smoot after two-week shutdown. WB's other site there, Strand, however, was still shut, but circuit expects to have it in operation again over weekend.

Emphasizing improved conditions in this territory generally, WB announced at same time that the Prince, Ambridge, Greensburg, and its in New Kensington, have been put in full-time operation. Previously they were open only on weekends.

## JUST A DETAIL—THEY ONLY FORGOT TICKETS

Milwaukee, Feb. 9. Plans for a city-wide mid light and morning show in an endeavor to raise \$45,000 for flood refugees, went awry when mystery surrounded the whereabouts of the tickets.

With the mayors, the police, fire commissioners and school officials and other dignitaries cooperating 100% with theatre executives who advanced the idea, everything was in readiness for the affair. The newspapers agreed to give free space generously, tickets were to be sold by firemen and policemen, arrangements were completed for the film and every theatre in Milwaukee representing 100,000 seats was set for the affair.

Came the day for the ticket drive, but there were no tickets. It appears that the scuffle and bustle the tickets were forgotten with the result that it would take too long to have the show. There was only two days off, so the anticipated \$45,000 never materialized.

## Parker's Script Job

Hollywood, Feb. 9. Austin Parker, is finishing up script on 'Something Sing about' for Grand National.

This is the story Wallace Smith was working on at the time of his death. The musical will be produced by Victor Schertzinger.

similar to a newspaper office, reports being received almost daily from Washington, Philadelphia, Boston and Chicago representatives. After these reports in and are filed, comments are made to go out on forthcoming shows or acts to be caught in various local fields.

Incidentally, talent officials scout the idea that mass tests can be conducted so they mean anything either to the actors or the film company. They figure that a worthwhile test must permit the thespian to carry through at least one definite dramatic or comedy scene.

Idea of shooting through five to 11 tests in a period of 12 to 14 hours, does not furnish the directors, producers or cameramen an opportunity to bring out the most pertinent qualities in a person's ability, they say. In many respects such methods mean just much wasted footage and small chance of any such tests receiving any notice whatever from the Coast. Few major companies follow such a plan.

Radio B and. tions permitted numerous so-called 'discoveries' being sent to the Coast with the recommendation to step up into reasonably prominent roles soon after their arrival. It's a distinct break, for both the player and the film company, thus find out quickly whether the performer can deliver or approach expectations.

Reports in burlesque circles that major film companies were considering several strip-tease artists from New York burlesque shows is rated in eastern talent departments and by top burlesque managers as strictly a gag. Several of the more youthful strippers recently were offered to film companies casting officials in N. Y. but none was seriously considered even as test possibilities. Unless the burlesque beauts are adept at sing, dancing and reading li they are not given the once-over. Talent execs are constantly on the prowl for new faces and figures in burlesque houses that they've been disappointed to date.

## L'ville Feverishly Drying Up Its Theatre Seats, Carpets, Etc., for Biz

By GEORGE WIEDERHOLD

Louisville, Feb. 9. After the all-time record floor of 1937 has done its worst, Louisville showmen are feverishly working long hours, with crews of men going at top speed to clean up, repair the damage done by the flood waters, and get their houses in shape for opening. Just when they will be opened is problematical. City health authorities say they can get going just as soon as the houses are properly cleaned and heated, but the important thing now is that no positive assurance has been given as to power for lighting, projection, sound, etc.

The Kentucky, operated by the Swifts, was a little more fortunate than some of the other houses in town. By chance, the Swift Bros. requisitioned a crew of 12 Negro laborers when the flood seemed to be

most menacing, and had them take up all seats, carpets, etc., and move them to an upper floor. The crew was then, to have moved over to Loew's State, for the same routine, but when they arrived they were unable to function, George Hunt, Jr., manager of Loew's State, states that the boys who were too dog-tired to take up any seats, and added they certainly looked it. As a result, about half Loew's were damaged by water, the basement was flooded. Hunt was busy with a crew of men, working by the light of gasoline lamps, replacing seats which had been damaged, and making repairs.

The heating plant had been dried out, but the house being dried with the aid of salamanders, open stoves for heating and drying, and which burn coke, charcoal or wood.

Across the street at the Fred Dolle was supervising installation of new seats. Little damage was done at that house, according to Dolle, for the reason that seats were taken up, well carpets, and moved to an upper floor, before the flood water came into the house.

At the Strand, another Fourth Ave. Amus. Co. house, A. J. Kalberer, manager, was diligently at the supervising of the repairs. Two gasoline pumps were busy belching streams of water from the basement, and the drying out process was about commence. There was little damage, actually, to the house. Water came into the orchestra pit, but none the floor. Some carpets were taken up, as well as several rows of seats, as a precautionary measure. The house has its own light plant, and was never without lights at any time during the flood disaster.

Libson's Mary Anderson got off lightly. Water came into the basement, and seeped into the house, taking in four rows of seats. Work is underway to pump the water from the basement, and the house will be ready to resume when given the word that power is available.

rown fil Hardest most severe damage was suffered by the Brown, which was waterlogged over the entire lower floor. The tremendous pressure of the water under the stage, causing the wood and concrete to buckle, raising the center of the stage under the sound horns, to a height of eight feet. The house is covered with a layer of mud, and at present no efforts are being made to rehabilitate the house, with the exception of gasoline pumps which are clearing the basement of water. No one would attempt to estimate the probable damage, and the future of the house is problematical.

The Ohio, subsequent run on Fourth avenue, suffered little from the water, although seats and furnishings received rough treatment by 5000 reegee and were housed there. The Uptown, in the Highlands, was also occupied by the flood refugees (colored), for several days, and the Fourth Avenue Amusement Company is prepared to spend considerable on repairing the damage done by the flood visitors.

House completely inundated by the flood waters were the Broadway, Ideal, Oak, Park, Palace, Parkland, Shawnee, and Towers. The damage has been terrific, and an accurate figure on cost of rehabilitation will be difficult until the actual work begins. One of the main items of expense, theatre operators advise, that of soap powder, insecticides, etc.

The Memorial Auditorium, located at Fourth and Kentucky, also suffered from the water. A swift current, four feet deep, eddied around the building, filling basement and coming onto the house floor back to the 26th row. There are 34 rows in the house. Nazimova in 'Hedda Gabler' was cancelled for Monday (25), the forthcoming concert by Nelson Eddy, under the local management of J. H. Thuman, scheduled for Feb. 11, will be set back to a later date.

Quarantine on the flood area has been lifted, and people are being permitted to move into their homes just as soon as sanitary facilities, heat, etc., are available.

From all indications, show business is leading the way in the rehabilitation of Louisville, and should play a big part in restoring the morale of citizens in this stricken city.

## Flood Benefit

(Continued from page 1)

American Guild of Musical Artists organized the benefit at Carnegie Hall for Feb. 20. House is expected to gross around \$40,000 with seats scaled from \$250 for boxes down to \$25, \$15, \$10, \$5, \$3, \$2 and \$1. Radio time sold to Henry Ford for an additional \$100,000 will bring the who's who concert figure to \$140,000 exclusive of the souvenir program of names, advertising and contribution.

Top Concert Names. Guild has named for appearances 15 of its top names including Lawrence Tibbett, Jascha Heifetz, Lotte Lehman, Gladys Swarthout, Josef Hoffman, Albert Spalding, Lauritz Melchior, Elizabeth Rethberg, Eftrem Zimbalist, Jaspas Casado, Jose Turbi and Sergei Rachmaninoff. Later has never played any type of benefit is career. Couple of other names omitted because of conflicting commercial engagements, but will appear as 'surprises'.

Heifetz, unable to be released from an engagement, will have his bit wired from his dressing room in Philadelphia to Carnegie Hall. Each artist will be allotted about eight minutes which should run program into two hours.

As in case of Music Hall benefit, nets will ivvy time. Entire proceeds of both, minus incidental administration expenses, go to the charity. Everything from radio time down the line is on the cuff with exception of Carnegie Hall, which feared establishing a precedent in permitting a cuff to net.

Benefit held at the Fox, Brooklyn, Feb. 5, under sponsorship of Broadway Flood Relief Committee, grossed \$1,783 on a three-hour show of stage fare, plus a previewed film. Admish was 50c, flat.

Chairmaned by Dick Gilbert, show comprised Bob Hope, Mitzi Mayfair, Harry Hirschfeld, Vaughn De Leath, Jacques Frey, Mario Braggiotti (maestros dueted on pianos), Gracie Barrie, Henry Youngman, Billy Glason, Abner Silver, Irving Caesar and Erni Mack.

Show was aired by WMCA for two hours and relayed by station WNYC for remainder. House previewed 'She Shall Have Music' after the performance.

## Grace Moore's Next

Hollywood, Feb. 9. Stephen Moore, Broadway original, 'The Sound of Your Voice', is being readied for Grace Moore at Columbia to follow 'When You're in Love'.

Avery scripting on writer-director contract but not set as pilot.

## Wanger's Lookers

Hollywood, Feb. 9. Walter Wanger has signed 11 artists' models for his proposed production 'Vogues of 1938'. Fosters will be billed as most beautiful girls in the world.

Hal Horne lined up the lookers in the east for Wanger.

## DIETZ ON COAST

Hollywood, Feb. 9. Howard Dietz will fly from Miami, Fla., to Hollywood Wednesday (10). Due here following day.

# ICE SHOWS CHILL B.O.'S

## Talking Bryan Foy for Production Head of Republic in Levine's Spot

advice are that Bryan Foy may move to Republic, succeeding the berth made vacant by Nat Levine. Foy is now with Warner Bros. under an option deal. His term is stated to be expiring in April.

Additionally, Wall Street advice is that Herbert J. Yates is bent on some kind of financial reorganization of Republic, but details on this are not known.

On the Foy matter, it is understood that Yates feels that Foy knows how to make the type of films which Republic wants.

In line with the general reorganization of Republic, Jack Fier, long production manager under Nat Levine, has resigned and leaves the company. It is understood that Fier will take a vacation before rejoining Levine on the latter's new connection.

Yates got back East on Monday (8) and has been home ill since.

Hollywood, Feb. 9.

Selling his half interest in Republic studio for a figure reported at \$500,000, Nat Levine tendered his resignation as production head to Herbert (Conti) 27)

## U CONFEREES EAST; PETTI JOINS COWDEN

Hollywood, Feb. 9.

Following conferences with Universal execs, Charles B. Payne, Universal treasurer, and M. Machonitch, representing eastern interests, trained out for New York last Friday (5).

They discussed next season's production slate and policies with Charles R. Rogers, J. P. Normandy and other studio producers.

Anthony Petti, private secretary to J. Cheever Cowdin, chairman of Universal Picture's board, has been called to London by the U. official, to clean up unfinished business abroad. Cowdin has been abroad since the first of the visiting principal key cities.

## Spitz Has Aylesworth Spot Also; Divvy Soon?

Conditions are fortuitous for Keith-Albee-Orpheum to resume regular dividends on its 7% preferred stock, on a regular basis, soon. KAO is the chief theatre subsidiary of RKO.

At the same time, Wall Street sees Leo Spitz, president of RKO, being named additionally to chairmanship of RKO and all RKO subsidiary companies, succeeding M. H. Aylesworth, in this post. Aylesworth becomes a member of the Scribner management board.

RKO's definite officer slate, under Spitz, upon RKO's reorganization, is still a matter of conjecture.

No official word concerning Spitz' return from the Coast as yet. He has been on the Pacific slope more than a month, on general studio business.

Certain personnel changes company's staff may be in consequence of Spitz's coming to KAO from the law firm of Goldwater & Flynn, counsel for the M. J. Meehan interests. The Meehan people are said to own approximately 30,000 shares of KAO preferred stock, of the approximately 63,000 shares outstanding.

Dividend payments on KAO preferred were resumed under the administration of Herbert Bayard Swope, as chairman of the theatre company.

## Nick Schenck Miami-ing Until Early in March

Nick Schenck will return to his New York desk from Miami early in March.

Al Lichtman, who was down there a couple of weeks ago for a brief stay, is now at the Metro home office.

## PAR'S JANUARY GROSS UP 37% OVER 1936

The month of January for Paramount saw rentals leap to the best figure since 1930, a compilation showing that this January was 37% better on distribution than the same month a year ago. Rise is partly due to improved conditions but also importantly reflects results being obtained by Par during its Silver Jubilee drive which was inaugurated Jan. 3.

During the month, among pictures which Par has sent on release for pushing on the sales drive have been 'College Holiday', 'Plainsman' and 'Champagne Waltz', plus a few opening dates on 'Maid of Salem'.

When he was in New York recently, Adolph Zukor, on the basis of the first week's business in January, declared that rentals were showing an increase of around 40%. His percentage was based on business the first week in January, as against the business the same week in 1936.

## MAYER FETES EXECS; HEADS PRODS. 7TH YR.

Hollywood, Feb. 9.

At a dinner on the Metro lot yesterday (Monday), given by Louis B. Mayer to members of the Producers' Association, celebrating his seventh consecutive year as president, Will H. Hays reported on his European trip and the condition of film biz abroad. He told of conferences in Italy and the status on quotas and restrictions. The two-hour session was attended by 35.

J. L. Warner was reelected first v.p. for the fifth time, while Charles R. Rogers was elected second vice president to fill vacancy created by Joseph M. Schenck's resignation. Fred W. Beetsom was retained as secretary and treasurer.

Schenck resigned because he believed he would be called away too much to give service to the job.

## Harold Berg Sent to Bellevue; Observation

Harold Berg, itinerant film man who recently organized British National Pictures of America, and was subsequently arrested on a charge of writing worthless checks, was committed to the psychopathic ward at Bellevue hospital, N. Y., last week, at request of his counsel.

Judge John of Special Sessions agreed to a residence by Berg in the hospital for several weeks, for observation.

## Hubbard's Moving Day

Hollywood, Feb. 9.

Lucien Hubbard has cleaned up his contract at Metro and moved over to Paramount, where he will produce.

His first Par assignment will be 'Spawn of the North.'

## WINTER SPORTS NOW OPPOSITION

Theatre Managers Formerly Looked the Ice-and-Snow as Chaser-Inners for the B. O. — Now the Masses Are Ski, Snow-Train and St. Moritz-i-America-Minded

### HOCKEY, ETC.

Chicago, Feb. 9.

Show business used to impatiently await winter, because the theatres were convinced that the ice and snow were their best allies in getting them customers. Ice and snow chased people indoors to the heated comfort of the theatres. But all that is changing.

Theatre managers throughout the nation have come to regard ice and snow no longer an ally, but a steadily growing competitor. For ice and snow in themselves have become powerful magnets, and ice, on its own, is now an outstanding box-office inducement.

Ice has become responsible for an annual business running into nearly \$15,000,000, and now rates as an important part of show business. In hockey alone there is annual gross of nearly \$3,000,000, and it's generally admitted that hockey as a box-office sport is still in short pants. In such towns as Chicago, New York, Detroit, Montreal, Boston, Toronto and other key cities, the hockey matches are filling stadia seating as high as 20,000 people, at \$3.30 top. The games draw the type of audience that regular theatres have always had their tongues out for and a Sunday or Thursday evening at the hockey games brings out the spenders in a body.

### Hockey

Hockey is today the nation's ace sports draw of midwinter, and is the leader by a wide margin, despite recent efforts to build up basketball. Hockey, too well organized on a professional league basis.

Nite clubs have found a terrific wallop in ice as boxoffice; those niteries using floor shows on ice have been big box winners. College Inn of the Hotel Sherman here is an example. Two years ago put the ice show on for a six-week novelty and wound up keeping the ice show in for 18 months so great was the public response. Other nite clubs throughout the country have had the

(Conti on page 27)

## F.D.R.'s Supreme C't Idea Augurs Quick NRA, and Pix Biz Favors It

### Laughton, Inc.

London, Feb. 2.

Charles Laughton has registered his new production unit, The Mayflower Pictures Corp., Ltd., with a nominal capital of \$150,000. Directors are Laughton, Erich Pommer, F. M. Guedalla, A. T. Chenhalls and R. Jenks.

Previously stated that the unit will open at Denham, releasing through United Artists, and will set sail when Laughton finishes 'I, Claudius' at Korda.

Move by President Roosevelt to increase the number of U. S. Supreme Court justices this week was viewed by legal lights of the picture business as paving the way for immediate restoration of the NRA or some similar set-up. By setting up a special code operation for various U. S. industries by this method, flimite attorneys envisioned the re-establishment of the Blue Eagle in some form a few months' time.

And not only are those familiar with the old NRA administration heartily in favor of the latest national administration move but industry leaders generally have voiced the opinion that it will aid business. Figure out it would better conditions generally.

Those who have watched the ever-increasing power of trade labor unions in various branches of business believe that some Government agency such as the NRA and its code line-up will prove the most effectual protection for the administrative section of industry. They admit that labor is organized by industries or trades with the definite right of collective bargaining while business cannot organize collectively on an equal basis with unions.

Industry spokesmen are week admitted that unless business itself is brought together in some strong organization or combination of forces such as trade unions, it always will be at a loss to successfully defend itself against union demands. Obvious reason for business being unable to organize like unions under present limitations is because monopoly would be charged. Consequently, the union industry leaders as well as individuals in other lines of business think that Governmental effort will be needed to bring about changes legalizing such organization of biz groups.

Not only is this deemed essential as a matter of self-preservation but it is also thought it will speed up business recovery. Veterans former NRA officials contend that the background for the current recovery move can be traced to the activities of the Blue Eagle during its brief tenure of life.

Some sort of NRA alignment would be welcomed in many industrial quarters as being a sure means of eliminating the vast amount of anti-trust litigation which has been a constant source of annoyance to film distributing companies ever since the Blue Eagle was knocked off by the Supreme Court decision.

With success of the President's plan for revamping the entire national court setup assured in the present session of Congress, some industry observers were looking for speedy enactment of some sort of NRA legislation and its installation by midsummer.

## Jessel's Florida Vacash Before Joining LeRoy

George Jessel will vacation in Florida until April 15, when he joins Warner Bros. assistant to Mervyn LeRoy on latter's pictures. He is expected to have an important hand in the making of a Rodgers and Hart musical, 'In the Deep South,' which will star Ethel Merman and Fernand Gravet. Jessel closed his deal during the past week. He was last on the Universal lot. Max Gordon also will sit in with LeRoy on this production.

Actor-producer is now personally supervising mounting of Nat Perri play, 'Lory for All,' adelpi

Philadelphia

George Jessel took over of 'Glory for All' from Craven when latter insisted letting certain risqué lines, but was balked by the author, Nat Perrin. Show bankrolled by film people, including, besides Jessel, Bert Wheeler, Sam Briskin, Fred Kohler, Bert Kalmar, Harry Rubin, Burns and Allen, and Nat Goldstone.

## No Otterson Deal for Erpi; Talk Anent Joe Kennedy Also Chills

Banker opinion is that the American Telephone Co. has nixed an offer from John E. Otterson to Research

Products, Inc. There is no indication of the sources from which Otterson might raise the necessary millions in such an eventuality. Trade talk has revolved around the probability of Otterson returning to the helm of ERPI but this also is held to be remote.

Once financial circles and the trade believed that the A.T. & T. was thinking of disposing of ERPI, but opinion is definite now that the talker equipment subsidiary of Western Electric will not be disposed of to private interests. Perhaps this latest attitude of the A.T. & T. follows more mature consideration of the situation and after long deliberation. Opini is that as a matter of public policy, the A.T. & T. would not do this.

Once the matter reached the fence stage when the majors, some months ago, had been considering

as a group to purchase ERPI for the industry. The matter reached the conference stage but faded.

Joseph P. Kennedy's name also has been linked with a possible purchase of ERPI control, but that's outside.

Downtown, it is felt that if A.T. & T. were considering severance from ERPI, the phone company would be inclined rather to liquidate ERPI as that firm is constituted today, then dispose of it, private interests: ERPI as a subsidiary of the A.T. & T. is one thing but as a private firm it would be something else.

In its present state, ERPI can draw upon Western Electric and Bell Laboratory resources for information and development. As an A.T. & T. subsidiary, ERPI has access to all of the A.T. & T. patent files and experimentation.

Even if the way were open, it is inconceivable to financial observers that the A.T. & T. would for a moment consider allowing a privately owned ERPI to be privy to the same associations and the benefits thereof.



Washi 9.

Government hounds were called off L. H. and W. C. Hyde of Hollywood, makers of advertising reels under name of Royal Film Studio and Royal Revues, following signing of a promise to behave last week. Within 24 hours after a formal complaint was issued, Federal Trade Commission announced the negotiation of a stipulation under which the Hydes will agree to discontinue unfair methods of competition connected with renting and leasing of films for commercial ballyhoo purposes.

# Biz No Better Than Product, So L. A. Grosses N. S. G.; 'Waltz' Tops Town, \$18,500; 'Love Song' 15G; 'Earth' Big

Los Angeles, Feb. 9.—Mostly run-of-the-mill pictures currently is keeping down grosses with only a couple of bright spots in the entire town. Looks as though only three of the 12 first runs currently will hit five figures, with Metro's 'The Good Earth' and Par's 'Champagne Waltz' the solo toppers.

Trade is away off in the two day-and-a-half Fox West Coast initial runs, where 'You Only Live Once' (UA) and MG's 'Dangerous Number' are dualing to just so-so returns. Move-over of 'Camille' figures to give the continued first run pair, Wilshire and United Artists, slightly upped returns, while the last pair of day-daters, Pantages and RKO, are doing a little better than they did the previous stanza.

**Estimates for This Week**  
Carthay Circle (Fox) (1,518; 55-83-110-165). 'The Good Earth' (MG) (2nd week). Healthy advance for this opus on its second week. Initial week, including \$5 preem, garnered smash \$16,500.

Chinese (Grauman) (2,028; 30-40-55). 'You Only Live Once' (UA) and 'Dangerous Number' (MG), dual. Lack of outstanding b.o. names cut in heavily sell will have to be satisfied with meagre \$8,000. Last week, 'Camille' (MG) and 'Off to the Races' (20th), brought satisfactory \$12,800, about as expected.

Downtown (WB) (1,800; 30-40-55-65). 'Sing Me a Love Song' (FN) and 'Once a Doctor' (FN), dual. Trade off slightly so at \$7,000 won't spell much profit. Last week, 'Beloved Enemy' (UA) and 'Woman in Distress' (Col), poor at \$6,400.

Fear Star (Fox) (800; 30-40-55). 'Men Are Not Gods' (UA) and 'The Handicapped' by lack of suitable product for this name solo-biller, and Miriam Hopkins' draw limited to slim \$2,500. Last week, 'Man of Affairs' (GB), on five days, weak at \$1,300.

Hollywood (WB) (2,756; 30-40-55-65). 'Sing Me a Love Song' (FN) and 'Once a Doctor' (FN), dual. A little better than average and at \$8,000 profitable. Last week, 'Beloved Enemy' (UA) and 'Woman in Distress' (Col), finished with fair \$7,000.

Orpheum (Bdwy) (2,280; 25-30-35-40). 'General Spanky' (MG) and 'Beware of Ladies' (Republic), dual, and vaudeville. Pretty sharp pointing and lucky to reach \$6,000. Last week, 'Secret Valley' (20th) and 'Fugitive in Sky' (WB), didn't mean much, but Benny Runk's healthy, dual unit, credited with most of \$9,300 draw.

Pantages (Par) (2,700; 30-40-55). 'White Hunter' (20th) and 'We're on the Jury' (RKO), dual. Hitting about normal and \$5,500 nothing to rave about. Last week, 'Condemned Row' (RKO) and 'They Wanted to Marry' (RKO), similarly, drew \$5,100.

Paramount (Partner) (3,595; 30-40-55). 'Champagne Waltz' (Par) and stage show. Plenty of advance bally aided the Cokor and every film and at \$18,500 plenty healthy. Last week, 'Secretary' (Col) and 'Buildup Drummond' (Par) (dual), helped materially by Ethel Waters' unit for smash \$20,700.

RKO (2,950; 30-40-55). 'White Hunter' (20th) and 'We're on the Jury' (RKO), dual. This combination didn't soar at all, but steady pace and at \$5,000 oke all around. Last week, 'Love on the Run' (MG) and 'Laughing at Trouble' (20th), within few dollars at \$3,900.

Wilshire (Fox) (2,298; 30-40-55-65). 'Camille' (MG) and 'Off to the Races' (20th), dual. Since this house became a continued first run it has been drawing heavy trade. Current bill headed for \$9,000, which is plenty good. Last week, 'Love on the Run' (MG) and 'Laughing at Trouble' (20th), \$6,900, as anticipated.

## Birm. Prefers Indians to 'Waltz'; 'Mohicans,' \$3,500

Birmingham, Feb. 9.—'Last of Mohicans' is giving 'Champagne Waltz' run for the money. Ritz, with the Indian picture, taking the colt, while 'Waltz' is moderately at larger Alabama.

**Estimates for This Week**  
Alabama (Wilby-Kinney) (2,800; 30-35-40). 'Champagne Waltz' (Par). Moderate at \$7,600. Last week, 'After Thin Man' (MG), good \$8,300. Empire (Acme) (1,100; 25). 'Your Heart' (WB). Not much this week; \$2,000. Last week, 'Polo Joe' (WB), \$2,500, good.

Rizoo (Wilby-Kinney) (1,600; 25-30). 'Mohicans' (UA). Off to great start and may better big \$3,500. Last week, 'Smartest Girl' (RKO), not so hot \$2,300.

White Hunter (20th). Looks like better than average \$2,300. Last week, 'Trail Dust' (Par) and 'Sinner Take All' (MG), split, not much, \$1,600.

Pantages (Wilby-Kinney) (2,300; 30-40). 'Thank You, Jeeves' (Ind) and '1937 Swing Show' unit. Good layout off should get \$2,000. Last week, 'Racing Lady' (Ind) and vaude, \$2,500, fair. House operates three days a week only.

Galax (Acme) (500; 25). 'Theodora' (Col) (one wk.). Will get fair \$1,500. Last week oke \$2,000.

## Gale Vice Frisco Strike, Biz Dives; 'Lawyer,' \$13,500

San Francisco, Feb. 9.—With three months' marine strike out of the way, exhibs expected a swing back to normal biz but were disappointed when a 65-mile gale hit town bringing a storm which is lasting a greater part of the week.

Four of the seven Market street houses have holdovers, which means just passable biz. New pics are 'Criminal Law' at the Golden Gate; 'More Than Secretary' at Orpheum; and 'Great O'Malley' at Fox.

**Estimates for This Week**  
Embassy (RKO-Cohen) (1,512; 30-35-40). 'Forbidden Adventure' (Dwain Esberg) (2d wk.). House has been rented out for this sex show, which is doing fair good \$2,500. Last week very good \$5,000.

Fox (F-WC) (3,000; 35-40). 'Great O'Malley' (WB) and 'Dangerous Number' (MG). Pat O'Brien always popular in this Irish town; Humphrey Bogart also coming along. Public seems to like combo, a good one for this house which draws heavily on mugs trade from the Mission district. Looks okay at \$16,000. Last week, 'Stolen Holiday' (WB) and 'Buildup Drummond' (Par) skidded to \$10,000, poor.

Golden Gate (RKO) (2,850; 35-55). 'Criminal Law' (RKO) and vaude. Lee Tracy hasn't been seen here for some time, but pic drawing only \$13,000, fair. Last week, 'Condemned Row' (RKO) and vaude, got \$15,500, good.

Orpheum (F&M) (2,440; 30-35-40). 'Secretary' (Col) and 'The Mighty Train' (WB). Got miserable break in weather opening day, but will come out okay with \$11,000. Last week, third for 'Smart Girls' (U) and 'Find the Woman' (Col), strong \$6,500.

Paramount (WB) (2,740; 30-35-40). 'Champagne Waltz' (Par) and stage show.

## Loew's Balto Vaude Revival, 'Night' Plenty Red \$15,000 Despite Lupe & Co.

Baltimore, Feb. 9.—Big disappointment in a week that reveals no outsiders is the flop biz being done by Loew's Century with first stage show in six months. House, with 'Under Cover of Night' and Johnny Weissmuller topping four-cut vaude bill costing around \$8,300, will dip deep into the crimson with gross no higher than \$15,000. Nut this week is around \$10,000. Soggy biz greeting vaude's return may affect stage shows' future at Century.

Stanley is out in front with 'Stolen Holiday', very gay at \$8,000. Kay Francis doing dandy jobs of pulling flock of females in for the mats.

**Estimates for This Week**  
Century (Loew-UA) (3,000; 15-25-35-40-55). 'Cover of Night' (MG) and Velez-Weissmuller on stage. Biz badly off, with \$15,000 tops. Last week, second of 'Camille' (MG) sans

## 1st Runs on Broadway (Subject to Change)

Week of Feb. 12  
Astor — 'Good Earth' (MG) (2d wk.).  
Capitol — 'Camille' (MG) (4th wk.).

Criterion — 'Great Guy' (GN) (7th wk.).  
Mush — 'Hall-On the Avenue' (20th) (2d wk.).

Paramount — 'Champagne Waltz' (Par) (2d wk.).  
Rialto — 'We're On the RKO' (9).

Rivoli — 'You Only Live Once' (UA) (3d wk.).  
Roxey — 'Head Over Heels' (GB).

Strand — 'Green Light' (WB).  
Week of Feb. 19

Astor — 'Good Earth' (MG) (3d wk.).  
Capitol — 'Last of Mrs. (MG) (18).

Criterion — 'Man of Affairs' (GB).

Muscle Hall — 'When You're in Love' (Col) (18). John Meade's Woman' (Par) (17).

Rialto — 'Doctor's Diary' (Par) (16).

Rivoli — 'Man Who Work Miracles' (UA) (20).

Roxey — 'Head Over Heels' (GB) (2d wk.).

Strand — 'Great O'Malley' (WB).

'Career Woman' (20th) (2d wk.) dual. Expecting nice \$9,000 on holdover. Last week, 'Allan' (4th wk.). Rain holdi. 'Allan' to fair \$4,000. Last week was around \$5,000, good.

St. Francis (F-WC) (1,470; 30-35-40). 'Thin Man' (MG) and 'Hats Off' (5th wk.). Fair \$5,000 sight. Last week good \$6,500.

United Artists (UA-Cohen) (1,200; 20-30-35). 'Allan' (4th wk.). Rain holdi. 'Allan' to fair \$4,000. Last week was around \$5,000, good.

Warfield (F-WC) (2,680; 35-40-55). 'Lloyds' (20th) and 'Off to the Races' (20th) (2d wk.). Still going strong \$13,000. Last week very good \$16,000 for same pic.

**Romeo's Hot in Three Prov. Days, \$5,000; 'Lloyds,' \$11,000, Big**

Providence, Feb. 9.—Spotty grosses. Featuring first half of the week, 'Lloyds' (20th) and 'Off to the Races' (20th) (2d wk.). Picture in for three days only.

Regular picture houses will be topped by 'Lloyds' (20th), doing a solo at the Majestic. Other stands all sporting twin bills.

**Estimates for This Week**  
Carlton (Fay) (1,400; 55-83-110). 'Romeo and Juliet' (MG). Best roadshow engagement here in some time, largely due to fine work done among colleges, schools and organizations. Big at \$5,000 for three days.

Fay's (2,000; 15-25-40). 'Great O'Malley' (WB) and vaude. Nice biz here again. Looks like another \$7,500 unless things go bluey before week is over. Last week, 'Secret Valley' (20th) and vaude, \$7,500, okay.

Loew's State (3,200; 15-25-40). 'Dangerous Number' (MG) and 'Under Cover of Night' (MG), dual. Fair good good, but no names to draw; lucky it biz will hit so-so \$8,500. Last week, 'Man of People' (MG) and 'Woman in Distress' (Col), way behind at \$7,600.

Paramount (Fay) (2,200; 15-25-40). 'Lloyds' (20th). Got swell breaks in

## Spring in Pitt., and B. O.'s Okay; Swarthout 12G, 'Enemy,' \$11,300

Pittsburgh, Feb. 9.—Unseasonable weather, with spring in the air and in some cases the cooling plants in operation, seems to be bringing them out these days. Looks like healthy season everywhere, with takes in most cases up over last week, when flood scare passed and things got back to normal.

While not spectacular, Penn with 'Beloved Enemy' and Stanley with 'Champagne Waltz' are running neck and neck for leadership and should show moderate profit, while 'Plainsman' is continuing its downtown smash. 'Plainsman' this one was moved here after coking week at Penn and still showing surprising strength.

Both double feature sites alright, too, although few would know the Fulton has a dual. House is topping 'Men Are Not Gods' and barely mentioning 'Laughing at Trouble,' with billing suggesting an apology for running out of the same line. Rivoli's 'Charlie Chan' is doing okay twinned with 'More Than Secretary.'

**Estimates for This Week**  
Alvin (Harris) (2,000; 25-35-40). 'Charlie Chan' (20th) and 'Secretary' (Col). Those Channers are stepping right up as b.o. lures, slowly but surely, with 'Opera' rated best of recent flock and hyping 'Secretary,' which at least has star power, into next \$6,800. Last week, 'Great Guy' (GN) and 'Hats Off' (5th wk.) were falling away after good start to \$6,500.

Fulton (Shea-Hyde) (1,750; 25-40). 'Men Not Gods' (UA) and 'Laughing at Trouble' (20th). Latter might as well not be there. House is barely mentioning flicker, just in agate in corner of advertisements as 'accompanying feature.' Hopkins name is something to rely on, but not enough to give this one more than fair \$3,800. That's at least more than site has been doing of late. 'On Avenue' (20th) comes in Saturday (2d wk.) and house is hoping for a run after series of unimpressive weeks. Last week, 'Accused' (UA) and 'Crack-Up' (20th-Fox) so-so, \$3,100.

Penn (Loew's-UA) (3,300; 25-35-50). 'Beloved Enemy' (UA) and 'Plainsman' (WB) (20th). House for this one everywhere, but the Oberon-Aherne combo isn't quite enough to bring more than \$11,300, fair. Last week, 'Plainsman' (Par) and 'Crack-Up' (20th-Fox) so-so, \$3,100.

Stanley (WB) (3,600; 25-35-50). 'Champagne Waltz' (Par). No raves for this one, but it does have MacMurray and Swarthout and that's the difference. 'Waltz' is still going, but will do all right for itself at \$12,000 or slightly better. Last week, 'Black Legion' (WB) couldn't get the females in and only wild-eyed enthusiasm in the press and the puppets can be credited with pretty fair \$11,500.

Warner (WB) (2,000; 25-35-50). 'Plainsman' (Par). Brought here after sizing up Penn and still getting its heels off to smash start and there should be no trouble at all getting \$8,000. That's real bi here. Last week, 'Make Way for Love' (20th) and 'Mad Holiday' (MG), okay at \$5,400.

'Mandarin Mystery' (Rep), dual, \$2,300, good.

Fifth Avenue (Evergreen) (2,400; 27-37-42). 'Lloyds' (20th) and 'On the Jury' (RKO), dual. Looks like \$10,000. Last week, 'Lloyds' (20th) and 'On the Jury' (RKO), dual, \$7,000, moderate.

Liberty (J-VH) (1,900; 27-37-42). 'Beloved Enemy' (UA). Getting heavy publicity blasts and big \$6,000 is indicated. Will hold over. Last week, 'Secretary' (Col) and 'Woman in Distress' (Col), dual, \$4,300, good.

Muric Box (Hamrick) (900; 27-37-42). 'One in Million' (20th) week. Swell \$4,000 in sight. Last week, fifth, garnered \$3,900, big.

Muscle Hall (Hamrick) (2,300; 27-37-42). 'You Only Live Once' (UA) and 'Holy Terror' (20th), dual. Fair at \$4,500. Last week, 'Man of Affairs' (GB) and 'Night Waitress' (RKO), dual, \$3,300, moderate.

Orpheum (Hamrick) (2,700; 27-37-42). 'Daniel Boone' (RKO) and 'Hats Off' (GN), dual, and vaude. Fair combo \$5,500. Last week, 'Pilot Thickers' (RKO) and 'Laughing at Trouble' (20th), dual, with vaude, \$5,100, fair.

Palomar (Sterling) (1,450; 27-37-42). 'The Day After Tomorrow' (WB) and 'Bones' (WB), dual. Big at \$5,000. Last week, 'Love on Ice' (WB) and 'Bones' unit, \$5,500, swell.

Paramount (Evergreen) (3,100; 27-37-42). 'Stolen Holiday' (20th), and 'Under Cover of Night' (MG), unl. Expect good \$5,000. Last week, 'Winter' (RKO) and 'Woman Wise' (20th), dual, \$6,100, great.

Roosevelt (Sterling) (800; 21-32). 'The Day After Tomorrow' (WB) and 'Bones' (WB), dual. Drawing big \$3,000. Last week, 'Polo Joe' (WB) and 'Don't Turn 'Em Loose' (RKO), dual, \$2,100, fair.

Seattle, Feb. 9.—'Winter' got got over to Blue Mouse over 'Champagne Waltz,' although the race was a close one. It was figured former would get more kate in second week than 'Waltz.'

'Waltz' (Par) (2d wk.) and 'Camille' (MG) (4th wk.) continues surprise socko of year, going into sixth solid stanza. 'Man of Affairs' (WB) (20th), dual, mod-so from last week, but couldn't hold more than six slim days.

**Estimates for This Week**  
Blue Mouse (Hamrick) (900; 27-37-42). 'Winter' (RKO) and 'Woman Wise' (20th), dual, mod-so from Paramount for second week. Fair \$2,800 in sight. Last week, 'Camille' (MG) (2d wk.), \$3,100, okay.

Coliseum (Evergreen) (1,800; 21-32). 'Carzan' (Rep) and 'Hideaway Girl' (Par), dual. Okay at \$3,000. Last week, 'Come and Get It' (UA) and 'Reunion' (20th), dual, \$2,300, slow.

# 'Legion' \$11,000, Only Sour Note In Chi's B.O. Crescendo; Ritz P.A., 'Plough' Big 25G; Garbo H.O. 17G

Chicago, Feb. 9. There is no mistaking this week what the public likes, because the customers are expressing their preferences in coin at the town's various box offices. And even in those houses where there may be a difference of opinion, whether it's the stage or the screen that's bringing 'em in, the customers are pretty much out loud and telling the ushers what they've come in to see.

For instance, the Palace will rise to big \$75,000 easily this session, but there is no doubt that it isn't the picture, 'Plough and the Stars,' that's accountable for the trade, but rather, the Ritz Bros., who are now in the 'personal appearance' brackets on the roster.

Also big are the Chicago, with its holdover of 'Champagne Waltz' and 'Veloz and Yolanda,' the United Artists with the second week of 'Camille,' 'Rembrandt,' 'Thin Man,' and the two vaudeville spots, 'Oriental' and 'State-Lake.'

Only disappointment in the loop's setup is 'Black Legion,' which is being held nowhere at the Roosevelt. Getting no femme play, and even few male drop-ins. Poor business for this picture may be due to previous release in loop of 'Legion of Terror,' which got whirlwind campaign at Oriental several weeks ago.

**Estimates for This Week**  
**Apollo** (B&K) (1,200; 35-45-65-75) —'Rembrandt' (UA) (2d week). Turned in bang-up \$9,500 last week and will hold to around \$6,000, currently. Replacing with 'Sing Me Love Song' (WB) this week. House goes into roadshow policy at \$1.65 top. Feb. 19 for 'Good Earth' (MG).  
**Chicago** (B&K) (4,000; 35-55-65-75) —'Champagne Waltz' (Par) and stage show (2d week). Veloz and Yolanda and pic got \$48,700 last week, and will stick to better than \$36,000 this session very good.

**Garrick** (B&K) (900; 35-45-65) —'Thin Man' (MG). Now in sixth loop stanza and still in money at \$6,000. Good \$10,000 this week.  
**Oriental** (B&K) (3,200; 30-40-55) —'Secretary' (Col) and vaude. House hitting excellent stride these days, and again rides into \$20,000 mark. Last week 'Birds' (20th) garnered profitable \$20,600.

**Palace** (RKO) (2,500; 35-55-65-75) —'Plough and Stars' (RKO) and vaude. Ritz Bros. headlining bill and reason for winning business will top \$25,000, swell. Picture getting mixed reviews and reactions. Last week 'Smart Girls' (U) fell down in second session and had to be satisfied with so-so \$18,000.  
**Roosevelt** (B&K) (1,500; 35-55-65-75) —'Black Legion' (WB). Laggging behind the procession sadly, maybe \$11,000, limp. Last week 'God's Country' (WB) got nice \$9,900 in second week.

**State-Lake** (Jones) (2,700; 30-35) —'Lady from Nowhere' (Col) and vaude. House has steady draw and reason for winning business will top \$12,000.  
**United Artists** (B&K-MG) (1,700; 35-55-75) —'Camille' (UA) (1st week). Holding pace in splendid fashion for holdover and will touch \$17,000, excellent. Topped \$25,000 in first week. 'Beloved Enemy' (UA) to follow.

## B'KLYN STILL ALIVE

'Enemy,' Dual, Nice \$16,000; 'Legion' H. O. Good \$17,000

Brooklyn, Feb. Bright biz at majority of downtown deluxers, Albee, and Par holding up strong. Par opens tomorrow (Wednesday) with Kay Francis in 'Stolen Holiday' (WB) and 'Mind Your Own Business' (Par).

**Estimates for This Week**  
**Albee** (2,500; 25-35-55) —'One in a Million' (20th) (2d week) and 'Plough and Stars' (RKO) (1st week). Should hit off pretty \$8,500. Last week Henie pic and 'Off to Races' (20th) got fine \$20,000.

**Fox** (4,000; 25-35-55) —'Black Legion' (WB) (2d week) and 'Once a Doctor' (WB). Getting okay \$17,000. Last week, \$19,000, fine.

**Metropolitan** (2,400; 25-35-55) —'Beloved Enemy' (UA) and 'Sinner Take All' (MG). dual. Will receive pleasant \$16,000. Last week 'Rembrandt' (UA) and 'Under Cover of Night' (MG). \$16,000, fine.

**Paramount** (4,000; 25-35-55) —'Stolen Holiday' (WB) and 'Mind Your Own Business' (Par) due to tomorrow (Wed.). Plainsman' (Par) and 'Let's Make Millions' (Par) (2d week) produced splendid \$19,000.  
**Strand** (2,000; 25-35-50) —'Conflict' (UA) and 'Kidnaped in Shanghai' (Par), featuring Phil Regan, local boy. House will get okay \$8,500. Last week, 'Man Betrayed' (Rep) and 'Counterfeit Lady' (Col), \$8,000, good.

## PORT. DIGS OUT OF BLIZZ- 'MILLION' BIG \$9,000

Portland, Ore., Feb. Terrible blizzard blocked streets and took every b.o. in town for a k.o. last week. Result is some pix holding over, with second week getting okay money.

**Estimates for This Week**  
**Broadway** (Parker) (2,000; 30-40) —'Smart Girls' (U) and 'Mad Holiday' (MG) (3d week). Doing well at \$4,500. Last week, second hit badly by weather conditions, fair \$4,000. First week \$4,600.

**Mayfair** (Parker-Evergreen) (1,400; 30-40) —'Man of Affairs' (GB), and 'General Spanky' (MG). Clicking nicely for okay \$3,900. 'Country Gentlemen' (Rep), with Weaver Bros. on stage, got swell \$5,000.

**Orpheum** (Hamrick - Evergreen) (2,000; 30-40) —'Winterst' (RKO) and 'Secretary' (Col). Well exploited to big \$6,000. Last week, Banjo on My Knee' (Fox) and 'In His Steps' (GN), second week, fair \$3,700. First okay \$6,000.

**Paramount** (Evergreen) (3,000; 30-40) —'One in a Million' (Fox), and 'Counterfeit Lady' (Col), dual. Registering big \$9,000. Last week, 'God's Country' (WB) and 'Find Witness' (Col), second week, fair \$3,900. First good, \$7,000.

**United Artists** (Parker) (1,000; 30-40) —'Stolen Holiday' (FN), (2d week). Doing well, will close with \$4,000, good enough. First week hit by bad weather and got \$4,200.

## 'Lloyds,' Baker, Fetchit Strong In Hub, \$32,000

Boston. 'Lloyds of London,' with stage show starring Belle Baker and Stepin Fetchit, is this week's winner, sharing honors with 'After Thin Man,' which is taking important coin at the Orphe and State on a holdover.

**Estimates for This Week**  
**Boston** (RKO) (3,000; 35-55-75) —'Join the Marines' (Rep) and stage show topped by Leon Errol and Louise Beavers. Heading toward satisfactory \$11,000. 'Flying Hostess' (U) and 'Mardi Gras' unit okay \$19,000 last week.

**Fenway** (M&P) (1,400; 25-35-40-50) —'Maid of Salem' (Par) (2nd run) and 'Bulldog Drummond' (Par) (1st run). 'Lloyds' is surprisingly strong at gate, aiming at dandy \$8,500. Last week, 'One in a Million' (20th) (2nd run) and 'Man of Affairs' (GB) (1st run), dual, with-so-so opposition of 'Thin Man' across the street and came through with happy \$8,000.

**Keith Memorial** (RKO) (2,900; 25-35-55) —'Plough and Stars' (RKO) (2d week) and 'Rainbow on River' (RKO), dismal \$12,000.

**Metropolitan** (M&P) (4,300; 35-55-75) —'Lloyds' (20th) and Belle Baker, Stepin Fetchit on stage. Show may scrape over \$12,000. Miss Baker credited with big 'Champagne Waltz' (Par), with Ray Noble on stage, quite okay last week, \$25,500.

**Orpheum** (Loew) (3,000; 25-35-40-50) —'Thin Man' (MG) (2d wk). Pointing to stay up \$15,000. First week zammo \$22,300.

**Paramount** (M&P) (1,800; 25-30-50) —'Maid of Salem' (Par) (2nd run) and 'Return Bulldog Drummond' (Par) (1st run), dual. Sweet combo, crowding \$14,000. Last week, 'One in a Million' (20th) (2nd run) and 'Man of Affairs' (GB) (1st run), dual, also healthy at \$13,200.

**Seollay** (M&P) (2,700; 25-35-40-50) —'One in a Million' (20th) (3rd run) and 'God's Country' (WB) (2nd run). dual. Made to order for this session, lining up good \$8,500. 'Cold Diggers' (WB) (2nd run) and 'Case of Black Cat' (FN) (1st run), dual, making \$7,500 last week.  
**State** (2,000; 25-35-40-50) —'After Thin Man' (MG). Earned holdover and will hit \$11,000 groove. Opening stanza bangs \$19,000, best in many weeks.

## Lent Starts

Lent begins today (10), this being Ash Wednesday, and ends with arrival of Easter, March 28. Duri that period there are two holidays as offshoots, Lincoln's birthday is Friday (12) and Washington's birthday, Feb. 22 (Monday).

While the Lenten season affects grosses-in some sections more than others, in \$19,000 took it has made little noticeable difference the past two years.

## 'Holiday' No Panic In Buff., \$15,000; Other Picts Okay

Buffalo. Business at local box offices continuing at a nice pace. 'Rainbow' at the century turned in exceptionally fine gross last week and being held over.

**Estimates for This Week**  
**Buffalo** (Shea) (3,600; 30-40-55) —'Stolen Holiday' (WB) and Jesse Crawford at organ. May do around \$15,000, fair. Last week, 'Champagne Waltz' (Par) and Jesse Crawford good \$16,300.

**Century** (Shea) (3,400; 25-35) —'Rainbow on River' (RKO) and 'Without Orders' (RKO) (2d week). Still going strong at \$9,000. Last week same pix got fine \$13,900.  
**Great Lakes** (Shea) (3,400; 30-50) —'God's Country' (WB). Probably \$8,500, nice. Last week, 'Black Legion' (WB), slow at \$6,700.

**Hipp** (Shea) (2,400; 25-40) —'One in a Million' (20th) (2d run). Looks to do around \$9,000, okay. Last week, 'Doctor's Diary' (Par) and 'Mind Your Own Business' (Par), average \$7,100.

**Lafayette** (Ind) (3,400; 25-35) —'North of Nome' (RKO) and 'Lady from Nowhere' (Col). Okay at \$8,000. Last week, 'Great Guy' (GN), fine \$10,000.

## Roxy's \$3,619 Net Profit For the Past 27 Weeks

Roxy theatre entertained 2,267,079 customers during the period covering July 3 to Jan. 7, or a daily average of 11,995, according to the report of Howard S. Cullman, trustee, filed yesterday (Tuesday) in N.Y. Federal Court. The total receipts for the period amounted to \$961,532. Against this amount \$771,664 was disbursed in operating expenses.

After other debts were the report states, the profit before depreciation and funded indebtedness were deducted amounted to \$97,726, weekly profit of \$3,619 for the 27 weeks.

## Det. B.O.'s on No-Coin Strike with Auto Sitters; 'Sec,' 'Scandals' Big \$34,000

where more beaucep two months continues to be town's only house continued current auto str. With pocket- 100,000. Fox White 'Scandals' stage, plus 'More Than a Secretary' on screen, current take almost doubles nearest rival.  
With another general layoff of workers as strike in tension increases, funeral dirge is being played on practically all cash registers in territory. Even if strike is settled soon, it'll take several weeks before theatre biz is anywhere near normal again.

**Estimates for This Week**  
**Adams** (Balaban) (1,700; 25-40) —'Lloyds' (20th) (2d wk) plus 'Mighty Treve' (U), dual. Biz on upgrade here chiefly due to price differential. 'Lloyds' moved here after bumper session at Fox last week, will do nice \$6,500. Okay \$5,800 last week on 'Smart Girls' (U) (2d wk) and 'Mysterious Crossing' (U) former pic being moved here from Fox.  
**Downtown** (Inde) (2,500; 25-35) —'With Pleasure, Madam' (Ind) plus 'Smashing the Vice Trust' (Ind), dual. Resorting to cheap flickers, house won't be able to stand it much longer. Fair \$2,500 currently on low trade. Okay \$3,000 last stanza on 'Captain Calamity' (GN) and 'We're

## B'way OK; 'Avenue' \$90,000, Holds; 'Champagne'-Waring Big at \$50,000; Garbo 30G, 'Girls' 37G, m 3d Weeks

Against the numerous sturdy holdovers lingering on Broadway, three new pictures which rolled the dice this week all turned up with naturals. These are 'Good Earth,' on a \$2 run at the Astor; 'On the Avenue,' which is in its first week at the Music Hall, and 'Champagne Waltz' at the Paramount, aided by Fred Waring's Pennsylvania person.

'Earth' hits its premiere at the two-day Astor Tuesday night (2) and on its first six days, including the opening night, is a sellout at \$17,000. This figure discounts the large number of passes issued for both the premiere and second night. Picture has a strong advance sale, being \$12,000 as of Monday (8).

'On the Avenue,' is figured for a hearty \$90,000 and holds a second week. Considered to be in favor of this picture, 'Good Earth' and 'Waltz' is the fact that the town has more than the average number of holdovers. The draught of the Fred Waring name as a bolsterer for 'Waltz' means \$50,000 on its first week for this show at the Paramount; Waring and 'Waltz' go a second week, plan being to bring in 'John Meade's Woman' and the Guy Lombard band Wednesday (17).

Two of the holdies whose grosses suggest plenty of stamina are 'Camille' and 'Three Smart Girls,' both in their third week. The Garbo picture, 'Frenchy,' to a healthy \$30,000 and goes a fourth lap but 'Girls,' though very commanding at \$37,000, will not remain another week. Roxy is bringing in 'Head Over Heels' over Friday (12). On completion of the run of 'Camille' at the Cap, the house goes into a Thursday opening, next picture being 'Last of Mrs. Cheever.'

Neither 'You Live One' nor 'Stolen Holiday' are up to hopes on their second weeks but both are probably held down somewhat because of the strong competition against them. 'Live One' probably will not get the Riv as much as \$20,000 but stays a third week. 'Man Who Could Work Miracles' (U) due Saturday (20).  
Roxy (5,836; 25-55-75) —'Smart Girls' (U) and stage show (3d week). A very fine performer at the box office, possibly \$37,000 this week. (3d). The second stanza was \$48,300 handsome. Could go a fourth week but isn't due to booking commitments. 'Head Over Heels' (WB) bows in Friday (12).  
**Strand** (2,700; 25-35) —'Stolen Holiday' (2d run). Did nicely enough on the first week, \$24,300, but against tough opposition looks this side of \$12,000 on final six days of a two-day run.

While in the past couple years Lent has left no scars on Broadway, it begins today, this being Ash Wednesday. Against that this week will be Lincoln's birthday (12) a holiday for some people, a half holiday for others.

**Estimates for This Week**  
**Astor** (1,012; 55-110-155-200) —'Good Earth' (MG) (1st week). 'Prizefighter' (MG) (2d) but discounting passes that night and Tuesday.

**Capitol** (4,620; 25-35-55-85-125) —'Camille' (MG) (3d week). Possesses plenty of vitamins, looking \$30,000 or close this week (3d) and goes a fourth. The second week was just under \$40,000, bad weather last week having hurt somewhat.

**Criterion** (1,662; 25-40-55) —'Great Guy' (GN) (6th week). Running at a pace around \$11,000, okay, and stays a seventh. Fifth week, \$11,500. House has another picture booked, 'Man of Affairs' (GB), before being turned over to Col for roadshow opening of 'Lost Horizon' March 4.  
**Palace** (7,700; 25-35-55) —'Black Legion' (WB) (1st run) and 'Hot Races' (20th) (1st run), coupled. This pair may force its way to \$10,000. Last week's duo, 'God's Country' and 'Woman' (WB) 2nd run) and 'Holy Terror' (20th) (1st run) \$9,100.  
**Paramount** (3,664; 25-35-55-85-99) —'Champagne Waltz' (Par) and Fred Waring's Pennsylvanians. Waring band furnishing stout support for third of Gladys Swarthout stagers and first week a big \$50,000 is the answer. Show starts second week today (Wed.). Last week, 'The Guy Lombard Band' (Par) and 'Brandynow orchestra' (1st week), \$31,000, very good.

**Radio City Music Hall** (5,989; 40-60-85-99-155-200) —'On the Avenue' (MG) (1st week). The picture should come under the wire at \$90,000, remain in second week. 'Plough and Stars' (RKO) opened okay but ended up sorry, \$30,000.

**Rialto** (750; 25-40-55) —'We're on the Jury' (RKO). Brought in yesterday morning (Tues.) after a week of 'Sinner Take All' (MG) at \$7,500. 'Criminal Lawyer' (RKO) in ahead, good at \$9,000.

**Rivoli** (2,092; 25-55-75-85-99) —'You Only Live Once' (UA) (2d week). Although close to \$30,000 on its first week, good, the change area is strong the second (currently) will be as much as \$20,000 but stays a third week. 'Man Who Could Work Miracles' (U) due Saturday (20).  
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**State** (3,450; 35-55-75) —'Thin Man' (MG) and Leon Navarro orchestra. Picture is the big draw this week, probably \$32,000. Last week, 'College Holiday' (Par) (2d run) and vaude bill, on six days \$20,000.

day (3), first six days a sellout at \$17,600. Advance sale stands at \$12,000.

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# Comparative Grosses for January

Total estimated grosses during January for towns and houses listed as previously reported weekly. Dates given are the closing days of the week.

## NEW YORK

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>MUSIC HALL</b> (5,980; 40-40-55-60-41-65) High. \$124,800 Low. 14,000	Girl from Paris \$111,000 (Stage Show)	Girl \$58,500 (2d week)	Lloyds of London \$88,000 (2d run)	Lloyds \$70,000 (2d week)
<b>PARA-MOUNT</b> (3,661; 25-35-55-60) High. \$103,800 Low. 8,000	College Holiday \$45,000 (Casa Loma Orch.) (2d week)	College Holiday \$18,000 (Mario Braggiotti Orch.) (3d week)	Plainsman \$59,500 (Ray Noble Orch.)	Plainsman \$43,000 (2d week)
<b>ROXY</b> (5,886; 25-45-55-75) High. \$173,650 Low. 5,200	One in a Million \$78,500 (Leon Errol Unit) (Stage Show)	Million \$42,600 (Errol Unit) (2d week)	3 Smart Girls \$59,800 (Borrah Minneville)	3 Smart Girls \$59,800 (Borrah Minneville)
<b>CAPITOL</b> (4,620; 25-35-55-65) High. \$110,400 Low. 7,000	After Thin Man \$44,000 (2d week)	Thin Man \$32,000 (3d week)	Thin Man \$22,000 (4th week)	Camille \$62,000
<b>STRAND</b> (2,747; 40-55-65-85) High. \$81,200 Low. 5,000	Gold Diggers of 1937 \$15,000 (2d week)	God's Country and Woman \$12,000	Black Legion \$19,000	Legion \$15,000 (2d week)

## LOS ANGELES

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>DOWNTOWN</b> (1,800; 30-40-55-65) High. \$38,500 Low. 1,700	3 Men on a Horse and Fugitive in the Sky \$7,000 (6 days; 2d week)	Gold Diggers of 1937 and King of Hockey \$9,500 (9 days)	Charge Light Brigade and Smart Blonde \$7,900	Light Brigade and Blonde \$4,300 (5 days; 2d week)
<b>HOLLYWOOD</b> (2,750; 25-35-40-65) High. \$37,800 Low. 2,400	3 Men on a Horse and Fugitive in the Sky \$7,000 (6 days; 2d week)	Gold Diggers of 1937 and King of Hockey \$9,500 (9 days)	Charge Light Brigade and Smart Blonde \$8,800	Light Brigade and Blonde \$4,800 (5 days; 2d week)
<b>PARA-MOUNT</b> (3,585; 40-40-55-65) High. \$57,200 Low. 5,600	College Holiday \$28,000 (Stage Show)	Holiday \$10,800 (2d week)	Plainsman \$23,000	Plainsman \$16,000 (2d week)
<b>STATE</b> (2,624; 40-40-55-65) High. \$48,000 Low. 4,900	After Thin Man and Woman Wise \$24,000	One in a Million and Sinner Take All \$17,200	Garden of Allah and Career Woman \$16,800	Love on Run and Laughing at Trouble \$14,200

## WASHINGTON

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>EARLE</b> (424; 25-35-40-60-70) High. \$27,000 Low. 6,000	God's Country and Woman \$18,000 (Herb Munkin Little Vaude)	Sing Me a Love Song \$14,500	More than a Secretary \$17,500 (Benny Davis Revue)	Man of Affairs \$16,500 (Ken Murray)
<b>CAPITOL</b> (3,424; 25-35-60-70) High. \$41,500 Low. 11,000	After Thin Man \$24,000 (Folies Parisienne Unit) (8 days)	Garden of Allah \$23,000 (Salici Puppets)	One in a Million \$35,000 (Lupe Velez, J. Weismuller)	Stowaway \$23,500 (Blackstone Unit)
<b>KEITH'S</b> (1,830; 25-35-60-70) High. \$25,500 Low. 3,000	Girl from Paris \$15,000	Girl \$7,000 (2d week)	Plough and the Stars \$10,000	3 Smart Girls \$11,000
<b>PALACE</b> (2,383; 25-35-60-70) High. \$33,000 Low. 6,000	Camille \$14,000 (2d week)	College Holiday \$15,000	After Thin Man \$15,000 (2d run)	Champagne Waltz \$16,000
<b>COLUMBIA</b> (1,583; 25-40-60) High. \$19,000 Low. 1,000	Born to Dance \$7,500 (2d run)	Born \$4,500 (2d week)	Camille \$5,000 (2d run)	College Holiday \$4,000

## CHICAGO

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>CHICAGO</b> (4,000; 35-55-75-85) High. \$75,000 Low. \$18,500	Plainsman \$39,000 (Stage Show)	Plainsman \$25,000 (2d week)	One in a Million \$33,000	Great Guy \$24,000
<b>PALACE</b> (2,500; 35-55-75-85) High. \$35,200 Low. 7,000	Girl from Paris \$38,500 (Revue Unit) (Stage Show)	Girl \$16,600 (2d week)	Woman Alone \$30,200 (Geo. White's Scandals)	3 Smart Girls \$27,800 (Jane Withers)
<b>UNITED ARTISTS</b> (1,200; 35-55-75-85) High. \$43,500 Low. 3,300	After Thin Man \$31,000	Thin Man \$20,700 (2d week)	Thin Man \$15,300 (3d week)	Thin Man \$10,800 (4th week)

## SAN FRANCISCO

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>PARA-MOUNT</b> (2,740; 30-35-40-50) High. \$37,500 Low. 5,000	College Holiday and Join Marines \$11,000 (2d week)	Sing Me a Love Song and Sinner Take All \$10,000 (3 Stooges) (2d week)	God's Country and Woman and Crack-Up \$12,500	God's Country and Woman and Crack-Up \$8,000 (2d week)
<b>GOLDEN GATE</b> (2,800; 30-35-40-50) High. \$26,000 Low. 5,400	Girl from Paris \$23,000 (3 Stooges) (Vaude)	Girl \$17,500 (3 Stooges) (2d week)	Great Guy \$19,000	Great Guy \$12,000 (2d week)
<b>ORPHEUM</b> (2,440; 30-35-40-50) High. \$27,000 Low. 2,100	Pennies from Heaven \$10,000 (2d week)	Pennies from Heaven \$5,000 (3d week)	3 Smart Girls \$10,000	Smart Girls \$8,500 (2d week)
<b>WARFIELD</b> (2,660; 35-40-50) High. \$57,400 Low. 8,200	One in a Million and Along Came Love \$12,000 (2d week)	Million and Love \$12,000 (2d week)	Camille and Let's Make a Million \$16,000	Camille and Let's Make a Million \$10,000 (2d week)

## BOSTON

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>KEITH MEMORIAL</b> (3,000; 25-35-50-60) High. \$43,000 Low. 4,000	Girl from Paris \$20,000	Girl \$10,000 (2d week)	3 Smart Girls \$11,800	Great Guy \$15,400
<b>STATE</b> (3,300; 25-35-40-50) High. \$23,000 Low. 2,000	Born to Dance \$22,000	Born \$14,000 (2d week)	Pennies from Heaven and More than a Secretary \$14,000	Pennies \$9,000 (2d week)
<b>METRO-POLITAN</b> (4,300; 35-50-65-75) High. \$67,000 Low. 11,500	Plainsman \$51,000 (Jane Withers) (Stage Show)	Gold Diggers of 1937 \$27,000 (Major Bowes Unit)	One in a Million \$42,500 (Fred Waring Orch.)	Maid of Salem \$27,800

## PORTLAND, ORE.

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>BROADWAY</b> (2,000; 30-40-50) High. \$21,000 Low. 2,500	After Thin Man and Down the Stretch \$21,000 (2d week)	Thin Man and Down Stretch \$5,200 (3d week)	Thin Man and Down Stretch \$4,400 (4th week)	3 Smart Girls and Mad Holiday \$6,600
<b>UNITED ARTISTS</b> (1,000; 30-40-50) High. \$12,000 Low. 1,200	Camille \$7,000	Camille \$3,800 (2d week)	Singer Take All \$4,000	Sinner Take All \$3,000
<b>PARA-MOUNT</b> (3,000; 30-40-50) High. \$16,000 Low. 3,000	Theodora Goes Wild and Can This be Dixie \$8,700	Theodora and Dixie \$4,500 (2d week)	Rainbow on River and Career Woman \$5,600	God's Country and Woman and Find the Witness \$7,000

## BUFFALO

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>BUFFALO</b> (3,800; 30-40-55-65) High. \$42,000 Low. 8,300	After Thin Man \$27,000	Camille \$17,000	One in a Million \$18,000	Lloyds of London \$14,000
<b>CENTURY</b> (3,400; 25-35-40-50) High. \$21,000 Low. 3,600	Banjo on My Knee and 15 Maiden Lane \$11,400	Accusing Finger and Down the Stretch \$7,600	Wanted: Jane Turner and King of Hockey \$6,000	Sinner Take All and Here Comes Carter \$7,000
<b>HIPP</b> (2,400; 25-40-50) High. \$22,000 Low. 3,600	Smartest Girl and Mad Holiday \$7,600	Rembrandt and All-American Champ \$6,900	Singer Take All and Here Comes Carter \$7,000	Camille \$7,000 (2d run)

## CINCINNATI

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>ALBEE</b> (3,300; 35-42-50) High. \$35,500 Low. 5,800	After Thin Man \$26,500 (7½ days)	One in a Million \$17,000		
<b>PALACE</b> (2,600; 35-42-50) High. \$28,000 Low. 4,500	College Holiday \$17,500	Girl from Paris \$7,500		
<b>LYRIC</b> (3,400; 35-42-50) High. \$28,500 Low. 4,500	Gold Diggers of 1937 \$25,500 (2d run)	College Holiday \$4,000		
<b>KEITH'S</b> (1,500; 30-40-50) High. \$22,100 Low. 3,600	Banjo on My Knee \$6,000 (2d week)	Mind Your Business \$3,500		

## ST. LOUIS

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>AMBASSADOR</b> (3,615; 25-40-55-65) High. \$20,500 Low. 18,000	3 Smart Girls \$18,500 (Stage Show)	Girl from Paris \$18,500	Gold Diggers of 1937 \$17,500	More than a Secretary \$15,700
<b>LOEW'S</b> (3,102; 25-35-55-65) High. \$22,500 Low. 11,900	After Thin Man \$24,000	Thin Man \$11,200 (2d week)	Garden of Allah and Gay Desperado \$16,500	Beloved Enemy and Mad Holiday \$12,000
<b>FOX</b> (6,038; 25-35-55-65) High. \$17,500 Low. 9,500	One in a Million and Night Waltz \$17,500	Plainsman \$16,300	Plough and Stars and Woman Wise \$8,000	Great Guy and Crack-Up \$12,800
<b>MISSOURI</b> (3,514; 25-40-50) High. \$11,500 Low. 6,500	College Holiday and Jungle Princess \$12,000	3 Smart Girls and One in a Million \$12,000	Plainsman and Girl from Paris \$12,000	Gold Diggers of 1937 and We Who Are About to Die \$10,100
<b>ST. LOUIS</b> (4,000; 25-40-50) High. \$8,500 Low. 6,000	Go West, Young Man \$8,000 (Stage Show)	Wanted: Jane Turner \$6,000	Charlie Chan at the Opera \$8,500	Banjo on My Knee \$6,000

## BIRMINGHAM

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>ALABAMA</b> (3,800; 30-40-50-60) High. \$23,000 Low. 3,500	Born to Dance \$8,000	Stowaway \$7,700	Camille \$7,000	Plainsman \$7,700
<b>STRAND</b> (800; 25) High. \$5,100 Low. 800	Daniel Boone \$1,800	Harvester \$1,100	General Spanky \$2,200	Spanky \$1,600 (2d week)
<b>EMPIRE</b> (1,100; 25) High. \$12,800 Low. 800	Great Guy \$2,200	More than Secretary \$2,500	Theodora Goes Wild \$2,700	Theodora \$2,200 (2d week)

## DETROIT

	Jan. 7	Jan. 14	Jan. 21	Jan. 28
<b>MICHIGAN</b> (4,000; 30-40-50-60) High. \$58,100 Low. 6,600	Gold Diggers of 1937 \$29,500 (Ina Ray Hutton Orch.) (Stage Show)	Singer Take All \$18,000 (American Pageant of Youth)	God's Country and Woman \$25,000 (Little Jack Little)	Rainbow on River \$24,000 (Don Redman Orch.)
<b>FOX</b> (5,000; 30-40-50-60) High. \$50,000 Low. 4,000	One in a Million \$36,000 (Francis Lederer) (Stage Show)	Pennies from Heaven \$34,000 (Olson Johnson Unit)	Great Guy \$18,000 (Dawn Patrol Revue)	3 Smart Girls \$20,000 (Varieties Unit)
<b>UNITED ARTISTS</b> (3,000; 30-40-50-60) High. \$27,000 Low. 2,600	Plainsman \$17,000	Plainsman \$9,500 (2d week)	After Thin Man \$19,500	Thin Man \$13,500 (2d week)

(Continued on page 28)

# 'AVENUE' PAVING BIG \$16,500 IN PHILLY

Philadelphia, Feb. 10.—On the Avenue, at Stanley, looks like best of current batch of films in downtown houses.

Neither the Earle or Fox, two downtown theatres with flesh entertainment, are doing much. Ina Ray Hutton, who has been an Earle attraction for several seasons, is on the Fox stage, while the Earle has the Dunham Sisters. Outlander among last week's pix was 'Black Legion,' a surprise wallop at the Stanton where it virtually doubled the house's average weekly gross. 'Champagne Waltz' at the Boyd also clicked neatly.

**Estimates for This Week**  
Aldine (1,300; 40-55-65)—'You Only Live Once' (UA). Grim entertainment, but still enough received and may get second week. First week's gross should be \$10,500. 'Men Are Not Gods' (G-B), in 6-day second week; got scant \$6,000 last week.

Arcadia (600; 25-40-50)—'Wings of Morning' (20th). Last week, 'College Holiday' (Par) (2d run), fairish \$2,200.

Boyd (2,400; 40-55)—'Champagne Waltz' (Fox). Getting five days in second week for about \$9,500, with 'Loyds' (20th) opening today (Tuesday). 'Waltz's' first week got \$16,500, over expectations.

Earle (2,600; 35-40-55)—'Bulldog Drummond' (Par) and vaude. Duncan Sisters on stage. Combo not very exciting; \$14,000, fair. Last week, 'Criminal Lawyer' (RKO) and vaude, Roscoe Ates as headliner, got \$14,500.

Fox (3,000; 40-55-65)—'Secretary' (Col) and vaude. Ina Ray Hutton band headliner. Just tepid \$13,500 seen. Last week, 'Stolen Holiday' (FVN) and stage show, a little better than expected, but not so forte at \$15,000.

Karlton (1,000; 25-35-40)—'Men Not Gods' (UA) (2d run). Won't mean a very great deal, maybe \$2,300. Last week, 'Career Woman' (20th), very poor \$1,300.

Keith's (2,000; 30-40-50)—'Stolen Holiday' (FVN) (2d run). Hopes for \$2,600, fair. Last week, 'God's Country' (20th), lukewarm \$2,300.

Stanley (3,000; 40-55)—'On Avenue' (20th). Looks as good anything in town; \$14,500, good. Last week, 'Smart Girls' (U), (second week, got neat \$11,500.

Stanton (1,700; 30-40-50)—'Black Legion' (WB) (2d wk.) (G). Figures on \$6,000 after first week's rousi \$9,000.

# HENIE CUTS PLENTY ICE IN DENVER, BIG \$13,000

Sonja Henie is proving sensational draw at the Denver, and 'One Million' will go to Aladdin for second week, with probably a third stanza at the Broadway. Film is causing more than a mouth-thaw anything in some time.

'Smart Girls' continuing its successful b. o. week at Broadway following week at the Denver. It is slated to stay still another week at the Broadway. 'Man of Affairs' doing nice business at the Aladdin and will be held nine days. 'Champagne Waltz' holding 'Loyds' three days following a week at the Aladdin, and 'Dr. Bull,' 3 days, got \$15,000, on thin ice.

**Estimates for This Week**  
Aladdin (Huffman) (1,500; 25-40)—'Man of Affairs' (GB). An Arliss film is a natural for this house with its class patronage. Good at \$4,000 on nine days. Last week, 'Beloved Enemy' (UA), following week at the Denver, went out after five days, doing so-so \$1,500 in the short week. Broadway (Huffman) (1,500; 25-40)—'Smart Girls' (U). Will do around \$4,500, fine, and to stay a second week at the Broadway. Played a week at the Denver. Last week, 'Rembrandt' (UA) three days following a week at the Aladdin, and 'Dr. Bull,' 3 days, got \$15,000, on thin ice.

Denham (Cockrell) (1,500; 25-35-40)—'Champagne Waltz' (Par) 2d wk. Doing nice business in second stanza at \$5,500. Last week same place finished with fine \$9,000. 'King's RKO' (25-35-50)—'One in a Million' (20th) and stage band. Henie film got close to \$13,000, big. Last week, 'Smart Girls' (U) got \$9,500. Orpheum (RKO) (2,600; 25-35-40)—'We're on the Jury' (RKO) and 'Under Cover of Night' (MG); dual. Better than last week at \$6,500. Last week, 'Plough and the Stars' (RKO) and 'Racing Lady' (RKO); dual, closed with \$5,000, disappointing. Paramount (Huffman) (2,000; 25-40)—'Smart Blond' (WB) and 'Fugitive in the Sky' (WB); dual. Doing fair \$3,000. Last week 'Charlie Chan' (20th) and 'Crack Up' (20th), dual, \$3,500, nice.

# Wash. Cricks Call Francis Pic Dress Parade and Men Duck, Fair \$15,500

Nothing big this week, but with the dough being spread around nobody is taking it on the chin. Ray Noble band on Cap stage seems to be the big draw, doing the pulling pretty much undisturbed and won't roll up any sock take.

Earle had high hopes for Kay Francis' 'Stolen Holiday,' easily biggest flicker name of week, but critics said it's primarily a fashion parade, and scared the males so they wouldn't go within block of house.

**Estimates for This Week**  
**Capitol (Loew's)** (1,583; 25-40).—'Outcast' (Par) and vaude. Ray Noble band on stage responsible for fair \$20,000. Last week, 'Beloved Enemy' (UA), plus Jarrett and Holm on stage. Same figure.  
**Columbia (Loew's)** (1,583; 25-40).—'Stowaway' (20th) (2d run). Heading for nice \$5,000. Last week, 'One in Million' (20th) (2d run); built to ice \$5,200.  
**Earle (WB)** 2,424; 25-35-40-60-70-80.

## Going Places

By Gertrude Ager

Swarthout a la Strauss

The scene is Vienna and the title is 'Champagne Waltz' and the proceedings would like to be madcap and Glady's Swarthout wants terribly to help but after all she is an American prima donna and somehow by the time American prima donnas get recognized as such it's taken the buoyancy out of them.

The years of study and hard work yields them fame and personality of a grind, which some of them, like Miss Grace Moore, would seek to keep hidden under a mask of skittishness. Be grateful then that Miss Swarthout doesn't stoop to dissembling, or else doesn't know how. An American home girl she is, whatever the locale, and if American home girls are not particularly sparkling and light, they are at least serious and full of good intentions, which is a quality that is not so common anywhere even if Miss Swarthout did want to change her spots, what chance had she playing so many scenes with grandfather Fritz Lieber, who has a beautiful speaking voice and so lets each syllable come out clear and pear-shaped and slow. The way he takes his own good time would discipline any surging girlish spirit, let alone Miss Swarthout's, that hasn't too much self-confidence in the first place. It is an abundance of riches, indeed, that when an American prima donna has the starchy role in a story of gay Vienna, she at least inspires the costume designer with her plethora of personal chic. Miss Swarthout is so fond of fancy that Travis Banton, who in turn rewards her with a consistent bit of fancy. Whatever she wears in 'Champagne Waltz,' it's got daisies on it.

Daisies, chrysanthemums, marguerites, it doesn't matter—they all look like daisies anyway. In her hair, at her waist, on her shoulder; daisies and Glady's Swarthout, camellias and Camille. Mr. Banton has also adhered to a line—broad shoulders, slim waist, flared skirt. Miss Swarthout does better than right by it, submits also, and perhaps a bit too passively, to the precise ministrations of the make-up man. Hers is a face that might acquire more expression were the exact symmetry of it a little blurred.

Vivienne Osborne wraps up a phony vaude, very sexy, white flesh and black satin, and delivers her right on the dot.

Ine (Not Blues) Pianistes

The young ladies of the Music Hall finishing school may as well bury their intra-mural differences this week. It won't matter who gets the bigger hand, the Rockettes or the Ballet Corps; there's an invading team within the gates that positively gets the biggest.

Yet let the home-town young ladies take solace. It took 12 concert grand pianos—count 'em!—with 12 young women in pink and blue dresses playing Tchaikovsky on them, to dislodge the Rockettes and the Ballet Corps from their accustomed rating as the absolute apple of the audience's eye. No dance troupe that ever danced as one can be expected to weather 12 concert grand pianos with 12 young women in pink and blue dresses. Twelve white horses couldn't, 12 baby elephants couldn't.

It's tribute to their school spirit that the Rockettes come out brave in plaid bodices with jagged little black satin skirts and dance as if nothing extraordinary had preceded them; that the girls of the ballet corps, slithering hot in silver cloth, long circular-skirted sheaths shaded to mysterious blue at the hem carry on most persuasively on a round silver turn-table. By no slightest outward sign would anybody know that their proud headdresses are heavy, facing an audience that after years of fealty, falls for 12 lady piano players just because they're 12. Their concern with Olive Branso, the dancing midge—that's fair. At least she dances—but 12 lady piano players. Can any one of them do a ni?

Roity—'On the Avenue'

ity the poor upper classes, on the screen they never get a Always made out to be loathsome creatures, mean, cold and arrogant; always humorless bores inhabiting gaudy palaces with grand opera staircases for strutting up and down in fancy clothes; the women weeping in gargantuan bedchambers with satin-draped curtains and ressing tables, themselves flung face down on their flamboyant beds, burrowing their miserable, instastingly-coiffed heads into bunched little pillows—weeping because always their own chancier, catch up with them. Never a kind word of dialog for them to read; never a gracious gesture that comes out graciously; never any spontaneity to their fun; never any real satisfaction from their desperate forays, a search for the bluebird, into the pastimes of the masses; truly a hideous life the upper classes lead in pictures. Nor has their plight ever been more cruelly deserved than in 'On the Avenue,' the latest example of their class ways.

For instance, Madelei Carroll, 'society heiress,' gets Dick Powell in the end. Miss Carroll considers that a triumph, she is the judgment allotted society girls in pictures: 'Nor are society girls' even girls—they're group-up women who shrink in order to simulate young vitality, are only unpleasantly nettish when they try to be adorably illful, only frigid when they mean to be grand. They get their laughs out of annoying other people, such as lunch-waivers, who have to put up with them; they wear silver cloth bias-cut wedding dresses and transparent white chiffon peignoirs with white fox capes; they're mad about practical jokes. They're so beyond belief, in fact, that even Alice Faye is licked when she's supposed to burlesque them in a revue. All that conscientious Miss Faye can find with which to deal the lily is a long cigarette holder with a diamond snake wrapped around it, which makes Miss Faye so dejected she broods through the whole picture, unable to pull herself together only in time for a slumber on Park Avenue. The knowledge that her costume for the number—a tight little black satin skirt slit above her pretty knees, and fussy blouse—just suits her particular type, does a lot to console her.

# 'Great Guy,' Marcus Unit Okay \$13,000 in Omaha

Orpheum attracts bulk of theatre-goers' attention with one of its infrequent stage units, this one the A. B. Marcus girl show, 'La Vie Paree'; 'Great Guy' as screen fare does its share, though getting the small end of the billing.

Other houses continue the dual grind, with 'Holy Terror' first choice at the Omaha and 'Stolen Holiday' the main attraction at the Brandeis. Weather has slackened its telling sub-zero pace and grosses correspondingly better.

**Estimates for This Week**  
**Brandeis (Singer-RKO)** (1,250; 25-35-40).—'Stolen Holiday' (FN) and 'Devil's Playground' (Col). Better than average twin bill, \$4,500 not bad. Last week 'Plough and Stars' (RKO) and 'They Wanted to Marry' (RKO), dual, had March of Time thrown in. All told got healthy \$5,000.

**Omaha (Blank)** (2,100; 40).—'Holy Terror' (20th) and 'Charlie Chan at Opera' (20th), dual. Combo doing well, \$3,800. Last week 'Champagne Waltz' (Par) and 'Under Cover of Night' (MG), dual, got \$7,000, good.

**Orpheum (Blank)** (2,976; 35-55).—'Great Guy' (GN), first Grand Nat'l film to hit first-run in town; but gets slighted because of the A. B. Marcus unit, 'La Vie Paree,' on stage. Up in admission fees, brosis this one to \$13,000, okay. Last week 'Mind Your Own Business' (Par) and 'Sinner Take All' (MG), dual, got \$5,600, poor.

# Whiteman Plus 'Wings Soaring' To 18G in St. L.

St. Louis, Feb. 9. Fanchon & Marco's three deluxers again are headed for big dough currently, with Ambassador offering 'Wings of the Morning' and 'Whiteman' band and leading way with take of \$18,000. Loew's dual, 'You Live Only Once' and 'Rembrandt,' should get \$14,500.

Johnny Perkins, m.c.'ing at St. Louis is rapidly building house into money maker after it staggered along on border of wrong side of ledger.

**Estimates for This Week**  
**Ambassador (F&M)** (3,018; 25-40-55).—'Wings of the Morning' (20th) and 'Whiteman' band. Headed for sock \$18,000. Last week, 'Champagne Waltz' (Par) and 'Major Bowes' all-girl unit, got \$22,000 for best seat. F&M took house two years ago, Pic was the draw.

**Fox (F&M)** (5,038; 25-35-55).—'God's Country' (WB) and 'Sing Love Song' (WB). Set for \$14,500, fair. Last week, 'Lloyds' (20th) and 'Man of Affairs' (GB), finished with \$17,000, swell but under expectations.

**Loew's (New)** (1,162; 25-35-55).—'You Live Only Once' (UA) and 'Rembrandt' (UA). Too much competition from Whiteman at Ambassador for this dual to beat fair \$14,000. Last week, 'Man of People' (GB) and 'Dangerous Number' (MG), only \$9,500, poor.

**Missouri (F&M)** (3,114; 25-35-55).—'Woman Alone' (GB) and 'Holy Ter-

# Minne. Gets Hot in Sub-Zero Temp.; 'Holiday,' Unit 13G; 'Lloyds' 11G, Big

ror' (20th). Looks like \$11,500. Good. Last week, 'Winter' (RKO) and 'As You Like It' (20th). Constant plugging for 10 weeks, as 'Winter' was scheduled for Fox, then Ambassador and ended at Missouri, enabled house to count fine \$12,500.

**St. Louis (F&M)** (4,000; 25-40).—'College Holiday' (Par) (2d run) and stage show. Perkins growing into an attraction here and take should be \$9,000, good. Last week, 'Rainbow on the River' (RKO) and stage show, m.c'd by Perki, swell at \$9,200.

# MONT'L B.O.'S VERY SAD AS LENT FOLLOWS FLU

Montreal Feb. 9. Influenza last few weeks and Lent starting tomorrow (Wednesday) no help to grosses.

**Palace** (20th) 'Thin Man' will be stand-out currently, beating vaudeville combo at Loew's.

**Estimates for This Week**  
**His Majesty's (CT)** (1,600; 50).—'Wings of Morni' (20th-Brit) (2d wk.). Will do fair at \$4,000, after good \$5,000 first week.

**Palace (CT)** (2,700; 50).—'Thin Man' (MG). Stars will push this to \$10,000, good. Last week, 'Champagne Waltz' (Par) and 'Strain' (Par) from Shoulder' (Par), \$7,000, under expectations.

**Capitol (CT)** (2,700; 50).—'God's Country' (WB) and 'Mind Own Business' (WB). May gross fair \$6,500. Last week, 'Smash Girls' (U) and 'Flying Hostess' (U), good at \$7,500.

**Loew's (M. T. Co.)** (3,200; 60).—'One Way Passage' (WB) and 'Once a Doctor's' (WB) and stage show. Last week, 'Smash Girls' (U) and 'Let's Make Millions' (Par) and vaude, not so good at \$7,000.

**Princess (CT)** (2,300; 50).—'Winter' (RKO) and 'Rainbow on the River' (RKO). Doing well at \$6,000. Last week, 'Beloved Enemy' (UA) and 'Can This Be Dixie' (20th), \$6,000.

**Cinema de Paris (France-Film)** (600; 50).—'L'Appel du Silence'. Figured to gross \$2,500, very good, after drop to \$1,400 on third week of 'Club des Femmes'.

**St. Brice (France-Film)** (2,300; 34).—'Mr. Slow' and 'Les Gaites de Palace'. Estimated \$5,000, very good. Last week 'Toi, C'est Moi' and 'Notre Dame d'Amour', \$4,500, okay.

# K. C.'s Duals Under Fire; 'Sec' Hot With \$13,500

Kansas City, Feb. 9. Double-feature pro and con again getting attention, with both newspapers in town featuring the con.

**Blair's** dual, topped by 'More Than a Secretary' getting top coin this week. 'Lloyds' second week at Uptown turning in fine money.

**Estimates for This Week**  
**Mainstreet (RKO)** (3,200; 25-40).—'God's Country' (WB). Getting splash, \$6,000, fair. Last week, 'Champagne Waltz' (Par) and 'Holy Ter-

its continued sub-zero weather, business has been showing some recuperative powers, particularly at the Minnesota and Orpheum, where stronger attractions are the tonic. 'Lloyds of London' is the Minnesota magnet, while 'Spices of 1937,' the first stage show to hit the town in several months, excepting stock burlesque, seems to be putting 'per' into the Orpheum box-office.

'Three Smart Girls' holds on tenaciously at the World, a sixth profitable week being in prospect. The feature policy at the State and Aster still are pretty much ignored by localities.

**Estimates for This Week**  
**Alvin (Steffes)** (1,600; 55-83-110).—'Romeo and Juliet' (MG). Finished two-day roadshow engagement to better box-office results than originally expected, pulling in \$5,500 in seven days.

**Aster (Publix-Singer)** (900; 15-25).—'Hideaway Girl' (Par), first run, and 'Rose Bowl' (Par) (2d run), split, and 'Norris' (MG), first run, and 'Gypsy Crossing' (U), first-run dual last three days of week. Point toward pretty good \$1,000. Last week, same pic, \$1,100, okay.

**Century (Publix-Singer)** (1,600; 25-35-40).—'Doctor's Diary' (Par). Light \$3,000 indicated. Last week, 'Secretary' (Col), \$3,200, cor.

**Lyrie (Publix-Singer)** (1,300; 20-25).—'Love on Run' (MG) and 'Theodore' (Col) (2d run), split. Looks like good \$2,800. Last week, 'Born to Dance' (MG) (2d run), \$2,500, good.

**Minnesota (Publix-Singer)** (1,400; 25-35-55).—'Lloyds' (20th). Highest praise from critics and customers and good feature policy at the State and \$11,000. Last week, 'Champagne Waltz' (Par), \$6,000, bad.

**Orpheum (Publix-Singer)** (2,800; 35-40-55).—'Stolen Holiday' (FN) and 'Spices of 1937' on stage. First stage show to hit town in several months and bringing in some shekels. Heading for big \$13,000. Last week, 'Allah' (UA), \$7,700, fair.

**State (Publix-Singer)** (2,300; 25-35-40).—'Smash Girls' (U) (FN) and 'Can This Be Dixie' (20th), dual. Fair \$3,000 in prospect. Last week, 'Sing Me a Love Song' (FN) and 'Mad Hatter' (MG), \$3,500, best yet for color here, but under \$3,800. Last week, 'Theodora' (Col), \$4,000, big.

**World (Steffes)** (350; 25-35-40-55).—'Smart Girls' (U) (6th week). A smash box-office hit. Should reach good \$2,800. Last week, \$3,200, big.

# Lincoln Cool to Irish Pix, 'Enemy,' \$2,500, Only Fair

Lincoln, Feb. 9. Return of vaude at Orpheum after house did miserably when it was out week or so about the best news on theatre row.

Both 'Beloved Enemy' and 'One in Million' are doing only slightly better average.

**Estimates for This Week**  
**Liberty (LTC)** (1,200; 10-15).—'Ghost Town Gold' (Rep) plus 'Last Outlaw' (LTC), split with 'Secret Valley' (20th) plus 'Show Them No Mercy' (20th). Looks good for \$1,070. Last week 'Trail Dust' (Par) plus 'Road Gang' (WB), split with 'Bulldog Drummond' (2d) and 'Dark Hour' (Ches), okay at \$900.

**Lincoln (LTC)** (1,600; 10-20-25).—'Beloved Enemy' (UA). Irish pics haven't been much here so far, but Oberon is worth fair play from the college kids. Mixed get \$2,500. Last week 'Girl from Paris' (RKO), which was sold as comedy and without the mention of Lily Pons, caught fine \$2,800.

**rphum (LTC)** (1,350; 10-15-20-25).—'Larceny' (LTC) and 'Rep' and vaude. Unit is 'Winter Garden Follies'. Last half of the week is 'Rembrandt' (UA) plus 'Couldn't Have Happened' (Inv). Layout worth \$2,200, fine. Last week, 'Winter' (RKO) teamed with 'Happy-Gal-Lucky' (Rep) for full week was slow at \$1,400.

**Stuart (LTC)** 10-25-40).—'One in Million' (U). Lot of talk about the pic, but reception fair only fair. Will do around \$3,400, little above average. Last week, 'Thin Man' (MG), went at gallop all the way and got \$4,700, best take in three months.

**Varsity (Westland)** (1,100; 10-25-35).—'Theodora' (Col). Print brought back to take up slack and because it went so strong on previous two-week stand. \$2,500, fair. Last week, 'Gay in Sight' (LTC), \$2,500, fair. Last week, 'Man of Affairs' (GB), did fair \$1,000.

# Cmcy Theatres Reopen After 11-Day Holiday, but Nabes Doing Best Biz

Town men, idly after major flood disaster: seven-day emergency holiday was Thursday (4), when restoration of electric power and water service permitted general biz revival.

First day was in nature of a warlike, and yet, with activity allowed only from 10 a. m. to 3 p. m. and theatres permitted to run two hours longer. Full-time operations were resumed Friday (5), of which lighting in heart of city was spotty, encouraging natives to stick near home and patronize neighborhood houses, which have been doing better than normal since crisis hit.

Patronage at the first-run houses Saturday (6) was light in the afternoon, heavy at night. Near-average marks were reached Sunday (7) for main stem, and loss was felt, from customers on Kentucky side of the river, where street car and bus service is still crippled.

Shuffling of pic bookings will obtain for a fortnight, but of which regular schedules will be renewed. Returns currently are regarded as substantial by exhibs, in face of conditions. For reopening, most houses opened up with what they left off when high water struck.

**Estimates for This Week**  
**Albee (RKO)** (3,300; 35-42).—'Beloved Enemy' (UA), first half, with 'Champagne Waltz' (Par) opening Monday (7), for seven-day run. Last week, on combination, \$11,000, all right.

**Capitol (RKO)** (2,000; 35-42).—'Camille' (MG) (2d run). Good at \$5,000.

**Family (RKO)** (1,000; 15-25).—'Cover Chinatown' (Ind) and 'House of Secrets' (Ind), split. Excellent \$2,700.

**Grand (RKO)** (1,200; 40).—'One in Million' (20th) (3d run). Great \$4,000. Will hold over.

**Kelth's (Libson)** (1,500; 40).—'Great Guy' (GN), two days, 'Sing Me a Love Song' (WB), five days. All right \$5,000.

**Lyrie (RKO)** (1,400; 35-42).—'Plainsman' (Par) (2d run). Bi at \$6,500.

**Fate (RKO)** (2,600; 35-42).—'God's Country' (WB), six days, and 'Lloyds' (20th), starting week's run Wednesday (10). For seven days of combination, \$2,000, big.

**Shubert (RKO)** (2,200; 40-60).—'Under Cover of Night' (MG) and 'Mitchell and Durand's' 'Greenwich Village Scandals' unit. Okay \$12,000.

# WHERE IS BRITISH PIC BIZ HEADING? ANALYSIS SHOWS MANY PROBLEMS

**Why 'The City' Has Cut Down on Financing—Over-Inflation and Its Results—Quota Difficulties, as Opposed to Out-Americanizing U. S. Product on Spending, Talent, Etc.**

By Joshua Lowe

London, Jan. 31.

In the topsy-turvy world of British motion pictures, a situation has emerged which reveals clearly how near the brink of complete bankruptcy the industry is. Not only is the entire machine running virtually at a loss, but the burning question of the moment in every section of the trade is—exactly where are the British pictures coming from to comply with the quota?

No money and no pictures is how the situation squares up, and just now a vicious circle has been established in which the producers are chasing their own tails in vain hopes of getting some place.

The 'City' has frozen stiff; not a penny is obtainable for pictures, either by credits or public flotations. Evidence of the nervousness of investors is readily forthcoming from recent events in the money market.

An early index of the changed public attitude towards motion picture financing occurred late last fall, when John Maxwell's \$15,000,000 flotation for Associated British Properties stock—the underwriters' hands with a margin reported to be 80%—did not bid for. Subsequent smaller issue of Kinemas, Ltd., fell even flatter, while recently an issue by Black's Theatres, Ltd., received so little attention that letters of application were returned to the senders and the flotation called off. Sidney Bernstein, contemplating an issue at this time for his solid concern, Barakel Theatres, has sensed the position and withdrawn his proposed offer.

The Stock Exchange also reflects the tendency, with Associated British \$5 stock currently around \$4.37½ (in spite of a 12½% dividend) and Gaumont-British \$2.50 ordinaries slumping at this writing to \$1.93.

But that's not all. Financial groups heavily embroiled in production commitments are wielding the big stick, demanding a layoff of further expenditures until earnings materialize in respect of completed pictures. Such an ultimatum, 'City' reports indicate, has been presented to Alexander Korda by the Prudential Assurance Co., with the result that, after 'T. Claudius' is washed up, London Films will go slow on future productions until the pictures Korda has already made are released and the current and impending releases begin to yield a goodly return.

## SALARY CUTS

How seriously the financiers regard continued flow of unproductive capital into studios is further indicated in yet another repercussion directly affecting Korda, whereby the 'City' has suggested a general reduction in salaries at Denham. It has been put forward that the scale should admit no cut on salaries up to \$25, a 5% reduction on wages of \$25-\$50, and 10% on all over that weekly figure.

Gaumont-British situation admits no doubts. Isidore Ostrer's statement on his return from the U. S. laid down as an axiom that production activities will be reduced to a minimum, if not undergoing a complete temporary collapse. A modified policy on these lines was actually put into operation before Christmas, when it was learned the Shepherd's Bush studios would henceforth not have more than two production units in work at any time.

Twickenham Films, comparatively insignificant from the international viewpoint, but a major source of British quota product, nevertheless, is out of the business, and nothing in the offing indicates it will stage a comeback.

British & Dominions, a former source of regular product for the home market, has a loss of over \$500,000 on its last year, is virtually out as a production unit on the admission of Charles M. Woolf, and there is no activity at the lavish Pinewood studios, in which it has a 50% interest, to offer hope.

Basil Dean's Associated Talking Pictures at Ealing has likewise been badly bitten and will make no more pictures apart from occasional

## 'City' Clamps Down

London, Jan. 24.

The City gave another setback to the motion picture industry last week when an issue was made of \$500,000 in 5% first mortgage debenture stock, and \$665,000 in preference stock of Black's Associated Theatres, Ltd., controlling a small circuit in the sticks.

Response was so poor from the public that all subscriptions made were returned and the issue abandoned.

domestic releases starring George Formby. A. T. P. has lost its big standby—Gracie Fields—its 20th Century-Fox America.

It can be taken as a not very drastic statement that, practically without exception, none of the British producers made money during the past year. Ask John Maxwell, even, if his production activities of late have yielded him a direct profit. Meet Max Schach around, and it will be found he is more active in denying rumors that Capitol is on shifting sand than in concentrating on the lavish program he originally announced. In passing, Schach will not be found at Denham these days, in spite of an alleged \$1,750,000, three years' studio rental deal with Korda, nor at Pinewood, where he has affiliations; instead, current pictures are shooting at Sound City and Welwyn, where production costs are patently more modest.

## Quota Worry

The troubles of British producers are one thing—but the question that affects every section of the industry is just where are the British pictures to be found to comply with the quota? As the law stands at present, every distributor must acquire and every theatre play 20% British footage annually. As that percentage is based on aggregate footage, British and foreign, the onus on exhibitor and distributor alike is to acquire British films actually equivalent to 25% of the foreign product they handle. In short, each American company operating here must find the equivalent of one British picture for every four it releases from its American program.

If every such distributor here were to make only four pictures in the U.K. annually, irrespective of quality—or lack of it—there would be nothing like sufficient footage to comply with the quota demands. Yet that appears to be the limit that could reasonably be demanded from any of the companies concerned.

Uninitiated would, therefore, be vaguely suggesting using the pictures made by the native producers. Analysis already given, however, emphasizes the fallacy of any such argument, while the collapse of Twickenham has made it most difficult—if not altogether impossible—for the makers of quickies to secure capital with which to continue.

But even with the American distributor concerns at present—deavoring honestly to cope with the situation, the cry here, as expressed through the proposed new quota enactment, is for penalizing them still further. To gauge the existing situation—irrespective of a possible further extension—VARIETY queried the executives of some of the important American distributing firms, asking: 'How much did you lose last year on quota productions?'

Replies varied from, 'We broke even', to, 'Over \$500,000.' VARIETY knows the spokesman for the 'we broke even' concern was not exactly speaking from the books, which showed an entry in the red of not less than \$50,000. Another spokesman's answer was, 'Oh, we didn't do so badly; we only lost about \$200,000, because we didn't try to make anything but junk.'

## Can't Ship Stars

Next alternative to relying on native producers is for the American concern to import stars over the quota and directors to produce here. This is very pretty in theory, but put it

under the microscope what does the dissection show?

Stars, limited in number as they are, are hoarded from their Hollywood scheduled productions, and there are not enough good directors for the West Coast activities themselves, much less enough to spare so that the tried and true ones can be sent over here. Same applies to technical staffs.

As a hypothetical case, a Hollywood star to England for a picture. A definite date would have to be set for her, fit in with the British studio's schedule, and no sooner would that be arranged than it would be found, for countless reasons, that she could not leave the Coast on time, due to a Hollywood picture not being complete. Eventually she would be shipped to New York enroute for London, only to be ordered back to Hollywood by wire for a few necessary retakes. Even assuming the star got away, everything being completed in Hollywood to make her departure of as little inconvenience as possible, and the picture was started here—the same situation would possibly arise on this side and considerable delay would be caused before getting her back.

Again, to take a technical staff away from Hollywood would entirely disorganize any studio. In addition, directors and technical staff, not to mention the retinue of minor working people who would have to accompany a location assignment, and everybody connected with it, with the possible exception of the star (who might, or might not, be paid per picture) would be drawing salary and living expenses for the entire journey of 7,000 miles. And so on, far, far into the night.

Aside from these aspects of such a plan, the majority of the Hollywood studios find they have plenty on their hands in endeavoring to maintain a standard of production commensurate with modern demands. Weakening of the resources on the Coast for the sake of bolstering the British end would most certainly tend to increase the possibility of producing occasional boners. But, whereas in the States inferior pictures are put out to earn what they can and minimize the loss, product of the same rating would here have to run the gamut of a proposed 'quality clause', which, if the picture was rejected, would entail a complete writing-off of the entire production stake. No established producer deliberately makes poor pictures, but when one comes along in the inevitable course he makes the best of it.

Not only does it appear impracticable but it is flatly impossible for major concerns to split their production between Hollywood and Great Britain. An answer may seem to emerge in the fact that Warners and to a lesser extent, Fox operate set-ups here for the provision of domestic pictures, but it needs little acumen to see these as a liability on the parent company just as the acquisition of independent quota supplies by other distributors has been shown to be a heavy expense to pull out of their rental earnings.

But a system which would penalize the American distributor simply because he has the best goods for sale is indefensible, and was justly stigmatized by prominent American visitors here as 'English.' From him VARIETY takes an analogy between the motion picture situation and the liquor business as it operates in the States today.

American rye and bourbon is still the idyllic (he id) are putting up a tremendous battle against imported Scotch whisky, which nevertheless is winning all along the line—because it is a better product. Secret is in the water used in the distilling, which is unobtainable in U. S., but nobody would dream of suggesting a law which would compel importers of Scotch to ship tanks of this special water to save the American industry from extinction.

Yet the proposals under the motion picture quota recommendations are precisely similar in scope and intent.

Turning to the third possible deciding factor, the Ostrer-Fox-Maxwell-Basil negotiations might be expected to stabilize the situation, though, at this writing, they are enjoying an impasse, apparently as

## High Finance in Britain

London, Jan.

New evidence of haphazard methods used in British film production was revealed when Joe Rock, Ltd., producer, was sued by Leslie Fuller, comedy star of domestic pictures, for \$10,250, Rock, Ltd., counter-claimed that Fuller made fraudulent statements to induce them to engage him.

Attorney for Rock says the company had made three films starring Fuller, 'Strictly Illegal,' 'The Stoker' and 'Captain Bill.' It was claimed that 'Strictly Illegal' grossed approximately \$80,000 and lost almost \$30,000; 'The Stoker' cost \$105,000 to produce and grossed only \$60,000; 'Captain Bill' cost \$90,000 and it is estimated that its loss will be \$50,000.

Fuller was formerly under contract to British International. Rock's attorney told the court Fuller had stated to Rock the pictures in which he starred for B. I. P. were grossing from \$200,000 to \$300,000 on a production budget of between \$75,000 and \$100,000. When Rock's company inquired into the actual B. I. P. takings for these films (after making three films) it discovered they were only \$100,000.

British International revealed subsequently that all pictures made by Fuller for it cost a total of \$790,000, and produced an aggregate gross of \$1,260,000.

Fuller was given

thick as when Sidney Kent and Joe Schenck sailed away from these shores several months ago. An unbiased, dispassionate summary of the entire situation would seem to indicate that the only solution, if indeed it is a solution, would be the originally proposed international alliance, in which event exchanges of personnel might be worked out on a less hit and miss basis.

## Metro's Invasion

Meanwhile, Metro's impending invasion here of the matter of pictures is being watched with keen interest. It is understood Metro will be more thoroughly equipped for such an experiment than anything yet attempted. Certainly it is going slow and cautiously, building the nucleus of an organization from the best available production personalities here and testing each possibility before taking a forward step. Rumor mongers, linking the project to Isidore Ostrer's slow-down statement, see the probability of a Metro production unit working at the Shepherd's Bush studios, which, as its output shows, is at least technically equipped for making top-grade pictures. Such a step might emerge as the next best thing to the international already discussed. On seeking verification, VARIETY was informed the subject had never been discussed.

London and whether British and American production can draw together for their mutual advantage is, nevertheless, dependent on the outcome of the quota probe, on which all sections of the industry are at this time sitting in judgment. Exhibitors, concerned purely with the theatre problem—a guaranteed supply of revenue-producing British pictures—have already made their representations to the Government department, urging more especially a trade arbitration panel responsible to the Board of Trade, which would be empowered to withdraw trading licenses from distributors as a means of enforcing decisions.

If the Exhibitors Association draft had not so nearly coincided with the quota and the 'City' tension that followed, its findings on the question of finance might have seemed prophetic. Association's primary concern, its reply states, is the immediate possibility of diminished production if there is any withdrawal of financial support.

Producers, for their part, are more closely interested (as discussed from discussions at the Film Group of the Federation of British Industries) in encouraging reciprocity and urging quota concessions for American concerns which 'acquire British films for the U. S. market. This appears a less fantastic application of the principle urged by Isidore Ostrer, who visualizes legislation compelling U. S. release of British production. In both cases it is argued that British pictures cannot be made up to American standard without American bookings.

Further important—and vital—angle of the producers' case is that they cannot accept the principle of a quality clause, declaring no body of justices capable of passing on the entertainment rating of pictures; they would be afraid to stipulate entertainment in face of such a stipulation. Their alternative would be a minimum cost, claiming American companies, if compelled to spend, say \$100,000 per picture, would automatically labor to produce saleable material.

## The Distributors

Distributors, in the meantime, the section most likely to be affected under any new enactments, have little opportunity to make any appeal on their own behalf, but find

every other section striving to force the ultimate responsibility on them. It is no secret that certain of the American concerns have been misled with the manner of presentation of their case when the Government Committee was hearing evidence before drafting its recommendations, seeing the method as a tendency to apologize for trading in the U. K.—even though they have the best goods in the world to sell. What would satisfy these companies would be a set-up similar in scope to the Hays Office, whereby the industry could be self-governed. But in this they are in a bad minority compared with the phalanxes who are almost cheerfully prepared to accept Government control.

But while the new quota plan has further complicated the present financial imbroglio—attributable in part to the failure of the existing quota machinery—many exhibitors are forced to drastic measures in the hope of securing their position, with plans for proving own quota product.

## 4,685 Theatres in U. K.

Latest figures compiled by Cinematograph Exhibitors Association show 4,685 theatres in the U. K. As near as statistics can gauge in a fluctuating field, 2,500 of these are directly under control of the major minor circuits, leaving a margin of just above 2,000 houses, a majority of them dumps and, for the negligible on capacity value, for the independents.

So long as producers continue to ride the hobby horse of capturing the foreign market, so long will they remain in the red—if they don't sink first. At present they have not even captured the domestic market, with audiences definitely hostile to British films in parts of the country. (One exhibitor recently stated evidence when prosecuted for quota default that he was obliged to bring police into his theatre to prevent trouble when he put a British film on the screen.)

If, instead of attempting to compete at first go with an established Hollywood industry, British producers had first concentrated on making good average economic pictures for the home market, the outcome would conceivably have been different. To establish the industry on a solid basis and produce dividends, all they needed was to turn out bookable second features, which would have satisfied the theatre men and earned their cost and more for the studios.

Instead, by a process of putting the cart before the horse, they have arrived, with few exceptions, where we force our way into the world market, we can afford to make good pictures. What they should have aimed at first was making good pictures—then better ones—and so developing logically until the world market could not afford to ignore them.

But over a period of years—ever since 'Henry the Eighth' gave the entire industry here a swollen head—they have kidded themselves that they were beating Hollywood at its own game, when all they actually succeeded at was topping Hollywood spending. Now, all appearances, it has come to a case of Hollywood pulling the British industry out of the mire, and it sinks. That Hollywood is prepared to do—unless a Government side-step sends it tumbling in as well.

A final opinion on the shifting situation sees the industries of the countries as complementary to each other, in the U. K. market in particular. It seems the intention of the Government, badgered by sectional interests in the British trade, to penalize the American companies and put them under shackles.

## Flag-Waving Over in Australia; Pix Must Be Good Now, or Else

Sydney, Jan. 19.  
Majority of the big city exhibitors are convinced that waving days of local pix are over. Feeling is that locally-made films in the future will have to win out solely on merit and in competition with product from overseas. Exhibitors state that the public is through buying entertainment for purely patriotic reasons.

Two recent locals, 'Orphan of the Wilderness' (Cinesound) and 'Rangle River' (Col-National), although in their fourth weeks here, have only rossed average trade, while the former in Brisbane barely made out on a week. Earlier locals id very

Following his return from abroad, Stuart F. Doyle realized that the New South Wales quota didn't mean a thing insofar as local production was concerned and at once set about to completely reorganize his Cinesound production unit. He cut overhead way down to allow pix to be made at a reasonable cost in the home market.

So far, not one Australian pie has roken into the American field, but a little ground has been made in England, principally because of the quota operating there. Doyle pointed out that the gross expected from locals could not, in his opinion, go above \$50,000. Therefore, producers running high overheads could not possibly expect to make a profit on production in the home market.

## PIC TITLE REGISTRY STARTS IN ENGLAND

With British producers living some support to the Federation of ritish Industries Film Group's plan for a register of titles, over 60 names having been registered by half a dozen concerns in less than a month since its inception, American companies operating here are at the moment laying off, seeing difficulties in the way of cooperation until an understanding has been arrived at between the F. B. I. and the M. P. D. A. (Hays office).

Complete workability of the scheme is dependent on an understanding on both sides of the Atlantic, but the Hays register, in operation since around 1925, swamps the new British effort with a total approaching 10,000 titles.

Domestically, the F. B. I. register has already proved of some value, with title clashes neatly side-stepped in at least two instances. But as regards its broader application, discussions are proceeding with the Hays office, through F. W. Allport of that organization, in an effort to reach a basis of mutual agreement.

## U. S. Indies Try to Stymie Hagen's Product Deal

London, Feb. 2.  
rising from the collapse of Julius Hagen's Twickenham group, Invincible and Chesterfield have made applications in the High Court for injunctions restrain Twickenham from handing over product of those two companies to Pathe and restrain the latter concern from releasing them.

Complainants declare they issued licenses to Twickenham to distribute their product in the U.K., and that following appointment of a receiver Twickenham, instead of returning the product, handed it to Pathe, which was entering into distributing contracts of which they (the American cos.) might not approve. Motions were adjourned a week.

## Hagen Starts Again

London.  
Julius Hagen has formed a private company which has taken over the Twickenham Studio from the receiver on a long-term basis. He is recruiting all former members of his production personnel, and will start with a program of 12 pictures.

## He Meant 'No'

London, Jan. 31.  
Question was duly asked in the House of Commons whether the Chancellor of the Exchequer would consider mitting entertainments tax all flesh shows during Coronation Week, to stimulate the business.

Neville Chamberlain answered: 'I am afraid I cannot see my way to adopt my honourable friend's suggestion.'

## IMPERIAL QUOTA SEEN SURE IN SYDNEY

Sydney, Jan. 19.  
Every the belief grows stronger here that an Imperial Quota will be introduced before very long.

Leading picture express the opinion that such a quota is a certainty, and that representation will be made by the English government to the Federal authorities here for its introduction.

Execs base their opinion on what has already transpired in reat Britain on quota legislation, together with the fact that the English producers themselves are most anxious to secure a bigger grip of the Australian entertainment field than hitherto.

Just now, local quotas are proving more than a headache to the governments of N. S. Wales and Victoria. At the present time nobody knows what the two governments plan doing to straighten out the muddle. Nevertheless, the belief that the English government will ask the Federal government to back an Imperial Quota for the protection of British producers is very strong.

Prime Minister Lyons and several of his ministers will be leaving shortly to attend the Coronation. Whether the matter will come up during their visit is problematical.

## KORDA'S 'I, CLAUDIUS' STARTED AT DENHAM

London, Jan. 31.  
Alexander Korda puts 'I, Claudius' in production at Denham this week, with Charles Laughton as the Roman emperor, supported by Merle Oberon, Flora Robson and Raymond Massey, Josef von Sternberg directs.

Picture is expected to be Denham's temporary swansong, with production then taking a nosedive until grosses materialize on previous subjects.

Only other unit in action at Denham is Robert Kane's New World, completing 'Under the Red Robe' and going into action with 'Four Dark Hours', directed by William Cameron Menzies.

## Eckman's Par Plaque

London, Jan. 31.  
Sam Eckman, head of Metro's British activities, is to receive one of the commemorative plaques awarded by Paramount to exhibitors who showed 'Queen Elizabeth' 1910. Eckman at that time was running the Bronx Centre Theatre with his father and, at the Zukor illee luncheon in London, how they played the film, extended run two days—at a top of 10c.

Eckman ill have the distinction of being the only recipient in the U. K.

## TAMED RANGER

Berlin, Jan. 31.  
Paramount trade-showed 'Texas Ranger' at the Marmorhaus Kurfuersendamm. Pic was recently mixed and released after merciless slashing. Will go over here i ite of that, however

## Lord Moyne to Attend British Exhibitors Fete

London, Feb. 2.  
Lord Moyne, chairman of the Government's Quota Committee, will be chief guest at annual banquet of Cinematograph Exhibitors Assn. at Grosvenor house, March 9, recognized as the major trade function of the year.

With him will also be r. Leslie Burgi M. P., Parliamentary Secretary to the Board of Trade, at present the industry's main Government contact.

## FRANCE, ITALY IN FILM PACT

France and Italy have signed an agreement for an exchange of films between the two countries.

To become effective at a near future date, agreement gives France the right to export 12 films into Italy in exchange of receiving eight Italian films to be distributed in this country.

Agreement, it is learned, was signed in Rome on Jan. 30, between French Charge d'Affaires Blondel and Minister of Foreign Affairs Count Ciano.

Details, such as the exact length of the agreement, monetary stipulations, etc., were not made liable here. It is presumed, however, because of the stringent conditions under which the film industry is regulated in Italy, that money derived from the exploitation of films will be regulated in such a way that proceeds of the French film leaving Italy will not exceed the proceeds of the Italian films leaving France.

## HARRY HUNTER GIVEN PAR ANTIPODES POST

Harry Hunter, branch exchange manager for Paramount in Washington, D. C., has been promoted to the general directorship of Par interests in Australia, where he will be in charge of Par product and houses in the Antipodes.

Unusual for foreign offices to give an important spot like that to men out of the U. S. sales department (Sydney and London are considered the two ace spots in foreign service) but Hunter has long been under the eyes of the Par execs because of good work in the capital. Will spend a couple of weeks in New York and then leave for the Coast, where he will visit the studios for a week or two before sailing. He succeeds the late John E. Kennebeck.

## British Techs Squawk On Korda's Wage Cuts

London, Feb. 2.  
Deputation from Association of Cine Technicians, studio workers' labor union, saw Alexander Korda to protest against salary cuts under a new economy drive, representing that reductions on salaries under \$37 was an injustice and could not be termed an economy measure.

Korda, hands tied by his financial backers, declared the cuts were necessary on the principle that all grades should share the economy effort, which he regards purely as a temporary measure.

A.C.T. had to be satisfied with an assurance that Korda would treat with it on any individual salary or other labor problem.

## Crown to Handle GN Distribution in S. A.

rand National is laying plans for distributi Central and South America.

Alfred Crown, formerly in that territory for Metro and Columbia, has been commissioned to look the situation over with respect to setting up distribution agencies.

## Terra Spreads Out

Berlin, Jan. 31.  
Under name of Cinex Film-vertrieb, a new distributing firm has been started for the special purpose of placing Terra pi ign countries.

Also lms made by other company may be distributed through this firm.

## Mysterious Soar of Kuchenmeister Stock Puzzles Hague, While Tobis Lags; Viennese Tobis Reorg. Starts

### The Other Twist

London, Feb. 2.  
Warners has issued a writ for libel against the Women's Guild of Empire and claiming damages, as an outcome of a letter from the Guild to the British Board of Film Censors regarding 'The Charge of the Light Brigade.'

Letter charged that the production involved cruelty to horses.

## GREATER UNION REFINANCING ALMOST SET

New re-finance scheme covering Greater Union Theatres will be completed by next month and released early in March. Stuart F. Doyle and Norman Rydge have been working on the scheme ever since the former's return from abroad some months ago.

Learned that the new arrangements will cover the grouping of the various holdings in Greater Union into one complete unit. This was the proposition put up to Doyle when he visited England in search of additional capital by the financial interests he dealt with.

In this direction many obstacles had to be overcome, but matters are progressing smoothly now and no opposition is expected from any of the share-holding groups. There is also the possibility that some capital will be gotten locally, as well as from England. This point, has not been ironed out yet, but on good authority it is learned that Doyle and Rydge will have no difficulty in securing the amount required.

Certain negotiations are proceeding between Greater Union and Hoyts on the question of a further merger of General Theatres, but nothing definite has cropped up and the whole matter is still up in the air. Actual contract does not expire till the end of this year, and only informal chatter sessions are being held now. In the meantime, both circuits are going ahead to make their separate holdings strong, knowing that there is every possibility that a further deal will not come about.

## JACK BUCHANAN'S NEW INDIE FILM PROD. CO.

London, Feb. 9.  
Jack Buchanan has formed a new film company here on his own with a nominal capital of \$500,000 but extensive backing far above the registered capital. Lord Portal is on the directorate of the new concern and Rene Clair has been signatored to direct two films.

ictures will be made at the Pine-wood Studios, where Buchanan has some money invested.

Rene Clair has two pictures to make for Alexander Korda under an old contract. Whether these have been dropped or will be made after, or before the Buchanan films, is not clear.

## Lond. Pavilion Net Up

London, Feb. 2.  
London Pavilion, operated since rebuilding as the central pre-release spot for United Artists output, shows a profit of \$80,325 on the last working year, comparing with \$76,915 for the previous period. Inal ordinary dividend of 3 1/2% is recommended, making 6% on the full year, plus a 1% bonus on surplus on sale of investments.

Company will place \$10,000 to reserve and carry \$29,135 to the next account; 6% was the payment on ordinarys last year.

### The Hague, Jan. 29.

Recent, unexplainable rise in Kuchenmeister and International Tobis shares on the stock exchange at Amsterdam puzzling veteran stock traders. Because Kuchenmeister stock has gone up so rapidly, while Tobis shares have lagged in comparison, a most apparent disparity exists between the two issues on the basis of the current 5-to-1 exchange for the two stocks.

Nobody here seems to know what is behind this unusual advance in the two issues because little tangible news is out, which might justify, on the surface at least, this sustained bull move.

Explanation in some financial circles is that the cheap price for which Kuchenmeister shares could be bought even last week has probably encouraged heavy buying in this issue once the future growth of Tobis International was indicated.

Kuchenmeister stock dipped down to a level where it was difficult to obtain even a sale quotation after the 1929 boom. However, the high price it brought in those peak days plainly indicated to stock traders that it was a highly volatile issue and one which could easily be moved once the future of interlocking interests was assured. Only thing that has perplexed some is the great disparity i quoted prices for this issue, as compared with Tobis International, especially when it is realized that it only requires five shares of Kuchenmeister to obtain one of Tobis.

In more conservative circles the most logical explanation is simply that the K stock has greater leverage and is more readily moved than Tobis shares. This has been true of other stocks where an exchange basis always prevailed.

Vienna, 30.  
One-third Tobis-Sacha stock-holdings were taken over by the Austrian Creditanstalt-Wiener Bankverein at the general meeting of stockholders, with numerous present officials of the corporation tendering their resignations.

Dr. Wilhelm Gruen, Marcel Friedman, Oscar Pilzer and Viktor Pilzer were the executives to quit, while Van Toenhoven, of Amsterdam, and Dr. Walter Loebel also resigned from active participation in Tobis-Sacha affairs. Some of those leaving, however, plan to continue active in Austrian film production.

Albert Goering, brother of the German Premier, was named fiduciary of the Creditanstalt-Wiener Bankverein group.

'In New York film circles, both moves mentioned above are figured to be moves towards splitting-up of Tobis International, whereby it is hoped eventually to cut German and Austrian Tobis off into a separate unit distinct and free of the home (Dutch) concern. In this respect, agreement has been reached between the brother of Tobis-Sacha, hitherto dependent of Germany except in so far as both companies stemmed from the Dutch holding corp, is signi cant.

## MIGGINS IN PARIS AFTER NEAR EAST TOUR

Paris, Feb. 3.  
Ben Miggins, 20th-Fox European manager, has just returned from an extensive tour of the Near East, where he made a study of film conditions.

Going through Turkey, Egypt, Palestine, Syria and Greece, Miggins said he found a marked movement in favor of American and British films. In Alexandri, Cairo, Tel-Aviv and other cities visited; he stated he found modern cinema houses which reported business on the upgrade.

He is soon going to Oslo to attend and supervise the European premiere of 'Girl in a Million.'

## Legion Cross to Campbell

Paris, Feb. 9.  
Charles Campbell has been made a Knight of the Legion of Honor. He is the local attorney for Paramount.

Gob of the footage about midway is hung on a fight between Corrigan and Frank Hagney in a saloon prize ring. Lots of hammering, but the scrap goes about a round too long and gets somewhat tiring. Outside the featured trio, Kay Hughes and LeRoy Mason draw the most attention. Hughes girl is a pitty-pat ingenue and only fair. Mason, the village vice man, glowers his part well. Kids will like and the trio shows promise of building into a good thing as this bronc biz goes. **Barn.**

Several months ago Republic made a picture called 'Sittin' on the Moon' and evidently killed the tune in it by the same name. After using it for extensive play in that first print, it's now sandwiched in for a specialty 'Larceny,' not a very good idea making an audience is apt to have a headache. Also, that fadeout bit at the end that purports to be a good thing is bad. Had it lifted the picture's bad on the way out, everybody would have felt better.

Richard English is credited with having authored the original script. Besides his collab on the screen play, his name is fast and for the most part shows careful editing. **Barn.**

# Advance Production Chart

## Studio Placements

Hollywood, Feb. 9.  
Placing nine new features before the cameras last week keeps the Coast production barometer at the same healthy level of 48 pictures in actual production since the first of the year. Only six pictures were taken from

the cutting rooms last week and previewed, leaving a balance of 83 in that division. Every indication points to continued activity on the same level. There are 71 features in various stages of preparation, with 40 of these slated to get the starting gun within the month.

## Columbia

Two in work, 11 editing, five preparing. In work: 'A NEW TRAIL AHEAD,' reported VARIETY, Jan. 27. Started last week: 'THE DEVIL IS DRIVING,' produced by Edward Chodorov, directed by Harry Lachman, screen play by Jo Milward and Richard Lake. Cast: Richard Dix, Joan Perry, Frank Wilson, Henry Kolker, Walter Kingsford, Ann Rutherford, Laura Treadwell, Ian Wolfe, Paul Harvey, Nana Bryant, John Wray, Dara Early, Ann Howard, Arthur Loft, C. Montague Shaw, Harry Davenport, Frank Reicher, Raymond Lawrence.

Story based on drunk driving wherein Richard Dix as criminal attorney springs wealthy youth from serious charge. Later Dix is elected a. a. and has to prosecute many of his clients. Rather than go through with this he resigns. Later, through the influence of his fiancée, he is regenerated by giving up his old friends and becomes a leader and crusader in the movement for safety on the highways.

Readied to start: 'VENUS ON WHEELS,' 'HONEYMOON PILOT,' 'LEAGUE OF FRIGHTENED MEN,' and 'RIGHT GUY.'

## Metro

Six in work, 7 editing, 10 preparing. In work: 'A DAY AT THE RACES,' reported VARIETY, Sept. 1. 'CAPTAINS COURAGEOUS,' reported Oct. 7. 'FARNELL,' reported Nov. 18. 'LAST OF MRS. CHEYNEY,' reported Dec. 2. Started last week:

'SONGS OF THE CITY,' produced by Michael Fessier, directed by Errol Taggart, original story by Fessier and Cast. Margaret Lindsay, Jeffrey Dean, Nat Pendleton, Marla Sheldon, Edward North, J. Carroll Nash, Charles Judels, Inez Pelange.

Story, located in San Francisco, depicts young playboy who goes through his fortune as well as that of his wealthy girl friend. Crossing the bay he accidentally falls overboard but is picked up by Italian fishermen. Skipper of the boat takes him to his home along the waterfront where a daughter nurses him back to health. Playboy falls in love with her. In meantime the rich girl has put detectives on his trail. She learns he is reluctant to return and issues a warrant for his arrest on charges of embezzling \$50,000 of her money. While he is in jail, the rich girl promises to drop the charges if he will return to her. This inducement he consents and the couple boards yacht for long voyage. The Italian girl, learning of what has happened, is disillusioned and gets enough money to sail for Italy. En route her boat catches on fire, the rich girl's yacht coming to the rescue. Playboy and Italian girl become reconciled.

'SKIDDING,' produced by general office, directed by George Seitz, original by Aurast Rouverai, screen play by Kay van Ripper and Hugo Butler. Cast: Lionel Barrymore, Spring Byington, Cecelia Parker, Julie Hayden, Mickey Rooney, Sarah Haden and Eric Linden.

Story centers around Lionel Barrymore, Idaho judge, up for re-election. His two daughters come back to town and spring into the headlines over difficulties with their husbands. The judge's devotion to the girls and his battle for re-election dramatically leads to satisfactory climax.

Readied to start: 'MADAME WALEWSKA,' 'BROADWAY MELODY OF 1937,' 'THE OLD SOAK,' 'SARATOGA,' 'THEY GAVE HIM A GUN,' 'THE FOUNTRY,' 'NIGHT MUST FALL,' and 'FIREFLY.'

## Paramount

Eight in work, 11 editing, 8 preparing. In work: 'SOULS AT SEA,' reported VARIETY, Nov. 18. 'HER HUSBAND LIES,' reported as 'THE LOVE TRAIL,' 'WOMEN DON'T TAKE MONEY,' 'WALKIE WEDDING,' reported Dec. 30. 'HIGH, WIDE AND HANDSOME,' reported Jan. 13. 'THE YEARS ARE SO LONG,' reported Jan. 20. 'THE GIRL FROM SCOTLAND YARD' and 'I MET HIM IN PARIS,' reported Feb. 3. No new pictures started last week.

Readied to start: 'TURN OFF THE MOON,' 'KID FROM PARADISE,' 'MOUNTAIN MUSIC,' 'EXCLUSIVE,' and 'YOU AND ME.'

## RKO-Radio

Six in work, 11 editing, 10 preparing. In work: 'THE TOAST OF NEW YORK,' reported as 'ROBBIE BARONS,' 'THE WOMAN I LOVE,' reported as 'ESCADRILLE,' in VARIETY, Dec. 23. 'STEP-PING TOES,' reported Jan. 6. 'WINGS OF MERCY,' reported Jan. 20. 'OUTCASTS OF POKER FLAT,' reported Feb. 3. Started last week: 'SATISFACTION GUARANTEED,' produced by William Sistrom, directed by Ben Holmes, original by Richard English, screen play by Ethel Borden. Cast: Anne Shirley, Barbara Pepper, Tom Morley, Dudley Clements, Grady Sutton, Alex Craig.

Story depicts young chap, Tom Morley, whose sole ambition is to become newspaper reporter. Failing to get nod from the papers around town, he sets out to get himself acquainted with leading publisher by getting job in his household as trainer of dogs. This leads into apprentice spot on the paper where he asserts himself by taking the blame for reporting story that threatens to put paper on the spot. From there on the lad is No. 1 boy and situations that follow clear him of being a stooge, and he winds up by marrying the publisher's daughter and eventually taking charge of the paper. Piece is played for comedy throughout.

Readied to start: 'EASY GOING,' 'GOING, GOING, GONE,' 'NEW FACES OF 1937,' 'WOMEN ARE POISON,' 'MRS. AMERICA,' 'GUNGA DIN,' 'TAKE IT EASY,' 'YOU CAN'T BEAT LOVE,' 'BORROWED TIME,' and 'RADIO CITY REVELS.'

## Republic

Four in work, 6 editing, 5 preparing. In work: 'STEEL' and 'MAN FROM TEXAS,' reported VARIETY, Feb. 3. Started last week:

'JIM HANVEY,' produced by Al Levoy, directed by Phil Rosen, original by Octavus Roy Cohen, screen play by Joseph Krungold, Olive Cooper, Courtland Fitzsimmons and Eric Taylor. Cast: Guy Kibbee, Tom Brown, Lucie Kay, Edward Brophy, Ed Gargan, Catharine Doucet, Vercy Odvoren, Bruce Mitchell, Oscar Apfel, Wade Boteler, Dwight Frye, Helen Eddy, Robert Homans, Kenneth Thomson, Willard Kent, Frank Darion.

Story centers around Guy Kibbee, international detective, who decides to retire and become gentleman farmer. While settled in this serene frame he is approached by representatives of insurance company seeking his services to locate mysterious robber of valuable jewel. Quite reluctant to going back to work, he refuses to accept offer until he returns home that evening only to find his daughter prevailing upon him to work with her in solving the crime. There is no peace until he gives in, only to help young newspaperman, assigned to make good and quality himself for the hand of daughter. Kibbee in his nonchalant manner locates the jewels but sits by to see what the chap can accomplish. After many exciting situations, Kibbee aids boy to put his finger on the band of jewel robbers.

'GET ALONG, LITTLE DOGIES,' produced by Armand Schaefer, directed by Joe Kane, original and screen play by Stuart and Doris McGowan. Cast: Gene Autry, Smiley Burnette, Judith Allen, Frankie Marvin, L. M. Peterson, Fritz Meisner, Al Rice, Art James, Ken Cooper, Jean Criswell, Jack Kirk, Al Taylor.

Story focused on Gene Autry, owner of big cattle range, and girl owner of a radio station, who is promoting development of oil on Autry's land.

Autry believes drilling of wells will harm raising of cattle. The girl shows him that in the development of oil a railroad can be built which would enhance his interests. Autry agrees, but in the meantime the heavy steps in order to prevent the leasing of the ground for the girl's promotions. Action situations, with the girl and Autry winning in the end.

Readied to start: 'SPECIAL ORDERS,' 'LEGION OF THE LOST,' and 'EVER SINCE ADAM.'

## 20th-Fox

Eight in work, 8 editing, 8 preparing. In work: 'SLAVE SHIP,' reported VARIETY, Dec. 30. '50 ROADS TO TOWN,' reported Jan. 13. 'WAKE UP AND LIVE,' 'THAT I MAY LIVE,' 'CAFE METROPOLE,' 'CHARLIE CHAN AT THE OLYMPICS,' and 'WEE WILIE WINKIE,' reported Jan. 27. 'MIDNIGHT TAXI,' reported Feb. 3. None started last week.

Readied to start: 'MARRIED LADY NEEDS A HUSBAND,' 'PRIVATE ENEMY,' 'SARATOGA CHIPS,' 'THINK FAST, MR. MOTO,' 'UNTITLED JONES FAMILY,' and an 'UNTITLED JANE WITHEES.'

## United Artists

None in work, 2 editing, 9 preparing. Readied: In the Walter Wanger unit, 'VOGUES OF 1938,' 'CASTLES IN SPAIN,' and 'SUMMER LIGHTNING.' In the Samuel Goldwyn unit are: 'THE WOMAN'S TOUCH,' 'HURRICANE,' and 'STELLA DALLAS.' In the Selznick-International unit are: 'PRISONER OF ZENDA,' 'LET ME LIVE,' 'THE WORLD'S OUR OYSTER,' and 'ADVENTURES OF TOM SAWYER.'

## Universal

Eight in work, 8 editing, 8 preparing. In work: 'WHEN LOVE IS YOUNG,' reported as 'CLASS PROPHECY,' VARIETY, Dec. 22. 'THE HAVE ON MOMENTS,' reported as 'WE'VE HAD A MOMENT,' Nov. 30. 'THE STONES CRY OUT,' reported Jan. 30. 'NIGHT KEY,' reported Jan. 27, and 'CALIFORNIA STRAIGHT AHEAD,' reported as 'SHORT HAUL,' Jan. 27. Started last week:

'SMOKE TREE RANGE,' produced by Buck Jones, directed by Les Selander, original by Henry Gooden, screen play by Frances Guinan. Cast: Buck Jones, Muriel Evans, John Elliott, Donald Kirk, Ted Adams, Dickie Jones, Ben Hall, Earl Hodgins, Mable Colcord, Bob Kortman, Eddie Cobb.

Story centers around young girl who inherits ranch from her uncle but when she takes possession certain factions wanting the land for water rights try to intimidate her so she will sell out. Buck Jones steps in and finds reputable banker is the man who has used others to get possession of the land.

Readied to start: 'BE IT EVER SO HUMBLE,' 'DELAY IN THE SUN,' 'THE COP,' 'GOOD AS MARRIED,' 'PRESCRIPTION FOR ROMANCE,' and 'HIPPODROME.'

## Warners

Six in work, 23 editing, 8 preparing. In work: 'TALENT SCOUT,' 'PUBLIC WEDDING,' 'KID GALAHAD' and 'THE SINGING MARINE,' reported Jan. 27. Started last week: 'MIRACLE MOUNTAIN,' produced by Bryan Foy, directed by Noel Smith, original by Anthony Goldwyn, screen play by John T. Neville. Cast: Dick Foran, Helen Valkis, John Merton, Glenn Strange, Mira McKinzie, Henry Orth.

Story is western, centered around highwaymen who rob stage coaches transporting gold. Band is headed by Nevada gambler who takes Dick Foran, special agent for the government, into his confidence. Foran joins band gang. Gambler attempts to double-cross Foran, who is about to be hanged for all the preceding crimes, when the girl in the case, also a government agent, comes to his rescue at a melodramatic climax.

'FLY AWAY, BABY,' produced by Bryan Foy, directed by Frank McDonald, original by Dorothy Kilgallen, screen play by Don Ryan and Kenneth Gamet. Cast: Glenda Farrell, Barton MacLane, Gordon Oliver, Raymond Hatton, Joe King, Tom Kennedy, Marcia Ralston.

Story is second in a series of Glenda Farrell and Barton MacLane stories concerning activities of Torchy Blane, girl reporter, and tough guy MacLane. First was produced by this company under title of 'Smart Blonde,' which introduced the title character played by Glenda Farrell. In the one Torchy takes to the sky in a round-the-world fight, in an effort to solve an international murder mystery.

Readied to start: 'THE STORY OF EMILE ZOLA,' 'MAZURKA,' and 'LUCK OF THE IRISH.'

## PRODUCTION TABLE

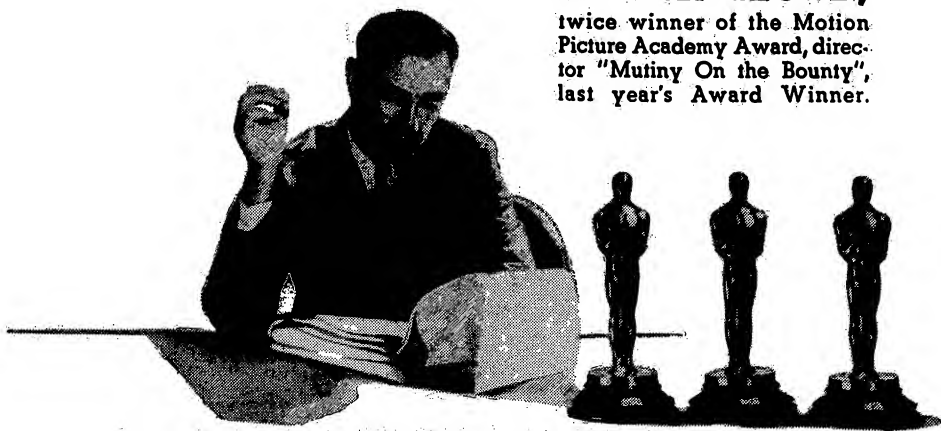
(This table shows number of features promised to be delivered to exhibitors by the major distributing organizations, and the independent producers contributing product to their producing organizations for the 1936-37 season.)

Producers and contributing companies	Number of pictures promised	Number of pictures completed	Balance to be Stories		
			Fix now in work	now in the cutting rooms	placed in the aram-
COLUMBIA	50	12	2	10	26
Paramount	48	22	6	14	14
20th Century-Fox	48	13	6	23	1
United Artists	48	22	6	14	14
Republic	48	22	6	14	14
Warner Bros.	48	22	6	14	14
RKO Radio	48	22	6	14	14
Universal	48	22	6	14	14
Warners	48	22	6	14	14
Totals	512	168	83	216	71

Hollywood, Feb. 9.  
Sidney Brady, Norman Phillips, J. Guy D'Amico, Tom Herbert, Lee Phelps, Horta, Lynn, Jim Marcus, Paul Graetz, Allen Carlyle, Frank Lackett; Jay Marchand, unit manager, 'Madame Walewska,' MG.  
Selmer Jackson, Juli Hayden, Walter Soderling, William Wagner, Barlow Borland, Virginia Sale, Don Barclay, Pat West, Albert Hill; Ben Lewis, film editor; Les White, camera, 'Skidding,' MG.  
Spencer Charters, Leonard Pen-nario, Nat Pendleton, Bobby Watson, 'Song of the City,' MG.  
Will Stanton, Alan Marshall, Musty Falsky, 'The Devil is Driv-ing,' MG.  
Binnie Barnes, 'Broadway Melody of 1937,' MG.  
Dan Tully, adapti 'Three Men in the Snow,' MG.  
George Mitchell, Rosslyn Cowen, Bruce Scholl, Monte Kenny, Wil-liam Jennin, Steel, Rep.  
Oscar Apfel, 'The Kent, Ken-neth Thomson, Wade Boteler, Robert E. Homans, Bruce Mitchell, Frank Darien, Dwight Frye, Grace Hale, 'Jim Harvey, Detective,' Rep.  
Edward S. Brophy, Howard Hick-man, Charles McMurphy, Grace Hale, Harry Tetter, Catharine Doucet, Robert Emmett Keane, Edward Gargan, 'Special Orders,' Rep.  
William Demarest, Pierre Watki, Sammy White, Bert Kelton, Max Ter-hune, Ranny Weeks, Mona Barrie, 'The Hit Parade,' Rep.  
Edgewood S. Brown, scrip 'Legion of the Damned,' Rep.  
Rita Carlyle, Bert Koch, Paul Re-nay, Arthur Houseman, Jimmy New-ell, Fern Emmett, Sam Wren, Mike Romboff, 'Sing While You're Able,' Conn.  
Berton Churchill, Public Weddi WB.  
Soledad Jimenez, Harry Harvey, Ken Grahame, 'The Devil is Driv-ing,' MG.  
Kenneth Harlan, 'Miracle Moun-tain,' WB.  
Max Hoffman, Jr., Doc Rockwell, Rose King, Lois January, Busby Berkeley, dances, 'The Singing Ma-rine,' WB.  
Harry Davenport, 'Fly Away, Baby,' WB.  
Alan Joslyn, 'In the Deep South,' Leroy-WB.  
Robert McClung, 'The Toast of New York,' Garden, Frank O'Connor, 'Wings of Mercy,' RKO.  
Frank O'Connor, Jack Rice, Lew Kelly, Harriet Hootor, Helena Grant, 'Singing Marine,' WB.  
Jack Carson, Dudley Clements, Grady Sutton, Barbara Pepper, 'Sat-isfaction Guaranteed,' RKO.  
Harry Segall, screenplay, 'Women Are Poison,' RKO.  
Joseph Santley, director, 'Radio City Revels,' RKO.  
Burt Granet, S. K. Lauren, collab-ing script, 'Mrs. America,' RKO.  
Fred MacIsaac, writing orig. RKO.  
Mark Kagan, scrip, 'Super Sleuth,' RKO.  
George Cooper, rank Conroy, Paul Kruger, Frank McGlynn, Jr., Lily Maloy, Jack LaRue, 'That I May Live,' RKO.  
Dewitt Jennings, Regis Toomey, Lon Chaney, Jr., Paul Stanton, James Flavin, Huey White, Russell Hicks, Joe Bernard, Agnes Ayres, Ed Dear-ing, 'Midnight Taxi,' RKO.  
Martin Garragay, Sam Appel, Fred Godoy, Noble Johnson, 'Slave Ship,' 20-F.  
Mary Forbes, Ray Dove, 'Wee Wil-lie Winkie,' 20-F.  
Walter Innon, Allan Fox, 'Wake Up and Live,' 20-F.  
William von Bricken, Morgan Wal-lace, Al Kikume, 'Charlie Chan at the Olympics,' 20-F.  
Frank Sully, Russell Hicks, John Hamilton, Marc Lawrence, John Try-ling, Lester Door, Herbert Heywood, Patricia Farr, Ralph Byrd, Arthur Loft, Lucille Lund, Walter Soderling, Crawford Weaver, Ruth Hilliard, Rita Cansino, 'Honey Moon Pilot,' Col.  
Frank Wilson, Ann Rutherford, Henry Kolker, Walter Kingsford, Laura Treadwell, Paul Harvey, Nana Bryant, John Wray, Dara Early, Ann Howard, Arthur Loft, C. Montague Shaw, Harry Davenport, Frank Reicher, Raymond, Jonathan Hale, 'The Devil is Driv-ing,' Col.  
Walter Connolly, Lionel Stander, 'League of Frightened Men,' Col.  
Dwight Frye, adaptation, 'The Awful Truth,' Col.  
Edith Fellows, 'Love,' Col.  
Brenda Fowler, 'Racing Luck,' Col.  
Mike Simons, scrip, 'Lady in Distress,' Col.  
Alexander Cross, Rudolph Ar-mend, 'I Met Him in Paris,' Par.  
Charles Riesner, directi 'Moun-tain Music,' Par.  
George Antheil, scoring, 'The Years Are So Long,' Par.  
George Sorel, 'Swing High, Low, Fast,' Par.  
Lee Phelps, Donald Kirk, Ben Hall, Margot Duse, Robert McKen-zie, 'Smoke Tree Range,' U.  
Robert McKenzie, 'The Stones Cry Out,' U.  
Mary Phil, 'Wings Over Hono-lulu,' U.  
Preston Sturges, scrip, untitled yarr, Harold Lloyd.

**FRANK LLOYD,**

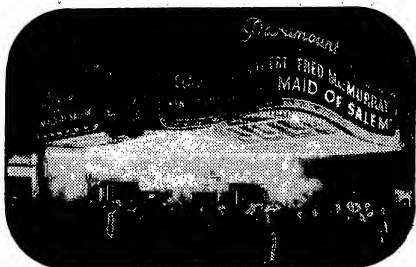
twice winner of the Motion Picture Academy Award, director "Mutiny On the Bounty", last year's Award Winner.



MOVE OVER LADS,  
"MAID OF SALEM" WINS  
ME THE ACE SPOT ON  
FRANK'S DESK



**BOYS, IF YOU  
THINK OSCAR IS  
WACKY TAKE  
A LOOK AT  
THE FOLLOWING PAGE**



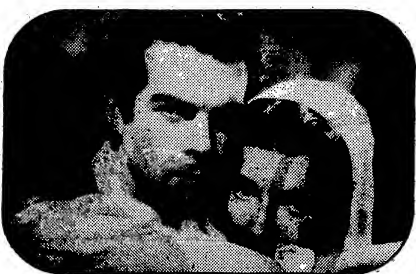
**"A really outstanding attraction for any theatre"**

The Hollywood Reporter



**"The performances, especially of Claudette Colbert, are excellent"**

Motion Picture Daily



**"FRED MacMURRAY'S role is splendidly colored"**

Daily Variety



**"Portrayed by capable players and studded with star names"**

Film Daily



**"Production background startling in its historical accuracy"**

Box-Office



**"FRANK LLOYD uses his mobs both to motivate and to point the story"**

Hollywood Reporter

**"FRANK LLOYD'S direction is flawless"**

The Film Daily



**CLAUDETTE COLBERT  
and FRED MacMURRAY**  
in Frank Lloyd's  
**"MAID OF SALEM"**

A Paramount Production  
Harvey Stephens, Gale Sondergaard, Louise Rainer,  
Edward Ellis, Virginia Weidler, Bonita Granville

# EXPLOITATION

By Epes W. Sargent

## Revived Memories

**Spartanburg, S. C.**  
Playing 'The Black Legion' against heavy nabe competition, much of which included musicals and more cheerful drama, Manager Bob Tallent put the film over in great form at the Carolina.

Dormen and ushers donned black hoods and robes, reminiscent of the dark years when hooded Klansmen wreaked their vengeance far and near in South Carolina, following the war between the states. At theatre, during evenings, many customers bought tickets and stood in foyer to see femmes shriek as the hooded doorman, standing in the shadows, took the pasteboards. Tall Dave Bart (robust six-footer) held the post at night and made a terrifying figure, even for men.

Another hooded and black-robed figure was seen during daytime, about the city and attracted crowds and much attention, even from blase northern tourists, Florida-bound. Theatre was rented at the appearance of its Black Legionnaire on historic Morgan square was first time a hooded and black-robed figure had been in that vicinity since the real Klansmen's riotous night meetings here more than 50 years ago.

Criteria, with a smaller film, 'The House for Girls', starring Laurence O'Sullivan, gave Tallent his only competition in tricky exploitation. They rigged up a femme dummy in a lobby and placed a glass case in suits of crime, then had a sensationally placarded automobile cruise the streets to further plug the show.

## Hangers

One of the forgotten stunts is the mail box hanger, which is best worked on an argument with the post office. Originally it was planned for a picture dealing with post-office employees, but it can be worked on other subjects.

It is not unlike the door knob except that it is larger. The card is scored about a quarter of the distance from the top, enabling it to be bent back sharply. The upper section is cut out to encircle the lamp post to which the box is affixed, not only holding it in place, but preventing it from being blown away.

A small section of the card is printed up as a private mailing card, addressed and stamped, to suggest it is placed on top because it is too large for the box.

Milk bottle hangers are occasionally used, generally in tie-to-the dairy company, but sashes for knapped bottles are more frequent, though often more effective. Better than the herald or other advertisement wrapped within the waxed paper, and not much more difficult to handle. It has the advantage of the locality theatre of being centralized in the district to which the theatre appeals. Should be in big type and not carry too much lettering.

And better than that is a somewhat similar sash to be placed around each delivered copy of the evening paper or a magazine. It is bound to get attention and draw to the family and not to the servants, as do most of these hangers. That's something to be remembered sections where servant girls are the rule.

## Cards Fitted In

**St. Louis.**  
With city authorities hammering away in safety campaign Manager Harold Chick Evans and Jimmy Harris, p. a. at Loew's expected swell tie-up with movie in exploiting 'You Live Only Once'. 300 cards bearing warning 'Cross Crossings Carefully—You Live Only Once' and bearing name of Mayor Dickman in theatre name and play date were planted in swell spots in downtown and congested residential districts a week before big opening. Five Safety cards, 200 of which were spotted in windows downtown.

Exploiters also promoted 'What Would You Do In Her Place?' contest in suburban weekly, distributed 50,000 heralds with large chain of retail grocery stores; 300 cards in tie-up with Time magazine and obtained window space and co-op ads with several downtown dept. stores.

## Ministerial Hook

**Philadelphia.**  
Twentieth-Fox has made a sweet tie-up with a local minister who finds a subject for a weekly radio sermon in its films.  
Rev. David C. Colony, pastor of St. Timothy's Episcopal Church, each week broadcasts a program titled 'Sermons in the Movies.' He finds a topical text in each picture. Exchange wasn't surprised when he spied on 'Lloyds', but did some amused eyebrow raising when he found the Bible in 'On the Avenue'. Fox finds Colony a good ally for the time and Colony finds time to review their ptx. It's all on a q. t. but admitted by Fox and station.

## Wedding Benefit

Something different was the wedding benefit staged in a small town for a highly popular couple. The manager tried to coax them into a stage wedding, but they were too bashful, so he changed to the benefit idea.

The wedding party was timed to end about the close of the last night show and the guests were supposed to come over to the theatre in a body, buying admission tickets in the hall where the wedding was held. The expense of the extra show was deducted and the remainder of the receipts were handed the bride for a nest egg. No immediate profit to the theatre, but the young couple were popular and the action created an amount of good will that cashed in handsomely in the long run.

The idea can be applied to other angles, such as a benefit for some deserving invalid and if not worked too often (generally it is a one-time stunt) can be used to get a lot of newspaper and word-of-mouth attention. Ticket sales are made by friends of the beneficiary and the house is concerned only with staging the show.

Another benefit angle was worked by a theatre where local charities were out after funds at the same time. For one night the regular admission was upped a dime and each ticket purchaser was given a card to be dropped into one of the two boxes just inside the entrance, one for each of the two organizations. These tickets were paid off at the full 10-cent raise, and in addition the theatre contributed \$25 to the one collecting the largest number of tickets. That got the adherents of both charities plugging for attendance, and the theatre played to two packed houses at a cost of only \$25.

## That 16mm. Film

Recently there has come a move toward the use of 16mm. amateur film as part of a regular theatre bill. This is a move suggested by this department several years ago, but it seems to have waited until the recent Pete Smith came to gain any headway. The Smith offer is for a film to be blown up to 35 mm., but there is no reason why theatres with a seating capacity of around 800 or less can't use the direct 16mm. film if a proper projector is used.

Originally the projectors were intended largely for home and were limited to field, but it is now possible to obtain lenses which will give a sharp picture of a size distinctly visible in small capacity theatre, though it may be necessary to place the projector in the rear of the house instead of shooting from the projection room.

These projectors permit the utilization of a large picture of local events where it would not be possible to call in a professional newsreel free-lance. There may be a slight delay in getting the processed film back from the laboratory, but in most sections it is now possible to have the work done in a conveniently located larger city. Few amateurs have yet stated where they develop and reverse their film, but the proper equipment is obtainable and most larger spots can now make 24-hour delivery.

This opens up the desirable local angle to houses not able to employ regular camera men, and will frequently result in the production of short reels that will sell more tickets than the top features. It's worth looking into.

## He Earned It

**St. Louis.**  
Louis Charnisky, of the Capitol, Dallas, is announced by Grand Sears as the winner of the Warner Bros. contest for the best exploitation on its 'Bengal Tiger.' Texas manager copped on the strength of a stunt worked last summer, when he entered an exhibition wild animal arena at the Exposition, acquiring not only local advertising, but breaking the news associations. Probably the outstanding stunt to have been done on any contest. Top prize was \$350.

Other winners in the contest, which closed Jan. 1, are: Sid Holland, Elco, Elkhart, Ind.; \$250; A. J. Berenson, Strand, Minot, N. D.; \$100; J. T. Floore, Empire, San Antonio, \$75. Warner owned theatres were hors concours.

## Plugging a Short

**Seattle.**  
Exploitation bit for 'You Can't Get Away with It' (U) at Capital (Sterling) is getting plenty of lookers on street.  
Man with machine gun ready for action in three yeggs looking guy in front of him, all masked, walking the streets. Each yegg has placard with names Dillinger, Mahan and Matson kidnapper thereon respectively. The yeggs are from police department. Although only a short, the extra attention got some extra biz.

## The London Idea

**London, Jan.**  
Pointed exploitation used by a West End furnishing store as a tie-up with Max Schach's 'Love From Strangers' currently at the London Pavilion.

Store window shows a gantly furnished bedroom with a luxurious double bed as centerpiece. Alongside stands a life-size cut-out of Ann Harding, at her feet a placard bearing the title of the lecture.

## Campaigning 'Legion'

**Arthur Cohn, of Le Queen, Wilmington, Del.,** made exceptional use of his opportunities on 'The Black Legion', not a little aided by a state convention of the 30 labor organizations in conference just ahead of the picture's opening. Unions meet, concurrent with the biennial session of the legislature. All were invited to a special showing of the picture with the urge that it dealt with matters vital to labor. Delegates saw the screening and passed the word along to the locals, making a pretty solid attendance from the labor element.

Similar showings were made to the heads of women's clubs, service clubs, fraternities and nearly 40 heads of large business enterprises, all of whom expressed interest in the questions raised.

Cohn also visited school heads and gained their co-operation to the extent of verbal and posted announcements. In all instances the picture was treated from the angle of its importance to the community, plus its entertainment value.

One point Cohn picked up which has not been reported elsewhere. He got co-operation from the Ford agency because that auto concern is a sponsor.

Picture opened to the best Saturday night the house has had, and was well sustained.

# BEHIND the KEYS

## Charlotte, N. C.

Eugene W. Street, manager of the Carolina, Imperial and State theatres here for North Carolina Theatres, Inc., transferred to Knoxville to assume direction of the corporation's six theatres there. New manager here is Emil Bernstecker, who has had charge of the Carolina theatre in Greensboro.

Other changes in the North Carolina Theatres, Inc., include transfer of Frank H. Buel, manager of National, to the direction of the Carolina in Greensboro; Grayson Poats from the Granada theatre in Bluefield, W. Va., to the National to succeed Assistant Manager Spencer Wester, who becomes manager of the Carolina theatre in Wilson.

## St. Louis.

Russell Bros. Circus, Rolla, Mo., has been incorporated to engage in general circus and entertainment business with \$150,000 authorized capital. Incorporated are C. W. Pauline L. and James Webb, Jr., all of Rolla.

Certificate of incorporation has been granted Television Institute of America, Inc., Kansas City, Mo., to conduct school for teaching science of television. It will have 2,500 shares of non-par stock, starting with \$2,700 paid in. Incorporators are G. L. Taylor, Arthur B. Church, Wilfred Wimmell, J. B. Woodbury and J. Leane Fox, all of Kansas City.

Madison, Madison, Ind. reopened last week by H. Steinberg.

## Alanta, Ga.

Tom Read, mgr. Lucas & Jenkins Paramount theatre, sneaked out and got himself married to Ruth Thomas in Griffin, Ga., Thursday (4). They're honeymooning in Miami. Bride is originally from New York. \$150.

George Wilby, operator of Cameo, local downtown indie, has acquired Kirkwood (nabe) theatre.  
Carnegie of Jacksonville reopened their Georgia theatre Friday (12) with new policy, which calls for second-run and prices set at 10 and 15c.

## Omaha.

Omaha office of Republic Pictures-Midwest exchange undergoes a few changes as of Feb. 15. Hymie Novitsky moves over from 20th-Fox to local manager. Novitsky has been on the road for Fox past decade or so, and of late has held the South Platte territory. F. E. Judd, who came from Des Moines to take over the office in a change a few months ago, remains for the time being, but expected to return to the Iowa office soon.

## Back to Normalcy

Warner's press book 'Green Lights' goes back to the old convenient standard size and brags but one color, green trim. Which permits a manager to plan his campaign without having to lie down on the floor to find room for the book. Also he can work without smoked glasses. Just as good a press book as the 24-sheet stands, perhaps better, with a raft of exploitation suggestions (25), some national hook-ups and some novelty accessories. All of the billing and advertising information is grouped on the first inside page, and altogether it is a capital example of what a tidy press book should be.

## Republic's Press Book

Republic pictures has issued an attractive and worthwhile press book on 'Dick Tracy', its 15-chapter serial based on the comic strip. Not too large to be handled, and carrying a lot of promotional novelties and exploitation suggestions, not altogether new, but nicely tied to the picture and offering plenty of variety. It gives the exhibitor some real help.

One notable point is that it does not go overboard on adjectives. It sticks to the matter of selling the picture, and the exhibitor, instead of laboring to sell the exhibitor all over again. That's something different.

## Helping Hearst

**Atlanta, Ga.**  
Tying in with the silver anniversary celebration of Hearst's Georgian, Mr. Oliver H. Bradbury, of Lucas & Jenkins' Georgian theatre, got the news of the reopening of his theatre before the public by hooking a couple of admission tickets to his show to hundreds of gas-filled silver balloons released by the paper during the celebration.

No previous announcement of the reopening had been made.

Georgian hired the Georgia for a theatre (free) party Thursday (4) New England for Metro. He contacted college professors and school heads, making a talk on the picture, and in passing, was urged to get out a volume on Radio Appreciation similar to the Days office work on picture appreciation. He was rather surprised to find how keenly interested educationalists are in the cultural value of the picture and radio and he was able to turn that interest into ticket sales.

He was almost as much surprised to learn that many of college instructors, particularly those teaching English read Variety because of its individuality of style.

## Lincoln.

Walter Shutee, late city manager with the J. H. Cooper Enterprises of Pueblo, Colo., has been assigned in connection with 16mm. film, it's understood.

William Youngclaus, manager of the Emerald and Island, Grand Island, is planning vaude for two days of the week at the latter house. Bernard C. Hook, Hastings, Neb., has established a celluloid circle. He has six towns for one-night stands and makes them with a portable projection machine.

## Spartanburg, S. C.

Completion of the Dock theatre project Charleston is scheduled within two months. The theatre was opened Feb. 12, 1936, and is credited by historians with being the oldest in the United States. Restoration has been under way for more than a year.

State drew a huge crowd and narrowly missed a fire when a stream of gasoline flowing along the curbing outside was ignited by a cigarette. Firemen extinguished blaze, with considerable excitement.

Stanley theatre at Albemarle damaged several thousand dollars night of February 6 by fire. Origin undetermined. House was empty at time, as fire occurred after midnight. House will be dark 60 to 90 days during repairs. Loss partly insured.

## Colorado Springs, Colo.

Motion picture operators went back to work in all houses when they accepted the terms offered when they walked out eight weeks ago. Terms called for two men with 38½ hours week, including General. Operators three men can split the time and money—\$84 per week per booth.

## Greenville, S. C.

Small pic house J. Matthews, S. C., soon to open, giving yodels pic after more than 10 filmless years. During era of 25c a pound cotton Jan Garber and orch' had headquarters there.

## Rochester.

Lester Pollock, manager of Loew's Rochester, is managing road showings of 'Romeo and Juliet' in nearby towns, including Geneva, Elmira, Olean, Medina and Lockport. Asst. Manager Edmund Howard runs the theatre during his absence.

## Seattle.

Otto Schmitt, back from trip to Shanghai, with vaude act, is new manager of Beacon (Sterling).

## Animations

Animating posters is an old stunt, but falling into disuse in many spots because the sign room is not kept up on its toes. It's too much trouble to take a poster apart and put in a moving arm or other member, yet well done, the animation will draw many times the attention of a still display and usually sell in proportion.

Even a figure that raises its hat or makes a bow will get notice, but the more clever the stunt, the greater the attention. One good animation was achieved with poster in which one character slugged another. A practical arm was rigged up and given motive power and this, of itself, would have helped plenty, but the artist went a bit further. The area of the poster in the vicinity of the impact of the blow was made translucent through waxing, then blacked out save for zig-zag flashes similar to those used in comic strips to indicate a punch. The same power which moved the arm made contact with an electric bulb back of the poster for a fraction of a second, with the result that a vivid flash accompanied the blow. Just an idea, but it sold a heap of extra tickets.

The same rig was used on another poster in which a red light back of the poster caused a girl to blush violently when she was kissed. The girl kissed her. Here the lamp was held on a little longer, but the idea was the same. It can be used as well for pistol flashes and similar effects. Selling extra tickets is one of least resistance may be a labor-saving idea, but it does not bring in all possible coin, and it is worth going to a little extra trouble to enhance the appeal.

## Cohen's Mission

**Ben M. Cohen, of Polli's College, New Haven,** was recently detached from his job to do a little evangelical work for 'Romeo and Juliet' through New England for Metro. He contacted college professors and school heads, making a talk on the picture, and in passing, was urged to get out a volume on Radio Appreciation similar to the Days office work on picture appreciation. He was rather surprised to find how keenly interested educationalists are in the cultural value of the picture and radio and he was able to turn that interest into ticket sales.

He was almost as much surprised to learn that many of college instructors, particularly those teaching English read Variety because of its individuality of style.

## Treating the Kids

**S. C.**  
Rivoli, here, last week celebrated its twelfth year in biz on same spot with much fanfare and no end of newspaper space grabbing. Manager Edward Pettie grabbed off two whole pages in morning and afternoon sheets, when 15 local merchants banded together in 'congrats' to pic house.

House is mainly a 'whodunit' and 'horse opera' parlor, so Pettie played for the week to the steady money clientele by featuring two giddyup pix. Swell publicity drummed up by Pettie on Autry 'Ride, Ranger, Ride', pic, which was especially billed, since Tennessee Ramlers, former WFCB (local) radio stars, were attractive. This fact played up to hit in local papers.

Best stunt for Anniversary week, however, was Pettie's idea to bring to town 75 real mountain kids who had never seen a pic.

## Two Novelties

**Ed Siegal, of the Jerome theatre, up in the Bronx,** sends in a couple of novelties he recently used. Both are helpful.

The first is an adaptation of the lifesaver in a coin envelope, in this case a tiny horse, of composition, announced on the envelope as the gift of Frank M. Hugh, of 'Three Men on a Horse' picture. The picture was advertised. Siegal writes he promoted the nags, but does not tell what argument he used; which might have been a radio ad. Charns were attractive and carried no advertising, so probably plenty of the recipients were worn.

The second is a little more standard, though it has not been used lately. It's a ticket to a 'Movie Excursion' similar to the interline rail tickets with each coupon advertising one of the dual bills for the coupon. Unusual form gets attention and the wording will do the selling.

## Carriers Helped

**Spokane, Wash.**  
Manager Russell Brown invited 100 mail carriers to see 'Wanted: Jane Turner', the O'Connell picture. The carriers, who appeared in picture, sing in choral groups, appeared as soloist during the weekly songfest program.

# "ON THE AVENUE" TAXES RADIO CITY MUSIC HALL'S 6,200-SEAT CAPACITY DESPITE NEW YORK'S FIRST BLIZZARD

(doing the biggest single day of any 20th hit since "Cavalcade")

## Audiences, trade press and newspapers join in an avalanche of applause!

**TRADE PAPERS:** *Daily Variety*: A cinch heavy money draw. One of the top-notch offerings of the season. Presents a combination for showmen to embrace with open arms! *Hollywood Reporter*: "Names, song hits, real story, gorgeous production to send it marching to box office victories!" *Film Curb*: "Sure is in the bag. Entertainment plus and no mistake. Theatre owners ought to cash in in a big way!" *Showman's Trade Review*: "Cast, title and story combine to make it a B. O. sensation. Terrific whirl of hit tunes by Irving Berlin. *Motion Picture Daily*: "Should prove a treat for any kind of an audience."

**N. Y. NEWSPAPERS:** *World-Telegram*: "Tops of its kind. The most lilting songs Irving Berlin ever composed." *Post*: "Can't miss! Bound to hit your taste. Songs highly contagious!" *Americah*: "Mad, merry, melodious entertainment. The most ingratiating words and music Irving Berlin ever wrote!" *Mirror*: "Hit movie! Amusement without let-down from opening scene to hilarious closing." *Journal*: "More pretentious than 'Sing, Baby, Sing' and 'Pigskin Parade'. Delightful song numbers smartly worked into the action." *News*: "Full of fun, lively music! Catchy songs due for immediate popularity!"

**MAGAZINES, TOO!** *Red Book* and *Modern Screen* (combined circulation over 1,750,000) name it the picture of the month!

**AND IT WOULD DO YOUR HEART GOOD** to hear the laughter and cheers from the crowd of 6,200 (plus standees)!

**DICK POWELL and MADELEINE CARROLL** in IRVING BERLIN'S "ON THE AVENUE" with ALICE FAYE, RITZ BROTHERS and GEORGE BARBIER, Alan Mowbray, Cora Witherspoon, Stepin Fetchit, Sig Rumann. Directed by Roy Del Ruth. Associate Producer Gene Markey. Screen play by Gene Markey and William Conselman. Music and Lyrics by Irving Berlin. Dances staged by Seymour Felix. Darryl F. Zanuck in charge of Production.



THE KEYSTONE  
OF YOUR FUTURE

**Oh, yes! IT'S HELD FOR A 2nd WEEK!**

# FILM BOOKING SHEET

(For information and guidance of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of the reviews as given in VARIETY and the running time of prints, after passing by the New York State censor board, are included.)

WEEK	COLUMBIA	METRO	PARAMOUNT	R.K.O.	REPUBLIC	14TH CENTURY-FOX	UNITED ARTISTS	UNIVERSAL	WARNER BROS. NATIONAL	MISCELLANEOUS DISTRIBUTORS
1/1/37	Counterfeit Lady (C. Bennett, R. Keith) Rev. Jan. 13, 58 Min. Mystery	Camille (G. B. Brown, J. Barrymore) Rev. Jan. 27, 108 Min. Drama	The Plaiman (G. B. Brown, J. Barrymore) Rev. Jan. 20, 112 Min. Western	That Girl from Paris (L. Powell, R. Raymond) Rev. Jan. 20, 100 Min. Musical	Riders of Whistling Skull (L. Powell, R. Raymond) Rev. Jan. 20, 100 Min. Western	One in a Million (G. B. Brown, J. Barrymore) Rev. Jan. 20, 100 Min. Musical	Four Days' Wonder (J. Danneberg, H. Brown) Rev. Jan. 20, 100 Min. Comedy	Smart Blonde (G. B. Brown, J. Barrymore) Rev. Jan. 20, 100 Min. Comedy	The Woman Alone (S. Sidney, J. Leder) Rev. Jan. 20, 100 Min. Drama	
1/8/37	Find the Witness (C. Bennett, R. Keith) Rev. Jan. 27, 58 Min. Mystery	Under Cover of Night (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Mind Your Own Business (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	We Who Are About to Die (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Larceny on the Air (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	C. Chan at the Opera (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Accused (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Sing Me a Love Song (J. Danneberg, H. Brown) Rev. Jan. 27, 100 Min. Comedy	River of Unrest (J. Danneberg, H. Brown) Rev. Jan. 27, 100 Min. Drama	
1/15/37	Woman in Distress (M. Bennett, R. Keith) Rev. Jan. 27, 58 Min. Mystery	Bulldog Drummond Escapes (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Plough and the Stars (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Bold Caballero (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Crack Up (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Crack Up (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	The Mighty Travels (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	God's Country and the Woman (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Arizona Days (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	
1/22/37	West Bound Mail (C. Bennett, R. Keith) Rev. Jan. 27, 58 Min. Mystery	Dangerous Number (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Doctor's Diary (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Racing Lady (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Bar Z Bad Men (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Woman Wise (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	You Live Only Once (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Once a Doctor (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Man of Affairs (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	
1/29/37	Devil's Playground (C. Bennett, R. Keith) Rev. Jan. 27, 58 Min. Mystery	Man of the People (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Champagne Waltz (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Criminal Lawyer (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Join the Marines (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Boys of London (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Men Are Not Gods (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Black Legion (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Head Over Heels in Love (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	
2/5/37	Dodge City Trail (C. Bennett, R. Keith) Rev. Jan. 27, 58 Min. Mystery	Mama Steps Out (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Outcast (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	They Wanted to (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Two Wise Maids (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Holy Terror (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	On the Avenue (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Man Who Could Work Miracles (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Green Light (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	
2/12/37	When You're in Love (C. Bennett, R. Keith) Rev. Jan. 27, 58 Min. Mystery	Last of Mrs. Cheyney (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Clarence (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Michael Strogoff (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Hit the Saddle (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Love Is News (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	History Is Made at Night (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Ready, Willing and Able (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	You're in Army Now (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	
2/19/37	Trapped (C. Bennett, R. Keith) Rev. Jan. 27, 58 Min. Mystery	Espionage (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Borderland (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Sea Devils (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Gambling Terror (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Off to the Races (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Wings of Morning (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Girl Overboard (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Trouble in Texas (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	
3/5/37	Backeteers in Exile (C. Bennett, R. Keith) Rev. Jan. 27, 58 Min. Mystery	Day at the Races (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Don't Tell the Wife (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	China Passage (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Get Along Little Dogie (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Time Out for Romance (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Seventh Heaven (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	We Have Our Moments (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Her Husband's Secretary (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	
3/12/37	Law of the Ranger (C. Bennett, R. Keith) Rev. Jan. 27, 58 Min. Mystery	Captain Courageous (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Parnell (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	Park Ave. Logger (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Trail of Vengeance (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Seventh Heaven (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	Seventh Heaven (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	When Love Is Young (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Comedy	King and Chorus Girl (G. B. Brown, J. Barrymore) Rev. Jan. 27, 100 Min. Drama	



# BALCONY SCENE FROM "ROMEO AND JULIET"

Have you heard the wonderful news! Hundreds of "Romeo and Juliet" Road-shows now playing from Coast to Coast! Results are so sensational that M-G-M has set 500 Advanced-price, Twice Daily dates already!

*And listen to this:*

OUT OF THE FIRST 200 COMPLETED ENGAGEMENTS  
80 PER CENT TOP "GREAT ZIEGFELD" RECORDS!

(Next from The Road-show Company: "THE GOOD EARTH")

# Looks Set for Skourases to Take Over Fox, Detroit, Operation Soon

Detroit, Feb. 9. Following months of wrangling, court hearing opened today (Tuesday) on revised plan for reorganization of Fox theatre here. Although a few dissenting bondholders still remain, new program is expected to be approved by Federal Judge Ernest A. O'Brien and George A. Marston, federal bankruptcy referee.

Plan, proposed by the Colwood Co., original owners of the theatre, provides for the leasing of the theatre to Fox Mich. Corp., a new organization, for a period of 15 years. Stock of this new organization would be owned by National Theatres Corp., headed by Spyros Skouras. Latter already has a five-year franchise to show 20th's first-run flickers here.

Skouras Bros. appear to be the successful bidder, although George W. Trendle, president of the United Detroit (Par) chain here, and several others are reported to be still in the licks of the fight. Even though Skouras are returned victors, it's held possible house might be turned over to Trendle to operate. Trendle at present is operating as part of his circuit the United Artists theatre here, which was added to the UA circuit (George Skouras) last fall.

Under the plan up for hearing today, the National Theatres Corp. would have to guarantee the provided 15% of gross income if only flickers are shown. Reorg plan also calls for a \$500,000 loan from the RFC Mortgage Co., preliminary application for which has been tentatively oked by RFC's Detroit office.

Partial separation of the theatre and offices in building also is asked. Property owned by the Kern and Grey Realty companies would be rented from one to one-third of the net income of the reorganized corporation. In exchange for their present bonds, bondholders would receive stock in the proposed company. For each unit of \$1,000 bonds and interest thereon they would get 10 shares of \$3 preferred and 10 shares of common stock.

Reorg plan, approved by a majority of bondholders, is hotly opposed by minority groups on the grounds that it was too favorable to the Colwood company. Intervention by the bondholders was ordered by the public trust commission which charged the actual cost of the theatre, exclusive of carrying charges, was less than the original \$6,400,000 bond issue and that William Fox, who was behind the Colwood company, set up a "kick-back" system where Fox got thousands of dollars from various parties concerned in construction of the building. These kickbacks, it was charged, were made to C. Blumenthal, described as Fox's front man, who came to Detroit to handle preliminary arrangements for building several years ago.

Testimony averred that Blumenthal got \$52,000 of the \$100,000 commission paid Homer Warren & Co., agents in purchase of site, as well as an \$18,000 kickback from fees paid C. Howard Crane, architect. The contractor was said to have been Fox's brother-in-law.

The Fox bondholders' protective committee was described by the commission as not licensed by the state of Michigan; that some of its members were connected with the original financing; that cost of the project was appraised by interested parties, and that Halsey, Stuart Co., underwriters of the bond issue, are now in control of that issue. Halsey, Stuart, it was alleged, had picked attorneys to represent the committee.

Other testimony showed that of the \$6,400,000 received by Halsey, Stuart through sale of the bonds, more than \$1,000,000 was spent in "carrying charges." Of this amount, it was testified, \$600,000 was deducted to pay interest charges to bondholders, or "ing bondholders with their own money."

## \$100,000 FIRE

Lynchburg, Feb. 9. Damage said to run close to \$100,000, was caused by fire which destroyed the WB New Theatre. Lexi Blaze turned out to be one of the biggest in town's history, and drew firemen from neighboring towns. Blaze started under the stage of the recently remodeled house.

## GN on Educ. Lot

Hollywood, Feb. 9. Grand National Coast production staff is now housed in new quarters on the Educational lot. First picture to be filmed in new studio will be "The \$1,000 Bill," starting in March. Glenn Tryon, ill, direct, under production wing of Zion Myers.

## Pitts. Fare Cuts Seen as Sure Aid To Cinema B.O.'s

Pittsburgh, Pa. Recent development in city's war on transportation rates are being looked upon everywhere as a general boon to film trade in downtown sector. Over weekend bus fares were chopped from 25c. to 10c.; service was upped to every 10 minutes, and in some sections where 7 o'clock was the deadline, busses are now available until after midnight.

Pittsburgh for years has had the highest cab rate in country but reduction by Yellow people gives it a fare practically tantamount to New York's cheap prices.

Improved business over weekend was attributed in many quarters to these transportation factors, with both bus and taxi people themselves reporting general increases. City is now opening guns in crusade to obtain 5-cent street car fare. At present it's 10c. straight or three tokens for 25c.

General impression is that theatres won't feel the full effect at once. Managers are certain that it's a good step in their direction.

## Baynes' 'Golgotha'

'Golgotha,' first foreign-made feature to be dubbed into English for showing in U. S., started a series of two-day engagements last (Tues.) night at Academy of Music, Brooklyn. Picture, which is an A. d'Aguiar production, originally made entirely in French, is being distributed in this country by Capt. George MacLeod Baynes, who has gone into independent distributing business since leaving Eastern Service Studios. Baynes expects the film to play in 30 different spots by Easter, most engagements being in non-film or typical roadshow houses on two-day basis and with \$150 top. Reports that the feature was being deliberately kept out of Manhattan were denied by Baynes who expects it will show in N. Y. City early in March.

## Skourases Score Point in \$100,000 City (N.Y.) Suit

Skouras Theatres Corp. on Thursday (4) gained the right to examine before trial several individuals in connection with its suit for \$100,000 damages against City Theatres Co., Utility Power & Light Securities Corp., Walter Reade, Harley L. Clarke, Joseph T. P. Sullivan, N. Y. Supreme Court Justice Church, and that plaintiffs had a right to question all individuals concerned besides Donald B. Riker and Clara D. Harmsom, City Theatres Co. holders. Skouras complains that in 1931 it obtained 75% of City Theatres stock through an agreement with Fox Theatres in return for giving its services in the management of the City and that the defendants conspired to cause the stock to depreciate in value, thereby depriving the plaintiff of \$100,000 in revenue.

## Theatre Employee's Fall

Kansas City, Feb. 9. H. E. Hennessy, employee of Loew's Midland theatre, slipped from marquee, where he was replacing light bulbs, and plunged headlong to pavement. Miraculously escaped serious injury, but will be confined to hospital several weeks.

## Frankster's \$950 Damages Against Regent, Detroit

Detroit, Feb. 9. Damages of \$950 were given Edward J. Seewald, 20, here Saturday (6) as a compromise in his suit for \$50,000 against the Regent theatre, United Detroit nab, where plaintiff charged he was beaten by Manager Roy Miller.

Seewald was dragged into the theatre, he testified, and beaten by Miller and two assistants last Oct. 31, after Seewald had pasted a sticker across the theatre sign as a Halloween prank.

## Philly Exhibs OK Upped Ad Rates; No Like Posish

Philadelphia, Feb. 9. Much to surprise Record advertising department, many an exhibitor was heard when rates on amusement directory upped 3c a line last week. Loud holler is being raised, however, because daily persists in putting listings back in classified section. Ad execs claim classified rate being paid, so exhibs must be "classified" position. Said rates were lifted because old figures based on 220,000 circulation, while present sales are more than 300,000.

Amusement directory is comparatively new here. Originally contained classified listings, all sorts of entertainment spots, practically all six houses now, however, listed alphabetically under sections of city.

Directory is widely known and rate considerably below former from play.

## \$5,000 Damage Action Over F.P.-Can. Pooling

Montreal, Feb. 9. Charging breach of contract, a \$5,000 damage action has been started in Superior court by Famous Players - Canadian against Standard Amusements, the figure is to be the loss resulting from alleged broken agreement. Before filing a plea, counsel for Standard Amusements moved to be allowed to examine the F.P.-Can. secretary-treasurer.

F.P.-Can. declaration states that the contract in question was signed in November, 1927, to run for 10 years; the agreement being that the Park nab was to be jointly operated by the two companies and the net profits divided equally between them, and that officials or shareholders of Standard Amusements were not to become directly or indirectly connected with any theatre enterprise within a radius of one mile of the Park house, an exception being made in the case of the Century.

In contravention of the agreement, F.P.-Can. claims that certain officers and shareholders of Standard Amusements have become associated with a new company called the Fifth Ave. Theatre Corp. and that this company has purchased property for a theatre site within the area allegedly prohibited by the contract.

## Detroit's B. O. Loss from Auto Strike Past Six Weeks Averages 150-200G

Between \$150,000 and \$200,000 is being lost weekly by Detroit's 250 film houses as result of the six-week-old General Motors strike, survey shows. Loss during the duration of the strike, which were near solution this week, will run the \$1,000,000 mark. Losses will be greatly augmented, too, through the several lean weeks after peace before things are normal.

Nor is lone town in the state suffering dented b.o.'s. In nearby Flint, town where hostilities began and where martial law is practically all but in effect, several houses have shuttered; at least for duration of the strike, and all driving spots

## National Archives for Worthy Historical Films Starts in Wash.

Washington, Feb. 9. Contingent of motion picture films of historical value will be launched by National Archives in accordance with legislation approved by one branch of Congress last week.

Anxious to preserve deteriorating newsreels and educational films, Archives receives permission under the 1938 appropriation bill to expand activities related to motion pictures and assure a permanent record photographed matter of great importance. Measure authorizes arrangement, titling, scoring, repair, processing, editing, duplication, reproduction, and authentication of phonographic records (including motion picture films) and sound recordings.

## NEW WB POLICY OF RENTING ACCESSORIES

A new policy to be inaugurated by Grad Sears for Warner Bros., which may revolutionize the handling of accessories, well as increase the volume on paper and other material, calls for a plan, soon to be placed in effect, under which all accessories will be rented. Sears, v.p. of WB in charge of sales, has urged exhibitors on the idea prior to reaching a decision to make it operative, for his company 55% of accessories, regardless of release date, on which exhibitors will be billed at prices to be determined later. On all material taken by accounts, the exhibitors will receive credit for that which is returned in a serviceable condition within five days. A maximum credit scale is being worked out in line with rebating to the exhibitor all accessories which are returned in a usable condition. Another scale will be set up to cover items which are returned in a damaged or unserviceable condition, whole plan of Sears visualizing ways and means of encouraging exhibitors to use more accessories.

The new rental credit plan becomes effective April 4, when men will be added in all the company's branches for the handling of the accessories and details in connection with it.

## Chi Ops to Reelect

Chicago, Feb. 9. Entire administration state of Motion Picture Operators' Union has been nominated for re-election on March 4. Present administration is headed by Frank Clifford as business manager. Term of office is for five years.

Others in the Operators' Union officialdom are Peter Shayne, president; Glenn Sweeney, v.p.; John Smith, assistant business manager; Neal Ishop, secretary-treasurer.

Although granted freedom photograph crumpling pix, permission to make historical films on its own account. Congress took the view that any current events which should be recorded in celluloid undoubtedly will be leased by commercial companies which will either sell or give prints to the government for preservation for posterity. Archivist R. D. W. Connor had hoped, however, for the right to go into the camera-grinding business on his own account as protective step.

The Archives staff expects to begin culling worth-while footage from the 14,000,000 feet of films already viewed and will duplicate negatives which are taken by Government agencies also is programmed. Experts still have around 8,000,000 feet motion and still pictures to o.o. Special storage facilities for reels of perpetual interest are planned. Cabinets designed with particular consideration for fire hazard, ventilation and preservation of reels are being manufactured at present and will be installed during next few months.

## Peskey's Regional Call

Hollywood, Feb. 9. Edward Peskey, Grand National sales manager, has pulled out for Chicago and New York after conference with Edward L. Alpers, GN prez. He will hold a regional sales session in Chi.

Scheduled February and March releases, by GN include 'Romance and Riches,' 'Navy Spy,' 'Killers of the Sea,' 'Trouble in Texas,' 'Two Shall Meet,' '23 1/2 Hours Leave' and 'Hittin' the Trail.'

Richard Rowland will hold the production reins on 'Thief of Tars' for GN. It will be company's first tinter. Four GN features are being edited for early release. They are B. F. Zeidman's 'Two Shall Meet,' Douglas MacLean's '23 1/2 Hours Leave,' Raymond Friesage's 'Killers of the Sea' and Edward Finney's 'Trouble in Texas.'

## Lincoln Solves Booking Jam by Repeating Films

Lincoln, Feb. 9. H. Cooper, N. Y. head of the Lincoln Theatres Corp. here, crawled out of a deep hole with the film changes here this week by arranging a way to play off his second run obligations in this situation. Using Bob Livingston's Capitol as the favored house, Cooper okayed the big pics second time around for that house, after Livingston guaranteed to go up to 15-20c scale and abandon dual features and split weeks. Livingston's Capitol has been showing only repeated about six of the entire 1936 52-week programs. The Lincoln, second to the best spot, is also behind on its seconds. Livingston starts out (14) with 'Magnificent Obsession.'

## 2 Boothmen Burned

St. Louis, Feb. 9. Gordon Howard, 24, and Bernar Carr, 16, were severely burned last week when film in projection booth in film theatre in Slater, Mo., caught fire. Howard was burned on face, arms and hands and Carr on hands and body. Blaze was confined to booth. There was no excitement among patrons, all leaving in an orderly manner.



...And watch the way "G-Men's" producers start another success cycle rolling this month with the first story of the Junior G-Men, that spunky group of young Americans now winning as much national favor as the heroes who inspire them. Booth Tarkington wrote it and none other than little 'Anthony Adverse' himself, Billy Mauch, is star! Yessir, you'll find seven reels of rousing family appeal in this latest addition to the Famous February Four—and another big reason why every night is Bank Night with WARNER BROS.



# Child Labor Amendment No Grave Concern to Pix; Industry's for It

Child labor amendment, which has been approved by 26 states and soon promises to get the sanction of 10 additional states that will make it a constitutional amendment, is viewed as no menace by the picture industry as a whole. Action of the New York state assembly in ratifying the amendment proposal leaves only the state senate in the way of making N. Y. the 27th state to place its approval on the child labor plan.

While the amendment gives Congress considerable leeway in regulating the labor of children, it is estimated by trade association experts that currently less than 1% employed in the U. S. in theatre operations and exchanges as a whole are under 16 years of age. Consequently, few spokesmen for exhibitors could be found who consider approval of the child labor amendment by the necessary number of states as an adverse plan of regulation.

The Hays organization is fully in favor of the federal amendment progress towards full sanction by the requisite 36 states but it is not regarded as being unfavorable towards the business. It is understood that in many respects Haysians and other trade association officials feel that the child labor amendment will do much in clarifying the situation. The child labor amendment will definitely specify uniform regulation throughout the nation and eliminate agitation for similar juvenile labor law enactment in various states. It also will put a stop to varied and uneven laws now in effect in certain states.

The child labor amendment sets forth that Congress shall have certain powers to regulate the labor of children under 18 years of age. However, it is believed that the exact wording of the amendment would make it possible for the congressional body to make the limit 12 years or some other age limit. By the same token, it will enable Congress to prohibit child labor in factories and industrial plants alone without specifying other industries. Whatever limits are fixed as to age or vocation, executives will see where it will interfere with their business. In certain theatre operations, ushers come under the ban if the age limit was specified as 16 but this would occur only a few instances.

## Foreign Talent

(Continued from page 2)

tries concerned to give her some support. Mrs. O'Day's position is that she cannot well block the legislation if the film and radio interests fail to demonstrate their concern.

Although formerly she seldom felt it was worthwhile to go to considerable effort and expense in an attempt to out-argue the House committee, the local industry reps admit this year the threat of restrictive legislation is far more serious than before. This is based on several factors, including the early date at which the drive is starting, an informal agreement between House and Senate committees that there will be no duplication of hearings, sweeping changes in personnel of the Senate Immigration group, and revision of the bills in a way which makes them immeasurably more objectionable than in the past.

The 1937 version of the legislation is identical with the perfected bill which was slipped through the House last spring. That draft, hurriedly cooked up as a substitute for the less stringent proposal which Chairman Samuel Dickstein has been plugging away at for five years, has new obnoxious features, notably the reciprocity clause, a complete disregard for the contract labor laws and limitations upon permanent entry of foreign actors, musicians and dancers, even for permanent residence.

### New Restrictions

Lightening the previous proposals, Chairman Dickstein, a New York Democrat, proposed 1937 law drops the familiar "distinguished merit and ability" loophole, which labor organizations previously claimed would take care of all eventualities feared by film and legit producers. Under this year's draft, Dickstein would shut the door to all performers, exceptional as well as run-of-mine, unless the country from which the alien comes grants entry to Ameri-

## Churches, Lodges

While wholesale distribution of cash prizes has not hit lodge and church organizations holding bingo and screen games, the immense popularity of weekly giveaway contest nights has cut into film theatres conducting merchandise giveaways. Numerous instances of these church society and lodge contest nights drawing 1,000 people have been reported in recent weeks.

Nearly 4,000 jammed an Elks hall for a bingo light a short time ago. Most prizes are in costly merchandises. Members pay 75c to \$1 for admission, which allows them to participate in the games for prizes.

# N.Y. Chains Would Curb Giveaways If Indies Ditto

Loew and RKO are considering abandoning big scale coin giveaways if any sort of concord can be reached with competing independent circuits. While some minor cash prizes may be retained, the wholesale group contests would be thoroughly trimmed if current plans materialize. The all-day bands, conducted recently by both major circuits, are the greatest headaches at present. In a couple of instances, the capital prize offering was placed at \$3,000 or more. Though the advertising left the impression that this amount was to be distributed to patrons of one theatre, say rival indie exhibitors actually the larger sum was divided among the five to 10 houses of the designated group. This was possible by holding the drawings in one theatre with the winners announced simultaneously by wire in other houses of the group. Even this amount is being regarded as excessive for that number of theatres when given out in a single day.

Exhibitor leaders in the metropolitan area now feel that the coin distribution gag has gotten out of hand, with the cream or novelty slant of the contest idea eliminated since everywhere it is being copied with the outspoken skepticism of certain giveaways, has materially reduced the returns on the cash outlay made by house managements.

## Hirliman's 3d G-Man

Hollywood,

George Hirliman's third picture of a series of Federal agent stories starring Conrad Nagel and Eleanor Hunt, titled "Gold," will go into production Feb. 11.

Louis Gasnier directs.

cans furthermore, unless the Labor Department decides the newcomer would not throw a native out of a job. Previously producers who could satisfy foreign consular and diplomatic officers of the U. S. that their budding stars had no unduly talented were automatically given the necessary entrance tickets, but this would not be the case under the revised bill.

Another change wipes out the earlier provision which required American producers to use their influence to get jobs abroad for U. S. citizens. The prior Dickstein bills contained a section, now omitted from the 1937 draft, which said any agency or manager allowed to import an alien actor or musician must "cooperate" in opening up opportunities in the immigrant's homeland for American artists of similar qualifications.

This year's version, as of last year's revised text, has a broader scope than the bills put forward in 1935 and preceding years. It adds solo dancers and solo instrumentalists to the banned category, which embraces actors, singers, operatic warblers and orchestra conductors. About the only loophole is for jugglers, acrobats and rank-and-file musicians.

## No Cows in 'Pastures'

Victorville, Calif., Feb. 9.

Opinion in this cowboy town is that worst pic error of past year was titling of 'Green Pastures'. Rangehands from miles around flocked in to see it, but squawked when they found there wasn't a cow or a bit of grazing-land in the whole film.

## Three Denver Theatre Groups Drop Co-op Banko

Denver,

Three groups of theatres, seven in each, have dropped their cooperative bank and cash nights. The only co-operative giveaway now operating in Denver is the weekly free Ford at the seven Harry Huffman houses. This is the daddy of the cooperative giveaways in Denver; Huffman is very fond of it, and hesitates to drop it.

The Lucky, with two houses owned by Fox, two by Publix, and the Denham (first run), have banded their bank nights, running two nights a week. The Denham will continue, however, with two giveaways a week, working alone.

The Civic theatres, all under the same ownership, have been operating three bank nights a week, Tuesday, Wednesday and Thursday. Huffman houses, seven, have been running cash nights one light a week.

All other houses now operating cash nights, grocery store nights and Divvy games, will continue.

## Indies Lose Injunction Plea Against the ITOA

Request of Gotham Amus. Corp. and six other indie theatre owners for a temporary injunction to restrain the Independent Theatre Owners of America from entering into any sort of an agreement with any other organization was denied yesterday (uesday) by N. Y. Supreme Court Judge Callahan. At the same time the court set the trial for a permanent injunction for tomorrow (9).

The plaintiffs are seeking to prevent the defendant organization from consenting that Allied shall consolidate with any other labor organization to disband, or from modifying the agreement made between the defendant organization and with Allied. The injunction, if granted, would also prevent the defendant from entering into an agreement with International Alliance of Stage Employees and Motion Picture Operators' Union without the consent of the plaintiffs.

# Game Companies' Attorneys Test Gambling Stunts in Philadelphia on Several Fronts; 'Indies Need Hypo'

## Rush 'Meade' Release

Hollywood, Feb. 9.

Because the timeliness of its theme, having to do with reformation as cause of droughts and floods, B. P. Schulberg is releasing 'John Meade's Woman' two weeks ahead of schedule.

# CALIF. EXHIBS AID SOLON ATTACKS

Los Angeles, Feb.

roup of Southern California independent theatre operators are in rebellion against certain trade practices that have existed in the industry for many years, and have organized California Independent Exhibitors' Protective League to lend their aid to secure passage of shield of anti-industry bills introduced into the state legislature by Assemblyman Ernest Voigt of Culver City.

New league is headed by B. D. Russell, one-time indie producer, who plans to stage a production comeback after dropping a reported \$1,000,000 in the field some years ago.

Bills sponsored by the league include the proposed anti-block booking measure, a bill prohibiting designated or preferred play dates, and one that would prohibit producers or distributors from owning or being identified with the operation of theatres.

These bills are all opposed by industry tops and the major circuits, with indications that passage will be bitterly contested when the legislature convenes in Sacramento March 1.

Another proposed bill to harass exhibs has been introduced in the legislative hopper by Assemblyman Frank D. Laughlin of Los Angeles that would prohibit door prizes, games of chance and gifts of money or merchandise by theatres or other places of public amusement.

Philadelphia it to test legality of games used in houses here was filed yesterday. Game companies demand hearing on petition for injunction to prevent police from interfering with theatres using the pepper-uppers.

The games were banned last week by orders from the Mayor, but houses are now using them under four-week truce pending outcome of court decision.

The bill in equity was filed in the name of Sam Somerson, operator of the Palm theatre. He is using Dennis Game Co.'s 'Lucky'. Action was taken by David Malis, attorney for Dennis, and Dave Barrist, who handles 'Bonus'.

Test of Dave Molliver's 'Bangs' will be made by his attorney, Samuel Sonnenfeld, in a separate action in the criminal courts. The case of Ray O'Rourke, operator of the Doris theatre, who was arrested more than year ago, is still pending. It will be used for test.

Scheduled to come to trial the day after Hizzoner issued ukase against games, it was postponed by Judge William Lewis pending outcome of the ban. New trial date will be set for within next two weeks.

Different defenses will be used. Dennis and Barrist claim their game legal because 'anybody can play free', whether he is a patron of the theatre or not. P. A. systems are set up in lobby of house using games and moochers can walk in, take a card and play. They are eligible to win prizes. As long as anyone can play free, they claim there is nothing illegal.

Molliver says games legal, whether patrons play free in lobby or not. His lawyer declares 'there is no hazard for players,' they cannot lose anything, so game can't be contrary to the books.

Argument is that patron gets full value in pix for his admittance, 'games tossed in as added attraction. Hope also to gain sympathy for poor indie who must use some sort of tonic to meet prior runs offered by Warner Bros., as was recognized the Mayor last week.

United Motion Picture Owners of Eastern Pennsylvania, Southern New Jersey and Delaware, which originally was going to come to the rescue, has backed out since employment of lawyers by games.

They were going to file 'declaratory statement'—agreement with city solicitor on facts without use of any special exhibit's name—but Malis claims equity action offers chance for wider argument.

## Legislation

For a (Very) Liberal Neb.

Lincoln, Feb. 9.

Initiative petition is being circulated all over Nebraska this week asking for repeal of all existing gambling laws at the election, Nov. 8, 1938. Showmen, not particularly worried about its chances, are still much interested in its progress. Uses outlandish figures stating that, should repeal be effected and gambling legalized, revenue from tax entries in all sorts of chance games would amount to \$15,000,000 annually.

irculation of the petition is in the hands of the National Liberty League, Omaha, of which Don E. DeBow is secretary.

Provides that all machines, pinball games, racing, and baseball parlays, horse racing, puny boards, etc., be taxed and the money raised in that manner turned over to relief of widows, orphans and the aged.

Denver,

The 20% tax on admissions bill, introduced in the current Colorado legislature, has been withdrawn.

## Hoot for Tinted Nag

Hollywood, Feb. 9.

Hoot Gibson will play the male lead in Republic's serial 'Painted Stallion', and Julia Thayer, from studio's talent school, will play opposite Ray Corrigan, starred. Duncan Renaldo does the heavy.

The little games and Ray Taylor are co-directing the 12-chapter cliff-hanger at St. Utah.

# Lower House in No. Dakota Passes Anti-Chain Theatre Ownership Bill

Minneapolis, Feb. 9.

National Allied States is one up in its campaign to eradicate producer-distributor ownership or operation of theatres as a result of passage by the North Dakota legislature lower house by a 76 to 30 vote of a prohibitory measure. Bill will be before the state senate this week with indications pointing favorable action.

Publix (Minnesota Amusement Co.) owns or operates 10 theatres in North Dakota and would have to relinquish them if the measure becomes a law and its constitutionality is upheld.

Under the measure, Publix could not even own stock in any of the theatres. W. A. Steffes, chairman of the national Allied States' special committee appointed to conduct the campaign against producer-owned theatres, and Benny Berger, independent circuit owner and prominent in Allied States' activities, lobbied for the bill at Bismarck, N. D. Representatives of the Public it appeared at the House hearing to argue against the bill.

Steffes asserts that the Columbia University Law School faculty was employed to draw up a law which would be upheld in the courts. He also announces that bills similar to that of North Dakota will be introduced in every State in the Union and that no efforts will be spared to obtain their passage.

The title of the North Dakota bill is 'An act to prohibit the operation of motion picture theatres which are

owned, controlled, managed or operated in whole or in part by producers or distributors of motion picture films in which such producers or distributors have any interest.'

'As condition of the lawful operation of a motion picture theatre in the State, the person operating it shall file with the Secretary of State within 30 days after the date on which the operation of the theatre is begun, whichever is the later, and annually thereafter on or before Jan. 15 an affidavit that such theatre is not owned, controlled, managed or operated, in whole or in part, by any producer or distributor of motion picture films, and that no such producer or distributor has any interest, direct or indirect, legal or equitable, through stock ownership, or otherwise, in such theatre,' the measure provides.

The State district court will have jurisdiction to prevent and restrain violation of the act and it will devolve upon county attorneys to institute proceedings against the guilty party and restrain the violation. The individual officers, officers or agents of a corporation are to be held responsible for the filing of a false affidavit and subject to criminal prosecution. The penalty for knowingly making a false statement in the required affidavit is a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or both.

It is specified that if any provision of the act is declared unconstitutional the applicability of such provisions to other persons and circumstances shall not be affected thereby.

**CLEAR THE SCREENS**

*for*  
**ACTION**

*and*  
**LAUGHS**

**VICTOR  
M'LAGLEN  
PRESTON  
FOSTER  
IDA  
LUPINO**

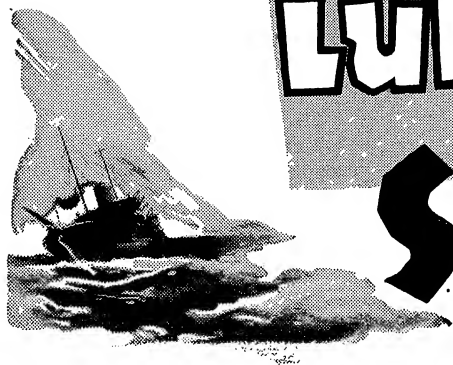
**IN  
SEA DEVILS**

with  
**DONALD WOODS**

**DIRECTED BY BEN STOLOFF  
AN EDWARD SMALL PRODUCTION**

Here comes the Coast Guard!  
... in a rollicking romance  
roaring with fun and pounding  
with drama and thrills ... as  
two of the boys get different  
ideas about the same dame—  
and she gets ideas of her own!  
...A howl for every heart throb  
as girl trouble strikes sparks  
in the Coast Patrol.

**R K O  
RADIO  
PICTURES**  

## Philly Ice Show

### Jams 'Em In; Sun. Law Jams Mgr.

Philadelphia, Twelve hundred prospective patrons arrived at the Arena Sunday night to see the Ice Carnival of 1937, but found best they could get a glimpse of was 18 cops parked around the ticket window. Some 5,000 others who had bought their ducats in advance were allowed in, but police said purchase of tickets at window would be violation of Sunday Blue Laws of 1794.

Show went on following arrest of Arena Manager Arthur Justin. Justin got himself out on copy of charge, appeared for hearing Monday morning, paid \$4 fine and closed the incident as far as he was concerned.

However, controversy raged between Magistrate Jacob Dogole, who levied the four-spot fine, and Rev. William B. Forney, who reported Sunday performance to police. Forney, who is well known to amusement men for his objection to everything and anything (he gets paid for it as secretary of 14 church organizations) was criticized by Dogole for not appearing against Justin after bringing the charges.

The magistrate observed: "It is high time the act should be amended, to permit a place like yours, which is highly respectable, to operate on Sundays, just as movies and baseball parks do. And people who make complaints behind closed doors should be big enough to appear at a hearing like this. I would like to discharge you (Justin) but if you id they would only you rested."

Forney later issued a reply stating he had reported the Sunday show to police two weeks before it came off and didn't think his presence at the hearing was necessary.

When the wickets were padlocked several speculators quickly appeared outside, but were shooed by the law. Ten per cent of the proceeds of the show went to the maternity ward of the Pennsylvania hospital. Carnival, despite confusion, was only eight minutes late in starting. The arena, which seats 6,200, was a colorful spot. Ice surface was painted green with border of red. In the center were a circled red diamond and four circled figures of skaters.

Roy Shipstad clicked 100%, was forced to four encores. Heinie rock's clowning also tickled spectators. Bess Erhardt, better-looker than ever, brought roars of approval, as did Eddie Shipstad and Oscar Johnson in a Bowery act. Whole show went over, uncertainty of beginning only adding to fans' thrill, though certainly not to Justin.

## Boehm on Garbo Pic

Hollywood, Feb. 9. David Boehm, recently contacted at Metro, has joined Salka Viertel and Sam N. Behrman on the screen play of "Madame Walsky," which Clarence Brown will direct with Bernard Hyman producing.

Greta Garbo and Charles Oyer top cast.

## CLYDE HAGER

Featured  
'Laughter Over London'  
ictori London

Exclusive Direction:  
WILLIAM MORRIS AG.

Conductor  
Violinist

The DYNAMIC

ARNO

Shea's Buffalo Theatre  
4TH WEEK

"Overture has stirring blend with Arno winning great applause for his solo." Buffalo Courier-Express.

## Ice Shows

(Continued from page 5)

same experience, with the public ice-conscious. Acrobatic and dance acts which never got anywhere on the hoof have blossomed out as faves, doing the same stunts on skates.

### Sonja, Ice Ballet, Etc.

Last year the Ice Carnival and Ballet at the Chicago tadium played to eight capacity houses in six days. Sonja Henie was in the show last year but not the surefire act she is at present. She is booked to repeat the Stadium here next week on a three-day stand, and the Stadium can't handle the demand for ducats. And this situation has occurred throughout the nation this season, even on those shows in which Sonja Henie is not appearing.

Ski meet formerly was something that you used to see in the newsreels, but so much interest has been aroused in that type of sport in the past couple of years that there are several organizations which are trying to satisfy that interest and curiosity. Here in Chicago, the tab Times adopted an annual ski meet as promotional stunt, and on Sunday (7) filled the mammoth Soldiers Field with curious ski-meet visitors.

Having made a big click with its Golden Gloves the Chicago Tribune is now putting extra pressure its Silver Skates contest, and interest in this form of competition is building amazingly.

Behind the remarkable boom in ice as a medium of public entertainment are two important items. First, it has become fashionable, and second, ice shows are now held indoors with plenty of steam heat for the onlookers. With smartness on one hand, and comfort on the other, ice is the public's new amusement baby.

### National Vogue

All over the country the winter sports movement has not only made the younger generation more ice and snow-minded but the (so far) off-season in Flori is partially credited to the inroads of the skiing and snow-train vogue. In the east, of course, the weather has been rather mild so far, and for a time the New England merchants, stocked up with winter sports apparel, were crying 'the blues. Recent snowfalls, however, have helped the situation.

Akin to the Chi Times, the N. Y. Daily News' Silver Skates competition (its winter counterpart of the Golden Gloves) and now the N. Y. Mirror's three-day ice festival at the Polo Grounds, Jan. 20-22, for charity, are further civic-newsletter hook-ups.

All over, in the key cities, the personal appearance tours of Sonja Henie and ki ice stars have topped rink grosses extraordinarily, and far beyond usual capacity. The skating ponds and admish rinks are enjoying a like boom.

All this, of course, must cut into the b.o. of other indoor amusements.

## Gottlieb on Coast for Wanger Ad Campaign

Hollywood, Feb. 9. Hal orne, production executive for Walter Wanger and Alex Gottlieb, advertising exec, arrived from New York last Saturday (6). Gottlieb, it is understood, will take over special advertising campaigns for forthcoming Wanger productions with materi emanating from the Coast.

Other Coast arrivals included Gene Towne, Ernest Toler, James Cagney and Joe Laurie, Jr.

### KANSAS CITY

(Continued from page 11)

pagne Waltz' (Par), okay at \$8,500. Midland 'Loops' (4,000; 25-40)—'Secretary' (Col) and 'Devil's Playground' (Col), dual. Getting \$13,500, nice. Last week, 'ive Once' (UA), and Cover the N (MG), di pointing \$8,500.

Newman (Par), (1,900; 25-40)—'Doctor's Di' (Par). 'Nice interest in this as John Trent, nee La Verne, rowne, was a local TV pilot. Critics planned story but favorably compared Trent with the H'wood greats. Looks to move up to nice \$7,000. Last week, 'One in Million' (20th) (2nd run), got fine \$7,400.

Tower (Revot-Fox) (2,200; 35)—'Smart Blonde' (WB) and vaude. Nice \$7,000. Last was 'Join Marines' (Reel) and vaude slipped under average at \$6,000; not so forte.

Uptown (Fox) (2,030; 25-40)—'Loyds' (20th) (2d week). Last week house caught a fine \$7,000 and this week should break to the \$5,000 column.

## DISMISS 5 FILM SUITS; NOT PRESSED

Clean-up—old suits occurred Monday (8) in N. Y. Federal Court when Judge John C. Knox tossed out the actions involving motion pictures because of non-prosecution. The cases dismissed included:

The injunction and damage claim in 1933 by Headline Pictures, Inc. against Paramount for alleged infringement of the title, 'A Private Scandal.' Plaintiff claimed buying the script bearing the same title from John Naffeloff in 1930 and spending \$50,000 in production of a picture on the story. Some time later, according to Headline, Paramount distributed a film under a similar title without paying for it.

lectures Corp. New Jersey, through its receiver, Paul J. Duffy, and Morris Levine, one of the defendant company's officers, neglected to prosecute their 1933 suit for accounting and damages involving the film, 'The Big Chance.' Defendants' action were the Forward Pictures Corp.; Eagles Productions, Ltd., parent of the plaintiff corporation, Empire Laboratories, Inc.

Probably the last of the civil actions involving 'Betty Boop' occurred when Judge Knox also dismissed the 1934 suit for injunction and accounting brought by Fleisher Studios, Inc. against King Feature Syndicate and the N. Daily Mirror. Plaintiff claimed paper cartooned 'Betty Boop' without plaintiffs' O.K.

Another action dismissed was accounting action brought by American Tri-Ergon against the defunct Talking Pictures Epics. Plaintiff claimed theft of sound improvement patents.

## CHET CHITNEY GRAVE AFTER HIT BY AUTO

Hollywood, Feb. 9. Chitney, 50, director for Norma Talmadge and other toppers of silent films, is in a grave condition in General hospital after being struck by an auto.

Chitney was a comic with the old Triangle Co., before taking the megaphone.

### CONTRACTS

Hollywood, Feb. 9. Vicki Baum, Dore Schary and Frances Marion writer pairs by Douglis.

McLean placed Morgan Hill, actor, under personal contract. He makes his debut in MacLean's '24 Hours Leave.'

Metro tied Robert Tasker and John Bright, writers.

RKO lifted option on John Beal.

Warners extended Milton Krims' writing pact.

Sam Nelson and Cliff Broughton, assistant directors at Columbia, had covenants extended six months.

Mortimer Offner, writer, tagged at RKO and assigned to the Pandro Berman unit.

Player options on Shirley Deane, Dorothy Dearing, Esther Brodelet, Geneva Sawyer, Lynn Bari and Thomas Bick picked up at 20th-Fox.

Republic renewed writer pact with Dorell and Stuart McGowan.

Juanita Quigley handed act tract at Metro.

Charles Tannen's icked up at 20th-Fox.

Buster Crabbe picked up new contract at Par.

RKO gave new contract to Edward Stephenson, dress designer, and picked up options on Diane Barri-ton and Anne Hovey, players.

Franklin Coen, writer, had his tion picked up at RKO.

John Morley knocked off a termier at RKO.

### STORY BUYS

Hollywood, Feb. 9. Flight from Girl's original by Robert Andrews, has been taken by RKO for a Robert Sisk production.

'Enemy Territory.' Pictorial view yarn by Margaret Banning, was sold to Columbia.

'Three Mad Men,' by David A. Bader and David Evans, bought by E. Howard Alexander (Alexander Films), of London. Ralph Spence will script; Mel Brown is to direct.

Mervyn LeRoy has bought 'The Charlatan of Paris,' written by Joseph Fields and Ewart Adams.

Paul: Gallio's 'The Westpost yarn,' taken by Columbia.

## Foy to Rep?

(Continued from page 5)

2 and will sever all connections with the studio March 15. He will receive part of the payment in cash immediately and the remainder over a three-year period.

Washup came after Levine had conferred 10 days with Yates, J. J. Milstei, Republic sales manager, and Moe J. Siegel, Levine offered a withdrawal offer of opi ion regardi and his offer was accepted.

Before Yates and Milstei pulled out for New York Feb. 5, the former asserted that the nine producers now on the lot would be given their quotas by him. Under this unit system Siegel is to function as supervising executive. Siegel has been associated with Yates for a number of years, coming into the Republic fold from Consolidated Film Laboratories.

Emanuel Goldstein, who came to the Coast from the Republic h.o. recently, as business manager.

Yates asserted that the company would continue on a policy of quality production and that costs would not be curtailed. He said the firm would make 32 features this season.

Levine will remain at the studio to complete production on 'Jim Hanvey, Detective,' and 'Hit Parade.' He will then take a three-month vacation before aligning with one of the major companies as a unit producer.

## French-Buell's Sextet

Hollywood, Feb. 9. Blackstone Productions has been organized by L. A. French, former general manager of the Hal Roach studio, and Jed Buell, indie producer, to make six features for summer release.

Buell has been turning out Fred Scott mesquites for Spectrum, having the crooner under personal contract. Company will headquarter temporarily at RKO-Pathe studio in Culver City.

'Moon Over Mulberry Street,' stage play which closed in New York recently, has been acquired by Blackstone and will serve as the outfit's first picture. Indie producer trying to borrow Henry Armetta for top spot.

## Steve Eller, Tom Brandon To Be Exam. Before Trial

N. Y. Supreme Court Justice John E. McGehean decided Thursday (4) that Stephen H. Eller, president of the H. E. R. Laboratories, Inc., and of Aladdin Pictures Corp., and Tom Brandon, treasurer of Garrison Film Distributors, Inc., must appear for examination before trial of the \$68,000 suit brought against their corporations by the Li Pictures Corp.

The action involves the rights to certain pictures made by Talking Picture Epics, Inc., which later went into bankruptcy. The defunct corporation had turned over 32 negatives to H. E. R. Lab for printing and Lina now claims ownership to these negatives through assignment made by Epics. Plaintiffs ask \$50,000 and \$12,000 for rental of pictures for one year.

Defendants in answering the suit claim H. E. R. obtained the negatives through liens against Epics for work done on the negatives. This company in turn sold the pictures to Aladdi, which in turn sold the exhibition ri

### Blaze on Par Lot

Hollywood, Feb. 9. Barbara Stanwyck, irector Al Santell and 50 extras escaped injury when a minor fire broke out on a work set at Paramount studios this morning. Miss Stanwyck and others appearing in picture rushed to safety.

Fire started when were blown against an open arc light. It was halted by the studio fire department with but slight damage.

### WB TITLE SUIT FOR 150

Federal Judge Patterson yesterday (Tuesday) signed order bringing in the Vitaphone, and Vitaphone, Inc., as co-defendants in the \$150,000 brought by May MacFadden, wi of Edward Esmond, author of the lay 'Giri Trouble.

Plaintiff is ing on ground that plaintiffs used the title of her husband's play on picture without consent.

## Studio Unions

### Carve Closed Shop Demands

Hollywood, Steering committee six union officials representing 14 studio locals will meet tomorrow (Wednesday) to discuss preliminary plans to present demands for studio recognition at the forthcoming labor meeting to be held in New York next month.

Various meetings have been held within the last few weeks to devise ways for the unions not recognized by the studios to present plans for a 100% closed shop for all workers. Plan is to make this demand as a group and not to ask for individual agreements.

Those expected attend the meeting tomorrow are Kenneth Thomson, representing the Screen Actors Guild and the California State Labor Federation; Al Speede of the International Brotherhood of Electrical Workers, local 40; R. D. Kohl, Hollywood Painters, local 644; Cliff Mace, studi carpenters, local 946; Charles W. Elrod, of the makeup and scenic artists, local 621 and 731, and Bert Offord of the Associated Picture Costumers, local 18067.



## JAMES McCALLION IN THE THEATRE GUILD'S 'BUT FOR THE GRACE OF GOD'

### GUILD THEATRE NEW YORK

The Critics sai  
JOHN MARSH BROWN,  
N. Y. Eve Post:  
'EXCELLENT.'  
ROBERT COLEMAN,  
N. Y. Daily Mirror:  
ING.  
DOUGLAS  
N. Y. World-  
BROOKS ATKINSON,  
N. Y. Times:  
'PUNGENT ACTI'  
ROBERT BENCHLEY,  
New Yorker:  
'ESPECIALLY  
JOHN ANDERSON,  
N. Y. Sun Journal:  
'AFFECTI I SHARP, INATIVE.'

'REALIZES PART AS COMPLETELY AS AUTHOR COULD DEMAND.'

'ARHETTY'  
'SPLENDID JOB. ASSIGNMENT CARRIED KEEN THROUGH EVERY PAGE OF THE ACTING BOOK—HE TAKES EVERYTHING IN STRIDE.'

IRECTION:  
WILLIAM MORRIS AGENCY

'But If They Don't Take Up My Option'

By Joe Laurie, Jr.

Well, here I am, gong to Hollywood. I wonder should I have taken some heavier clothes; they say it's cold out there. Ah, maybe it's publicity stuff for Florida. Well, I have enough clothes with me to last me until they take up my option, and if they do take it up I can get some clothes out there. They have some hot looking stuff out there, judging by the clothes the guys come back with.

Well, one thing I am going to do, I'm not going for any of that social stuff. If you got what they want, they'll buy it without my running around with all my bosses. And if you get too friendly with them, they pay you off in friendship and that ain't what I'm going out for. I got enough friends now. I want those California bucks.

Maybe some of the boys are right when they say you don't stand a chance if you don't get seen. They tell me you got to go to the racetracks and gamble, be seen at the night clubs and restaurants, and get yourself invited to the big shots' homes. Any jobs come up, they got you in mind. Oh, nuts. Well, maybe for the first week I'll go around with the can and see how I'm in town. Maybe the columnists will use my name, it don't hurt. Gee, I wonder will the boys I knew so well back east that I used to pal around with, give me a tumble? Oh, sure they will, when they find out I'm working and don't want anything.

I don't believe what they say about guys turning Hollywood; why should a guy act any different out there than they do back east? Well, at that, I know a lot of the guys that did, but they weren't right guys to start with. Ah, the best thing to do is to mind my own business and stay by myself. And I'm not going around trying to be smart and tell a lot of gags, they'll get 'em and add 'em to their files. Most of those fellows write with files. . . and I must remember not to show anybody my files.

Gee, I hope they like me; well, what the hell, if they don't, I'll come back with some real dough.

Gee, what suckers those guys are to stick out here. Who would want to live out there all the time? Sunshine and heat, it gets a guy lazy and you can't write or do nothing at that lot of them are writing all the time. . . but I like winter and autumn. . . it's a change. At that, lately, I can't stand the cold as much as I used to; that hot sun is good for you, but not too much of it. . . well, it's cool nights there anyway. . . And some of the boys have some beautiful homes and servants and it makes a great flash. . . I wonder what I can get a Jap to sort of be a valet to me for? And, what do I want with a valet? I wouldn't let a guy put on my socks for anything. . . but he can serve the drinks and stuff like that. Well, I'll find out what the way is, maybe I'll get one just for a week or so, and if they take up my option I'll keep him on.

I'd like to meet some of the big stars, not that I live a damn, but I'll get a picture from them and have them autograph it and when I show it to the boys back East they'll think I was hanging out with all the biggies. Nuts. I know some swell smallies to hang out with and 10-to-1 they're better guys than the biggies. . . but it won't hurt to be seen with the big guys and I may give them an idea for a picture and you can never tell. . . I may get in that way. Gee, what if I don't make good? What the hell, there's a lot of guys didn't make good. It's the breaks. At that, there's a lot of big competition out there. They certainly got the cream of the writers. Well, if I get a break I'll be as good as any of them, of course they can't expect me to start like a house afire and burn up the town with my first script. I will have to wait to get the lay of the land and know what's what. . . at that, a lot of guys go out there and start off big, then they peter out, they give everything on their first shot. Well, I'll take things easy for awhile, that's the best thing to do.

Oh, nuts, I'm not going start worrying now. I know I can write better than Joe Ginkley, and he's made a living out there for years, but I don't think he gets what he tells me he gets. Maybe half.

Gee it would be funny if some director or producer grabs me on the street and sez you're the type and puts me in a picture and I make a big hit. Oh, boy, wouldn't that gang

back east go nuts? Eh, acting don't last long, I'd better stick to writing. Anyway, I don't believe those stars get the dough that they say they do; it's a lot of publicity stuff for the yokels. At that I know a lot of guys made big dough out there, they must or they can't live the way they do, with a half dozen cars, big homes and throw big parties. Well, maybe they are I debt over their heads; I think I'll just get a room somewhere where nobody will bother me. A lot of the boys told me they hide away and don't put their phone numbers in the book, so nobody will bother them when they're writing. Well maybe I better go to a big hotel for the first few weeks until they take up my option, that will show the boss that I got some dough and I don't have to take any gun from anybody. Maybe later on I'll get one of those nice ig homes with swimming pool, it don't cost so much. . . living is very cheap out there, if a guy don't fly too high. . . but I hear you gotta pay for the water in the swimming pool extra. . . that adds. . . well maybe a house without a swimming pool would be alright to start with. I guess if you haven't got a swimming pool they think you're a house. Nuts to them. I'm going to live my own life. I'm going out there to work, not to play. Of course a guy has got to have a little fun sometimes, too.

I suppose when they find out I can't play bridge nobody will invite me out. I'd rather sit around with the boys and punch the bag and get some laughs. . . There's a lot of guys out there that can't play bridge. . . they must do something, so I'll stick with them. I wonder will some of my pals call me up to have dinner with them? I guess they won't; too busy. When I'm ready to leave everybody will call me up and say they just heard I was in town. I know that one. Well maybe I won't leave; maybe they'll take up the option then I can look around for a big house with a couple of Japs.

Oh, nuts, I'll say to myself, that's the best way, if they want to call me up alright and if they don't, alright, too. I'll bet when they see me in a big house with tennis courts, swimming pools and stuff like that, they'll come around me.

Anyway I better call up a few of the boys. They'd be sore and think I've gone Hollywood if I don't. . . I don't know why they should be sore, I haven't heard from them since they're out here, and that's years. Ah, let 'em call me. Well I'll give

**An Art in Eclipse**

Hollywood, Feb. 9.

Pie tossers in films have lost their art.

After 11 had failed to heave the custard into Greta Meyer's face for a scene in Republic's 'Steel' Director Bill Nigh came through with a perfect strike.

them a ring and see how they act. That's what I'm afraid of, maybe they'll just ACT.

Why should I worry? Here I am with a swell contract and a fine train with lovely scenery and I'm sitting here worrying what's going to happen. . . I'm acting like a kid; if they don't like my work I'll go back east. I've gotten along without them so far, I can do it again. . . But if they do take up the option I'll be all set and put away my dough. I won't be like a lot of those guys out there, end up without a dime. . . Then I can get myself a ranch with a big house with a swimming pool, tennis courts and maybe myself a string of race horses. . . I may end up with a supervisor's job or some other big job like that. . . say, I'm sitting pretty. I should worry.

But if they shouldn't take up my option. . .

6 New 'Cassidys' Hopped \$10,000 Per Each at Par

Hollywood, Feb. . .

Harry Sherman will produce six more 'Hopalong Cassidy' films for next season under his new deal with Paramount which has upped the budget \$10,000 for each of the series.

Producer will turn out one a month with new writers added to speed production. Sherman has three more to go on this year's schedule.

**Local-Coloring in N.O.**

New Orleans, Feb. . .

Universal crew arrived Thursday (4) to lens scenes of French quarter, Mardi Gras and historical points for film based on New Orleans. Crew includes Bruce Manning, former local reporter, who is now scripter and assigned to adapt yarn for production; Morris Ryskind, producer, and Mrs. Ryskind; Charles Spaulding, production manager; Milton Krasna, cameraman, and others. Plan to remain here for two weeks.

Walter Plunkett, RKO costume designer, also here doing research for 'Gone With the Wind.' Libraries, museums and old book stores here being combed for data on sets and costumes. Will be in city another week.

Comparative Grosses for January

(Continued from page 10)

SEATTLE				
	Jan. 7	Jan. 14	Jan. 21	Jan. 28
FIFTH AVE. (2,400; 27-37-42) High. \$26,000 Low. 2,500	After Thin Man \$13,000	Thin Man \$8,200 (2d week) (9 days)	3 Smart Girls and Tundra \$7,900	Smart Girls and Tundra \$4,800 (2d week, 5 days)
PARA-MOUNT (3,100; 16-21-32) High. \$57,800 Low. 3,400	Plainsman and Luckiest Girl in World \$11,400	Rainbow on River and Flying Hostess \$5,300	Girl from Paris and Mind Your Own Business \$5,200	Great Guy and Under Your \$4,800
LIBERTY (1,900; 16-27-37) High. \$12,600 Low. 1,700	Pennies from Heaven and North of Nome \$6,000 (2d week)	Pennies and Nome \$3,400 (3d week)	Garden of Allah \$8,200	Allah \$4,400 (2d week, days)
MUSIC BOX (2,000; 27-37-42) High. \$17,000 Low. 1,700	Stowaway \$3,400	Chan at Opera \$3,400 (2d week)	College Holiday \$2,100	Romeo and Juliet \$4,200
INDIANAPOLIS				
	Jan. 7	Jan. 14	Jan. 21	Jan. 28
APOLLO (1,100; 25-40) High. \$15,400 Low. 1,200	Gold Diggers of 1937 \$4,900	3 Smart Girls \$4,500	One in Million \$6,900	Million \$4,500 (2d week)
LYRIC (2,000; 25-40-50) High. \$15,500 Low. 1,800	Sing Me a Love Song \$9,400 (Vaude)	Chan at Opera (Folies D'Amour Unit) \$8,750	Once a Doctor (Marcus Revue) \$10,500	Black Legion \$7,500
CIRCLE (2,800; 25-40) High. \$26,000 Low. 1,700	Plainsman \$9,250	Plainsman \$3,750 (2d week)	Winterset and Racing Lady \$4,500	Man of Affairs and Woman Alone \$2,800
LOEW'S (2,000; 25-40) High. \$19,000 Low. 2,000	Camille \$8,400	Garden of Allah and Come Closer, Folks \$5,700	Romeo and Juliet and After Thin Man \$10,000 (Split week)	Beloved Enemy and Man Lived Twice \$5,000

DENVER				
	Jan. 7	Jan. 14	Jan. 21	Jan. 28
DENHAM (1,000; 25-35-40) High. \$16,000 Low. 1,700	Plainsman \$10,000	Plainsman \$7,000 (2d week)	Plainsman \$4,000 (3d week)	Mind Your Business \$4,000
DENVER (2,500; 25-35-50) High. \$27,500 Low. 5,000	Garden of Allah \$10,500	Gold Diggers of 1937 \$11,500	Sing Me a Love Song \$12,000 (Major Bowes Unit)	Beloved Enemy \$8,500
ORPHEUM (2,000; 25-35-40) High. \$20,000 Low. 2,900	After Thin Man and General Spanky \$17,500	Thin Man and Spanky \$6,000	Camille and Mad Holiday \$6,000	Girl from Paris and Sinner Take All \$5,300
PARA-MOUNT (2,000; 25-40) High. \$22,000 Low. 1,200	More Than Secretary and Slalom \$5,000	White Hunter and Beloved Vagabond \$3,000	Great Guy and Case of Black Cat \$4,000	Chan at Race Track and Crack-Up \$3,000
MONTREAL				
	Jan. 7	Jan. 14	Jan. 21	Jan. 28
PALACE (2,700; 50) High. \$18,000 Low. 4,500	Born to Dance \$10,000	Lloyds of London \$10,000	Lloyds \$7,000 (2d week)	One in Million \$10,000
CAPITOL (2,700; 50) High. \$30,000 Low. 5,100	College Holiday and Accusing Finger \$6,500	Sing Me Love Song and Case of Black Cat \$6,000	Plainsman \$10,000	Plainsman \$6,000
PRINCESS (2,300; 50) High. \$25,000 Low. 3,500	Pennies from Heaven and Man Lived \$7,000	Garden of Allah and Plot Thickens \$10,000	Allah and Plot \$6,500 (2d week)	Girl from Paris and Wanted: Turner \$6,000
LOEW'S (3,300; 50) High. \$20,000 Low. 3,000	Smartest Girl in Town (Manhattan Scandals Unit) \$12,000	Chas. Chan at Opera \$11,000 (Cuban Revels Unit)	Jungle Princess \$8,800 (Hollywood Follies Unit)	Smart Blonde \$11,000
MINNEAPOLIS				
	Jan. 7	Jan. 14	Jan. 21	Jan. 28
MINNESOTA (4,200; 35-40-60) High. \$45,000 Low. 5,000	Plainsman \$10,000	After Thin Man \$13,000	Camille \$9,000	Beloved Enemy \$5,500
ORPHEUM (2,800; 25-35-40) High. \$25,000 Low. 2,900	Girl from Paris (Riviera Follies Unit) (Stage Show) \$12,000	One in Million \$10,000 (8 days)	Come and Get It \$7,000	Charge Light Brigade \$8,000
LYRIC (1,300; 20-25) High. \$28,000 Low. 2,500	Dedsworth and Polo Joe \$2,400 (Split week)	Ladies in Love \$1,800 (2d run)	3 Men on a Horse \$2,000 (2d run)	Pigskin Parade and Pennies from Heaven \$6,000 (Split)
STATE (3,300; 25-35-40) High. \$17,000 Low. 900	Stowaway \$4,000	Winteret and All-American Chum \$3,000	Here Comes Carter and Wanted: Jane Turner \$2,500	Career Woman and King of Hockey \$2,000
PITTSBURGH				
	Jan. 7	Jan. 14	Jan. 21	Jan. 28
PENN (3,300; 25-35-40) High. \$41,000 Low. 3,800	After Thin Man \$13,900	Camille \$25,000	College Holiday \$15,500	Garden of Allah \$10,000
WARNER (2,000; 25-40) High. \$28,000 Low. 2,000	Wanted: Jane Turner and Make a Million \$6,100	After Thin Man \$11,000 (2d run)	Camille \$8,500 (2d run)	We Who Are About to Die and Smart Blonde \$5,600
STANLEY (3,000; 25-40-50) High. \$48,300 Low. 3,200	Rainbow on River \$14,500 (Clyde Lucas Orch.) (Stage Show)	Mind Your Own Business \$15,500 (Benny Davis Stardust Revue)	God's Country and Woman (Hollywood Hotel Revue)	Girl from Paris (Fats Waller Orch.)
KANSAS CITY				
	Jan. 7	Jan. 14	Jan. 21	Jan. 28
MIDLAND (4,000; 25-40) High. \$35,100 Low. 5,100	Camille \$14,800	Garden of Allah and Sinner Take All \$10,200	Pennies from Heaven and Countertop Lady \$13,500	Beloved Enemy and Women in Distress \$8,500
MAIN-STREET (3,300; 25-40) High. \$35,000 Low. 3,300	Plainsman \$18,000	3 Smart Girls \$11,000	Girl from Paris \$7,000	One in Million \$14,000
NEWMAN (1,000; 25-40) High. \$33,000 Low. 3,300	College Holiday \$7,600 (2d week)	Great Guy \$6,800	Rainbow on River \$7,500	Sing Me a Love Song \$4,000
UPDOWN (2,000; 25-35-40) High. \$11,000 Low. 1,500	Gold Diggers of 1937 \$4,200 (2d run)	Plainsman \$4,500 (10 days, 2d run)	ROAD SHOW	3 Smart Girls \$5,900 (2d run)
PHILADELPHIA				
	Jan. 7	Jan. 14	Jan. 21	Jan. 28
ALDINE (1,300; 40-55-60) High. \$16,830 Low. 2,700	Beloved Enemy \$21,000	Enemy \$12,000 (2d week)	Wings of Morning \$11,000	Men Are Not Gods \$10,000
EARLE (2,000; 25-40-50) High. \$33,000 Low. 10,500	Sing Me a Love Song \$25,000 (Vaude)	Smartest Girl in Town (N.T.G. Unit) \$16,500	Crack-Up \$14,000	Mind Your Business \$20,000 (Fred Waring Orch.)
FOX (3,000; 40-55-65) High. \$41,000 Low. 10,500	College Holiday \$23,500 (Stage Show)	Holiday \$14,500 (2d week)	Girl from Paris \$17,000	Mind Your Business \$15,000
STANLEY (3,300; 25-40) High. \$48,000 Low. 3,800	One in Million \$14,000	Plainsman \$18,000	Plainsman	3 Smart Girls \$16,500

# STATION DRIFTS ANALYZED

## 'So You Think You're Good—'

Washington, Feb. 9. Somebody said radio announcers were just slicked-up versions of the old time Main Street high pitch salesmen who did their stuff with one eye looking down the street for brass buttons. This snippy remark has on one hand incensed the radio announcers and on the other the high pitch boys. Latter think radio spielsers are phoney Oxford, parlor eloquence and sissies.

Seeing the ballyhoo possibilities Station WJSV is putting on a debate. Larry Elliott will argue that the radio announcers have been insulted, and Harry Maier, super-pitchman, will argue that his breed has been insulted. Elliott got a prize once for polished diction. Maier admits he probably spouts inferior English but claims he can sell plenty of goods out of a satchel.

Clash occurs tonight (Tues.).

## ANOTHER EXPO MAN JOINS NBC

Another person who was associated with Lenox R. Lohr in the operation of the Chicago World's Fair has joined NBC in an executive capacity. Newcomer is Dwight Wallace, named manager of personnel in the network's New York quarters.

Wallace takes the spot made vacant by C. W. Fitch, when he was recently appointed business manager of the NBC program department. Fitch, like Wallace, was with the Chicago exposition, serving as assistant to Lohr. Both Fitch and Wallace had in the meantime obtained jobs with the housing division of the WPA.

## MPPA License Fees For Off-the-Air Recorders Up for N. Y. Negotiation

Group of off-the-air recorders have been invited by John G. Paine, chairman of the Music Publishers Protective Association, to meet with him in his office to discuss the terms of the licensing contract which the MPPA proposes to issue to this phase of the recording business. Those invited rate as the leaders in the indie field.

Like the arrangements that Paine is working out with NBC, Columbia and the World Broadcasting System, the fees charged the small off-the-airers will be subject to negotiation. His purpose in bringing them in for a talk is to find out mainly how large business they did during 1936 so that the lump sum they are to pay as a license for the current year can be allocated. Of this amount 50% is to be paid upon the signing of the agreement with the MPPA. Balance will be forthcoming July 1.

Copies of the MPPA off-the-air recording license agreement, as drawn up by its counsel, Joseph V. McKee, have already been turned over to NBC, CBS and World. Under this agreement the licensee must furnish Paine with reports showing the names of all the musical compositions recorded.

License form states that the recording right granted is limited strictly to such off-the-air master or platter, and that no right of performance, nor of manufacture, nor any other right under the copyright is hereby conveyed.

## NOW ITS SIR ADRIAN

B.B.C. Musical Director Knighted by King George VI

London, Feb. 9. conferred by King George VI were announced Jan. 31. Only one person associated with the amusement profession drew royal recognition.

Rank of knighthood was awarded Dr. Adrian Boult, director of music for the British Broadcasting Corp.

However, Sir Darent Hall Caine, former Member of Parliament and prominent member of the National Labor Party, was given the rank of baronet. Nobody seems to remember that he was once an actor and played legit sketches and vaudeville in Am

## RENOVATE AGENCY SPACE

Benton & Bowles, B. B. D. & O. and Lord & Thomas Expanding

Advertising agency business looked the past week as though it were in the midst of a building boom. Reconstruction operations were in process at Benton & Bowles, Batten, Barton, Durstine & Osborne, Inc., and Lord & Thomas.

At B & B it's a general overhauling of several of the ices, while the principal alteration at B. B. D. & O. involves realigning and decorating the research department so that it will have the appearance of an up-to-date library, and serve also as a sort of show window for visitors. Ripping out and rebuilding in the Lord & Thomas quarters is taking place on the 14th floor.

Until recently J. Walter Thompson's layout in the Graybar building was constantly undergoing some alteration or another. Largely responsible for this was the agency's effort to provide quarters for its expanding radio department. At the present time the Thompson radio is concentrated in one section of the eleventh floor.

## JOLSON IN DRAMAS ON AIRSHOW REVAMP

Hollywood.

Al Jolson will get a chance to do some straight acting on his Lifebuoy-Ringo broadcast. In revamping airshow, Producer Cecil Underwood is devoting last 10 minutes to dramatics. Film names will be used in supporting roles.

First off will be Man Who Knew Lincoln. Cast remains as is, with musical portion crowded into first half.

Bergen Starts Something

Des Moines, Feb. 9.

Click of Edgar Bergen's ventriloquist act the Rudy Vallee's Fleischmann show has apparently opened the door wide for such turns in radio.

WHO has Kenneth Spencer, ventriloquist, set to do a guestess on the station's lowdown Barn Dance Frolic. The act is billed as Kenneth Spencer, ace of ventriloquists, and his boy fri' Jerry. Bergen introduced the idea of giving his dummy billing, Charlie McCarthy.

## KWK Men in Smash-up

Feb. 9.

Three employees of station KWK are being treated in St. John's Hospital for injuries suffered in an auto accident last week near Hayti, Mo., as they were on their way to Charleston, Mo., to broadcast flood conditions. Injured are Charles Stookley, announcer, who suffered a compound fracture of right arm and broken right leg; Tom Dailey, announcer, cuts on face and chest; and James Burke, chief engineer, lacerations on face and neck.

Other studio employees were rushed to flood scene to continue broadcasting.

Carlton Smith, NBC's presidential nouncer, signed on and off Jerry Bergen's 'Our Neighbors' broadcast Sunday afternoon from the Washington home of United States Senator Ryan Duffy, of Wisconsin.

## POLICIES TEND TO CRYSTALLIZE

Amateurs Peter Out—Sports Tremendous—Negroes Get More Attention in Dixie—Everybody Vox Popping

### OTHER ITEMS

rends, drifts and now fairly universal policies are indicated by the vast mass of data analyzed by VARIETY to arrive at the ratings in the community showmanship survey printed elsewhere in this issue. Following summarizes some changes or tendencies noted:

(1) Amateur programs for adults and using adults are now passing out. Left behind as pretty standard with scores of stations all over the land are child amateurs—down to two years young. That makes for family interest, is easy to sell to local merchants, in ideally mornings and afternoons. Will probably be permanent type of program.

(2) Sports has definitely become a tremendous factor in station operation and a rich source of income. Football and baseball, the obvious, have been augmented by hockey, racing, basketball, golf, tennis and a variety of obscure and even esoteric games. Many stations, largely small-warehousers with terrific competitive situations, frankly designate themselves sports stations and go after this type of following and sponsorship almost exclusively. Sports remotes possibly outnumber all others in the sense of local importance, distance traveled, expenses incurred.

(3) Owl programs such as all-night revues show a tendency to increase.

(4) Negroes are getting more time, more attention from stations and advertisers and more opportunity to speak or entertain over the air in the southern states. A place for the race is being found. WPA has given colored race more spending money than at any time in history.

(5) Vox Pop, man-on-street and similar programs have mushroomed. This is a local echo of network sponsorship. In some cases the commercials were inspired by the local examples. Novelties have a distinct appeal to stations on the grounds of (a) cheapness, (b) attention-getting publicity possibilities, (c) strong local flavor.

(6) Federal government's various bureaus get more free time for more varied purposes than other groups.

(7) Broadcasting banquets, luncheon clubs, testimonials is now a conspicuous radio example of Americana. Sometimes it's personal with management of the station; sometimes because of community prominence of speakers, guests or auspices. Or at nighttime because a bunch of musical Rotarians are about as good, or as bad, as anything else the station would have to offer.

(8) Stations are self-conscious about phonograph record, boast of transcription substitutes, go ga-ga with pride when able to adopt an all-time talent policy for peak hours, etc.

(9) Newspaper-owned stations by and large appear to enforce the most rigid copy standards on radio advertisers of all local stations (making a distinction from network-imposed rules).

(10) An increasing number of radio stations direct an appeal to the laboring classes, and play up matters of interest thereto. Meanwhile censorship and civil liberties remain under constant scrutiny from a variety of sources.

16 Mm. Show at 25c Admish By Irish Radio Maestro

Philadelphia, Feb. 9.

Intanton, manager, WDA, runs an Irish program. Last summer when on the old sold he took plenty of 16 mm. footage. He invited listeners on his program to come to Moose Hall last week and see pix of the old homeland.

He got two bits a head.

## Mustn't Mention Blood, Knockdowns Or How the Fight Is Progressing

### AGENCIES ALTER BILLING

Cecil, Warwick & Legler, New-lackman Into Compton, Inc.

Cecil, Warwick & Legler is slated to change its name to Cecil, Warwick & Legler to account for a new partner, Henry Legler, who recently came over from J. Walter Thompson, while the Blackman Advertising, Inc., moniker has already become Compton Advertising, Inc. Richard J. Compton, Jr., has been president of the Blackman outfit for three years.

lackman, who founded it in 1907, hasn't been with agency in 16 years.

## WGY SPIELERS GO EXEC AT WNBX, SPRINGFIELD

Schenectady, Feb. 9.

Krug and Alan Parker have resigned as announcers at WGY here to take executive positions under the new set-up WNBX, Springfield, Vt. Krug joined WGY early last fall, will be business manager, and Parker becomes program manager. Four additional staffers will swell WNBX's personnel in the near future. All former employees have been retained. George Smith, of White River Junction, Vt., station's treasurer-accountant, and William Newman, of an auditing firm, the auditor.

United Press Service has replaced Trans-Radio at WNBX, the schedule calling for five-minute news broadcasts every hour on the hour.

## UNKNOWN DRUNKS BUST SPENCER BENTLEY'S JAW

Injuries suffered by Spencer Bentley, announcer for 'Pepper Young's Family,' Procter & Gamble (Camay) show last week, when attacked by an unknown assailant, will keep him off the air for the next four to eight weeks. Bentley, formerly known as identified man as Bentley stood in front of his apartment on East 53rd street (N. Y.) broke the 28-year-old's jaw. After he had been knocked down twice while going to the aid of his wife, who was being maltreated by members in a party of four, young Bentley was rushed to the Lenox Hill hospital, where it was found that he had suffered a severe fracture of the jaw and three or four burns on the face. Burns were inflicted by tipsy woman in party, using a cigarette. Bentley's wife suffered bruises and abrasions of the head and shoulder.

Police are still attempting to locate those involved in assault. Bentley is a nephew of Mrs. Harry B. Smith, formerly frame Bentley, of musical comedy, and cousin of Irene Bentley, Jr., who recently returned to N. Y. from the Coast, where she was in pictures. His mother is Alice Bentley, formerly of the legit stage and stock.

## SPONSOR TRAINING GAMES

Newark Ball Club Warning Up To Be Broadcast

Regularly scheduled broadcasts of spring baseball training games will be attempted for first time this year by WNEW, N. Y., with General Mills sponsoring coverage of six contests. These will be the Newark, International League, spring ball games at Sebring, Florida. Earl Harper will go south to cover the contests, and final arrangements on wire hook-ups are nearing complete.

roadcasts will be of Newark games with Cincinnati, Brooklyn, Boston Red Sox, Philadelphia (American League) and two encounters with the N. Y. Yankees.

Two days after the ring fatality which took the life of Tony Marino, the New York State boxing commission called in sports announcers from WHN and WNEW, N. Y., which stations have been most active recently in covering local athletic contests, and instructed them on proper procedure on fight descriptions. Request for toning down some of word pictures was made in friendly spirit.

Commission made it clear that the body had no objection to having radio announcers cover the ring battles but suggested they tame down repeated use of word 'blood' and make sure they gave no opinion on possible outcome of contest.

Comments of sports newscasters on the number of knockdowns, survival, and reference to condition of boxers is responsible for the commission's move. Sam Taub, of WHN, and Earl Harper, of WNEW, were the announcers 'instructed.'

## DON DAVIS IN AUDITION TREK TO N. Y. C.

Kansas City, Feb. 9.

Latest station showman to spawn a program idea for national attention is Don Davis of WHB. Several recent examples in broadcasting of local stations putting over programs with advertising agencies include Arthur Church, also of this burg; Allen Campbell of WXYZ, Detroit; Donald Flamm of WMCA, New York, and station KFNB, Hollywood.

Davis, last year the travel king, this year (on the side) the ice carnival barman, heads east next week with Capt. W. Moore. Will undrape new action serial built on the aeronautical exploits of Capt. Moore, speed and altitude wiz, Serial bears the title 'Howie Wing' and undertakes to make the kids whistle and move closer.

Due in New York Feb. 15 to audition for agencies.

## Heywood Brown on WCAU; Says 'Fire Me If I'm N.G.'; May Move to Philadelphia

Philadelphia, Feb. 9.

Heywood Brown, Scripps-Howard columnist, will start a new series of programs over WCAU tomorrow night (10) and will probably move to Philadelphia, he said. He will air Monday, Wednesday and Friday nights at 10:30. Sponsored by Pep Boys, local auto supply outfit.

Program will be 15-minute spiel in manner of his daily column. Sponsor and station said he will be absolutely free in choice of subjects and opinion.

Brown told Stan Lee Broza, WCAU program director, he 'would like to live nearer Washington.' Also has son at Swarthmore College, and it is thought this may have influenced his move here.

Account was landed for station by Jimmy Coyle, who also hooked Wheaties and Atlantic Refining, airings. Reports are that Brown refused to sign contract, tell station it could juggle him whenever it felt program wasn't 'm'ing.

Bob Street, commercial manager, said this is first program WCAU ever sold without additional tender.

Ricardo Rondelli, tenor, styled the 'Queen's Minstrel' on the Eiro program for General Pharmacal Co., during past months on WLW, Cincinnati, has returned to New York, the series having concluded.

## Chain Income from Time Sales

NBC				
	1937	1936	1935	1934
January .....	Not Reported	\$2,681,815	\$2,895,037	\$2,391,667
CBS				
	1937	1936	1935	1934
January .....	\$2,360,740	\$1,901,023	\$1,768,949	\$1,405,948
MUTUAL				
	1937	1936		
January .....	\$187,362	\$166,266		

## Columbia in Smash Start for 1937; Did \$2,360,740 in Time Sales

Columbia Broadcasting System started off the current year with a gross turnover of \$2,360,740 in time sales. Figure represents a boost of 24.2% over the take for January, 1936. NBC figures for January had not been compiled by press time yesterday (Tuesday).

Mutual bettered its previous January gross by 12%. For the past month it was \$187,362, while the year before the tally January was \$166,266.

Reflected in the CBS jump to a major degree is the stride taken by the network's daytime business. Columbia's January total of a year ago was \$1,901,023. In 1935 it was \$1,768,949 and in '34, \$1,405,948.

## GOVT SHOULD HAVE STATION —CELLER

Washington, Feb. 9.

Initial experiment in government-owned radio broadcasting was proposed last week by Representative Emanuel Celler of New York, with a bill authorizing erection of a \$700,000 Federal transmitter to carry educational program to Central and South America.

Assailing private interests which have tried to block such developments, Celler proposed that the projected "Pan American Radio Station" use three short waves reserved for governmental use under international conventions and pump out entertaining and educational matter which would be rebroadcast by transmitters in Latin America. Station would be managed by the Navy Department, with U. S. Education Commissioner serving as program director.

Bill contemplates a 100% non-commercial venture. With an annual fund of \$100,000, operators would be prohibited from carrying any commercial advertising, although private interest would be encouraged to co-operate in operation of the transmitter. Education Commissioner would censor all programs offered by commercial licensees to make certain none "directly, indirectly or remotely" involve any sponsor propaganda.

Outlining his objectives, Celler asserted the plan has the backing of responsible officials in many departments as well as the specific approval of President Roosevelt. He listed the Interior Department, Agriculture Department, FCC, Pan American Union, and National Committee on Education by Radio among his supporters.

## ASCAP Radio Gestures

Baltimore, Feb. 9.

American Society of Composers, Authors and Publishers has notified all regional reps in the areas washed by the flood to rebate fees to licensees whose property has been damaged to the extent close-down was necessary. Also to wipe clean the slates when licensees have been washed out.

ASCAP also donated \$3,000 to the Flood Relief Fund, and \$3,000 to the Red Cross.

## WIRE, IND'POLIS, REVAMPS

Richard Morenus, Nan Dorland, G. H. Engelter Join Station

Indianapolis, Feb. 9.

Yesterday (8) was the first day at WIRE for Richard Morenus, Nan Dorland, and George H. Engelter, additions to the staff of Eugene C. Pulliam's station here.

Richard Morenus, agency man with experience in Ft. Wayne, Chicago, and New York, has been placed in charge of sales by Pulliam, with Robert Bausman to handle local sales.

Nan Dorland, who also came from New York to WIRE with Morenus, will be in charge of all women's activities at the local NBC outlet, including all women's programs.

George H. Engelter, formerly traffic manager of the Iowa Network, will handle all traffic for WIRE, and also will assist in commercial sales.

Lewis Reid, of William Rankin agency, takes Morenus' place with Schilllin agency, New York, next Monday (15). Reid formerly was program director at WOR from 1929 to 1935.

Nan Dorland is Mrs. Morenus.

## WLW BACK TO 500 K.W.; FIRE DAMAGE REPAIRED

Cincinnati, Feb.

All radio stations here renewed regular operating schedules last week, when the flood crisis ended. WLW, which was cut to 50,000 watts for 11 days due to electric power curtailment, jumped back to 500,000 watts Thursday (4).

At the same time normal current was restored to WCKY, which got its juice from a Diesel engine for a week of the emergency, on account of line washouts.

Crosley's studio in the home plant on Arlington street, which was damaged by fire Jan. 24, will be reopened this week. For the past fortnight all originating WLW and WSAI programs were handled in their auxiliary studios in the Union Central annex, Third and Vine, in the downtown section.

## Olive Sharman to Tour U.S.A. on Leave of Absence

Detroit, Feb. 9.

Olive Sharman, program producer and continuity writer at WJR for 10 years, leaves late this month on an extended tour to study radio food merchandizing. Will return to WJR in fall, following couple months' rest in Maine.

Miss Sharman, who as 'Mrs. Page' has conducted a home economics program daily over WJR for more than eight years, will contact stations, stores, other home economists, etc., in an effort to find a way to create a better cooperation between food producers and store outlets. She'll do some work for station by remote, while on trip.

## In Right Mood

Lincoln, Feb. 9.

KFOR is re-broadcasting on the WLW, Cincy, programs called 'Moon River.' Reginald B. Martin, station manager, picked up the idea after hearing it done in New Orleans on a recent trip there.

Receptiveness to a program of that type may be directly traceable to the trip being his honeymoon.

## Louisiana Top Court Reverses Judgment in Favor of Hello World Co.

New Orleans, Feb. 9.

A \$21,250 judgment which the Hello World Broadcasting Co., former operators of radio station KWKH in Shreveport, obtained in Caddo parish district court against the present operators, International Broadcasting Co., was annulled and dismissed by the Louisiana State Supreme Court here.

In dismissing the suit, the supreme court said it was of the opinion that the jury "manifestly erred in its application of the law, as well as the evidence."

According to the record in the proceedings, the Hello World Broadcasting Corp. in 1933 sold the radio station to International for \$50,000 cash, plus \$5,000 "time on the station." Plaintiff company contended that one of the principal motives of the sale was the obligation on the part of the International company to operate KWKH upon its licensed clear channel wave length of 850 kilocycles.

Hello World Co., through its president, W. K. Henderson, contended that International violated terms of the contract by entering into an agreement with WWL, the Loyola station in New Orleans, whereby the defendant relinquished and assigned the clear channel wave length of KWKH on 850 kilocycles, and received in turn \$25,000 in cash, and an assigned frequency to go on the air on the wave of 1,100 kilocycles full time, subject to approval of the Federal Commission.

## Luckies Stress Tact in Lining Testimonials

Washington, Feb. 9.

Lucky Strikes is going to elaborate precautions in its present testimonial campaign in which United States senators will give statements to be incorporated in newspaper displays and read over the air on the "Hit Parade." In no case will a Senator actually talk on radio. About 12 solos in all are included.

Innovation of testimonials from law-makers requires a good deal of tact in approach and carry-through. Luckies, through Lord & Thomas, first sounded high political authority to ascertain if there could be any objection. Senators' fame as public speakers made them a logical group along with actors and lecturers, etc., to tie-in the 'easy on your throat' emphasis.

Some senators do not smoke. These may be asked to visit the American Tobacco factories and comment on what they see.

## CHI STATION NEWSMEN FORM AN ASSOCIATION

Chicago, Feb. 9.

Local chapter of the Association of Radio News Editors and Writers was organized here last week under the aegis of John von Kronkhitte. Some 22 radio news writers of Chicago were in for the special organization luncheon held last Friday (5) at the Morrison hotel.

Group voted to join the national association and to hold meetings every two weeks to aid in the national plan to foster progress and development of radio news writers and writing. Committee was appointed to set up special local by-laws and nominate slate of officers for the Chicago chapter. On this committee are von Kronkhitte, Julian Bentley of WLS, Truman Bradley of WBBM, Al Hollander of WJJD and a representative of each of the various press associations.

National organization in its two weeks of life has already a membership of 100 with the addition of the Chicago group.

Schilllin Takes a Boat

A. B. Schilllin, head of Schilllin agency, leaves this week by boat for Havana and Panama.

He is accompanied by Hy Levy, of Hy Levy Agency, Newark, and Henry Wolf, president of Wolf costume stores.

## Inside Stuff—Radio

Additional funds for the Federal Communications Commission to cover increased chores in connection with safety-at-sea laws were voted last week by the House but no increase in appropriations of the Broadcast Division was authorized. Next year's allowance is \$1,604,000, jump \$154,000 over regular appropriation for the current period.

Although the Broadcast Division attempted to wangle more money out of the Treasury, the House Appropriations Committee stuck with the Budget Bureau which refused to recommend extra personnel to handle radio matters. Chairman Eugene O. Sykes of the division told the committee his branch is 'not able to keep as current as we would if we had more personnel' without getting the necessary cash to 'expand the force.'

Increased appropriation is due entirely to greater volume of work related with enforcement of new regulations requiring merchant marine to carry reliable radiotelegraph equipment. With added funds, commish will take on 11 inspectors and spend \$54,000 for new motoring equipment.

Lord & Thomas last week declared that it had not recognized the value of the complaint made by Words & Music, Inc., about the non-inclusion of the latter's tune, 'The Night Is Young,' in the Lucky Strike Hit Parade. Counsel for W & M had conferred with L & T's office attorney on the publisher's charge that the passing up of the song from the program's list of seven hits for several weeks had been unfair and had had an unfavorable effect on the tune's sale of sheet music.

Agency also denied that it had promised to recheck the account's method of rating the hits. All that its counsel had assured the W & M attorney, added the agency, was the publisher's grievances would be taken under consideration and a report of the conference relayed to agency's research department.

Revision of resolution authorizing Congressional probe of the broadcasting industry and the Federal Communications Commission was dropped in the legislative hopper Friday (29) by Congressman William P. Connery, Jr., of Massachusetts. Latest measure differs from the original only in phraseology and is prompted only by reasons of strategy. Chief difference is that more fire is directed against alleged radio monopolies and attempt is diverted from the commish. This will not prevent the contemplated committee from turning its guns on the F. C. C. as well as on the webs. In fact, Connery is just as anxious to grill members of the government agency as he is to get broadcasters on the witness stand. The perfected resolution is due to get approval, with Chairman O'Connor of the Rules Committee, to which the proposition was referred, saying Connery's request undoubtedly will be granted in due time.

Reluctance of Federal Communications Commission to chastise broadcasters who air offensive programs has agitated several members of Congress. With Catholics still mentioning 'Mexican incident,' Chairman Eugene O. Sykes of the Broadcast Division recently received a short but pointed grilling about the way the Commish ignores complaints about program quality.

Decline in the amount of offensive material has taken place in the past year, although the Commish has not punished any stations. Sykes told the House Appropriations Committee. Beats last year numbered 75 to 100. Sykes said situation is better than previously due to closer tab maintained by the commish during 1936.

Transfer of KMPG (Beverly Hills) from the S. A. Scherer estate to G. A. Richards of Detroit may have difficulty getting the commish blessing in view of the recent fuss kicked up in Washington on fancy price tag of \$125,000 against the transfer of the station's physical valuation of \$50,000 would put the commissioners in the middle. Fear another volley from Representative Wigglesworth of Massachusetts. Understood that unless FCC okays the transfer by April 1 the sale is off, which, it is said, would suit the Scherer estate as of late the station has been turning a tidy profit since Lewis Allen Weiss several months ago instituted a new operation policy.

Murder of Jerry Buckley, which occurred six years ago when WMBB, Detroit, commentator was at the height of his vice crusading, may be solved at the trial of Leonard (Black Leo) Cellura, which opens in Detroit next Tuesday (16) in Recorder's Court.

Cellura, who gave himself up last summer after being sought six years, denied the Buckley slaying, but promised to tell all at his trial for the murder of William Cannon and George Collins, Chicago gangsters, shortly before Buckley was slain. Cellura formerly owned the Kit Kat Club in downtown Detroit.

Monday 'tea party program' conducted by Betty Hudson of WJSV (Washington), copped off a Senator's daughter, this week official pourer.

Catherine Harrison, daughter of Mississippi's Senator Pat Harrison, chairman of the powerful Senate Finance Committee, was guest of honor and assisted Miss Hudson in the cup-filling ceremonies. WJSV studio teas have become popular in the Capitol, with listeners invited from 4:30 to 5:30 p. m. Program is broadcast by Miss Hudson between bites.

Frank M. Smith, sales manager of WLW and WSAI, rates some sort of record in radio for his part as groomsman. Last week he was second man for the wedding of a pal in South Carolina. Less than a month ago he filled the same role for the wedding of Bob Jennings, his assistant, to a daughter of Powell Crosley, Jr. Though still under the 30-year mark, Smith has played the part of best man at 14 knot-tyings. He's single.

On inauguration day of President Roosevelt the American Minister to Holland broadcast from the village of Oud Vossemeer regarding the Dutch descent of the President. This speech, sent out from Town Hall in that village, where probably the ancestors of the President hail from.

## DISCHARGED SALESMAN PRECEDENT WASH-UP

Tacoma, Feb. 9.

With station KMO paying the revised judgment entered in the Harold Porter, salesman, trial on commissions claimed due after his discharge by the station in the amount of \$200, the case is closed as far as both parties are concerned. Leo Teats, attorney, advised his client, Carl Hayman, manager of the station, to pay the judgment and forget the matter, since the Washington Broadcasters Association, which entered the case as 'friend of the court,' showed no willingness to take it up higher.

Originally a jury found for the plaintiff Porter in the sum of \$500 but the trial judge revised the amount to \$200 holding 'passion and prejudice' was evident by the jurors. Matter of rights of discharged time salesmen made case a precedent.

## BBC FAVORS MARCONI TELE

London, Feb.

British broadcasting Corp. announced that from Feb. 8 on Alexandra Palace Television transmissions will be on the Marconi system, which indicates that the Baird system has been temporarily shelved. Published programs and receiving sets now in operation will not be affected.

Farley Banquet on Air

Jim Sauter lined up Lawrence Tibbett and Helen Jepson for Farley dinner in Washington, Feb. 15. On the cuff.

Bob Berger is in Washington handling details of putting banquet on air. NBC, CBS and Mutual take it.

# COMMUNITY SHOWMANSHIP SURVEY

## FOR YEAR 1936

### Introductory Remarks

Radio stations used to be, and perhaps to some extent still are, judged by time-buyers, etc., almost entirely and solely on basis of wattage and network affiliation. Idea of considering community showmanship is comparatively new. New, too, is community showmanship itself which only is acquiring certain broad characteristics and 'standard practice' aspects. Indeed, when VARIETY published its first survey in 1933, it was deemed pretty radical and possibly not quite sound and—sensible to suggest—that there might be factors in station operation that tended to offset and even to transcend wattage and network affiliation.

It is probably not appropriate to comment upon such controversies as these annual surveys tend to provoke except to say that each year there has been a conscientious attempt to extend, improve and double-check the findings. This year, for example, a six-page questionnaire was sent by registered mail to all the stations involved that they might fully record their own story, even down to the smallest details. Some station managers have challenged the wisdom of going to time-buyers, etc., for supplemental opinions. Would not agency execs favor stations that had given them special merchandising, talent, or other favors, as against the station or stations that refused to toss in premiums? VARIETY has to the contrary found its anonymous admen jury inclined to lean backward. But nevertheless the criticism of the critics has been kept in mind.

Two main points are notable in this present survey. First, the Pacific coast is wrist-slapped for not paying attention in class. Second, wherever showmanship seemed negative, passive or standing still or, reversely, so closely bunched (as in Memphis) that hair-splitting seemed necessary, the device of 'no selections' was rather extensively used.

#### AKRON, OHIO

1. WJW
2. WADC

WADC last year's winner, wilted a bit. WJW meantime has blossomed out with corny, homey stuff catering to low income groups. Local is the maelstrom of high-wattage signals from out-of-town stations.

#### Albany-Schenectady

1. WGY
2. WABY
- WOKO

WGY has the showmanship in this area. Other two stations making plenty of money but strictly snoozing so far as showmanship is concerned.

#### Albuquerque, N. M.

#### NO SELECTIONS

Contenders are KGGM and KOB. No decision, though KOB rates a little attention in at least writing something about itself for survey purposes. May be the 1937 bet. Was purchased from the New Mexico State College of Agriculture and Mechanical Arts in August and is making a play for coin. Locality is unfamiliar to trade observers.

#### ATLANTA

1. WSB
- WGST
- WATL

WSB is an institution—perhaps at times too much so from a showmanship standpoint. However, there's little doubt that it is the pace-setter. A tie to WGST is a compliment to latter station's enterprise.

Atlanta, like most of the Southern cities, has in former years been pretty blah in showmanship. However, New Deal policies have hyped Dixie. In particular the Negroes have money in their jeans through relief disbursements and the net result has been to make the area more attractive to advertisers. That in turn has encouraged competitive zeal among stations. Both WGST and WATL have shown snap and ginger and a considerable sense of the nature of their problems.

WSB did not answer VARIETY's questionnaire. Other two did. Consensus of the New York advertising

agency opinion canvassed reveals that Lambdin Kay is better known than WSB's specific showmanship. WSB is excessively conservative (newspaper-owned) and has the prestige and popularity carry-over of its years of operation. Kay and Ernie Rogers as friendly personalities have been assets and are. Kay's long familiarity with broadcasting itself makes him an influential figure in the industry.

#### BAKERSFIELD, CAL.

1. KERN
- KPMC

KERN hits the city market, while KPMC busies itself with the farmers.

#### BALTIMORE

1. WFBR
- WBAL
- WCAO
- WCBM

In this town they all slug until they're exhausted. But it's the kind of slugging that comes from too many toes directly on nickels and dimes. Baltimore has yet to develop a station that asserts itself in straight program building. Light is now carried on largely with merchandising, rate-cutting, ballyhoo, and sky-rockets.

Past year has seen WFBR overtake and pass WBAL, owned by Hearst. While the latter had some walloping selling campaigns staged in its favor by Hearst Radio, N. Y., this is not the kind of showmanship reckoned with. By current lights, WFBR gets the nod from agency experts. Stunts, remotes, nabe town salutes, and other topical and novelty gyrations were noted.

WCBM must have been slugged dizzy. It wasn't heard from. WCAO, Tommy Lyons' outfit, meantime benignly turned its back on its raucous brethren. While they got their noses inked and their knuckles sore from pounding the commercial tar out of other, Lyons took 84% chair, pocketed the lucre, and frankly opined that showmanship is lovely in theory, but—

#### BANGOR, ME.

1. WLBZ
- WABI

Thompson Guernsey's WLBZ has the edge. Neither station-plugs itself to any extent, though Guern-

sey as a personality is known in the biz. Market is favored by its New England location for test and starter campaigns.

#### BIRMINGHAM

1. WSEN
- WBBC
- WAPI

completely reversing last year's rating. WBBC WAPI apparently got smug during the twelvemonth, are only hazily recognized by trade experts, and failed to answer VARIETY's questionnaire.

WSGN, operated by the News and Age-Herald, has taken a squint at Birmingham's population and industry, arriving at the conclusion that it's strictly a labor station. Looks like right figuring. Negroes get some other recognition, and otherwise programming efforts are for the masses. WSGN annexed two wax libraries, a couple of mikemen, a news service, and does a bit of topical stunting.

#### BOSTON

#### NO SELECTIONS

Yes, there are no numerals passed around in Boston this time. Situation seemed too passive. On one hand there was a general upheaval of affiliations. Continuing rather than past performance is considered. Carry-over would have favored WNAC. Latter did in 1936 about the same things, neither more nor particularly less, that it did in 1933, 1934 and 1935. Meanwhile radio broadcasting elsewhere has kept a sharper tune on the times. Aggressive rather than passive leadership and well-balanced staffs rather than individualism is implicit in the sense of this showmanship analysis. Hence the rain check for 1936.

WCOP, WORL and WMEX, notably the latter, came closest to revealing a sense of showmanship. All struggle against real disadvantages and all did a number of showmanly things during 1936.

#### BUFFALO

1. WBN
- WGR-WKEW
- WWEB
- WRNY

There has been a definite perking up by the Buffalo News radio team. Has added talent, expanded program-building, uses lots of remotes, ties in with assortment of community activities. Newspaper and station are smartly integrated. Kid stuff, housewife stuff, pep, camera club, theatre amateurs, news—WBN has spread out to include a varied schedule. Even prior to the current sport WBN quietly had convictions about showmanship. (For example would never allow public to witness sound effects on programs using them; kept the trick dept. strictly off, etc.)

WGR-WKEW have, heretofore ranked No. 1 in previous showmanship surveys. Both stations (sharing CBS service) are, as they have been, showmanly operated but the spurt of WBN has made an impression and tended to take away the spotlight. In 1937 it will be possible to get a clearer line on the competition. Lounsbury pair has it pretty easy so far as showmanship competition

#### CHARLOTTE, N. C.

1. WBT
- WSOC

Both rivals have plenty of problems, wading into 'em with showmanly determination. WBT—as last year—coops first place; but its margin over the smaller contender isn't as walloping as the figures '1' and '2' might appear to indicate.

CBS outfit, under Bill Schudt, has the headache of being web owned. Getting around this hurdle by piling

### Personalities Behind Showmanship

Strongly brought out—between the lines—is the place and the importance of the personalities behind radio station showmanship. Of the 675-odd stations in the United States not very many as yet really—no out—have achieved reputations, either in or out of the trade. Majority of stations are still just blurs in a jungle of call letters.

But in nearly every instance where a station does stand out either a lot—a little it is pretty consistently a 'coincidence' that one or more individuals connected with the station are among the number of standout personalities in the broadcasting trade.

Martin Campbell is synonymous with WFAA, Dallas; John Patt stands for WGAR, Cleveland; Hugh Half is as well known as WOAI, San Antonio. Pritchard and Foster for WLL, New Orleans, and Harold Wheelahan, WSMB, same city, are the symbols. KMBC is just a nickname for Arthur Church. Mention the Twin Cities and Stan Hubbard, Earl Gammons or Doc Young is the answer. Mention even a small burg like Butte, Montana, and Ed Craney is found to be better known than the station he runs.

There are small stations—tiny, obscure markets that better known big stations in major cities. Contrast Edgar Bill' WMBD, Peoria, with two or three of the stations in metropolitan Chicago; put Tom Gavin's WEBC, Duluth; Allen's WLVA, Lynchburg; Clair McCullough's WGAL, Lancaster; Thompson Guernsey's WLBZ, Bangor; Earl Gluck's WSOC, Charlotte, beside big stations in big markets and the contrast is not unfavorable.

Such prominent station personages as Powell Crosley, Jr., Walter Damm, Harry Wilder, H. K. Carpenter, Johnny Gillin, Buryl Lottridge, Harry Slavick, Ben Gimbel and Al Cornier, Bob Maslin, Tommy Lyons, L. B. Wilson, Louis K. Sidney, Donald Flamm, Ike Lounsbury, Edgar Bell and Gayle Grubb, Al McCosker and Ted Streibert, Quin Ryan, Don Withycomb, Harry Stone, Lee Coulson, Allen Campbell, Dick Richards and Leo Fitzpatrick, Don Davis, Gene O'Fallon, Burridge Butler and Gene Snyder, the Atlases and Levy brothers, to name some, are certainly integral parts of the prestige of the stations they own or work for.

Sightseeing tours of Atlanta point out Lambdi Kay. X marks the spot in Los Angeles where Guy Earl used to sit. That's the flattering side. Other side of broadcasting is epitomized by the asleep-at-the-switch boys. Some of them had bundles of banknotes tossed in their laps. They just happened to be standing around when the mint exploded.

up an impressive array of topical programs, sports, and locally produced shows. WSOC has to scrap with a rival having an overwhelming wattage advantage, and pulls a stock of locally minded stunts, remotes and tie-ins. The press is hostile to both. Definitely a good showmanship community, with a pair of able practitioners.

#### CHICAGO

1. WBBM
- WIND
- WGN
- WLS
- WMAQ-WENR
- WJJD
- WCBD-WGES-WSBC
- WAAF
- WCFL

Emphasizing community showmanship (not necessarily identical with popularity) the above sequence reflects the net conclusions of all factors weighed and all inions counted. As in former years there may be some confusion at the relatively low rankings for the two key NBC stations, WMAQ and WENR. Answer is the same answer as on previous occasions—this survey attempts only an evaluation of community aspects of station showmanship and the two NBC outlets are primarily just that—outlets for network shows. They do have, however, more of community character than the New York originating stations, WEA and WJZ, which are, as always, not included in the survey at all.

WBBM, it may be advanced, is likewise a network outlet. But with an all-important difference. Under the CBS outlet and managed poli-

### RADIO TRAILERS IN PICTURE THEATRES

Various stations have deals—usually reciprocal—with theatres whereby advertising trailers on screen call attention to radio programs. Radi time in return plugs the cinemas.

Following stations report trailer tie-ups:

- WGST, Atlanta.
- WCAO, Baltimore.
- WFBR, Baltimore.
- WBNS, Columbus.
- CKLW, Windsor.
- WOC, Des Moines.
- WHO, Des Moines (all over state).
- KSO, Des Moines.
- KLZ, Denver.
- KTAT, Ft. Worth.
- WHBQ, Memphis.
- WMC, Memphis.
- WWSW, Pittsburgh.
- WBRY, Waterbury.

cies local stations have a degree of freedom generally withheld by NBC. WBBM aggressively and consciously seeks identification with community activities to extent not general, and perhaps permissible, NBC.

Another hard one to figure in Chicago is WLS. This is certainly a showmanly station (although did not answer questionnaire) and third place may seem low. Actually WLS is servicing farmlands outside Chicago rather than the Chicago signal area itself and this is a community showmanship analysis. WGN also neglected answering the questionnaire (sent registered mail).

WIND is actually on the map, as a Gary, Indiana, station yet commonly is considered a Chicago station. It has been the recipient of a strong build-up campaign, by Ralph Atlases and paradoxically outstepped Atlases' WJJD, belonging to (Continued on page 32)

# COMMUNITY SHOWMANSHIP SURVEY

(Continued from page 31)

Chicago proper. WIND has specialized on sports in a sports-goofy market. Program overhead was increased 35% in 1936 and remotes increased fourfold. Limits were placed on foreign language gab. Station has certain zoomed during 1936 and showmanship, is largely responsible.

Gene Dyer's threesome ranked No. 6 is one of those problems in judgment that this survey frankly acknowledges. Dyer is a hustler. He has united a series of small part-time neighborhood stations and sells them jointly. That with fines of his he functions smartly cannot be denied. But showmanship? That's a to answer. VARIETY would be glad to have any qualified trade comment on this and similar situations. Perhaps it would be fairer to omit such neighborhood stations in computing the showmanship points in large metropolitan markets?

## CINCINNATI

1. WLW
2. WCKY
3. WKRC
4. WCFO
5. WSAI

Cincinnati is the home field of two of the broadcasting business' notable personalities, Powell Crosley, Jr., and L. B. Wilson. Columbia-owned WKRC has faced a competitive situation of special toughness. A solution has been sought ingeniously through the services of another personality, Timothy Goodman. Later is pole-playing, social, palsy-walsy with biggies. In a quiet, unobtrusive way the technique and the system carried through on WKRC's behalf is regarded by insiders in radio as pretty slick.

A fourth contender for attention is the Scripps-Howard WCFO. Sensibly this station tries to find its own channel in the community. Emphasizes sports, newspaper features. Has sidewalk 'stuff', race results, cooking school, consumer conference, golf school, lots of tie-ups. Stresses special observance of all holidays and has broadcast city council sessions.

WCKY invested in new Netherlands-Plaza studio, new towers, equipment, etc., during 1936. Has barn dance, assorted hillbilles, I.N.S., film gossip, high school parade. And as hoos-racing is an ecclesiastic rite around this sector, WCKY has lots of news, interviews, handicapping and whatnot concerning nags, jockeys, trainers and parley ruts.

WLW has the largest and most active program-building arrangement among individual stations. Representative number of its Cincinnati-created entertainments attract not merely local but regional and national bankrollers. During 1936 what Powell Crosley did, or was expected to do, or might do, or what he didn't do, and why, kept the trade news columns well filled. Probably this as much as anything bespeaks the national significance of the big oak that grew out of a peep-squeek back in 1920. Well-rounded staff includes Frank Smith, Bill Hedges (recently), Bob Kennett, El Bailey.

## Clearwater, St. Petersburg, Tampa

1. WSUN (St. Petersburg)
2. WFLA (Clearwater)
3. WDAE (Tampa)

Trio of towns, all together on the Florida west coast, is in the farm area. Showmanship not as plentiful as the oranges by a long way. WSUN, the Chamber of Commerce peeper, squeezes into the lead on the strength of its list of accomplishments under new boss.

WFLA, using the same transmitter WSUN, but always in the other guy's hair, and vice versa, comes in second on a list of short list. WDAE has no list at all, and agency men couldn't think up alibis for it. Ergo, the cellar.

## CLEVELAND

1. WHK
2. WGAR
3. WTAM
4. WJAY

Above about summarizes Cleveland. WHK and WGAR are the most active in showmanship. WTAM as an NBC network outpost is less active in a community sense although pertinent that this survey frankly acknowledges. Dyer is a hustler. He has united a series of small part-time neighborhood stations and sells them jointly. That with fines of his he functions smartly cannot be denied. But showmanship? That's a to answer. VARIETY would be glad to have any qualified trade comment on this and similar situations. Perhaps it would be fairer to omit such neighborhood stations in computing the showmanship points in large metropolitan markets?

## COLUMBUS

1. WBNS
2. WOOL
3. WHKC

All stations working against the handicap of Cincinnati to the south and Cleveland to the north. Do their job on about a par basis. Community not strongly impressed on the mind of agency time buyers. WHKC caters largely to farmers. WOOL likes the metropolitan audience. WBNS under R. A. Borel straddles the two population types, with Borel probably the best known name of the lot.

## DALLAS

1. WFAA
2. KRLD
3. WRR

Rating is the same as last year. Martin Campbell's WFAA is a two-sided outfit, draws a thumbs-up rating from the experts, and keeps on issuing a stream of locally built shows that hit the bull's eye. Show-building budget in 1936 went up \$10,000 over the previous year, which means that the WFAA boys have the gravy, but aren't afraid to spend some of it.

KRLD, owned by the Times-Herald (WFAA is owned by the News and Journal), can't match the No. 1 rival, but is potentially a muscular bunch, stacking up okay with the agencies. Some of the drawbacks of a newspaper-owned station appear to be still inherent, though the showmanship is of a commendable brand on the whole.

WRR—city-owned. That rates condolences right off. But the management is shrewdly inching into sports channels. WRR shows an appreciable upswing since the previous year, and the No. 3 post is not meant to be a very deep cellar.

## DAVENPORT, IA.

1. WOC
2. WHBF

Absolutely no argument here. First year that VARIETY takes a peek into this community finds WHBF—really in Rock Island, Ill.—credited with a demerit in refusing to plead in its own behalf. WOC, managed by Clark Luther, definitely gets the nod from trade experts, shelling out a slew of sports, farm and news stanzas, as well as such prestige features as a bridge tourney, trip to the College Inn in Chicago for amateur winners, etc. WOC's brand of showmanship is ably attained to the type of community the station caters to.

## DAYTON, OHIO

1. WHIO
2. WSM

WHIO, the Cox station, puffs itself nationally under guidance of James Le Gate, promotion director of the Dayton Daily News, owners. Still pretty new in the community (the original WHIO franchise was in Erie, Pa.), Cox's station hasn't come to full showmanship recognition with trade experts, but attempts in the right direction are noted. Tie-up with the paper looks more like an

advantage than ticket to the orphanage.

WSMK is a small but sharp outfit and the race is close. Ties in with local events copiously, and Sid Ten Eyck, v.p., cracks up the station's story before local clubs and civic gatherings. Says WSMK of itself: 'We have no desire for great wattage or a great station. Such things increase operating expense and of course the rate card, and the local merchant can no longer pay the bill.'

## DENVER

1. KLZ
2. KFEL
3. KVOD
4. KOA

KLZ, purchased last year by the Gaylord (WKY, Oklahoma City) interests, is being down on the showmanship thorn. Production budget is up, phonograph records are out, and commercial blurring is hemmed in by restrictions. Gene O'Fallon's KFEL takes the No. 2 post by trying to cop the news-sports field, and continues with its Colorado regional web, as well as joining Mutual. KVOD has gone NBC and likewise hammers along news-topical lines.

KOA gathers its 'rivals' dust. Failed to report for this survey. Experts rank it as largely swivel-chair operated, so far as showmanship is concerned, with the main emphasis on NBC stuff.

## DES MOINES

1. WHO
2. KRNT
3. KSO

KRNT-KSO are separate stations under common management (Covles newspapers), but are ranked as above in an attempt to approximate trade evaluations from a showmanship calculation. It is KRNT, devoted largely to farm appeal, that has, in general opinion, given 50,000 watt WHO the race. KSO has been the Cowles' metropolitan outlet.

Des Moines is marked by plenty of enterprise before the competing broadcasters. WHO is an American institution in the best sense as Joseph O. Maland, its g.m., is one of the vets of the biz and a strong factor in broadcasting as a whole. KRNT-KSO on the other hand, are also under zingy auspices.

During 1936 WHO increased its news rhythm to 15 periods daily and hired a special farm news editor. Station took an important trade step in formulating the so-called Corn Belt wireless network which N. W. Ayer forthwith patronized for Kellogg. Station actively books its own and other talent in theatres, etc. Has Barn Dance and artists bureau and brings in radio performers from other parts of country. Has U. P. service, feeds eight state newspapers on tie-in basis, and has toured a guy through state for good will whooping. WHO through its owner, B. J. Palmer, is part and parcel of both the immediate community and the area generally. Its roots go down deep and hold tight.

Meeting the competition of WHO's Barn Dance, KRNT has popularized 'Tall Corn Time' and 'Hawkeye Dinner Time'. Also brings in experienced talent from out-state. Has clicked big with a beer-cap-voting program, using small town bands on a contest arrangement. Broadcasts from traffic court went to Philadelphia for a football game, has a constant variety of novelties and 'human interest' stuff.

KSO has joined Mutual. Its local Des Moines offerings have ranged over bridge, lesson, musical almanac, film gossip, woman's page, tie-ins with the Drake University radio school. Lots of remotes and mid-night rhythmic club running to one a.m., which is plenty owlish for Iowa.

## DETROIT

1. WJR
2. WKYZ
3. CKLW
4. WJW
5. WJBC

Detroit in 1936, as before, was a highly competitive radio city. With new management CKLW on the

## Community Sings

Partial list of stations operating community sings of one kind or another during 1936 follows:

- WJW, Akron.
- WBAL, Baltimore.
- WJBK, Chicago.
- WJBK, Detroit.
- WMBR, Jacksonville.
- WROL, Knoxville.
- WIP, Philadelphia.
- WHCC, Rochester.
- WTMV, East St. Louis.
- WWSW, Pittsburgh.
- KALE, Portland.
- KGW-KEX, Portland.
- WBRE, Wilkes-Barre.
- KWKH, Shreveport.
- WWL, New Orleans.
- WLAC, Nashville.
- WSIX, Nashville.
- WFEL, Syracuse.
- KDYL, Salt Lake.
- KABC, San Antonio.

Windsor, Ontario, side added to the showmanship rivalry. On a basis of its intelligent and realistic fight against peculiar difficulties arising out of its unique character as a Canadian-licensed broadcaster serving an international community. CKLW is ranked for the number two spot. This is an improvement of several niches since VARIETY's last survey published in late 1935.

WJR under radio pioneers Leo Fitzpatrick and Dick Richards continues to be one of the country's topers in showmanship as it is in earnings. In 1936 talent appropriations, remote pick-up facilities and budget, program production and writing staff were expanded. WJR does considerable program origination and its switchover to CBS has strengthened that web immeasurably in the country's fourth market.

Owned by the King-Trendle theatre interests WKYZ, notable as a thinker-upper of radio programs from which it derives important revenues in addition to time sales. Time-buyers and admen in general feel that WKYZ under Allen Campbell tails WJR closely in the matter of showmanship. A tie for first place seems indicated for the calendar year 1936.

Newspaper-owned WWJ has during the year launched a pretentious radio theatre and broadcasting plant. As with most newspaper stations many of WWJ's activities, mirror features or policies of the daily. Station keeps steadily in the fray. It's a shade conservative which, of course, is not derogatory stated. Management is smart; its sports stuff especially good.

WJBK continues to emphasize sports and to divert attention its way. Operates 24 hours a day. Among its foreign gestures (25% foreign born in area) were esoteric tidbits in Arabic.

WMMZ did not take advantage of opportunity to file a statement on its own behalf and is little known to the New York agencies.

## FORT WAYNE, IND.

1. WOWO-WGL

WOWO and WGL located here, and Westinghouse owns 'em both. No choice from showmanship angle. Time buyers pick their spot depending on whom they want to reach. WGL caters to city folk; WOWO broadcasts to the able belt.

## FORT WORTH, TEX.

1. KTAT
2. WBAP
3. KFJZ

KTAT, as in the previous year, gets the experts' high sign. Station has gone in for a load of sports and jaunty beckons to the masses. Quite active.

WBAP is affiliated with WFAA, Dallas, and largely rides to town on other horse.

WFJZ, an indie, has let itself become an 'X'.

## GREEN BAY, WIS.

### NO SELECTIONS

No decision. WBBY and WTAQ are both under same management.

and confronted by the same problems—namely, metropolitan stations pour into the community heftily. Biz is sought locally, however, from a series of interlocking communities, and a play is made for audiences via sports, contests, and topical stuff. Oldtime bands tickle the German palate.

## HARRISBURG, PA.

1. WHP
2. WKBO

Same as last year. Stations not killing themselves in attempt to gain recognition. Yet city is getting to be something of a test spot.

## HARTFORD

1. WDRC
2. WTIC
3. WTHH

WDRC and WTIC are both booked more or less solidly; both are heavily in black. Moderate local programming and remotes. WTIC has entirely forgotten its one-time devotion to elegance and pretentious entertainments. Which makes about even between them. WTHH is new and the property of the Hartford Times. It is being nursed along and is really too new and experimental to be judged.

Agencies feel town has been worn thin as a test market and Hartford is less used than formerly as a guinea pig.

## HOUSTON

1. KPCC
2. KTRH
3. KXYZ

Chief contenders are newspaper owned—KPCC by the Post, and KTRH by the Chronicle. Considerable use of this paternity exhibited by both stations. Showmanly efforts are about equally divided between Rural and city fare. KXYZ not in the pace-setting class.

## INDIANAPOLIS

1. WIRE
2. WFBM

Clearcut one and two proposition here, with WIRE again leaving its utility-owned rival asleep at the post. 'Plug' Kendrick ran WIRE for purposes of this survey (Eugene Pulliam has since gobbled it up), and identified both himself and his alter with a maze of attention-commanding programs, stunts, tie-ups.

## JACKSONVILLE, FLA.

1. WJAX
2. WMBR

WJAX, city-owned, has shut off its barrage of political gag, entitling it to higher rating than last. Management shows signs of hauling itself out from between the quilts and getting down to biz.

WMBR, Frank King's station, lies down on the job, being out-powered heavily by its rival. Plays up special events to the hilt, and otherwise asserts itself pretty well. WMBR good money-maker.

## JERSEY CITY, N. J.

1. WAAT
2. WHOM

Jersey City, although virtually integral part of Greater New York, could be more profitably exploited. Both airers have their share of local biz, but otherwise act like clams. No real fair noted here. WAAT is vaguely remembered by one agency observer for something or other during elections, and the stations provided no record.

# COMMUNITY SHOWMANSHIP SURVEY

## KANSAS CITY

1. KMBC
2. WDAF
3. KCKN  
KKBY
4. WREN
5. KUMO

Kansas City has several personalities—Arthur Church (KMBC) and Don Davis (WHB) perform more pinwheels than a wheeling dervish to keep their interests in the public (and sponsor) eye. Church this year gets first place after a loud campaign, in various forms, claiming that KMBC is going to make its mark in show production. Agency experts favorably impressed with this propaganda. Church reports he spent \$100,000 last year for production.

Don Davis knows the citizens of K.C. as well as the Haycenter pastor knows his flock. Station, while operating only daytime, has grabbed off a vast audience of femmes, and they stick like glue. Davis relies largely on local biz, but is not without tricks to the right agency sanctums when it comes to national money. Some sports carried on last year, and WHB has subsequently become a Mutual link. Like KMBC, it is a very old station, as station ages go.

WDAF, Kansas City Star outfit, wears a monocle, though pounding out some competish. Unimbering necessary to make it rate any higher in showmanship rating—not only so far as VARIETY is concerned (questionnaires not answered)—but also in agency estimation. Dean Fitzer personally popular with agencies.

KCKN, in Kansas City, Kans., and KKBY, nee W9KBY, rate on a par. KCKN, under Ellis Atterberry, harping on community stuff, with a dash of hillbilly, and a sprinkling of old sod. KKBY says it wants to be known as the 'Sports Station of the Middle West,' and efforts in that direction are apparently catching on. Used to be an experimental high fidelity outfit, but has subsequently got out of the laboratory status. Alert bunch.

After long flirtation WREN sold out to WDAF. General idea is that WREN was busier with shekels than showmanship in 1936.

## KNOXVILLE

1. WNOX
2. WROL

WNOX taken over by Scripps-Howard, and R. B. Westergard brought in. Ownership change has resulted in staff increases, and emphasis on studio shows with paid customers.

WROL plays up sports and special events, with no rural salve whatsoever. What VARIETY's survey said last year—neither Knoxville station does much outside Knoxville to plug itself or the market—can still be reiterated 100%. Experts have a good time relating this town or its showmanship activities.

## LINCOLN, NEB.

1. KFAB
2. KFOP

Same staff (with Buryl Lottridge in charge) manages both stations from the same headquarters. KFAB gets first place in catering largely to the essentially rural character of the environs.

## LITTLE ROCK, ARK.

1. KARK
2. KIRA
3. KGH

G. Zimmerman (KARK) and S. C. Vinsonhale (KIRA) effectively wallop showmanship tom-tom Spector. KTHS, now in Hot Springs, being moved in some day gives the boys an additional incentive to sew up the community. KGH is an also-ran, not having plugged itself to station buyers. Zimmerman contends this year comes out on top, figuring by ratios. Upbeat since last year is noticeable. John Cleghorn (ex-WMC) was brought in as program manager. News broadcasts were pepped up. Arkansas regional was formed, and a play for city-rural audiences was

launched. Station uncorks a flock of diversified fare, with ingenuity evident. Nationally, Zimmerman has also tooled his own horn in agency sanctums.

Vinsonhale camp remains showmanly, and swaps punches lustily. Margi, between first and second place is narrow. KIRA's budget for showmanship was doubled, and topical fare got a boost.

## LONG BEACH, CAL.

### NO SELECTIONS

Read Los Angeles. is town is the jumping off place.

## LOS ANGELES

### NO SELECTIONS

Some stations were originally included in the survey. VARIETY set out with its customary audacity to attempt to trace, map, and announce the showmanship topography of Los Angeles. Climbing Mt. Everest is easier. Los Angeles itself exemplifies everything that has been said or could be said about the West Coast. Los Angeles has always been rated as several years behind the rest of the American broadcasting parade, but never, perhaps, was this so glaring as right now.

Briefly stated the reasons for 'no selections' are as follows: (a) Only four of the 13 stations bothered to answer the questionnaire. (b) Nobody in New York advertising circles has been impressed by any L.A. station or ionals. (c) The false front of radio activity provided by the presence in Hollywood of network programs and staffs tends to obscure the 'community' showmanship phase which—this survey is concerned with.

As far as any evidence to the contrary exists in the East, Los Angeles remains predominantly the home of the phonograph record and the land of the meat market straight announcements. True, of course, KFWB ties in with Warners film studio and seeks to bait local listeners with actor glamour. True, too, that several stations are in process of change and reorganization. But for 1936 and for this particular survey, just Hog Wash, Missouri, on a lazy July afternoon.

Special mention should be made of the four showmanship-conscious coast guards who did answer the questionnaire (sent registered mail to all 13). They are: Leo Tyson, KMPC; Harrison Holliday, KECA-KFI; Ford Billings, KEHE, and Ray Frank, KMTB. Absence from the L.A. market of Guy Earl (ex-owner of KNX) has created a vacuum in showmanship leadership that has not yet been filled.

In view of the curious situation as regards this town, VARIETY's home office queried the Hollywood branch for that office's ideas. (This is an exception to the fixed showmanship survey rule that no local authorities or representatives are ever consulted, and full responsibility is solely assumed in and by New York.) L.A. office sees the arrival of Holliday, Lew Weis, Don Thornburgh, Harry Maizlish as promising a burst (future tense) of showmanship. Again the name Guy Earl comes up—he's the model, even absent, for station showmanship. KNX is the only station that ever enjoyed a reputation in the Eastern advertising world. Others are and have been blanks.

Opinion in the East is that the Don Lee network has the toughest showmanship job in the West. Never noted for program facilities or creation now that it's part of Mutual its obligations! is reek impossible to burden it is not entirely prepared to carry off jauntily. East has the impression, right or wrong, that the Pacific Coast is about to face the consequences of some of its own insularity and provincialism. None of the stations or regionals have done much to advance their reputations or stories in the East. This is true of Coast cities other than Los Angeles and appears to be a trait of the boys on the far side of the great divide.

Characteristic of a lot of broadcasting in California is the stiff indifference to showmanship of the Earle Anthony stations. Harrison Holliday has the sympathy of the trade in trying to soften up that aloof proposition.

Put 'em all together and Los Angeles spells 'so what!'

## LOUISVILLE

1. WHAS
2. WAVE

WHAS as written the last fortnight attracted enormous prestige due to its flood work. That, of course, is not properly a bookkeeping item for the present survey, which is limited to the calendar year 1936. However, the station is a pretty obvious winner, anyhow. An adjunct to the Louisville Courier 50,000-wattage has varied service with a slight hillbilly and rural tinge. Lee Coulson enjoys good reputation as enterprising thinker-upper among the agencies.

WGRC in New Albany, Indiana, across the river from Louisville, will be included in next year's tabulation. Started out rather snappily. Ran into immediate trouble, however. Hatched in December, it was flooded out in January.

## MEMPHIS

### NO SELECTIONS

situation very competitive. Stations very showmanly. Hazard of unfairly slitting the two small stations, WHBQ and WBER, both of which are aggressively and slickly directed largely prompts the decision to refrain from handing out numbers. WMC has gotten first place heretofore and would probably rank that way again. However, E. A. Alburty and Mallory Chamberlin have earned a claim to recognition.

## MIAMI, FLA.

1. WIOD  
WQAM

Contenders pass the wire neck-and-neck on a track that's anything but easy running. Market is largely seasonal, and the city's population is composed of many strata. WQAM tries hard with stunts, remotes, puff programs for the Florida virtues, and fare of interest to farmers.

WIOD, owned by the Miami News, is coming up since previous year. Sports stressed. More ingenuity otherwise evident.

## MILWAUKEE

1. WTMJ
2. WISN
3. WEMP

Walter Damm and his Milwaukee Journal party continue to reign in the city of bratwurst and stein songs. Opinion unanimous on this score. WISN has failed to live up to its promise of sockerooing its heavy-weight rival. WEMP is an indie which as yet apparently hasn't found its place in the picture.

## Minneapolis-St. Paul

1. KSTP
2. WCCO
3. WDGY
4. WTCN
5. WMIN

Lots of local peculiarities in the Two Cities. Newspaper affiliation part of a complicated picture. KSTP and WCCO have pretty consistently been the one-two or tied leaders. WDGY sets out deliberately to be a labor station in a workingman-conscious community. This station also has an ingenious policy of watching other stations and trying to do the opposite on the theory that thereby it will inherit the listeners of definite likes and dislikes who shy away from competitive offerings. Doc Young, who owns the station, is regarded as one of the picturesque gents of not only broadcasting but the U.S.A. itself.

## NASHVILLE

1. WSM
2. WLAC

WSM, the National Life Insurance Co.'s alter, gets the nod from trade experts, though failing to speak in

## Sidelights on Showmanship

Just in case it all seems pretty heavy and dead pan serious, it may revive the giggle habit to cite some of the less academic and more refreshing comments. Following quotes extracted from the stations' own reports:

'We're not so hillbilly that shoes hurt our feet.'  
'We ad lib from carefully prepared scripts.'  
'We keep the town agog wondering what 'ill do next.'  
'Our station is dedicated to public service.'  
'We have a singing Santa Claus.'  
'Two-girl skit, very refined, other just herself.'  
'Interviewed snake charmer with snakes loose in studio.'  
'Culture—interview with Lowell Thomas.'  
'Crossley ratings mean nothing in Iowa.'  
'Help for needy—a station promotion at no profit.'  
'Broadcast from automobile driven by blindfolded driver.'  
'Our aim is to build a station worthy of becoming a member of the Columbia Broadcasting system.'  
'We have nothing worthy of being called a publicity department.'  
'We restrained commercial department from soliciting small fry.'  
'Remote pick-up from roof of hotel in rain of man sitting on block of ice eating ice cream cone in winter.'

its own behalf. Largely favored by such showmanship 'naturals' as a made-to-order series of mouthpieces via the insurance salesmen, who are instructed to spread word-of-mouth ballyhoo. WSM stays on top of the heap. Program production is also keyed to a high tempo.

WLAC, run by J. Truman Ward, is battling a tough league, trying to squeeze out a couple of runs with local remotes, community tie-ups, Negro programs, sports and news. It's an uphill pull, but courageously tackled. Nashville is a clear-cut example of where a station of lower wattage, and lacking other natural resources, will have to make its coverage maps, secondary to crowding for showmanship limelight.

WSIX is a newcomer from Springfield, Tenn., and not rated this year. Steve Ciesler, a personality variously identified with 100-watt Dixie showmanship, is at the helm. Augurs a pushy policy.

## NEW ORLEANS

1. WWL  
WSMB
2. WDSU  
WJBW
3. WENO

Creole center is making up. Heretofore perturbed politics, and a number of other distinctly local conditions, kept the place somewhat under wraps. More showmanship, and a little spunk, now evident. Pre-ages a better outlook for all concerned.

WWL, last year's winner, got a partner in first place this year in WSMB, owned by a department store and some theatres. Better attention to programming, plus some of the tricks of commanding attention along civic lines noted. WWL kept up its standards in par fashion. Second placers show some promise in WJBW, now under a new management but still running in the red. Ingenuity apparent in this airer, plus a sincere attempt to shake off its fetters and get into the wind. WDSU had sponsored sports during the year, 12 daily news periods, and its share of the usual civic-puff stuff.

## NEW YORK CITY

1. WHN
2. WMCA
3. WNEW  
WBXN  
WQXR
4. WOR
5. WVEV  
WNYC
6. WINS
7. WLWL
8. WOV  
WFAB

Paradoxically New York with its reputation as the nation's sophisticated centre possesses in some degree many corny characteristics

such as were pointed out in the comment on Los Angeles and San Francisco. For example, statistics say that only one out of every 10 greater New Yorkers has ever attended a legit show, although the town is full of them and only one out of every 12 has ever been to a night club or cafe. Hundreds of thousands in Brooklyn, Queens, Bronx, never visit Manhattan and vice versa.

In a radio sense the metropolitan market is complicated by the dominance of the network stations WEAFL, WJZ and WABC. These stations are omitted from VARIETY's showmanship summary for obvious reasons and the survey confines itself to those stations that try to do a community job and possess community angles.

New York with its 7,000,000 population (a couple more in the outlying areas) is a swirl opening for merchandize, albeit marketing new product is not simple and penetration not cheap. Reversely New York radio stations have tended to ignore other towns. They have contented themselves with solicitation of New York agencies and revenue sources. Only recently has the idea of going outside New York for business permeated New York station thinking. E. Katz, for example, is now selling WHN in Chicago, Kansas City, etc. WMCA has Ray Linton in Chicago. More recently WOR has set up its own Chicago office. WOR has heretofore been sold in Chicago by Bill Rameau almost entirely on a sheer wattage basis. Understood his % take was over \$40,000 in 1935.) This definitely suggests the importance of the New York market and may be considered as something of an indictment of New York stations in general that they have not done a better job of selling themselves outside New York. New York is plenty hot as a mail order centre.

Agency men have been declaring for years that New York never had a purely local station. This is, of course, an exaggeration. But it mirrors the realization of the many class and income levels and the cosmopolitan clusters that make New York hard to figure by the standards of smaller communities where the station relates itself to its surroundings in somewhat clearer terms.

In 1936 certain trends became sharply marked. Something approximating a revolution has time to materialize at Station WHN. This was already under way by the time VARIETY's last summations were printed late in 1935, but had not been in effect long enough to be reflected in the ratings at that time that were retroactive through a year largely under the previous regime. Now WHN which was last year in fourth place is deemed the No. 1 example of showmanship on a basis of the distance covered and the progress made during 1936.

This may immediately provoke some controversy. Anent: WMCA, which is a sterling example of showmanship. WMCA also was prominent and progressive in 1936. Moreover it's one of the champ money-makers of the American broadcasting structure. It's a class club in showmanship but the latter is deemed

(Continued on page 34)

# COMMUNITY SHOWMANSHIP SURVEY

(Continued from page 33)

worthy of an unclouded title to first place on a basis of the sweeping transformation in enterprise and policies.

Station WHN is one of a handful of theatrically-owned stations in radio. To its operation has been applied the theatre experience of Louis K. Sidney. With the Loew and M-G-M links exploited to the hilt WHN has snappily cornered the business of making itself a personality and a force.

Production activity increased 300%, talent budget notably expanded, several personalities, both executive and entertaining, added. WHN is quite unlike the WHN that was. Has deal with World-Telegram, a remarkable household hints program conducted by Ida Bailey Allen and tieing in station, Ziegfeld theatre and participating sponsor. Has F. B. Quine Bowers mission, Broadway melody hour, N.Y.U. forum, camera club, -numerable community tie-ups. Amateurs from which grew the Bowers program continues here with Jay C. Flippen, Irving Aaronson and Don Albert are studio musical conductors. Mort Harris heads production. Executive Herbert Fetz of F.C.C. joined station in 1936 as promotion mgr.

Glancing down the New York list also reveals other drastic changes from previous showmanship ratings. It will be noted that WQXR, once an experimental high fidelity station, is grouped in No. 3 spot with WNEW and WENX. WQXR is now on a 10-hour schedule. Its uniqueness lies in the circumstance of its campaign to make itself a high-brow station appealing to the very important element in Manhattan that does upon opera-concert-lecture stuff. WQXR has sponsors of a particular type—pianos, radio, books, real estate, securities, high cost coffees, etc. It picks up Ethical Culture addresses, music from the Juilliard school, etc. Distinctive policy represents both a smart advance conception and a logical consistency in seeking to find and develop its own corner in a crowded market.

WENX is ranked third because of the aggressive associations with community interests it has built up in the Bronx. Here, too, is another illustration of finding a niche and making the most of it. WENX is entirely a foreign appeal station. Outstanding has been its insurance forum which exposes abuses of the foreigners in WENX's listening area. Station has done such stunts as translating President Roosevelt's speeches into alien tongues, has conducted an elementary school in English instruction, etc.

First of the all-night stations, WNEW has been built up by early display of showmanship on a wide frontier of continuing news and attention-getters. It's Make Believe Ballroom, 'Dance Parade' and 'Milkman's Matinee' account for 14 of the 24 daily hours. Kaleidoscope line-up of remotes, stunts, novelties range from high-school radio clubs, song pluggers open house, embarrassing moments, kitchen kapers to such choice Americans as Junior G-Men, consulting psychologist, and interviews with odd-job personages. WNEW was pretty blah when it first took to the air but after fumbling around a long time it started cutting ice for itself in 1936. Now understood to be a nice dividend producer.

Largely because it has been habitual to regard WOR (dating back to 1922) as the premier indie station of New York its assignment to fourth position may be challenged. This has been carefully checked. General agency opinion is that in special events WOR is tops but in other manifestations of showmanship the station has been spotty and inclined to drift on the oars. Its principal weakness as sized up by agency observers is in not developing more programs and in inability to sell more of those it has produced.

Many individual assets such as Martha Deane, Richard Blondell, Alfred Wallenstein, Nat Brusiloff, Ed Fitzgerald, Gabriel Heatter, Raymond Gram Swing seem to be offset by the general uneven quality of programming. Habit of rotating carelessly thrown-together stuff in between items of genuine merit, the lack of a specific program policy and the throwing away of some of its assets (for example, Dr. Charles Courbain, one of the world's greatest classical organists, is hidden at 9 a.m. on a Sunday morning when the station gets little of the prestige value)

## Reprints on Request

is showmanship survey is separately reprinted annually as a unit. It is available in reasonable quantities supplied gratis on request to stations, networks, agencies, sponsors or anybody connected with broadcasting business generally.

are considered in ranking WOR below other stations in community showmanship.

In terms of signal strength WOR has lots of winning tricks. Its engineering dept. is generally regarded as among the best in broadcasting. Sales promotion of station keen and full of ginger and ideas. Constant barrage is kept up. Publicity is also constantly on toes going after breaks and not expecting them to come about spontaneously. Streibert on biz end, McCosker on political, have made station lots of friends. Programming where WOR is thought to have fallen short of its possibilities and lagged behind the local parade.

WNYC, owned by the city of New York, is included because of the merit of its service although it is not a commercial station. It is teamed with WEVD, mouthpiece of labor, etc. in the fifth niche. WNYC is held down on budget, obliged by officials to share its best ideas with anybody else that wants to hook in but still manages to attract some favorable attention among those who follow radio carefully. WEVD is also handicapped financially and in other ways but does a commendable job in giving 'the other side' a chance.

## NORFOLK

1. WTAR
2. WGN

Norfolk's WTAR is flanked across the bay by Newport News' WGH. Both moderately active. WTAR has the power advantage and a newspaper affiliation. WGH is on its own. Showmanship runs from occasional waking spells to protracted snoozes. Both stations seem to take scanty advantage of nearby Virginia Beach. Neither does much to sell the Norfolk market outside. WRVA, Richmond, signal comes in lightly. Plenty of ocean, marsh and forest hems in this community.

## OKLAHOMA CITY

1. WKY
2. KOMO
3. KPFR
4. KGGF

WKY by a mile. Builds programs, spawns ideas. Stunts, news, sports, vox pop. Elaborate equipment and studios new in 1936. Active on all fronts and out to get places.

## Omaha

1. WOW
2. KOIL
3. WAAW

Again the same lineup. City and its stations pretty familiar to the trade, and outside opinions on the situation dovetail. Everybody has his share of the ordinance and makes okay use of it.

## PHILADELPHIA

1. WCAU
2. WIP
3. WPEN-WRAX
4. WFIL
5. WHAT
6. WDAS
7. WTET

One-two sequence is same as last year but recognition should be made of WIP's consistently snappy independent job. Ben Gimbel-Al Cormier station is resourceful and thinks 'em up and carries 'em out profitably.

Solid strength of WCAU makes it

pretty difficult for smaller station to make out a clear claim for No. 1. WCAU has been strengthened by dropping KYW, a strange NBC bed-fellow for the CBS 50,000-watt. Latter is now on its own with both WCAU and KYW healthier for the divorce. It was a marriage nobody expected to last.

During 1936 WCAU increased its local sustainers and withdrew time commercially where and when desirable. Has stressed educational and agricultural group stuff and improved facilities for visual audiences. Copped a baseball prize awarded by General Mills. WIP now has 64 on its payroll and 10 in house orchestra. Has substantial sustaining budget and goes after remotes, novelties, community attention-getters. Has barn dance, community sing, reciprocal publicity deal with dailies, vox pop and an array of tie-ups. WPEN-WRAX do an excellent and sensible job catering frankly and solely to the foreign language element. There are 368,625 foreign born and 219,599 negroes out of a population of 1,359,833.

## PHOENIX, ARIZ.

1. KTAR
2. KOY

As above and without comment.

## PITTSBURGH

1. WCAE
2. WWSW
3. KQV
4. WJAS
5. KDKA

WCAE hangs onto its leadership margin for a fourth time. Hearst ailer upped its budget for local fare in '36, and set the carburetor for more sports and news juice.

Indie WWSW, the Post-Gazette property, is driving for mass appeal, with lots of emphasis on sports and remotes. Stays niftily tied in the No. 2 slot with KQV, as in 1935. Latter station is one of the two Brennen outlets (other is WJAS), and continues to mosh through the competition with local fare and novelties on the ascendant.

WJAS needs more showmanship emphasis to assert itself clearly in the Iron City situation. Hobbies along pretty weakly except for its web affiliation, which is relied upon in lieu of showmanship things. Trade experts not over familiar with the outfit.

KDKA, a veteran in the industry, is ossified. Community life apparently is neglected for wire fodder and wattage. Has slipped since last year once more, and agency men have been outspoken on this situation.

## PORTLAND, ORE.

1. KOIN
2. KGW
3. KEX
4. KALE
5. KWJJ
6. KXL

First four stations are mildly familiar to east. Portland active and its showmanship not inferior. KOIN stress pews has censorship policies under which loan sharks, undertakers, painless tooth-blasters, laxatives, etc., are forbidden. Rotates its Art Kirkham, who made 100 whooper-under addresses before clubs in zone during 1936. KALE, sister station, absorbed former KPFR and now has full time. Has amateurs, community sings, theatre tie-ins, sports, including hockey; gives transcription right-of-way over phonograph records.

KGW-KEX are Oregonian owned and very smart. Known to eastern agencies somewhat. Latter, however, tend to pick KOIN for first place. Some local program creation and mentality definitely showmanship.

## PROVIDENCE

NO SELECTIONS

Always a slothful town in a showmanship way, WPRO's promise of

## Growth of Vox Pop Programs

Some notion of the spread of 'inquiring reporter' and similar stunts of a 'sidewalk interview' character (inclusive of lobby, theatre aisle, ditto variations) is gleaned from the list of stations reporting such activities during 1936. Here they are:

WGST, Atlanta  
WKW, Akron  
WEEL, Boston  
KPMC, Bakersfield  
WGSN, Birmingham  
WCAO, Baltimore  
WBAL, Baltimore  
WBEN, Buffalo  
WMEX, Boston  
WCFO, Cincinnati  
WKRC, Cincinnati  
WGAR, Cleveland  
WHK, Cleveland  
WCOL, Columbus  
WJJD, Chicago  
WBT, Charlotte  
WSOC, Charlotte  
CKLW, Windsor  
WJBK, Detroit  
WWJ, Detroit  
WSMK, Dayton  
KSO, Des Moines  
WOC, Davenport  
KLZ, Denver  
KHLD, Dallas  
WRR, Dallas  
WQOW, Ft. Wayne

WTAQ, Green Bay  
KTRH, Houston  
WIRE, Indianapolis  
WMBR, Jacksonville  
WNOX, Knoxville  
KXBY, Kansas City  
KRLA, Little Rock  
KARK, Little Rock  
KFAB, Lincoln  
WAVE, Louisville  
WNBR, Memphis  
WQAM, Miami  
WIP, Philadelphia  
WINS, New York  
WOR, New York  
WMCA, New York  
WHEC, Rochester  
WTMV, East St. Louis  
KQV, Pittsburgh  
WWSW, Pittsburgh  
WRVA, Richmond  
KWG, Stockton  
WORC, Worcester  
WBRE, Wilkes-Barre  
WBTV, Waterbury  
WKY, Oklahoma City  
WBS, Shreveport  
WOL, Washington

going places under Cherry & Webb needs more time to mature. Only just joined Columbia. WEAN and WJAR, latter one of veterans of broadcasting biz, scarcely bestir themselves in showmanship from one end of year to other.

## RICHMOND

1. WRVA
2. WMBG
3. WPHR

Richmond will shortly be the scene of a hectic scrap for audiences. WPHR, really in Petersburg, will move in. Newspaper outfit will get a smallie, bringing the town's ether count to four. Showmanship or starvation is in the cards for everybody.

Past year has earned favorable reports for WMBG which climbed into a tie with Larus' WRVA, previously inevitable winner. WMBG got a smart addition to its staff via Bob Mitchell, one-time theatre and concert organist (Capitol, N. Y.), later salesman for WHN and Major Boves who was there at that time. Mitchell has come in for swashbuckling showmanship, stunts, remotes, sports, and civic fare—all with an eye on WRVA. Which is a compliment to WRVA, but effectively a lever in WMBG's bailiwick. On the basis of this climb, conscientiously performed, a tie is noted.

WRVA unquestionably looks over the terrain with quiet dignity, which it tries to reflect in prestige plugs for the community. Has originated some programs of real merit, and sticks closely to civic affairs. Barron Howard known well to the trade.

WPHR, the Petersburg outfit due for a move directly into the city, has not given any particular account of itself.

## ROCHESTER, N. Y.

1. WHAM
2. WHEC
3. WSAY

WHAM produces considerable number of programs, has the class, maintains standards. 1936 increased talent budget, created more programs (one up on special local Buffalo, Syracuse, Utica and Albany). Has U.P., lots of news and sports and high-grade music.

Leadership in showmanship for 1936 without dissent.

## SALT LAKE CITY

1. KSL
2. KDYL

Both stations recognized in the east by time buyers, bespeaking their activity and horn-tooting. KSL has slight edge via fairly active program production and a sheaf of glib civic

tie-ins. KDYL leans more toward novelty and stunts stuff, but puts up a good stiff scrap and is so recognized.

While not pertinent particularly to commercial showmanship KSL gets credit for suave production on Mormon church short-wave programs.

## SAN ANTONIO

1. WOAI
2. KONO
3. KABC
4. KMAC

WOAI has the edge again. News and sports are its forte, and a weather eye is peeled for the surrounding farm element.

KONO and KABC, both indies, distinguish themselves by ducking under WOAI's wattage into the foreign language, sports and topical field.

KTSA, acquired by Hearst during the past year, is a potential corner, but changeovers, etc., have left it mum. Agency men accord it better chances for 1937.

KMAC is just there, that's all.

## SAN DIEGO, CAL.

1. KGB
2. KFSD

Has to meet cheap rate cards of Mexican stations. Not much to report in showmanship way—against the Californi verdict—but KFSD has an edge.

## SAN FRANCISCO

NO SELECTIONS

When VARIETY asked some trade experts about this metropolitan center of 700,000 and more population, the boys said they preferred to discuss the radio situation in Oshkosh. When the questionnaires were taken out of the ice box, only KRF (Berkeley), KROW (Oakland), and KGO and KFO had bothered to answer. The two suburban stations listed a flock of tie-ins, stunts, programs, etc., while KGO and KFO honestly admitted they were largely NBC wire ailers without much of a chance to do community showmanship. Sole conclusion to be derived from this state of affairs is that seven out of 11 stations in the area believe in provincialism, and have precluded their doctrines so strictly that the eastern agency boys are guessing.

That certain realignments in web stations have taken place in San Francisco, as in other Californi localities, is undoubtedly a contingency that raises as something of an excuse. But only something of an excuse. In the face of a geographical barrier to the east, California, the home territory of filmdom an (Continued on page 38)

# COMMUNITY SHOWMANSHIP SURVEY

(Continued from page 34)

other high priests of showmanship, has seen it to let the geographical barrier become a mental one, with regard to radio. Community showmanship, and playing frog entirely in one pond, is okay, but not when that pond might, as well be on Mars.

Without lowering the guard and venturing a prophecy of too rigid dimensions, it might be remarked that isolation at best a short-sighted policy. And showmanship, no matter how good or hefty at the start, is bound to go stale in circumstances conducive to in-breeding. Los Angeles radio last year was headed in that direction. And that goes for the Golden Gate premises in equal measure.

By comparison, such localities as Seattle, Spokane and Portland, far removed from the glamour terrain of California and up in the pine and apple country, do a much sounder job. They have reps selling their stations in the east, keep in touch with all parts of the U. S., and know how to spell New York on an envelope.

## SEATTLE

1. KOMO
2. KJR
3. KIRO
4. KOL
5. {KRSB  
KVL  
KXA

Plenty of stations: this city of 375,000. KOMO has commanded agency attention, with KJR on its heels. Rest are more or less on the tail end of the wagon, distinctive features being a blur in the experts' recollection.

## SHENANDOAH, IA.

1. KFNF
2. KMA

Strictly farm in both cases. Agencies give the nod to KFNF although KMA not far behind. KFNF eliminated phonograph records, News, weather, hogs, stock and pit prices—anything the farmers are interested in. Swedish, Danish, German programs for tillers of those extractions.

## SHREVEPORT, LA.

1. {KWKH  
KTBS
2. KRMD

Stunt town but two stations under one ownership. Less active in 1936 than in previous semesters.

## SOUTH BEND, IND.

### NO SELECTIONS

First time this town's included, and the answer is 'so what?' WFAM and WSBT both owned by the Trib. Stations from surrounding metropolis claim they can get into South Bend like a can opener into a tin of sardines, but so far WFAM and WSBT haven't knocked the chip off anybody's shoulder.

## SPOKANE

1. KFPY
2. KHQ
3. {KFIC  
KGA

Keen rivalry in Spokane between KFPY and KHQ. Symons, prominent in broadcasting as whole, is topper for showmanship. Regarded as doing good all-round community job. Tries to keep station before attention of easterners.

## SPRINGFIELD, ILL.

### NO SELECTIONS

This is the town that never writes in until after the ratings are printed. And then forgets all about the sub-

ject until the next year. Neither WCBS nor WTAX answered the questionnaire in this instance and neither is on record with any of the eastern agencies consulted as ever identifying themselves or their market.

## SPRINGFIELD, MASS.

1. WMAS
2. WSPR

Leaving WBZA, team-mate of WBZ, Boston, out of the picture, Springfield is summed up vaguely as above. Reputations do not percolate beyond the immediate environs of the market.

## SPRINGFIELD, MO.

### NO SELECTIONS

KGBX and KWTO are the stations. Neither the market nor its exploiters have left any decisive impressions on agency minds.

## ST. LOUIS

1. KMOX
2. KSD
3. WTMV
4. {KMW  
WIL

Jim Shouse and is CBS-owned KMOX take the bacon home handily. This in face of web ownership, and the supplying wire fodder for the southwest end of the hookup. KMOX has lit up a roster of personalities that means something, in addition to which it identifies itself with pride. Puffs the Blues city via a web program on Sundays. That's smart.

Some of the boys currently cutting out niches for themselves include: France Laux, sportscaster; Eddie Dunstetter, organist-leader; Al Roth and Ben Feld with their orchestra; Harry W. Flannery, newscaster. Special events and remotes are fully utilized, and the rural listeners get their share of hillbilly twanging, farm prices, backyard follies, and how to cure chicken lice.

KSD, set down for No. 2, is the Post-Dispatch adjunct. It hammers news and public events, plus building a number of local shows.

Across the creek, in East St. Louis, Ill., is WTMV, allotted third place. It's got 100-watts, and the newspapers throw its blubs into the wastebasket. Which isn't so hot when you're trying hard, as WTMV apparently is. Recognition is here accorded a set of adverse circumstances, which the station is trying to upset with the tools its limited budget and wattage allow. Aims at the middle classes, tries to put 'production' into its wax-built stanzas, has some foreign language stuff, and optimistically maintains a publicity department. A pat on the back is in order, all things considered.

KWK and WIL didn't answer the questionnaire. Agency experts had 'em slated for various positions up and down the list, but the addition, by and large, comes out to fourth place. More showmanship should be forthcoming from airmers endowed with this duo's resources. And that goes especially for KWK with its potential power, fiscal and electrical.

## STOCKTON, CAL.

1. KWG
2. KGDM

KWG takes the laurel here on the basis of a few peeps of showmanship harmonics. A little is a lot out where radio's 'lost horizon' begins. More or less one of those unknown markets that eastern agencies get confused with Strawberry Point, Idaho. These California communities live unto themselves, and it's a cinch they're not worrying about what anybody thinks of their showmanship which, as delicately suggested under the Los Angeles and San Francisco comment, is inclined to salute the nostrils.

## POLICE COURT BROADCASTING

Itemized below are some of the stations that reported regular broadcasts from police courts during 1936. Majority of broadcasts occurred in mornings and were limited to traffic cases with the 'safety propaganda' angle the reason and the excuse. Such broadcasts are frequently frowned upon by lawyers and bar associations.

Stations with court room privileges include:

- WJW, Akron.
- WCOP, Cincinnati.
- WCOL, WBNS, Columbus.
- WBBM, Chicago.
- WIND, Gary.
- WJR, Detroit.
- WHIO, Dayton.
- KRNT, Des Moines.
- KLZ, Denver.
- KRLD, Dallas.
- WATL, Atlanta.
- KTRH, Houston.
- KMBR, Jacksonville.
- KOKN, Kansas City.
- KARK, Little Rock.
- KFOR, Little Rock.
- WQAM, Miami.
- WCAE, Pittsburgh.
- KVOA, Tucson.
- WTAR, Norfolk.

## SYRACUSE

1. WSYR
2. WFBL

Harry Wilder's WSYR trebled sustaining allowance. Hired layman on rotating system (and for cash) to give station benefit of outside viewpoint programs and policies. Sports is conspicuous element of diet. Attracted attention with a banquet to its advertisers marked by complete freedom from speeches. Stirred up things on its power boost. In general seemed to have the edge on WFBL, although latter is alert and has done some showmanly things, too.

## TACOMA

1. KVI
2. KMO

Not too much detail available, but KVI has at least kept the brass plate polished. Circularizes the east.

## TUCSON, ARIZ.

1. KVOA
2. KGAR

King Whyte's KVOA maintains first position.

## TULSA, OKLA.

1. {KTUL  
KVOO

Tulsa has some high income groups, but the stations haven't appraised agencies of their full story as yet. Looks like the community angles will have to be reflected in the national mirror for complete realization of this market.

Contenders are pretty evenly matched. KTUL has added a full-time production department and gone in for some program building while KVOO upped its staff, cut down on NBC wire fodder, and unlimbered the local feedbag. Activity looks to be on a decent plane, but more back-patting outside of Tulsa seems necessary.

## WASHINGTON, D. C.

1. WJSV
2. {WMAL  
WRC
3. WOL

Columbia more active community station. NBC's paid to nise job, however. Not the walk-away for WJSV it was a couple of years ago. WOL has become the prize in a series of political manipulations and has lost some of its standing in

## 3 PERFORMANCES NIGHTLY

'Lone Ranger' Repeats Twice—Adds West Coast Stations

Detroit, Feb. 9.  
Six more stations will be added to the chain airing WXYZ's Lone Ranger serial Monday (15) when remainder of Don Lee web on Pacific Coast joins indie hookup. Total number of outlets for western drama will then be 21, including ten on the Coast and 11 in the eastern part of the country.

'Ranger' expanded 18 to four Southern California outlets of the Lee web. H. Allen Campbell, WXYZ's g.m., last week signed up the entire Lee network.

Addition of the six northern stations of the Lee web also gives the program three sponsors, all bread makers. In the eastern half of the country it's backed by the Gordon Baking Co., which has been footing bill for past three years over WOR, Newark, WGN, Chicago, WSPD, Toledo, WXYZ, Detroit, and latter's state web of eight stations. Gordon doesn't cover western markets, so the Western Bakers were lined up for the Coast portion of program when it expanded Jan. 18. Latter bakery doesn't cover northern Pacific territory, so Kilpatrick Bakers were signed for that part of broadcast.

Present setup necessitates three dramatizations nightly of the thrice-weekly serial, written by Fran Striker and acted by WXYZ Studio Players, under supervision of James Jewell. First broadcast, from 7:30 to 8 p.m., EST, will go out over WOR, WSPD, WXYZ and its state web. Second, at 8:30 p.m., EST, will go to WGN and the third, at 10:30, EST, to the Lee web.

Commercial for west coast broadcast will come from Los Angeles, ork at this end providing the cue.

## Spielers Turn Writers

Hartford, Feb. 9.  
WDRC adds announcer Ray Barrett, formerly of WBNB, New York. Will also write continuity. Gilbert Bayek is also new addition to the staff.

Announcer Harvey Olson has been taken off some of the programs to devote more time to continuity writing.

showmanship during the scrub workout.

Overlapping of network-national capital stuff and staffs with purely community aspects makes Washington an equation not duplicated anywhere else. NBC struts itself suavely in the diplomatic relations.

## WATERBURY, CONN.

1. WBER
2. WATE

Wide-margin for WBER (formerly WIXBS). It's a hustling outfit. Has barn dance, live talent Italian programs, amateurs, theatre tie-ins, religious forum, plenty of stunts, vox pop, Yale student news and other university activities.

## WILKES-BARRE, PA.

1. WBER
2. WBAX

No change since last time. WBER edges into community characteristics fairly well.

## WILMINGTON, DEL.

### NO SELECTIONS

Showmanship—WDEB and WILM—there isn't enough to fill out a full paragraph.

## WORCESTER, MASS.

1. WORC
2. WTAG

Same as last tally. A town of meagre showmanship activity. WORC increased mike staff and strived to remind its listeners at station breaks of choice items to come. Transradio and Tesserous. Sports emphasis and man on street. Even some hillbilly. Ties in with Holy Cross College for debate, French, Jewish and Swedish programs. Easily the showman-ship leader.

## U. S. A. SETS UP AIR SCRIPT EXCHANGE

Washington, Feb. 9.  
Establishment of an Educational Radio Script Exchange through which broadcasters will be able to get scripts 'especially appropriate for educational broadcasting,' was announced last week by the U. S. Office of Education.

Stepping up its campaign to bring learning to radio listeners, Government education agency dispatched catalogs listing 53 of its offerings to 5,000 more than 500 different broadcast- ing transmitters, high schools and colleges, CCC camps and civic organizations interested in the subject of educational broadcasting. Other persons desiring a catalog may get one by writing the Office of Education, U. S. Department of the Interior, at Washington, officials explained.

A Radio Production Manual and Glossary of Radio Terms will supplement the scripts, the Education Office announced. Manual covers problems met with in producing radio programs, while glossary translates radio lingo into English.

Reporting unexpected success with its experiments last summer, when a series of six scripts, 'Interviews with the Past,' was picked up by more than 500 different broadcast groups interested in the educational angle, the Education office said that chats covering a wide range of subjects were being offered in the present catalog. Broadcasters may find bits on history, biography, geography, music appreciation and natural science in the new batch.

More than 600 additional scripts have been procured by the new Script Exchange, through the cooperation of groups throughout the country producing educational programs, officials said, some of which are being brushed up by expert writers on the staff of the Educational Radio Project. Single copies of any of the completed scripts will be sent cuffed to broadcasters who will then use them on non-commercial programs. To individuals wanting them for 'mock broadcasts' over loudspeaker systems, or for other educational purposes.

## KFAB BACK IN DENIM; HIGH-BROW NO DICE

Omaha, Feb. 9.  
Coming to the conclusion after all these years that the cornbelt is just the same, KFAB, with studios here and in Lincoln, is going to revert to a farm type station and deliver the 'corn' via the dial. KFAB, attempting for many years to give the air symphony orks, sopranos, high-hitting tenors, intellectual speakers, etc., will replace with fiddlers, cowboy yodelers, expand the cake recipe times, etc.

Decision was said to have been reached by officials here after noting the marked success of the other two stations in pandering to the tastes of the predominant population in the area.

## Govt. Own Air Studio

Washington, Feb. 9.  
Construction of first Federal broadcasting studio will start in immediate future after occupancy of the new \$130,000 Interior Department takes place.

With huge structure ready for use, officials are putting finishing touches on specifications for pent-house which will be the initial attempt to provide centralized location for presentation of records of current government programs. Two studios are projected, one for dramatizations and a small room for individual speakers.

United Press tap into newsmen of WLW and WSAI this week, supplementing INS service. Stations discontinued Press Radio feeds couple of months si



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# "HOWIE WING"

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## Agencies—Sponsors

Granat Bros. (jewelers) starts a combo music and whodunit series tagged 'The Fourth Clue' over KSPF, San Francisco, Sunday (14), 7:45 to 8:00 p.m. PST. Earl Towner's ink is used. Twenty-week contract signed through Long agency.

Chicago Engineering Works, (air conditioning), through Strang & Prosser, has signed for a 13-week series of spot announcements on the 'Rise and Shine' daily morning shows over KFRC, San Francisco.

Crosby Gaige, Broadway legit producer, starts a daytime series for the C. F. Mueller Co. on the NBC-blue (SWZ) Feb. 22. Gaige, whose hobbies are cooking and wines, will do the 'master chef' in the five-times-a-week, 'Kitchen Calvacade.' Kenyon & Eckhardt is the agency.

Larwee Buckwheat Flour Corp., Cohocton, N.Y., is scheduled to do some spot broadcasting through David A. Tynion, Syracuse.

Science Laboratories, Inc., (Spartan Sunlamp) figures to do some radio campaigning through Stockton, West, Burkhardt, Cincinnati.

Station WQXR, N.Y., has received renewal from Martinson's Coffee. Sponsor is one of the first to use the station when went commercial.

Fletcher Ellis, Chicago, adds L. C. MacGlashan, formerly of Charles Daniel Frey.

WCFL, Chicago, baseball renewed for next season by Texaco, including the minutes before, and the 15 minutes after the game. Fourth consecutive year for this station and firm tie-in. Hal Totten will handle the mike.

Rackett Co. of Cincinnati, sponsoring over WGY, Schenectady, a twice-weekly waxed sketch, 'Peggy,' for its products, Windex (window washer), and Drano (drain cleanser).

Kelvinator has auditioned Walter Huston in a dramatic series through

the Geyer, Cornell & Newell agency. Network has not been set.

Silverlicking up 200 one-minute announcements a dozen cities through BBD&O.

Fels Co., through Young & Rubicam, renewing the 'Fels Farm Folks' vi WBOW, Terre Haute, for 39 more weeks. Marks the fourth consecutive year of Fels' location in this stanza. Program, airing twice-weekly on morning half hours, is a libellous affair headed up by Uncle (Herman Palmer).

North American Accident Insurance, through the Franklin Bruck agency, sponsoring Gabriel Heatter, news commentator, WOR, New York, on Sunday evenings.

Schaefer rewing, through BBD & O, starting a 'Nine o'Clock Revue' next Sunday (7) WOR, New York, with Leo Reisman's orchestra, Fred Uttall, Ray Heatherton, and the Symphonettes. Eve Symington is guest for the first stanza.

Procter & Gamble has closed for the 'Life of Mary Martin' series, replacing the present sponsor, Kleenex, Mar. 29. Program will remain on NBC and will plug one of the Ivory brands. Blackman agent the deal for P.&G.

Packard Motors will keep its Fred Astaire-Charlie Butterworth combination going on the NBC red through the Spring. Account last week picked up options all around for the third 13-week cycle, effective Mar. 2.

J. Walter Thompson expects Nash-Lafayette to stay on, also through the Spring.

Eddie Dunham of Ruthrauff & Ryan in Hollywood to produce series of transcriptions for Dodge. Frank Morgan tops cast.

Raymond E. Morgan agency of Hollywood is producing a new circus show for Gilmore Oil Co. Felix Mills handles the music and Cliff Clark is back as the Barker. Pro-

gram moves into 'Strange As It May Seem' spot on National Broadcasting Coast net.

Buck Jones is waxing 'Hootbeats' for Grape Nuts Flakes. Ray Morgan supervising production for Young & Rubicam.

efrigerators is readying a series of transcriptions to be used this spring and summer for an extensive spot campaign. Bands and guest stars are being used, each 15 minute recording unit a different aggregation. Deal is being set through Cramer-Krasselt Co., Milwaukee.

Metzger, radio program chief of the Ruthrauff & Ryan agency in Chicago, hopped for Cincinnati, O., of the LaFayette 'Smoke Dreams' show which has spread from a one-station spot on WLW to a 10-station Mutual hook-up.

Schwimmer & Scott agency, Chicago, last week snapped up another new account. Salerno-MacGowen Biscuit company; taking it from Neiser-Meyerhoff.

Sold the account on the basis of a radio campaign idea tagged 'Billboards of the Air,' which is an announcement tie-in. Sample of the announcement patter is: 'If you must eat crackers in bed be sure that they're Salerno-MacGowen's.'

Ruthrauff & Ryan has spotted at WNBX, Springfield, Vt., a 52-week musical clock for Penn Tobacco Company. Leighton & Nelson placed a similar feature there for William W. Lee & Company (Save-the-Baby).

Kellogg has signed for baseball broadcasts on WJJD, Chi, with John Harrington and guest announcers from baseball to handle mike. Lou Fonseca to act as tech advisor and establish playground teams among kids. N. W. Ayer agency.

Rackett Co. of Cincinnati (Drano) has signed for 78 twice-weekly quarter-hour morning disc shows, 'Hello, Peggy,' over KGO, San Francisco, starting Feb. 2. Deal handled through Ralph H. Jones, Cincinnati.

Klipatrack Marvel Bakery through Emil Reinhardt agency, Oakland, Cal., has arranged for local sponsorship of Mutual's 'Lone Ranger' shows over KFRC, San Francisco, thrice weekly starting Feb. 15.

California Conserving (CHB food products) adds KARK, Little Rock, Ark., to the NBC-Red network on the Coast, which releases its 'Who Am I?' shows on Tuesday nights effective Feb. 16. Agency is Emil Brischler & Staff, San Francisco.

## Pacific Coast Radio Notes

Malcolm Grayson, baritone, with CBS for three broadcasts weekly on Tom Breneman's Western Home Hour, originating in San Francisco. Grayson and Roy Russell, tenor, will be soloists with the male chorus recently formed by CBS musical director Earl Towner.

Wally Ruggles from office staff to sound effects technician at NBC's San Francisco studios. Keith Wadsworth is Ruggles' successor.

Adrian Gendot is producing a new sustainer labeled 'Frolics' for KYA, San Francisco, with a cast including Cora Lee Scott, warbler, George Nyklicek and Cal Jackson, pianists, Lois Hampton, Lee Vandervort and Josephine Avis, comedians.

Stanislaus Bem's 'Little Symphony,' including Bem, cellist, Eugeni Bem, violinist, Lev Shorr, pianist, now being aired from the Clift Hotel, San Francisco, by KYA and the California Radio System.

Samuel B. Dickson, author of 'Winning the West,' 'Tales of California' and other NBC script shows in San Francisco, back at work after siege of flu.

Louis Withers added a new announcer's staff at NBC studios in San Francisco. Formerly with KFO.

Ill Warren, KOMO-KJR, Seattle, program director, is back from two-month honeymoon tour of East. Stopovers included New York, Washington, D. C., Chicago and Detroit.

Il Gavin up from California and into announcing spot on KOMO-KJR, Seattle. William McMenamen named new assistant news editor on KJR.

Lud Gluskin, Columbia's Coast maestro, hopping around from one audition to another in Hollywood.

Wayne Dailard, managing director of recent San Diego exposition, heating up a radio deal in Hollywood.

Humphrey Bogart and Ann Sheridan on Hollywood Hotel in a scene from 'Black Legion' Feb. 19.

Conrad Nagel, emceeing California's Hour on KECA (Los Angeles), signs off show at 8:15 p.m. on Sunday night and speeds to the

El Capitan in Hollywood for Petrified Forest, in which he is starred, one of the fastest doubling jobs in this town of fast doubling.

Harrison Hollaway trying 'Man on the Telephone' as novelty stunt on KFI (Los Angeles).

Connie Boswell optioned for another weeks on California's Hour on Coast.

John Kennedy joined announcer staff at KHJ (Los Angeles) on move-over from KFAC (L.A.). John Come now chief Barker at Don Lee spot.

Joe Laurie, Hollywood to hop up Eddie Cantor's radio scripts.

en England has joined Jack Hasty, Paul Gerard Smith and Barry Trivers on the Victor Moore-Helen Broderick air concoct.

Frank Gill has left scripting staff of Al Jolson's show for the Bea Lillie setup back east.

Lewis Allen Weiss, headman of the Don Lee chain, decked out in top hat and tails at 'Good Earth' preem in L. A.

Philip Hagg advising on the Camel script in addition to ishing up comedy situations for ie Cantor in Hollywood.

Jackie Coogan's guest Boat Feb. 18.

Josef Keestner, radio batoneer, fighting off an op between broadcasts in Hollywood.

George Jessel will go three guest shots on Woodbury show.

Bob Taplinger hitting up the studios for star recipes to be tomed by A & P for home distribution.

Eddie Holden (rank Watanabe) off for Chicago to do a series' sustainers on NBC.

Rovere and is singing waiters at the Paris Inn (L. A.) got their first transcontinental break over Columbia after eight years of local ethering.

Arthur Church, KMBC, Kansas City, and Charles Meyers, KOIN, Portland, making the Hollywood rounds.

**A FEW DOLLARS spent on recordings may save you hours of REHEARSAL DRUDGERY**

WITH this new Presto portable recorder you can make records at the studio at trifling cost.

The records, made during rehearsals, will enable you to hear your own show exactly as it will sound on the air.

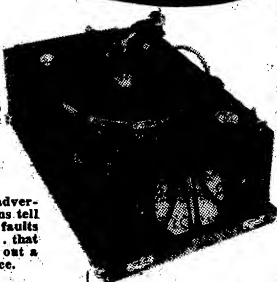
Records allow each actor and musician in the cast to hear and criticize his own work.

PROGRAM PRODUCERS in advertising agencies and radio stations tell us that recordings show up the faults in their productions quickly... that they are invaluable in securing out a smooth well paced performance.

PHONE YOUR NEAREST REPRESENTATIVE TODAY... ASK FOR DEMONSTRATION AT YOUR OFFICE OR STUDIO.

**PRESTO RECORDING CORPORATION**

New York—138 W. 19th Phone CHelsea 2-6425  
Philadelphia—Shirlock Radio Co. Tel. Bldg. Phone Pennsylvania 4404.  
Washington—Homer L. Kite Co., NW. Phone National 4230.  
Boston—Henry M. Lane, 46 Cor. Phone  
Lafayette 460.  
Detroit—Metropolitan Sound Syale 4651  
Alter Rd. Phone Niagara 7648.  
Chicago—Richard F. Brook, 327 Webster Phone Diversity 0140.  
Kansas City—Office Appliance Co., 310 Reliance Bldg. Phone 4631.  
Los Angeles—Norman B. Nealey, 1656 S. Ser-rane St. Phone Granite 0755.



**The New PRESTO RECORDER**

makes records as he played (immedi-ly). Carry it anywhere.

PORTABLE... Anyone can learn to make good records with five minutes instruction.

ALL ELECTRIC... plugs into any A.C. socket. (Converter used for D.C.).

DEPENDABLE... Over 500 Presto owners say maintenance costs are negligible.

COMPLETE... ultra recorder including microphones in one suitcase.

INEXPENSIVE... Costs \$200.00 less than any machine giving comparable results.

## NEW ORLEANS DAILIES' RADIO NEWS RIVALRY

New Orleans, Feb. 9.

Increase in the number of news periods by major stations here during the past two weeks is giving the daily newspapers a headache. Not only are the stations presenting news on a 15-minute schedule throughout the day and night but break in with flashes. News periods are sponsored by the city's leading merchants who have increased their appropriations for radio time lately.

WWL and WSBM are using the United Press service in addition to local coverage by staff men. WDSU has local staff, too, and gets its other news via Trans-radio. WBNO now is in process of reorganization plans to use news throughout day and night. Several of the stations also have several periods devoted exclusively to sports news under the sponsorship by leading firms.

As result of the competition by radio, one local newspaper has added an extra morning edition.

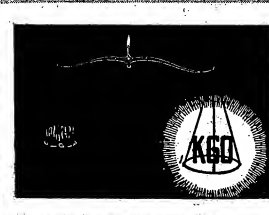
Frank Silva Joins WHAM

Rochester, N. Y., Feb. 9. Frank Silva comes from WBBN, Buffalo, as Kendall sports commentator over WHAM, succeeding Lowell MacMillan, who went to WHEC.

Shift has steamed competition between the stations sports angle and WHAM is mapping plans for play-by-play broadcasts of International League baseball games. WHEC always has had this field to itself.

John Monks, Jr., author of 'Brother Rat,' roadway stage play, acts in sketch, 'The O'Neills.'

## 18 CARAT CUSTOMERS



KGO, Key Station of the Pacific Coast Blue Network, provides a golden market for the products it advertises. Customers in this wealthy area spend more per person than those in any other community in the country. Let us help you "stake your claim" in this rich region.

**KGO**  
7,500 WATTS  
NBC Pacific Coast Blue Network  
**SAN FRANCISCO**

Completely programmed by NBC

## Candy Co. Can't Disparage Glucose; Peanut Oil Can't Sneer at Corn Oil

Washi

Radio lecturer, "Dr." Daniel R. Hodgdon, who evidently has been dividing his talents between selling prizes of Loft's candy and peanut oil, was dragged on the carpet by the Federal Trade Commission early this week.

In two separate cease and desist orders—one aimed at Loft, Inc., and the other at National Food Bureau, Inc.—Trade Commish cited Hodgdon as the principal balmy artist involved in broadcasts for both companies. Both squawks contained the information that Hodgdon is not a medico, anyway.

Monday's (8) complaint, accusing Loft, Inc., chain candy group, of conducting "campaign of false disparagement" against competitors, was followed today by a swat at National Food Bureau, Inc., for making similar disparaging statements "behalf of goober oil."

Loft people were told to quit putting "Dr." Hodgdon on the air to inform knob-twisters that it was dangerous to eat bon-bons not manufactured by them, and also to lay off claims that the presence of glucose in candy will consumer tummi.

Glucose

Commish declared that it was unable to find that glucose was anything but 'safe and wholesome,' and poo-pooed idea that 'use of candy products in general, other than those of Loft, Inc., is dangerous and unsafe.' Outfit has long contended that its products were superior, being free from glucose.

Hodgdon's other sponsor, a manufacturer of peanut oil who signed up the 'doctor' to high-power his sales promotion campaign, was asked to cut out radio claims that 'corn oil or cottonseed oil food products are cheap commodities which are impure, unwholesome and unfit for human consumption,' while peanut oil is tops for cooking or consumption.

Goober oil is 'about the same chemical consistency' as the corn and cottonseed products, Commish said, and all are approximately 98% digestible.

Hodgdon and his sponsors must shut up or put up, Commish decreed, and must quit using words and phrases 'calculated to slander or discredit' competitors.

## WOAI DEAL ON ICE; TAX STUB

Washi

Negotiations between CBS and Southland Industries, Inc., for sale of WOAI, San Antonio, to the network for a price exceeding \$500,000, have cooled to the point where it looks like no deal.

Impasse has been reached as result of demands of Hugh A. L. Half that the web underwrite all taxes likely to be imposed as result of the transaction and Federal levies against the corporation holding the franchise. Columbi has balked at this idea unless some definite limit on its liability is included in the contract.

situation of WOAI is uncertain. Half returned to Texas last week carrying the best offers of both NBC and CBS to cogitate and decide on future course. Meanwhile, Columbi has resigned KTSA, for upwards of year, and is staking everything on hopes that the Hearst-Roosevelt transmitter will be upped to 5 kw when the Federal reallocation plan takes effect.

Attempts to work out some alternative to purchase by which CBS could obtain WOAI as San Antonio outlet have fallen flat. Web talked about leasing or providing program service similar to that furnished Westinghouse stations by NBC, but no agreement could be reached. One stumbling block in the discussion of other arrangements, it rumored, was Hal demand for annual guaranty on revenue from the chain, which CBS refused to

Donald Flamm, WMCA, New York, prez, leaves tomorrow (Thursday) for a southern. Same boat will carry the station's v.p. and counsel, William Wiseman.

## WHAS' Record

After 187.5 hours of continuous broadcasting, WHAS went off the air early Monday (1) for the first time since 8 a.m. Sunday (24), when the entire facilities of the station were turned over to the work of aiding and co-ordinating flood relief work. Louisville police radio station, been restored to service, was able to take care of the few straggling flood calls.

Beginning Monday afternoon (1), the station partially resumed the CBS schedule, though continuing to its occasional batch of flood bulletins at intervals. Police cars and boats still patrolling the city were still being served by the police radio, and the urgency of the calls was being idly lessened.

## Another Dry Law

Washington,

Another bill aimed to keep demon rum from defiling radio programs was offered Congress last week.

Sponsor is Senator Arthur Capper of Kansas, militant prohibition advocate.

Proposition would prevent any distiller, or dealer to distribute interstate commerce advertising for likker of any sort.

applies to newspapers, magazines, newsreels, photographs, records, and radio programs. Penalty would be \$100 to \$1,000, with jail sentences ranging from 6 months to a year.

## F. C. C. Jolts Its Docket Division to End 'Favorite Lawyer' Privileges

Washington, Feb. 9.

Personnel shakeup in docket section of the FCC Broadcast division is under way following charges of laxity, inefficiency, favoritism shown various to attorneys.

With extensive housecleaning likely and several more transfers in prospect, Commish placed Examiner Ralph H. Hyde in charge as acting chief to direct reorganization of administrative methods. Mary Belle Anthony, former head, is now in the accounting department.

Overhauling was voted following bleats that certain broadcasters and some attorneys had apparent ipelines into the division and were getting into which was withheld from their competitors. Furthermore, i

formal protests were registered that some applications carded for hearing were accorded treatment which was not given others. Fair-haired lawyers and broadcasters were able to get their cases speeded up or slowed down, they wished, it was said, and callers with drag got permission to see papers which visitors without connections could not inspect.

Docket section is one of the most important subdivisions of the Commish to broadcasters wanting different assignments and newcomers seeking entry to the business. After set for hearing, all applications are sent to the docket section, which arranges hearing schedules, notifies parties, and handles requests for postponements, unances, and such.

# "The Voice of Experience"...

## the man with the million dollar throat insists on a light smoke



"My voice is my career. It has inspired more than five million people to confide in me their personal problems. During 25 years, first on the lecture platform and then on the air, I have never missed a single engagement because of my throat. I am a steady smoker, and because my throat and voice are vital to my career I insist upon a light smoke. In Luckies I find a light smoke plus the enjoyment of fine tobacco . . . and that's why Lucky Strikes have been my choice for 14 years."

*The Voice of Experience.*

FRIEND AND COUNSELOR  
TO MILLIONS OF RADIO LISTENERS



THE FINEST TOBACCOS—  
"THE CREAM OF THE CROP"

An independent survey was made recently among professional men and women—lawyers, doctors, lecturers, scientists, etc. Of those who said they smoke cigarettes, more than 87% stated they personally prefer a light smoke.

"The Voice of Experience" verifies the wisdom of this preference, and so do other leading artists of the radio, stage, screen and opera. Their voices are their fortunes. That's why so many of them smoke Luckies. You, too, can have the throat protection of Luckies—a light smoke, free of certain harsh irritants removed by the exclusive process "It's Toasted". Luckies are gentle on the throat.

# A Light Smoke

## "It's Toasted"—Your Throat Protection

AGAINST IRRITATION—AGAINST COUGH

Copyright 1937, The American Tobacco Company

## Stewart Blasts F. C. C. Colleagues

### Calls WOL, Washington, Transfer Violation of Commission's Own Rules

Washington, Feb. 9. Complaints about disregard for service standards, promulgation of inconsistent decisions, and favoritism to broadcasters at the expense of listeners were tossed in the lap of the Federal Communications Commission last week by one of its members.

Dissenting from a refusal to reopen the case involving transfer of WOL, local smallie, to a regional frequency, Dr. Irving Stewart, chairman of the telegraph division, roasted his colleagues for not sticking by principles established as yardstick in determining public interest, convenience, and necessity. Minority opinion is one of sharpest-worded documents ever filed by a member who objected to the actions of the majority.

**'Inefficiency Rewarded'**  
of WOL from a local to a regional frequency (1310 to 1230 kc) and the power boost from 100 watts to 1 kw were denounced as indefensible from standpoint of engineering and public interest. Stewart declared the Commission is rewarding 'inefficient' management merely to give it a better chance to make money.

Pointing out WOL on 1230 will not be operating in conformity with the Commission mileage separation requirements, Stewart said 'the result will be dissatisfaction on the part of listeners who will be able to receive WOL at some times and not at others. That dissatisfaction can be expected to result in WOL seeking

from the Commission some form of relief which might let the service be more constant for such listeners—relief from a situation which should not have been created in the first instance.

'It seems to me that this is not the proper use of a regional frequency. While similar uses have been authorized in a few cases by the Broadcast Division, I believe that the piecemeal breaking down of the standards of the service which regional stations should render is not in the public interest. The criterion is service to the public, not sales of time to advertisers.'

'Regional frequencies should not be assigned to stations which cannot render regional service. A station operating on a regional assignment with 1 kw power should give the service properly expected of a regional station, not a local service masquerading as a regional service in order to persuade advertisers who may consider power as the only factor which determines coverage. If the area expected to be served by regional stations is to be modified so as to permit such mongrel stations, I should prefer to see it done by a change in the standards followed by the Commission, not by building up exceptions to present standards. Then at least there would be equality of opportunity among potential applicants for such assignments, instead of an inequality favoring the applicant who might succeed in breaking down existing standards on a particular frequency.'

In granting the application of the American Broadcasting Co., the Broadcast Division has seen fit to reward the present inefficient operation of Station WOL. . . . I think that such good local service should have been required to be by proper use of the station's local assignment rather than by an inefficient use of a regional assignment.'

### KFOR Gets a Build-up

Lincoln, Feb. 9. KFOR is being poked from behind with a heavy bully campaign as the 'Voice of Lincoln.' This week tire covers went on all cabs, a contract was let with the Waller Sign Co. for 28 24-sheet splashings at various parts of town, and a campaign of full page newspaper space once a week was contracted.

Selling is on the KFOR possession of both CBS and MBS nets.

### riffin Joins Knox Reeves

Chicago, Feb. 9. Lloyd Gri in shifts from Columbia-WBBM announcer staff to the agency field this week.

Joins the Knox Reeves agency in Minneapolis as head of radio department.

### Radio-Press Equals

Lincoln, Feb. 9. John Edwards, spokesman for KFAB-KFOR here on the unicameral legislation, accomplished recognition for radio along with the press this week when he induced Senator Charles Dafeo, Tecumseh, to submit a resolution granting radio stations the same rights as papers on coverage. Motion prevailed.

### TELEVISION LICENSES EXTENDED TO FEB., '38

Some 14 experimental television stations have been granted an extension of license for another year by the F.C.C. Renewals run until Feb. 1, 1938, on exactly the same basis as the existing licenses.

Stations, numbering virtually all the important see-hear contenders, are: W2XAX, New York, Columbia Broadcasting System; W2XAO, Los Angeles, Don Lee; W3XAL, Kansas City, First National Television; W1XO, Boston, General Television; W2XBS, New York, National Broadcasting Company; W2XDR, Long Island City, Radio Pictures; W3KEP, Camden, RCA; W10XX, Mobile, RCA; W9XX and W9XUL, Iowa City, University of Iowa; W9XAT, Minneapolis, Dr. George W. Young (WDGY); W9XD, Milwaukee, Milwaukee Journal (WTMJ); W9XG, Lafayette, Purdue University; W3XE, Philadelphia, Philco Radio & Television Corp.

### KYW Ready to Move

Philadelphia, Feb. 9. Possibilities appeared this week that KYW may move into the huge Westinghouse plant here at 33d and Walnut sts. Station is owned by Westinghouse.

It was operated until about a year ago by Doc and Ike Levy, who run WCAU, and is now located in the WCAU Building. Both the Levys and the station are anxious to have KYW move out to complete the dissociation with WCAU in the public mind.

There is an agreement, however, that they can stay in the building as long as they like 'while they are looking for a new home.'

### Legislature on Air

Regina, Sask., Feb. 9. Considerable rivalry has developed between CKCK and CJRM over broadcasting the opening of the provincial Legislature, Feb. 11, each seeking exclusive rights in the Legislative Building. Premier W. J. Patterson told VARIETY CKCK asked first, but he would give CJRM equal rights.

Frank Manoh, announcer, has moved from KRE, Berkeley, Cal., to the San Francisco staff of KROW.

## 1932 Agreement a Mistake for Canada

### So Declares Gladstone Murray—Canadian Service Cramped by Limitations

Canadian Broadcast Corp. officials are out to get more clear radio channels for Canadian stations and American authorities do not seem unwilling to discuss this re-allocation, W. E. Gladstone Murray, general manager of the corp., told VARIETY.

Canada should never have signed the agreement of 1932 giving the United States 70 clear channels and Canada only eight, he said.

He would not indicate how many channels the Canadian radio men would seek, but hinted the ones sought are now shared channels, used by low-power stations in the United States and Canada.

Murray explained Government-controlled corporation does not like to accept advertising accounts for sponsored programs, but as revenue for the corporation is only about \$1,500,000, and of this \$500,000 is spent for line charges, it is necessary.

Amount of money to be sought by sponsored programs will depend on the estimated difference between revenue from radio licenses and total expenditures. This in turn depends on the number of stations and the power of stations operated by the corporation.

Saskatchewan, for example, has complained frequently about its allocation.

### Network Chart

#### NBC NEW PROGRAMS

C. F. Mueller Co. (macaroni): Program to be announced, Mondays through Fridays, 10:45 to 11 a. m., beginning Feb. 22; for 13 weeks. WJZ, WBZ-A, WFIL, WSYP, WHAM, KDKA.

#### NBC RENEWALS

J. W. Marrow: 'Henry Busse and His Orchestra,' beginning March 17; for 8 weeks. WEAF, WCAE, WWJ, KYW, WTAM, WMAQ, WHO, WOW, WDAF, KYOO, WKY, WFAA, KPRC, WOAI, KOA, KBYL and Red Coast.

Bowery's (Dori Rich): 'Adventures of Dori Dan,' beginning March 8; for 52 weeks. (Note: time changes to Mondays, Wednesdays, Fridays, 5 to 5:15 p. m.; 5:45 to 6 p. m. on re-broadcast.) Basic Red except KSTP. (WEAF, WCAE, WTC, WJAZ, WTAC, WCHS, KYW, WFB, WRC, WGY, WBN, WCAE, WTAM, WWJ, WSAI, WIRE, 5 to 5:15.) (WMAQ, KSD, WHO, WOW, WDAF, 5:45 to 6.)

General Foods (Jello): 'The Jello Program Starring Jack Benny,' beginning Feb. 28; for 44 weeks. Basic Red. WLW, WCAE, SE, WSO, WNNC, WFCB, WCSS, SC, WDX, SW, KARK, KGNC, KGBX, KTHS, KTBS, NC, NW (Red Mountain, Red Coast, KTAR, KGU, North Mountain, KFSD, KFBK, KWG, KMJ, 11:30 to midnight).

#### CBS NEW PROGRAMS

Sinclair Refining: Program to be announced, Wednesdays and Fridays, 10:30 to 10:45 p. m., beginning April 7; for 26 weeks. Basic 21. Columbus, Dayton, Rochester, Worcester, Harrisburg, Milwaukee, Toledo, Springfield, Wichita, Atlanta, Birmingham, Chattanooga, Knoxville, Memphis, Montgomery, Nashville, New Orleans, Jacksonville, Orlando, Miami, Tampa, Charlotte, reensboro, Richmond, Roanoke, Savannah, Dallas, Houston, Little Rock, Oklahoma, San Antonio, Shreveport, Tulsa, Davenport, Minneapolis, Denver, Yankton, Salt Lake City. (Note: New programs or renewals for more than 13 weeks generally cancellable in cycles of 13 weeks on 30 days' notice.)

### Mobile Unit for Ohio 4

Columbus, Feb. 9.

A completely equipped traveling studio built into a trailer is being manufactured for the United Broadcasting Co., to be used by their outlets: WHK-WJAY, Cleveland; WHKC, Columbus, and WKBC, Youngstown. Trailer will be fitted out with a short transmitter with its own power supply, receiving set and piano, and will be used to cover spot news events like the Ohio River flood.

Outfit will be manned by Larry Roller, director of special events for UBC, and Bob French, WHKC production manager.

lotment of power, 2,700 watts for nearly a million people, so the Board of Governors of the Government corporation will sit in Regina during the first week in March to hear complaints and the board likely will announce plans for a 25,000-watt.

Commenting on the difference between the American and British broadcasting, the former B. B. C. official said the average of the B. B. C. programs was higher than the average American program, but the commercial angle in the U. S. A. made 'peak' programs, with the biggest stars possible. American broadcasting, he said, was frequently trivial. Canada should seek distinctive programs, he declared.

Montreal, Feb. 9.

Domini have launched negotiations, via correspondence, seeking some solution of the Mexican wavelength problem. To date nothing definite has been evinced, but Alfonso Gomez Morentin, radio czar in the Mexican government's Department of Communications, has indicated his country's willingness to discuss the question.

An attempt was made at a conference in Mexico City in 1934 to bring all countries as far south as Central America into a continental agreement. This failed when the Latins expressed the belief that they were getting the short end of the bargain. Because of this dissatisfaction, Mexico has not yet signed the International Radio Convention, an otherwise world-wide agreement covering frequency allotments and other matters.

## AWARD!



In recognition of meritorious service rendered last year, the Philadelphia Chapter of the American Legion awarded its ANNUAL CERTIFICATE OF MERIT to WIP.

This is the first time such an award was ever given to a radio station.

Whether serving the public or serving you, WIP is aggressive, forceful, alert!

### NEWS AND SPORTS

#### MEAT AND DRINK

For summer fans. United Press direct wire service. 1937 baseball exclusive on KXBY. For this season's year KXBY is the big tell for spring and summer listeners and advertisers. Several award winning programs.

#### WIRE FOR RATES

**KXBY**

Kansas City, Mo.

IN BALTIMORE  
SURVEYS PROVE IT'S

**WEBB**

## FOR RENT

**Paramount Theatre Organ Studio**  
—Fully Equipped With Wurlitzer Organ and Twin Console—Piano—Perfect Acoustics. Excellent for Broadcasting or Recording Purposes. Available Immediately for Part or Full Time . . .

**Communicate With Harry Levine**  
—Paramount Building — Chicker-  
ing 4-7040.

# ELECTRO-SOUND IN HOMES

## RADIO SHOWMANSHIP

Attention-Getters, Tie-Ups, Ideas

### Outstanding Stunts:

**STATION NEWS MORGUE**  
WLVA, LYNCHBURG, VA.

**Station's News Morgue**

Lynchburg, Va. Stepping into the local news field in a big way, WLVA is establishing a 'morgue' for city celebrities. Blanks checking up in detail on each person's career have been sent to councilmen, physicians, ministers, etc. Letter explains that the idea is to improve the background of Tuck Young, newscaster, to permit a better handling of news.

Although not mentioned in the letter, the main purpose, of course, is to have data at fingertips when the local biggies drop off.

**NBC's Lighter Touch**

New York. NBC is giving its sales promotion series by Dr. Seuss. There will be 10 mailing pieces of the sort. as the cue element to the two drawings.

**Delivery Boys Broadcast**

Richmond, Va. With renewal of 'Terry and Ted' series for Bond Bread (General Baking Co.) over WMBG, Bob Mitchell, station's merchandising director, hit on idea of having a different Bond Bread route-man make an appearance on each stanza to do the spelling. About 70 route-men working in this area.

Prior to the appearance of the route-man before the mike he notifies all his customers and invites them to tune in. Result has been

more interest in the series by both route-men and customers.

**News' Sound Effect**

Baltimore. WBAL has installed a mike in station's newroom to pick up clamor of the three teletypes spurring out copy. Pickup is piped out on air, and at each news period WBAL carries.

Sound is somewhat of an improvement over usual idea of clicking a telegraph key in between each dispatch, in that the atmosphere accorded by the actual rattle of the teletypes is so much more exciting.

**Meets the Duffys**

Washington, D. Knob-twirlers were given a chance to eavesdrop on a Senator's family, Sunday (7), when Jerry Belcher, NBC blue networker, dropped in on Sen. F. Ryan Duffy with his portable broadcasting equipment.

As one of the fireside chats in his 'Our Neighbor' program, Belcher hobnobbed informally with the Wisconsin Senator and his family, airing the results over WMAL. Belcher pops in on people every afternoon, discussing a variety of 'homey subjects' with his hosts.

**CBS' Kate Smith Brochure**

In an elaborately illustrated booklet Columbia tells the job the Kate Smith program has done in helping the A & P stores sell its own brands of coffee. Booklet, which is on its way to the trade, is tagged 'Command Performance.'

Pictures in the promotional piece emphasize the hero award angle of the La Smith broadcasts and the huge audiences before which she has performed under the A & P banner. There are also two photos of Ted Collins, her manager, officiating at the mike.

## TELEVISION BUT ONE OF 7 ITEMS

**Electronic Devices for Music and Speech Will Include the Radio, Phonograph, Electric Organ or Piano, the Talking Book, Sound-film, Etc.**

### SHORTCOMINGS

San Francisco, Feb.

'Television is only one of seven electronic devices which some day we may all have in our homes. These include four instruments for music or speech alone: the radio, the phonograph, the electric organ or piano on which you make your own music, and the talking book.'

Above statement was made here by Lee McCann, of Stromberg-Carlson, Rochester, N. Y., in addressing the Radio and Appliance Division of the Western Furniture Exchange. He went on to declare, among other things:

'The world's supply of wood pulp for book and newspaper paper is diminishing and the day may come when books and newspapers will be recorded by announcers, either on a strip of cellophane, as talking films are recorded—and a new crop of cellophane made from cotton can be grown every year—or recorded magnetically on a spool of iron wire which later can be magnetically

(Continued on page 62)

## Stations Loath to Handle Direct Sale Coin; Causes Disgruntlement

### One Ear on Flood

Washington, Feb. 9.

While principal flood effects may have been confined to the Mississippi and Ohio basins, radio people here are suffering from frantic efforts to cover the catastrophe.

Victim of unstrung nerves is Anne Gillis, publicity rep for CBS here. Flood news was coming in over her receiver as she picked up the telephone to answer a call.

'Just a minute until I turn the flood,' she said.

With contingent business rapidly passing out of the radio picture, station managers are making their next elimination direct sales. Like contingent business, stations have found direct sales contracts to be too full of kickbacks and public jam-ups to be comfortable, and with general business now picking up the station managers aren't forced to accept deals which are not completely satisfactory.

Those stations which insist on direct sales contracts are insisting on one condition: That the listeners send their coin direct to the advertiser and not to the station. This condition follows flock of jam-ups in the past when the listeners sent burn-up letters to the stations claiming that they had forwarded their two-bits or a buck and hadn't gotten their jar of cold cream, genuine embroidered scarf or fountain pen, whatever the item happened to be.

Stations were in the middle, with the customers yelling and with the client claiming that the stations were pocketing the money and weren't forwarding the cash. It has been the cause of numerous headaches in the past, and the station managers, when accepting the direct sales deals in the first place, are being plenty careful how the money is collected.

credit for the excellent shows put on by this organization:

Cordially yours,  
NATIONAL SPORTSMAN, INC.  
William C. Copp,  
Advertising Sales Manager.

### Re: Sportsman's Show

Editor, VARIETY:

In your showmanship calendar of events you have listed the National Sportsman's Show as follows: National Sportsman's Show, sponsored by National Sportsman, Inc., 360 Madison Avenue, New York City.

National Sportsman's Show in New York is being run, and has always been run, by Campbell-Fairbanks Expositions, Inc., Park Square Building, Boston, Mass. The date of the New York Show is Feb. 18th to the 27th.

While we have always worked closely with Campbell-Fairbanks with their sport shows and have had a booth regularly at their exhibits and have given them some editorial cooperation, we cannot claim any

# WCAU

Philadelphia

## 50,000 WATTS

Ask the man who's

using us \*

\* WITH APOLOGIES TO  
PACKARD MOTOR COMPANY

## Freelance Research Lads See Flaws In Jointly-Financed Fact Chasing

Freelance research experts do not various attempts advertiser and broadcaster groups to engage in that all camps may the sincerest before projects get started but it isn't long before indifference and research

becomes a level ground for trade politics.

What it makes most tough in appealing a broadcaster who is part of such joint research venture is that after all he is the fellow that is footing the bill and he wants to know why he should pay for anything that puts his local operation in an unfavorable light. Advertiser interest wants the job done one way and the broadcaster, cognizant of his station's weaknesses, is constantly on the alert to see that this way isn't the wrong way as far as his own interests are concerned.

If an advertiser who spends lots of money in broadcasting has a market research head with a penchant for pushing himself, the joint effort can, always be depended on to cause friction. This marketing expert has cute ideas of his own and these must be incorporated in the mutual survey, or he won't play.

Then there is also the agency research expert who for a long time had had ideas which his own agency has declined to underwrite but which he thinks ought to be made part of the joint endeavor. This inter-intrusion of pet ideas is what actually brings on the politics. The research project becomes a game of backscratching and logrolling. You get my idea accepted and I'll get yours.

On the other side of the fence where live the broadcasters there's a similar line of potholes. A broadcaster who is loath to have a certain channel of coverage or listener habit information probed gets together with one or more station operators of a similar mind and they lobby against the inclusion of the angles they fear. It also works the other way. If certain broadcasters are strong in some element of marketing value they fight to have it included in the survey, stressed in the conclusions derived from the mass of questionnaires.

### B.B.C. Eyes Film Studio

London, Feb. British Broadcasting Corp. is reported in a deal with the receiver of Julius Hagen's companies to take over the Triumph Studio, Hammer-smith, for outside broadcast studio purposes.

Triumph was originally operated by the British P. D. C. company, following the collapse of which it was bought by Hagen to add to his properties at Twickenham and Elstree. He made no pictures there, however.

### Dinty Doyle, the Flyer

San Francisco, Dinty Doyle, radio editor of the New York American, returns to San Francisco today, after flying to Los Angeles to attend a dinner given by Earle C. Anthony in honor of Major Lenox R. Lohr, NBC presy, Sunday (7). Doyle expects to spend several days here before going east again.

Doyle has been back to California by aeroplane several times since going east and is probably the No. 1 traveler among radio editors.

Keith Kerby now announcing at KSFO, CBS outlet in San Francisco. Formerly with KOIN, Portland, Ore.

## Guest List

- AMERICAN CAN**  
(Th. 8-WJZ)  
16—Lash Ray, Julius Tannen, A. & P.  
(Th. 8-WABC)  
Feb. 11—Henry Youngman, Rhoda Rainbow, Prof. Quiz.
- AXTON-FISHER**  
(Spuds)  
(Su. 9-WJZ)  
Feb. 13—Josephine Antoinette.  
Feb. 20—Alexander Gray.
- BENEFICIAL MANAGEMENT**  
(Su. 5 p.m.—WABC)  
Feb. 14—Not booked.
- BRISTOL-MYERS**  
(Wed. 9-WEAF)  
10—List not in.
- 17—Mona Roberti.
- CAMPBELL**  
(Fri. 9-WABC)  
Feb. 12—Victor McLaglen, Preston Foster.
- Feb. 19—Humphrey Bogart, Anne Sherman.
- FIRESTONE**  
(Mon. 8:30-WEAF)  
Feb. 1—Richard Crooks, Margaret Speaks.
- FORD**  
(Su. 9-WABC)  
14—Lotte Lehman.  
21—Giovanni Martinelli.
- FOUR DEALERS**  
(Th. 8 p.m.—WABC)  
Feb. 16—Walter Gross and Milton Kraus. Nick Lucas (probable).
- GENERAL MOTORS**  
(Su. 10-WEAF)  
Feb. 14—Igor Stravinsky, Samuel Pushkin Chorus of the Art of Music, Russi.
- GROUP OF BANKS**  
(Fri. 10 p.m.—WABC)  
Feb. 10—Walter B. Itkin.
- GULF**  
(Su. 7:30 p.m.—WABC)  
14—Harry Richman.
- HEINZ**  
(M-W. 11 a.m.—WABC)  
Feb. 10—Antoinette Donnelly.  
Feb. 12—Emily Post.
- Feb. 15—Sigmund Spaeth.
- JELLO**  
(Su. 7 p.m.—WEAF)  
Feb. 14—Ben Bernie.
- KRAFT**  
(Th. 10-WEAF)  
Feb. 11—Edward Everett Horton, Dorothy McNulty, Toscha Seidel.
- KLYNOX**  
(Th. 8-WABC)  
Feb. 16—George Rasely, Ilka Chase.
- LOCAL DEPT STORE**  
(Th. 9 a.m.—WOR)  
Feb. 11—Carl Hoff, Grant Mitchell.  
Feb. 18—Ozzie Nelson, Ernest Truex, Diana Gagen.
- LUX**  
(Mon. 9-WABC)  
15—Jack Benny, Mary Kingston.
- MAXWELL HOUSE**  
(Th. 9-WEAF)  
Feb. 11—Ruth Etting, George Jessel.
- NATL DAIRY**  
(Sat. 8-WEAF)  
Feb. 13—Not booked.
- NASH**  
(Sat. 9-WABC)  
Feb. 13—Kate Smith, Stoopnagle and Budd.
- ROYAL GELATINE**  
(Th. 8-WEAF)  
Feb. 11—Burgess Meredith, Phyllis Welch, Harold Hoffer, Thomas W. Ross, Edgar Bergen, Selinsky Swing Quartet, Frank Gaven, A. L. Alexander.
- (Su. 2-WJZ)  
Feb. 14—Viscount Hidemaro Kono-ye, Gina Cigna, Dennis King, Helen Gleason, Carlos Salzedo, Rufe Davis.
- R. REYNOLDS**  
(Th. 9:30-WABC)  
16—Not booked.
- SHELL**  
(Sat. 9:30-WEAF)  
13—Jean Hersholt, Efrem Zimbalist, Benny Baker, Happy Reese.
- SHERWIN-WILLIAMS**  
(Su. 3-WEAF)  
Feb. 14—Gladys Swarthout, Stephen Slepuski, Arturo Cheltri, Maxine Stellman.
- U. S. TOBACCO**  
(Dill's Best, Model)  
(Mon. 8:30 p.m.—WABC)  
Feb. 15—Tito Guizar.

Jim Hays Joins Agency  
Pittsburgh, Feb.

Jim Hays, head of Gulf Oil's radio department for last two years, has joined a Walker-Ing agency here as executive capacity. Elimination of Gulf's own directed air set-up brought about the shift. Former radio editor of the Sun-Telegraph and before that an announcer at WCAE, Hays is concentrating entirely on Walker-Downing radio account.

## Catholic-Protestant Issue in Canada

### Religious Angles Beset Gladstone Murray— Claim Suppression of Free Speech

Toronto, Feb. 9.

In a country where a third of the population is of the Catholic faith, the Protestant Radio League, latest headache for the Canadian Broadcasting Corporation, sees the religious question brought out into the open again. The Protestant Radio League charges that CBC, by means of its radio censorship regulations, is 'trampling on British principles of free speech.'

Backing the League is the Loyal Orange Lodge which, claiming to be spokesman for 'tens of thousands of loyal and Protestant citizens,' has addressed a protest to Gladstone Murray, general manager of CBC, hotly insisting that 'un-British censorship' is preventing the giving of free expression to 'the beliefs and opinions held by a multitude of citizens.'

Low-off has followed the reputed slashing by the CBC censorship officials of the weekly commentary broadcasts of the Rev. Morris Zeidman, a director of the Protestant Radio League, CBC taking the stand that Zeidman is seeking to use the radio for political purposes.

One of the first actions of the Liberal administration after taking office was to put through legislation forbidding the use of radio for personal attacks on politicians, etc. This was an outcome of the 'Mr. Sage' series in which Prime Minister Mackenzie King claimed that he was the subject of personal and unfair attacks by his political opponents. It is the interpretation of these censorship regulations which the League and the Orangemen are attacking.

Says the protest to Gladstone Murray, 'Mr. Zeidman is a Protestant clergyman, quite capable and willing to give expression to his views and to the views held by Protestants generally, in respectful and cultured terms. We believe that, as a loyal citizen, he is entitled to liberty of speech and loyal citizens have a right to listen to his Protestant messages.'

'We realize that an organized campaign has been carried on for some

time by a few fanatical anti-Protestant agitators to have the Protestant Radio League broadcasts suppressed, but we do not believe that it is the function of any government Commission to consent to unreasonable demands.'

## an unusual FOR SALE!

A. completely  
near Radio City ...  
finest equipment for transcrip-  
instantaneous record-  
ings ... proofed  
for broadcasti ... handsomely  
decorated.

A RECORDING GROUP could afford  
to give up an outmoded laboratory  
WHY NOT INQUIRE FURTHER?  
You'll be surprised at the reason-  
able proposition. Write  
Variety, for full details.

## phil baker

THE  
GREAT  
AMERICAN  
EDITION  
GULF REFINING  
COMPANY  
SUNDAYS  
7:30-8 P.M. EST  
WABC  
CBS

### "BARON MUNCHHAUSEN"

## JACK PEARL

RALEIGH and  
KOOL CIGARETTES

WJZ-9:30 P.M. EST—Mondays  
NBC Network

A. & S.

### JOSEF CHERNIAYSKY

"The Musical Cameraman"

Presented by

1847

ROGERS BROS.



TO-COAST  
Red Network NBC

**AL GOODMAN**  
and his  
**ORCHESTRA**

featured on  
**PALMOLIVE**  
BEAUTY BOX THEATRE  
EVERY WEDNESDAY  
CBS  
9:30 P.M.

**"SHOW BOAT"**  
EVERY THURSDAY  
NBC  
8 P.M.

BOOKED EXCLUSIVELY  
BY  
MUSIC CORP.  
OF AMERICA

**MYRT**  
AND  
**MARGE**

Colgate-Palmolive-Peet  
2:45 P.M.—Mon., Tues., Wed.  
Thurs., Fri.  
WABC - CBS

**LEON**  
**LEONARDI**

And His Warner Bros.  
KFWB Orchestra

CHASE and SANBORN Coffee our  
Sunday 8-9

"The Musical Toast of the Southland!"  
—WICK KERRY  
N.Y. Daily Mirror

**FRANCIS CRAIG**  
AND HIS ORCHESTRA  
RED NETWORK  
Sundays, 11:30 p.m., CST

**"THE O'NEILLS"**  
THE NEW RADIO MOST POPULAR  
FAMILY DRAMA YOU MORE  
Presented by Ivory Soap 99% pure

**"THE O'NEILLS"**  
THE NEW RADIO MOST POPULAR  
FAMILY DRAMA YOU MORE  
Presented by Ivory Soap 99% pure

**LISTEN TWICE DAILY**  
NBC Blue Network, Mon. to Fri. 11 a.m. EST  
NBC Red Network, on to Fri. 4:45 p.m. EST  
**IN COAST TO COAST**  
Dir. BLACKMAN ADVERTISING, INC.  
MGT. ED WOLF—RKO BLDG., NEW YORK CITY

## MORT LEWIS

48th WEEK AS EXCLUSIVE WRITER  
for PICK and PAT

One of Radio's Most Popular Programs  
(Crossley Survey)

EDUCATIONAL  
SHORTS

## Harvard Classics Join Air's Free Time Grabbers

Another outfit around trying to tap radio for free publicity. Publishing firm in New York labeled 'The Harvard Classics,' which puts out editions of Doe Eliot's famed 'Five Foot Shelf,' is offering stations weekly copy for announcers to read over 5-min. routes.

Stuff is anent literary figures whose pieces are included in the Harvard Classics. Publishing firm slips in couple of plugs for self on each program. Stations are offered the prepared material as free entertainment handout in return for the free plugs.

Understood but few stations in country are using the copy, but flock of small indies are on the mailing list and receive the stuff each week.

## Television School Reorg

Kansas City, Feb. 9.  
Staff of First National Television school has been reorganized to fill gaps left by exodus of staff members to recently organized Arthur Church school. New setup has Kenneth Alexander, let of staff, F. M. McQuiston, manager, of extension dept.; Les Hotsenpiller, former chief of TWA research lab, in similar capacity with First Natl.; Wayne Miller, formerly of RCA Mfg. Co., transmitter instructor, C. E. Salzer, former engineer instructor, has been made chief in-charge of KXBY, school's station.

School has about six thousand extension students and 150 attending the resident school.

## WIRE Takes U.P. Service

Indianapolis, Feb. 9.  
Yesterday (8) began tie-up between WIRE here and United Press wire service for newscasts. WIRE is second Indiana station to get U.P. service. South Bend stations, both newspaper owned and under one management, subscribe.

Eugene Pulliam, Jr., in charge of WIRE newsroom, has also had direct leased phone wire piped into WIRE from Indianapolis U.P. headquarters. This gives station immediate flash coverage on state news, and is to be given much usage, according to plans.

# F.C.C.'S WASHINGTON DOCKET

## Decisions

Washi

California: KSFO, San Francisco, granted daytime power boost from 1 to 5 kw.

Colorado: KFEA, Greeley, application quency change from 880 to 1450 kc, and change i operation from sharing with KPOF, Denver, to unlimited, dismissed at the request of applicants.

Illinois: WSBC, Chicago, Commish reconsi and granted application for day boost from 100 to 250 watts.

Indiana: WLBC, Muncie, granted change in time of operation from shar lights with WTRC, Elkhart, to unlimited.

Louisiana: WBNO, Coliseum Place Baptist Church, New Orleans, application for assignment of license to Pelican State Broadcasting Co., dismissed at applicant's request.

Massachusetts: WCOP, transfer to Arde Bulova.

Michigan: Lenawee Broadcasting Co., Adrian, plication for new station to be operated on 144 with 250 watts days only dismissed with prejudice.

Minnesota: Daily News Corp., St. Paul, application for new station to be operated on 580 kc with 1 kw daytimes dismissed at request of applicant.

Montana: Peoples Forum of the Air, Helena, granted new station to be operated on 1210 kc with 100 watts.

Pennsylvania: WIP, Philadelphia, granted extension of special experimental authorization to operate with 1 kw power.

Texas: KNEI, G. Burns, juice-jump from 100 to 250 watts.

West Virginia: WPAR, Parkersburg, granted consent to transfer of control of corporation from Harold McWhorter, Marion McDowell and Wayne Van Gilder to Exponent Co.

## Set for Hearing

Michigan: Leonard A. Versluis, Grand Rapids, daytime station, to be operated on 830 kc with 500 watts.

Nebraska: KGNF, North Platte, increase time operation from 1 kw days to 1 kw specified.

Ohio: Ohio Broadcasting Co., Steubenville, new station to be operated on 780 kc with 250 watts, days only; Ohio Broadcasting Co., Marion, new station to be operated days on 880 kc with 250 watts; Ohio Broadcasting Co., East Liverpool, new station, to be operated days on 1350 kc with 250 wat; Ohl road-casting Co., Salem, new station to be operated on 1420 kc with 100 watts, days only; Food Terminal Broadcasting Co., Cleveland, new daytime station to be operated on 1500 kc with 100 watts.

South Dakota: KABR, Aberdeen, change frequency

from 1420 to 1390 kc and boost power from 100 watts to 500 watts nights, 1 kw days.

Washington: Twin City Broadcasting Long-view, new station to be operated on 780 ith 250 watts, days only.

Wisconsin: WTAQ, WBHY, day power boost from 1 to 5 kw, employi irectional

## New Petitions

W. Miami, new station to be operated on 1420 kc with 100 watts; W. W. Luce, Fort Lauderdale, station to be operated on 1050 kc with 1 kw.

Georgia: WKEU, Griffin, change frequency from 1500 to 1310 kc and hours of operation from days to unlimited with 100 watts.

Kentucky: Louisville Broadcasting Co., Louisville, new station to be operated on 1210 kc with 250 watts days.

Massachusetts: WBZ, Westinghouse Electric & Mfg. Boston, boost power from 50 to 500 kw.

Minnesota: WTCN, Minneapolis, ight power from 1 to 5 kw.

Missouri: KCMO, Kansas City, change frequency from 1370 kc to 1450 kc, boost power from 100 watts to 1 kw and install directional ight use.

New Jersey: Colonial roadcasting Co., Morristown, new station to be operated on 620 kc: ith 1 kw.

New York: Watertown Broadcasting Corp., Watertown, station to be operated on 1420 kc with 100 watts ni, 250 watts days.

Rhode Island: WNRI, S. George Webb, Newport, voluntary assignment of license to WNRI, Inc.

South Dakota: KOBH, Rapid City, jump day juice from 100 to 250 watts and install new transmitter.

Utah: Dan B. Shields, Provo, new station to be operated on 1200 kc with 100 watts.

## Examiners' Reports

Missouri: Ni application Hannibal Broadcasting Co. because of a shortage of spot cash, Examiner Melvin H. Dalberg recommended to the Commish that a second application for a new station at Hannibal, Mo., receive the go-ahead signal. Request of the Courier-Post Publishing Co., second applicant, was tentatively trimmed to include night operation only. Station had asked for 100 watts nights and 250 watts days, but squawks from WTAD, Quincy, Ill., led to the conclusion that the rag's request might set up interference if granted in toto.

Publishing company will lay down \$19,900 on the line for the privilege of building up-to-date transmitter. Hannibal Broadcasting Company, with only \$10,000 in assets, proposed to use \$7,800 for a new station—or 80% of its nest-egg. Both applicants asked for a spot on the 1310 kc ribbon.

## Seek Daytime Stations For Ohio Small Burgs

Washington, Feb. 9.  
Ambitions of interests affiliated with the Brush-Moore newspaper chain to establish string of daytime local stations in Ohio were referred to examiners last week by Federal Communications Commission.

Although there are no transmitters in any of the towns, FCC ordered public hearings on four applications of the Ohio Broadcasting Co. for the right to set up low-power outlets in Steubenville, Marion, East Liverpool and Salem. Different frequencies were sought in each case, although the power requested was 250 watts in three spots and 100 in the fourth.

Specific requests are: teubenville, 780 kc, 250 watts; Marion, 880 kc, 250 watts; East Liverpool, 1350 kc, 250 watts; Salem, 1420 kc, 100 watts. All stations would be limited to daylight operation, with transmitter and studio sites unselected so far. Principal stockholder of Ohio Broadcasting Co. is the Brush-Moore Newspaper, Inc., which publishes dailies in six Ohio cities.

## WPAR Joins CBS Web

WPAR, Parkersburg, W. Va., joins Columbia 13 as part of the basic supplementary setup. Alliantie will give CBS two outlets in that state, the other being WCRS, Charleston, whose hookup also becomes effective Feb. 13. Both stations are operated by John A. Kennedy.

## WMAZ' Newspaper Deal

Macon, Ga., Feb. 9.  
WMAZ now broadcasts news direct from office of Macon Telegraph. Basil Hall devotes full time to summarizing the reports from the local newspapers and putting them on the air six times daily. Local sheets still furnish copy for the broadcasts.

Luther Hill, KRNT, Des Moines, visiting Chicago, Washington and New York City.

# MILLIONS for REBUILDING!!

*Millions of dollars are pouring into the Ohio Valley for Rehabilitation. Both employment and payrolls are scheduled to reach new highs in WLW's primary area.*

**YOUR** product will share in this special activity if you use the Nation's Station. And WLW, as usual, will give you "more than your share."

## Here and There

**KRNT-KSO**, Des Moines, providing talent for the Ottumwa, Iowa, annual food show the last week in Feb. Scheduled for the show are the Happy Chappies, Hi and Lo, Betty Jean and Freddy, Red and His Ramblers, Lou Marti and Dale Morgan as m.c.

**Peter MacArthur**, director of the WHO, Iowa, Barn Dance Frolic has added Bob and Bill and Jerry the Yodeling Cowboy to the artists' staff. Bob and Bill come from KLZ, Denver and the Yodeling Cowboy from WMAK, Yankton, S. Dak. On the Jan. 30 show. Tony Cabooch, who recently joined the artists' staff of WHO, will be introduced as guest artist. He and His Boys, a musical group, will also have guest appearances on this show.

**Eastman**, former research director for Marschalk & Pratt, is now in the research business for himself. He has incorporated his moniker.

**KMOX**, St. Louis, upped James V. Huffman to asst. sales mgr. On force for four years.

**The Songfellows**, formerly NBC



**MARIO BRAGGIOTTI**  
WITH HIS ORCHESTRA

**Whose Baton You Can Bet On**  
(HEARD ON NBC NETWORK)  
Mgt. CONSOLIDATED RADIO ARTISTS, INC.

## JERRY COOPER

**KRUEGER BEER**  
Mondays at 10:30 P.M.  
WEAF - NBC  
**DRENE SHAMPOO**  
Wednesdays at 7:45 P.M.  
WEAF - NBC  
Thursdays at 7:  
WJZ - NBC

Management  
COLUMBIA ARTISTS  
BUREAU

## GRACIE BARRIE

STARRING IN  
"THE SHOW IS ON"  
AT THE  
WINTER GARDEN, NEW  
YORK  
Excl. Mgt. HERMAN BERNIE,  
1619 Broadway, New York

LOEW'S STATE, NEW YORK, NEXT WEEK (FEB. 11)

## BUDDY CLARK

LUCKY STRIKE

WED. - NBC 10 P.M. SAT. - CBS

Dir.: COLUMBIA ARTIST'S BUREAU

## An Actor's Anecdote

Performer who does a daily network solo learned last week how 'closely' the second in command of the agency which pays his salary follows the program. Agency official phoned the mikester, who has been on the series since early last fall, about getting together for a talk, and suggested making it also a lunch date.

'It's okay with me,' the performer.

'Well, then,' remarked the agency mogul, 'we'll make tomorrow at 12.'

'I'm sorry,' rejoined the performer, 'but you know I go on the air at that time... every day of the week but Saturday and Sunday.'

There was moment of silence, connoting embarrassment from agency end of the line and then a. 'Oh, yes, well, then let's make'

day nights from San Francisco over the Coast NBC-Blue web. Replaces Elston Wyckoff, who remains on the network staff for other dramatic shows.

**Dale Frady**, now **KMTR** (Hollywood).

**Walter Howard**, staff announcer at WERY, Waterbury, now handling bulk of news broadcast for station.

**Bill Derwin**, sports commentator at WATR, Waterbury, back on the air after several months absence.

**Milton Ponder**, former WFBC, Greenville; announcer, out of radio to go into other biz.

**Maury Cliffer**, KMOX spieler, and **Florette Kaplan**, Corsicana, Tex., pianist, announce they're engaged.

**Alan Fort**, formerly with WRBL, Columbus, Ga., is latest addition to WATL, Atlanta, announcing staff.

**Al Brackman** has left and Ted Hyland has joined Lottman Office.

**WSPA**, Spartanburg, has signed with United Press. Station also has had Trans- dispatches for a long time.

**Ray Laag**, after a leave of absence of several months, has rejoined KLRA, Little Rock, commercial staff.

**Jack Meddoff's** comment program on WEBR, Buffalo, only a month old, will have sponsor (Beck's Brewery) beginning Monday (8).

**John Wald**, senior announcer at KSTP, St. Paul, (with the station since 1929), off for a mike job with KEHE, Los Angeles.

**Clarice Mayer** engaged to Dr. Joseph Garfield. She's KYW's (Philly) Woman Reporter of the Air.

**Nate Perlstein** of Chi Morris-Shenker-Roth agency to the Coast for a couple of weeks o.o. of the Ben Bernie show.

**Gilbert Terros**, Mexican violinist, formerly with Doc Schneider's Texaco, is now broadcasting with the Hi-Boys, Max Raney and Doye O'Dell, over WGY. For their p.a. dates, Florence La Fay and Jane Conye are also used.

**Kenn Sisson** is doi for Sweet Caporal cigarettes over the Canadian Network out of Montreal.

**Paul Whiteman's** unit opens Feb. 20 at the iscaney Kennel Club, Miami, for a two-week stay. Abe Lyman follows.

**Rea Hudiberg** has joined the sales staff at WBT, Charlotte, N. C.

**Dewey Long**, WBT, Charlotte, N. C., sales manager, has just turned from a business trip of several days to Atlanta.

**Rose Channele**, contralto, started a new series of broadcasts over WRC, Washington, last Sunday. Lient on local ether for more than a year, warbler will be heard from 1 to 1:30 p. m. each Sunday for an indefinite period.

**Patricia Cook** starting new one-woman drama series at WICC, Bridgeport.

**George Engeltter** succeeded as KRNT traffic mgr. by Dick Teela.

## Indianapolis Protests

Indianapolis, Feb. 9.

Glenn Van Auker's petition on new station for Indianapolis will be up for hearing before FCC in Washington, D. C., on Thursday (11). Local public utilities attorney will be on hand to present his own case for his proposed third station for here.

Granting of license to Van Auker was protested by WIRE union old management and it is understood new owner, Eugene C. Pulliam, will carry through the protest. Not definitely known who will present WIRE's opposition to the transmitter here, but probably Pulliam himself will make trip and appear before FCC.

## VON KRONKHITE TO NBC

Leaves CBS Chicago—NBC Wants WMAQ Activity Increased

Chicago, Feb.

John von Kronkhite has tendered his resignation as chief of news for Columbia-WBBM here effective March 1.

Understood that Kronkhite will join the local NBC organization in charge of news. NBC here has been anxious for some time to develop its news service on WMAQ, red outlet. In the six months Kronkhite has been with Columbia-WBBM the station's revenue from news programs has hopped more than 500%, jumping from a weekly revenue of around \$1,200 to over \$7,000, so that today WBBM rates with WOR, Newark, as one of the top news-money transmitters in the country.

## WHOM Case Dismissed

Failure to prosecute caused the dismissal by N. Y. Federal Judge John C. Knox Monday (4) of suit brought against the Giglia Broadcasting Co., operators of WHOM, Jersey City, by Joseph M. Rumshinsky, president of the Society of Jewish Composers, Publishers and Authors for infringement.

Plaintiffs had sued for an accounting and damages claiming defendant infringed on two of their songs.

## RCA'S RADIO MUSEUM

NBC Would Be Part of Exhibit Devoted to Craft

RCA is giving consideration to a proposal to underwrite in co-operation with NBC a museum of radio and television. Exhibit would not only include sound transmitting and reception gadgets dating from away back, but the latest mechanical developments in the field of television. Sound broadcasting setup would take in the various phases of long and short wave uses. Provision would also be made for the showing of facsimile apparatus.

Should the idea of the museum of radio and television arts be approved, the exhibit will undoubtedly be housed in the RCA building. Relics of broadcasting's history are at present scattered among the studio foyers in the NBC layout.

## W. W. HILL BANKRUPT

Weston Whittemore Hill, copywriter, with Cecil Warwick & Cecil advertising agency, filed a voluntary petition in bankruptcy in N. Y. District Court Wednesday (27). Liabilities of \$1,905 included bill of \$29 owed to American Newspaper Publishers for advertising. No assets.

for Jay Ray's Widow

Hartford, Feb. 9.  
Widow of Jay Ray, local radio actor who died a month ago, received \$500 from a benefit midnight show in his honor... week ago at the Palace theatre.

Show was arranged by a committee of local theatre managers aided by Julian Tuthill, drama critic. Ray was connected with Guy Hudlund's WTIC Travelers Players and with Hartford's little Theatre.

## Visiting

In Washington  
W. C. Jennings, KGW, Warren Willi WKBN, Youngstown, Logan Jones, KVOS, Bellingham, Wash., Ralph Evans, WHO, Des Moines

## LA FOUNT'S 1,000 SHARES

Part-Ownership of WNBC, Britain, Is Revealed

Washington, Feb.

Former Federal Radio Commissioner Harold A. LaFount, who appeared at the October hearings as disinterested fri small broadcasters, was revealed last week as a minority stockholder.

WNBC, New Britain. Evidence cited by a Federal Communications Commission examiner showed LaFount holding 1,000 shares of common and 100 preferred in State Broadcast Corp., which holds WNBC license.

At the October gabfest LaFount appealed for more power for independents, ostensibly acting on his own initiative. Told the FCC then I represent no one. I have absolutely no financial interest in any radio station. When he acquired the WNBC tickets is not known.

## KOOL-RALEIGH

Every Mon. Wed. 9:30-10 P.M. E.S.T.



"THE MEADOWBROOK"  
Cedar Grove, N. J.  
Per. Rep.—ARTHUR T. MICHAUD  
1775 BROADWAY, N. Y. C.  
Mgt.—M.C.A.

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LUCKY STRIKE  
"Your Hit Parade"

Saturday, 10 p.m., EST  
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in "Town Hall Tonight"  
SAL HEPATICA-IPANA  
WEAF—Wednesdays 9-10  
WALTER RATCHELOR



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MONDAYS  
12:15 p.m.—WJZ  
Exclusive Management  
N.B. ARTHUR T. MICHAUD  
30 ROCKEFELLER PLAZA, N. Y.

# JANUARY MUSIC SURVEY

THIS TABLE SHOWS THE LEADING SIX SELLERS IN SHEET MUSIC AND PHONOGRAPH RECORDS GATHERED FROM THE REPORTS OF SALES MADE DURING JANUARY BY THE LEADING MUSIC JOBBERS AND DISC DISTRIBUTORS IN THE TERRITORIES

## 6 Best Sellers in Sheet Music as Reported by Leading Jobbers

	NEW YORK	CHICAGO	LOS ANGELES
Song—No. 1	'Chapel in the Moonlight'	'Chapel in the Moonlight'	'Chapel in the Moonlight'
Song—No. 2	'Pennies from Heaven'	'Pennies from Heaven'	'Pennies from Heaven'
Song—No. 3	'Goodnight My Love'	'When My Dreamboat Comes Home'	'It's De-Lovely'
Song—No. 4	'When My Dreamboat Comes Home'	'With Plenty of Money and You'	'Night Is Young'
Song—No. 5	'It's De-Lovely'	'It's De-Lovely'	'I've Got You Under My Skin'
Song—No. 6	'With Plenty of Money and You'	'Goodnight My Love'	'Organ Grinder's Swing'

## 5 Leading Phonograph Labels Report 6 Best Sellers

Side responsible for the major sales only is reported. Where it is impossible to determine the side responsible for the sales, both sides are mentioned:

## RECORDS RETAILING AT 75c

BRUNSWICK—No. 1	'Where Lazy River Goes By,' 'ight or Wrong' (Teddy Wilson Orch.)	'Ranch in the Sky' (Jan Garber Orch.)	'Where Lazy River Goes By,' 'ight or Wrong' (Teddy Wilson Orch.)
BRUNSWICK—No. 2	'Night Is Young,' 'Lookin' Around Corners' (Jan Garber Orch.)	'With Plenty of Money and You' (Hal Kemp Orch.)	'Night Is Young,' 'Lookin' Around Corners' (Jan Garber Orch.)
BRUNSWICK—No. 3	'All's Fair in Love and War,' 'With Plenty of Money and You' (Hal Kemp Orch.)	'Love You from Coast to Coast' (Kay Kyser Orch.)	'Timber,' 'Gee, But You're Swell' (Russ Morgan Orch.)
BRUNSWICK—No. 4	'I've Got You Under My Skin,' 'Easy to Love' (Hal Kemp Orch.)	'When My Dreamboat Comes' (Freddie Martin Orch.)	'Serenade in the Night,' 'Dear Diary' (Jan Garber Orch.)
BRUNSWICK—No. 5	'That's Life,' 'I Guess,' 'Pennies from Heaven' (Teddy Wilson Orch.)	'I'll See You in My Dreams' (Teddy Wilson Orch.)	'I've Got Love to Keep Me Warm,' 'Stomping on Park Ave.' (Red Norvo Orch.)
BRUNSWICK—No. 6	'I Never Knew,' 'Crazy Rhythm' (Yascha Bunchuk Orch.)	'Smoke Dreams' (Red Norvo Orch.)	'This Year's Kisses,' 'You're Laughing at Me' (Hal Kemp Orch.)
COLUMBIA—No. 1	'Serenade in the Night,' 'Me and the Moon' (Mantovani Orch.)	'Mr. Ghost Goes to Town' (Mills Blue Rhythm Orch.)	'When April Showers Reach Hawaii' (Andy Iona Orch.)
COLUMBIA—No. 2	'Mr. Ghost Goes to Town,' 'Algiers Stomp' (Mills Blue Rhythm Orch.)	'Serenade in the Night' (Mantovani Orch.)	'South Sea Island Magic' (Andy Iona Orch.)
COLUMBIA—No. 3	'Balloonade,' 'Barrelhouse' (Mills Blue Rhythm Orch.)	'Callin' Your Bluff' (Mills Blue Rhythm Orch.)	'My Tane,' 'Na Pua' (Andy Iona Orch.)
COLUMBIA—No. 4	'Goodnight My Love,' 'I Wanna Go to the Zoo' (Hildegarde)	'It All Begins and Ends with You' (Frank Froeba Orch.)	'Ride, Red, Ride,' 'Conge Caravan' (Mills Blue Rhythm Orch.)
COLUMBIA—No. 5	'Pennies from Heaven,' 'For Sentimental Reasons' (Hildegarde)	'Za Zu Za' (Herbie Kay Orch.)	'Big John's Special,' 'Callin' Your Bluff' (Mills Blue Rhythm Orch.)
COLUMBIA—No. 6	'Callin' Your Bluff,' 'Big John's Special' (Mills Blue Rhythm Orch.)	'Llorando' (Carlo Molina Orch.)	'Hawaiian Cowboy,' 'A Wee Deech and Doris' (Sol K. Bright Orch.)
VICTOR—No. 1	'Who's Afraid of Love,' 'One in a Million' (Fats Waller Orch.)	'Goodnight My Love' (Benny Goodman Orch.)	'It's De-Lovely' (Eddie Duchin Orch.)
VICTOR—No. 2	'Goodnight My Love,' 'Take Another Guess' (Benny Goodman Orch.)	'With Plenty of Money and You' (Geo. Hamilton Orch.)	'I've Got You Under My Skin' (Ray Noble Orch.)
VICTOR—No. 3	'Smoke Dreams,' 'Gee, But You're Swell' (Benny Goodman Orch.)	'Who's Afraid of Love' (Fats Waller Orch.)	'Goodnight My Love' (Benny Goodman Orch.)
VICTOR—No. 4	'Night Is Young,' 'Trust in Me' (Wayne King Orch.)	'This Year's Kisses' (Benny Goodman Orch.)	'Pennies from Heaven' (Eddie Duchin Orch.)
VICTOR—No. 5	'I've Got Love to Keep Me Warm,' 'Stomping on Park Ave.' (Ray Noble Orch.)	'Night Is Young' (Wayne King Orch.)	'When My Dreamboat Comes' (Guy Lombardo Orch.)
VICTOR—No. 6	'I'm in a Dancing Mood,' 'Tea on the Terrace' (Tommy Dorsey)	'Smoke Dreams' (Benny Goodman Orch.)	'Night Is Young' (Wayne King Orch.)

## RECORDS RETAILING AT 35c

BLUE BIRD—No. 1	'Serenade in the Night,' 'Little Old Lady' (Shep Fields Orch.)	'Goodnight My Love' (Shep Fields Orch.)	'It's De-Lovely' (Shep Fields Orch.)
BLUE BIRD—No. 2	'Goodnight My Love,' 'One Never Knows' (Shep Fields Orch.)	'Chapel in Moonlight' (Shep Fields Orch.)	'Goodnight My Love' (Shep Fields Orch.)
BLUE BIRD—No. 3	'Mr. Ghost Goes to Town,' 'The Goona Goo' (Johnny Hamp Orch.)	'With Plenty of Money and You' (Frank Dailey Orch.)	'I've Got You Under My Skin' (Shep Fields Orch.)
BLUE BIRD—No. 4	'Chapel in Moonlight,' 'You're Everything Sweet' (Shep Fields Orch.)	'When My Dreamboat Comes' (Shep Fields Orch.)	'Pennies from Heaven' (Tempo King Orch.)
BLUE BIRD—No. 5	'Never Should Have Told You,' 'Trust in Me' (Johnny Hamp Orch.)	'Night Is Young' (Ted Fio-Rito Orch.)	'Chapel in Moonlight' (Shep Fields Orch.)
BLUE BIRD—No. 6	'Night Is Young,' 'I'm in a Dancing Mood' (George Hall Orch.)	'Smoke Dreams' (Johnny Hamp Orch.)	'When My Dreamboat Comes' (Shep Fields Orch.)
DECCA—No. 1	'Let's Call a Heart a Heart,' 'Pennies from Heaven' (Bing Crosby)	'Pennies from Heaven' (Bing Crosby)	'What Will I Tell My Heart' (Andy Kirk Orch.)
DECCA—No. 2	'What Will I Tell My Heart,' 'Lady Who Swings the Band' (Andy Kirk Orch.)	'What Will I Tell My Heart' (Andy Kirk Orch.)	'Pennies from Heaven' (Bing Crosby)
DECCA—No. 3	'It's De-Lovely,' 'Tea on the Terrace' (Will Osborne Orch.)	'My Last Affair' (Jimmie Lunceford Orch.)	'With Plenty of Money and You' (Henry Busse Orch.)
DECCA—No. 4	'With Plenty of Money and You,' 'All's Fair in Love and War' (Henry Busse Orch.)	'Night Is Young' (Ted Fio-Rito Orch.)	'My Last Affair' (Jimmie Lunceford Orch.)
DECCA—No. 5	'Running a Temperature,' 'My Last Affair' (Jimmie Lunceford Orch.)	'It's De-Lovely' (Will Osborne Orch.)	'It's De-Lovely' (Will Osborne Orch.)
DECCA—No. 6	'Chapel in Moonlight,' 'Echo Valley' (Mal Hallett Orch.)	'Chapel in Moonlight' (Mal Hallett Orch.)	'One, Two, Batten Your Shoe' (Bing Crosby)

## Inside Stuff—Music

Max and Louis reyfus are sitting pat for the time bei in the business of acquiring music publishing firms. Deal for Forster Music Publishing Co., has gone cold, 'id to sell Forster asked for \$125,000, a share in the proceeds from the American Society of Composers, Authors and Publishers and the right to continue with one of his subsidiary catalogs.

reyfus now own on this side the Chappell the Crawford Music and the Marlo Music Co. They are reported to have paid \$20,000 in cash for the Marlo setup in addition to proving all three partners, George Marlo, Al Forgie and Eddi Wolpi ith jobs.

Lysle Tomerlin, telegrapher at the Paramount io on the Coast, and Andy Iona Long, Chicago ork leader, are claimi song publication record. They base mark on release by Exclusive of six out of seven tunes contracted by that firm, while Modern lists three other cleffings i its catalog, with at least three more to come under contract. Total of 15 songs have been placed by team since their itial number, 'South Sea Island Magic.' RKO has bought 'Tropical Madness' for pic purposes. With exception of latter two, songs are getting publicati ithout show or lecture spotting.

Fishman family, all in the same business, band and working out of three different offices. All three were Radio Orch. Corp.

Frances Fishman is with Radio Orchestra Corp.; her brother, ishman, until recently with the same office (nee Orchestra Corp. of America),

has switched to the Coast office of Rockwell-O'Keefe and brother Frank Fishman, is an indie rep handli ie Bleyer and several smaller bands.

Henry Spitzer, Chappell gen. mgr., states that the statistical tables which Warner Bros. included in the availability brief that was made part of the argument for rating boosts before the American Society of Composers, Authors and Publishers, gave a somewhat distorted picture of Chappell's situation in 1935. 'Chappell Co., Spitzer points out, 'id not actually get going until the fall of 1935 so that performances it got that year should not be compared with the availability rat' it held at the end of 1936.

All the Irving Mills orchestras are now being booked for hotels, cafes and one-nighters exclusively by Consolidated Radio Artists. Mills' list includes: Ellington, Calloway, Ina Ray Hutton, Hudson-DeLange, Lucky Mill, and Mills Blue Rhythm Band, Tommy Tompkins, Milt Britton, Yascha Bunchuk, Jerry Freeman and Jan Rubi . Mills' tie-in with Charlie Green's Consolidated Radio orchestras has no restrictions on any of the Mills bands for CRA routi

In Dash, head of the British publishing house which is behind 'When the Poppies Bloom Again,' has settled the claim made by Cramer & Co., London publishers, in connection with the current hit tune. Cramer contended that there was a recurrent strain in 'Poppies' which was similar to one 'Night Nursery,' a composition which Cramer put out quite a number of years ago, 'Nursery' precedes 'Sylvia,' another song which is described as having something melodically in common with 'Poppies.'

A holdover song from the 'White Horse Inn' score, titled 'A Feather in Her Tyrolean Hat,' is currently stepping out on its own in England, as a 'surprise' Campbell-Connelly has it.

Robbins Music has two more nitery theme songs. 'Stompi' 'at the Savoy' and 'Rhythm at the Rainbow Room' now are joined by 'Ri in at the Ritz' and 'Waddlin' at the Waldorf' as themes.

## Floods Hurt N. Y.; 'Unusual' Cold Aids L. A. Sales

New York.

After strong start, the music business in January slumped badly and stayed there until the last few days of the month. Jobbers asserted that the only thing to which this drop could be attributed were the floods in the Ohio Valley. These same sources figured that the market in January has more potential song hits than any other one month in years.

Despite the three weeks of weak business generally, Shapiro-Bernstein's 'Chapel in the Moonlight' maintained a music-counter pace that was sturdy enough to nudge the tune over the 400,000-copy mark. Another number that had a substantial overturn was 'Pennies from Heaven' (Santly). Song which skyrocketed in the space of a few weeks from away down on the list to third place was 'Good Night, My Love' from 20th Century-Fox's 'Stowaway' and published by Robbins.

Sheet runners-up included 'One, Two, Batten Your Shoe' (Santly), '1,000 Love Songs' (Wiltmark), 'Night Is Young, You're Beautiful' (Words & Music), 'I've Got You Under My Skin' (Chappell), 'Rainbow on the River' (Feist), 'South Sea Island Magic' (Select), 'There's Something in the Air' (Robbins), 'I'm in a Dancing Mood' (Crawford) and 'Easy to Love' (Chappell). Of the six best sellers i January, only 'Chapel' and 'reambo' came straight from Ti Pan Alley.

Pop end of the mechanical just about held its own in January, while the quality end contingent reported one of the biggest months in years. Fats Waller proved RCA Victor's white-haired boy, Teddy Wilson topped Brunswick's best seller list, and Crosby swung back into first place for Decca.

Weather Aids Coast

Los Angeles.

Bitter cold spell that enveloped Southern California during early part of January, plus seasonal rains, helped create a brisk post-holiday season demand for disc and sheet music, with trade pretty much on a par with the heavy Christmas business. Record field was particularly strong.

Jan Garber, with a couple of hits, topped the Brunswick catalog, although not in top spot in January, while Andy Iona's Hawaiian ork had clear sail for first, second and third position in the Columbia field. Eddie Duchin recordings held top and fourth spots for Victor. In the 35c field, Shep Fields had a walk-away with five of the six first places, and Bing Crosby led the Decca output with two of the six firsts.

In sheet music, 'Plenty of Money and You' and 'When My Dreamboat Comes Home' became brisk near close of month and look like February winners. Also the six Irving Berlin tunes from the film, 'On the Avenue.'

'Chapel' Tops Chicago

Chicago.

'Chapel' the 'Moonlight' remained the top-run tune of the list, though indications are that it will be shoved out of the No. 1 position in the February listing. Battle for first spot in the current month's running will be between 'When My Dreamboat Comes Home,' in the three-hill in January, and 'Good Night, My Love,' which is coming along fast.

Outside of the blue ribbon parade, but still strong enough to be important, were 'The Night Is Young' and 'I've Got You Under My Skin.' Discs were steady.

MULL PAY BOOST FOR APPEL

Baltimore, Feb.

Up for a yes-or-no poll among members of Local 40 sometime later this month is the question whether or no Oscar Appel, prez of the musical uni ill get the pay boost he is seeking.

Now salaried at \$600 annually, Appel wants figure hiked to \$1,300. Prez, of course, does not depend upon his remuneration as union officer for livelihood, but works regularly as a musi

## MUSIC ROYALTY UP IN GERMANY

Berlin.  
Annual report of the tagma (State Organization for Collecting Music Royalties), has published the total receipts for music as being \$412,000 as against \$344,400 in the preceding year. Biggest item in the organization's income royalties from light music.

Stagma points to the fact that much more music from abroad was played in Germany than German music in foreign countries. Royalties paid into Germany came to only \$20,000, while Stagma had to fork out \$80,000. Annual report also shows that in 1936 the number of composers whose royalty interests Stagma has been taking care of has risen from 2,669 to 2,935.

Altogether 321,000 programs of lighter music were played inst 19,100 of serious.

**Witmark Presents**  
The Sensational

**When My Dream Boat Comes Home**

From "CHEROKEE STRIP"  
Starring Dick Forcett, "The Singing Cowboy"  
The Greatest Western Ballad in Years

**MY LITTLE BUCKAROO**

M. WITMARK & SONS  
1250 Sixth Ave., RCA Bldg., N. Y.  
CHARLIE WARREN, Prof. Mgr.

**FOX**  
FLASHES

THE BALLAD SENSATION

**THE WORLD IS MINE**  
(TONIGHT)

NOW THRILLING THE WORLD

**SAM FOX PUBLISHING COMPANY**  
1312 WEST 42ND ST.  
RCA BUILDING, RADIO CITY  
NEW YORK

### Shifting His Base

Hollywood, Feb. 9.  
Jack Robbins states that in view of the discussion at Feist, instead of his own firm, during his last N. Y. visit, he'll now make his headquarters at the newly-acquired Miller Music, Inc., and thus in neutral territory.

Robbins sidestepped headquarters in the N. Y. head-office Robbins Music Corp. because Feist was then a still new acquisition, and now with the Robbins-Metro takeover of Miller's, the music publisher intends to give that outfit his major attention.

### \$1,360 FINE SLAPPED BY BALTIMORE UNION

Baltimore, Feb. 9.  
Local slapper with one swat totaling \$1,360 on Harry Carter, 'musical director' and piano-pinker employed at the New Howard hotel. That figure is largest ever plastered a fine on any member by musical union here. Carter has been given till Feb. 22 to settle. Other alternative to alic the union bonds.

Penalty comes under five charges, conduct unbecoming a musician' (\$500); 'for hiring under scale' (\$500); 'for contracting with other contractors' (\$250); 'for supplying music under scale' (\$100); 'for threatening to have ion members fined' (\$10).

Originally Carter was member of Local 40 some years ago, but dropped out after refusing to pay a fine for some minor infraction. He then went to work in the New Howard cocktailery, which was a non-union shop. Last summer Local 40 revised its scale for smaller spots around town, and told Carter it would forget about old scores if he rejoined organization and brought his co-workers also into union fold.

### Swedish Leader in U.S.

Rex Saunders, Swedish band leader, is in New York with his mistress, former Sonje Leonard, Svens jazz artist intends building a new orchestra here and is also considering opening a night club.

Saunders is part owner of the Atlantic hotel in Stockholm and also owns a piece of two niterys in the Swedish capital.

### Charlie Green Touring

Charlie Green, prez of Consolidated Radio Artists, and Gus Edwards, g-m, left New York Feb. 6 on a 10-day tour of Chicago and Cleveland branch offices of CRA.

Pair will attend opening of Clyde Lucas' band at the Drake hotel, Chicago, on Feb. 13 before going to Ohio.

### Delettre-Parish-Mills Settle Suit Vs. Par's 'Hands Across Table'

The \$50,000 suit brought by Jean Delettre, French composer and accompanist for Lucienne Mitchell lyric writer, and Mills Music, against Paramount Pictures Corp., and Sam Coslow, Par songwriter, over song, 'Hands Across the Table,' was discontinued Thursday (4) as the case was about to be tried before N. Y. Supreme McGeehan.

It was understood a settlement out of court was arranged, but attorneys for the defendants denied money was involved in the settlement.

The plaintiffs, Delettre and Parish, claimed they sold their composition to Mills Music for royalties and that later in March, 1935, the music publishers granted Par the right to use the title of the song for a film, together with the right to use the song in the picture. Instead of giving them credit the song and the title, Parish and Delettre claimed Coslow was advertised as the composer of all the music in the film. Besides asking damages, the plaintiffs sought to have the court enjoin Par from exhibiting the picture until the suit was settled.

Paramount's answer to the action was that it had purchased all rights to the song from Mills for \$500 and were not obliged to credit Parish and Delettre as the composers of the song. They admitted Coslow was given credit for the music used in the film.

### Lillian Dumas Sues

Lillian Kalen Dumas, songwriters' agent, who claims to have discovered the father of the hit song, 'It's a Sin to Tell a Lie,' filed suit Monday (8) in N. Y. Supreme Court against Billy Mayhew, the composer. She alleges he breached an agreement with her under which she was to receive one-third of the royalties on the song.

Plaintiff claims she found Mayhew in Baltimore after considerable trouble. She learned he had a hit tune and agreed to have it properly put out for him. She turned the composition over to Donaldson, Douglas & Gumble and Mayhew received \$10,644. Miss Dumas now wants \$3,548 from the writer as her bit.

### DELAY DUES REDUCTIONS

M. P. P. Wants to Know First About WB Memberships

Board directors of the Music Publishers' Protective Association decided at a meeting last Friday (5) to make no move toward reducing the membership dues until it became certain the Warner Bros. publishing firm would join the organization. In the event WB does come in the membership fees will be clipped from 30% to 50%.

Other major companies which are currently not a part of the MPPA are Irving Berlin, Inc., and the Chappell Co. of America.

### Most Requested

(Reported by Mario Braggiotti, N.B.C.)

Pennies from Heaven.  
Something in the Air.  
Love and Learn.  
When My Dream Boat Comes Home.  
Chapel in Moonlight.  
Trust in Me.  
It's Delovely.  
Keep Me in Your arms.  
Plenty of Money and You.  
Good Night, My Love.

(Reported by Freddy Berrens, Laurel-in-the-Pines, Lakewood, N. J.)

Plenty of Money and You.  
There's Something in the Air.  
Goodnight My Love.  
Keep Me in Your Dreams.  
If My Heart Could Talk.  
When My Dream Boat Comes Home.  
Chapel in the Moonlight.  
Got You Under My Skin.  
Pennies from Heaven.  
Love and Learn.

(Reported by Al Donahue, Hotel Netherland-Plaza, Cincinnati.)

Mr. Ghost Goes to Town  
Star Dust  
Night and Day  
Pennies from Heaven  
One two, Button Your Shoe  
Trust in Me  
Something in the Air  
Plenty of Money and You  
Got You Under My Skin  
Goodnight My Love

### Music Notes

George Olsen and Earl (Father) Hines will lead their bands at the University of Michigan annual J-Hop, Feb. 12. Olsen is from Edge-water Beach hotel, Chicago. Father Hines, master of the piano, has been leading his all-colored swing band at the Grand Terrace, also Chicago.

Ange Lombardi's orchestra is playing at the Club Petite in the Hotel Mohawk, Schenectady. Sonny O'Brien, emcee, Johnny Goodman, accordionist, Dorothy Lewis, Marjorie and Helen and Betty and Ann are also in the show.

Eddie Wolpin has joined the professional staff of the Chappell Co. It has originally been the plan of Henry Spitzer, Chappell, gen. mgr., to assign Wolpin from Mario Music to the Crawford Music Co.

### 'Casey Jones' on Release

'Casey Jones' will be released for general performance on the 17 March 7 as the result of the acquisition by Shapiro, Bernstein & Co. of the tune's renewal of copyright. Song was formerly published by the Southern California Music Co., which is not affiliated with the American Society of Composers, Authors and Publishers. Shapiro-Bernstein, which is an ASCAP member, proposes to put the tune on the unrestricted list. Deal for the copyright renewal was made with Charles E. Seiber, son of 'Casey's' author, and with Dorothy Elizabeth Newton, widow of the composer.

## Last Week's 20 Best Sellers

[The trade will be interested in comparing the selling relativity to the most-played-on-the-air tabulations, shown elsewhere in this department. Song title and publisher of the best selling 20 are included; only the title of the song is recorded in the air plugs.]

*Goodnight My Love	Robbins
When My Dreamboat Comes Home	Witmark
Chapel in the Moonlight	Shapiro
*Pennies from Heaven	Select
*With Plenty Money and You	Harms
*There's Something in the	Robbi
Rainbow on the River	Feist
*Moonlight and Shadows	Famous
*One Two, Button Your Shoe	Select
Serenade in the Night	Mills
Trust in Me	Ager
†Night Is Young	Words & Music
I Can't Lose That Longing	Donaldson
May I Have the Next Romance?	Feist
*I'm in a Dancing Mood	Crawford
Someone to Care For Me	Feist
*One in a Million	Hollywood
This Year's Kisses	Berli
*You're Laughing at Me	Berli
On a Little Bamboo Bri	Morris

\*Indicates filmusual song. †Indicates stage production song. The others are pops.

### Dick Forscutt Returns As-Salt Lake Maestro

Salt Lake City, Feb. 9.  
Dick Forscutt, veteran Salt Lake band leader who gave up music several years ago to peddle used cars, has opened new Louvre cabaret in downtown district. Spot, operated by Mel Flegal, features a floor show, starring local dance team of Ivan Gardeman and Ramona Davis.

Forscutt formerly was leader at Club Dorado, once town's classiest night den, now doing vigorous biz as a sans-couvert beer-and-pretzel inn.

Gertrude Niesen cut four numbers from Universal's 'Top of the Town,' for Brunswick in Hollywood.

### MARKS MUSIC

BLAZING

LONESOME GUITAR

IT'S STILL BEING DONE

YOU'RE JUST A LITTLE DIFFERENT

IGHT

, SAY, CAN YOU SWING?

IN YOUR EMBRACE

RUMBAS

SPIC AND SPANISH

Orchestrations 50c

RADIO CITY, N.Y.

### MOVIETONE TOPICS

'YOU DO THE DARN'DEST THINGS, BABY'

'UNDER YOUR SPELL'

lightly Terri  
"It's Love I'm After"  
"The Balboa"

MOVIETONE MUSIC CORPORATION

SAM FOX PUBLISHING CO. Sole Agents  
1250 SIXTH AVENUE  
NEW YORK

### SERENADE IN THE NIGHT

Just Released—England's Latest!  
**SUPPOSING**

From The Cotton Club Parade  
COPPER COLORED GAL  
THAT'S WHAT YOU MEAN  
ALABAMA BARBEQUE  
DOIN' THE SUZI-Q  
Another Will Hudson Hit  
THE MOON IS GRINNING  
AT ME

**HOLLYWOOD SONGS**

Songs For the Millions

"ONE IN A MILLION"  
"WHO'S AFRAID OF LOVE?"  
"THE MOONLIT WALTZ"

"WE'RE BACK IN CIRCULATION AGAIN"  
Featuring in the 20th Century-Fox Picture—"One in a Million"

**HOLLYWOOD SONGS**

RCA BUILDING-RADIO CITY-NEW YORK  
PHIL KORNFELDER, Gen. Mgr.

### IRVING BERLIN'S GREATEST SCORE

**'ON THE AVENUE'**

(20th Century-Fox Release)

THIS YEAR'S KISSES

YOU'RE LAUGHING AT ME

I'VE GOT MY LOVE TO KEEP ME WARM

THE GIRL ON

THE POLICE GAZETTE

SLUMMING ON PARK AVENUE

HE AIN'T GOT RHYTHM

3 CURRENT POPULAR HITS

I Love You From Coast to Coast

There's Frost on the Moon

There's a Silver Moon on the Golden Gate

IRVING BERLIN, Inc.

1312 WEST 42ND ST., N. Y. C. HARRY LINK, Gen. Prof. Mgr.

# STOMPIN' ON THE PRAIRIE

## 10 PUBS HAVE THAT MANY PLANS

Henry Spitzer, chairman of the special committee concerned with probing the availability rating methods of the American Society of Composers, Authors and Publishers, has received 10 plans for changing the system from that many publishers. He plans to meet with the other members of the committee, Lester Santly and Gustav Schirmer, for a discussion of these formulas within the next week.

For the first time since the current method of allocating publisher royalties went into effect, which was Jan. 1, 1936, ASCAP members last week learned how it done. Copies of the formula were mailed to the membership at Spitzer's request. Previously only ASCAP board members knew the exact bases upon which the coin was split.

## Kapp Keeps 'Em Spinning

Hollywood, Feb. 9. Jack Kapp, prexy of Decca, will spend six weeks supervising recordings here. Discs will be cut by Dick Powell, Frances Langford, Jimmy Dorsey, Victor Young, Ted FioRino, Ben Bernie, Connie Boswell, Bing Crosby, et al.

## Most Played on Air

To familiarize the trade with the tunes most on the air around New York, the following songs were most played on the networks last week. Combined plugs on WEAF, WJZ and WABC are computed for the week from Sunday through Saturday night, Jan. 31-Feb. 6.

- \*Goodnight My Love.
- \*There's Something in the Air.
- \*With Plenty Money and You.
- \*Love and Learn.
- \*May I Have Next Romance?
- \*Pennies from Heaven.
- Gee, But You're Swell.
- On Little Ramee Bridge.
- Chapel in Moonlight.
- \*You're Laughing at Me.
- When My Dreamboat Comes.
- Trust in Me.
- \*I'm in a Dancing Mood.
- If My Heart Could Talk.
- \*This Year's Kisses.
- \*Night Is Young.
- \*One Two Buton.
- \*Summer Night.
- Serenade in the Night.
- \*I've Got You Under My Skin.
- \*It's De-Lovely.
- Oh Say Can You Swing.
- Easy to Love.
- \*Stompin' on the Park Ave.
- \*One in a Million.

\*Indicates musical song.  
\*Indicates stage production song. The others

## LEO LEWIN DROPS DEAD; VET MUSIC MAN

Leo Lewin, 50, veteran music man, died Monday morning (8) in the haberdashery next door to 789 7th avenue, N. Y., housing Irving Berlin, Inc., with which firm he was connected for over 20 years. He dropped dead of a chronic heart ailment, after parking his car, and visiting the shop to make a purchase.

Lewin, band and orchestra manager for Berl., Inc., was with that firm for all of its 19 years and prior to that with Waterson, Berlin & Snyder Co. When Saul H. Bornstein, Max Winslow and the songsmith formed Berlin, Inc., Lewin was among the first of the staff to shift over.

He lived with his three sons at 725 West 172nd street, N. Y. He was widower. Murray Lewin, brother, is sports writer on the N. Y. Daily Mirror and Hymie Lewi is in the boxoffice of the Hippodrome, N. Y. Services this (Wednesday) morning from Riverside chapel.

## Three Teams Concoct Tunes for 'Hit Parade'

Hollywood. Three song writing teams have concocted tunes for Republic's musical, 'The Hit Parade.'

Walter Hirsch and Lou Handman contributed 'Was It Rain?', 'Last Night I Dreamed of You,' and 'Reach for a Star.' Ned Washington and Sam H. Stept did 'Sweet Heartache.' Cliff Friend and Matt Malneck wrote 'Love Is Good for Anything That Ails You.'

Ellington, featured in the pic, contributed 'Rug Cutter.'

Dash From London. Irwin Dash, director of Dash Music Co., Ltd., sails from London, Feb. 10 for N. Y.

He will remain here several weeks on a combined biz and pleasure trip. Arrives in N. Y. Feb. 18.

## OLD COW HANDS' BAND STANDARDS

Texas Tommies and Cowgals Have Their Own Ideas on Jazz-Beaus—If the Dance Maestros Prove They Can Take It, They Get Wholehearted Support—Also a Texas Rangers' Citation

### BUT IT'S SURE TOUGH

Dallas revealed such unexpected likes and dislikes among the various dance orchestras that come to town that it's worth analyzing what some of the qualifications for popularity seem to be. It will be noted that what the rest of the country thinks has nothing to do with the reaction, the he-men and she-hoofers hereabouts may take to a particular dance bunch.

Presumably this is the prescription for popularity in Dallas:

(1) Band or bandleader should have no trace of updown, white tie and tails attitude. Some leaders have literally had coat tails snipped and ripped off.

(2) Leader should be able to maintain his end in crossfire gagging with crowd. They love to heckle down here and have been known to give the bird to baton wavers with comic rep who declined to demonstrate.

(3) Head guy should be a whiz with the ladies, otherwise their hospitable attentions may prove onerous. But both sexes hereabouts dislike youthful pretty boys.

(4) Leader should be able to absorb variety of liquors as strong men have been known to break under Texas corn. There have been instances of name bands laying eggs merely because the leader had gone on the wagon since last time in this territory.

(5) Personality should be able to ignore slumber habits as most of dance public still operate on prohibition schedule when cutting up was done in hotel rooms. They insist on leader attending these alcoholic jubilees.

It all adds to southern hospitality. If an orchestra leader can take it, they make him an honorary Texas Ranger. That doesn't give him the right of arrest but he can start boasting typical Texas manner.

### Example of Reichman

Joe Reichman and his band is starting his third month at the Baker hotel and an unprecedented situation emphasizes some of the do's and don'ts for ork leaders in this section.

A little descriptive wordage on Reichman will give better understanding of what the public craves where men are men and brag about it. He sits at piano on stand almost level with dance floor. He will swing into a favorite tune of a customer and call out his minute he spies them enter. He stop any tune to jump to one requested by dancers nearby. He will kiss the lady's hand and pat her escort's back as the band gets the downbeat.

He will wave to somebody at a cross-floor table and call their name as a number is dedicated. He clowns with the band during the whole evening and even climbs pi to direct. He gets a heavy chord by hopping down for a pratfall on the keyboard. During intermissions he gets on his bicycle and tours the tables where the customers have been clamoring.

Reichman confesses he developed this new personality for usage in this section and that customers who heard him up East would be slightly surprised to see him work now.

Benny Alberts and Orrin Schottler have been added to Shapiro-Bernstein's contact staff.

## Leaders' Security Tax Groans Echo the Small Differential in Salaries Between Boss and Men

Feb. 9. Orchestra leaders around here seem to feel that the U. S. government was taking a sock at them, personally, when it put the Social Security Act into effect. Contractors, they are considered employers by the Federal government,

## VENUTI-CONSOLIDATED FRENCH CASINO TIFF

Dallas. Misunderstanding between Joe Venuti and Consolidated over a date at the French Casino in New York likely may reach council of International Musicians' union at its meeting in Florida this month. Band-leader expects \$6,000 damages.

Venuti claims he was set into spot for Jan. 21 opening and says he has confirmation of date in telegram. He says Charles Green told him there had been mistake about job.

Squabble has longer history than this one dispute, origin dating to time Venuti's contract was held by NBC, the contract having been shuffled when NBC retired from band booking business.

New York office of Consolidated explained that it had wired for Venuti's confirmation of the French Casino, New York, date before it started negotiations but that the Casino management had refused to approve any contract with Venuti for the spot because the band leader had previously turned down a bid to go into the French Casino, Chicago. It was also stated that when the controversy first came up Green brought the situation to the attention of the AFM headquarters and that he was advised to disregard Venuti's claims and proceed with the placement of Clyde Lucas in the Broadway spot. Lucas had been okayed by the Casino after it rejected Venuti.

## George M. Cohan Sues For Pre-1908 Song Fees

George M. Cohan will attempt to collect royalties on 52 songs he composed before 1908, it became known Monday (4) when he filed suit for accounting and damages against Maurice Richmond and Max Mayer, of Paul-Pioneer Music Co. In his complaint, which was filed in N. Y. Federal Court, Cohan claims that prior to 1908 he turned over the rights to the songs to Fred A. Mills under agreement. Mills subsequently went into bankruptcy and assigned the songs over to the defendants, Cohan claims that since this occurred the defendants have neglected to pay the royalties.

'H'wood Night Life'. Hollywood, Feb. 9. Jimmy McHugh and Harold Adamson, Universal studio songsmiths, are cleffing a new tune titled 'Night Life In Hollywood.'

It will be introduced by the Los Angeles Philharmonic ork.

and hence must deduct one per cent of their men's money for the Social Security Fund, and then match it with another one per cent from their own salary. To make matters more annoying, if the aggregation consists of more than eight men, the leader required to add still another one per cent from his pocket for the unemployment fund.

Since both taxes are worked on a graduating scale, some of the boys are already crossing the 1949 bridge, and finding that the tax will then be nine per cent of the total amount they pay their men. One leader in town, with a radio orchestra, gets \$250 a week, pays his 10 men each \$140 a week, and figures that in 1949 will cost him exactly \$16 every seven days for the privilege of waving the stick, and that the more men he adds, the more it will cost him.

One thing in his favor is that his employer will have to pay one per cent to match one per cent from the orchestra leader's salary, and thus make the latter's old age a comfortable one, despite the claim that his middle will be one poverty.

Differential between musicians' income and the leader is often far from large.

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Greatest "Gold Diggers" Score  
**With Plenty of Money and You**  
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Let's Put Our Heads Together  
Speak of the Weather  
From "Gold Diggers of 1937"

**Cafe Continental**  
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**Vienna Dreams**  
Trouble Don't Like Music

From WILLING AND ABLE!  
**Too Marvelous For Words**  
Just a Quiet Evening

**Sentimental and Melancholy**  
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MACK GOLDMAN, Prof. Mgr.

**Remick**  
Warren and Dublin at Their  
In These Two  
**SUMMER NIGHT**  
HOW COULD YOU?  
Terrific Hit  
GEE! YOU'RE SWELL  
From "SING ME A LOVE SONG"  
A Cosmopolitan Production  
**THE LITTLE HOUSE THAT LOVE BUILT**  
YOUR EYES HAVE TOLD ME SO  
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**'May I Have the Next Romance With You'**  
**'Lookin' Around Corners for You'**  
**'There's That Look In Your Eyes Again'**  
**'Head Over Heels In Love'**  
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For example, here are 4 big songs from 4 big pictures:  
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From the Walter Wanger production, "You Only Live Once"  
**SMOKE DREAMS**  
From the Metro-Goldwyn-Mayer production "After The Thin Man"  
**GOODNIGHT MY LOVE**  
From the 20th Century-Fox production "Stowaway"  
**THERE'S SOMETHING IN THE AIR**  
From the 20th Century-Fox production, "Banjo On My Knee"  
ROBBINS MUSIC CORP. • 799 7th AVE. • NEW YORK

## Night Club Reviews

### BENNY THE BUM'S

(PHILADELPHIA)

Philadelphia, Feb. Regardless of its name, Benny the Bum's is one of Philly's swankiest niteries. Instead of his former cozy hotspot on a side street, Benjamin the Rogue now occupies a large and handsome place on S. Broad street, with huge and striking, multi-colored neon sign out front and could virtually get by on a pass, check wraps, bow from the waist and escort Joe Customer and his lady to a table. Contrasting suggestion notwithstanding, Benny the Bum's now signifies class.

Since his Christmas night opening at which he charged \$25 a head and set up dinner and all drinks, Benny has consistently offered shows to equal anything in town. His place, which was formerly Piccadilly Club until prohibition finally closed it, has been entirely done over in excellent style. Seats 350 in main room, has intimate cocktail room downstairs and includes in its setup four bars, air-conditioning plant for summer and winter, and display refrigerator in entrance lobby.

But two things tend to cramp Benny's chance of clicking. One is greatly increased overhead. Compared to his old place, in which he could virtually get by on a pass, Benny now has 104 employees and all the expensive headaches of a big business undertaking. The second drawback, less tangible, that Benny the Bum's name somehow went appropriately with the former place. It was an old-fashioned, brownstone-front dwelling that resembled the speakeasies. And it was the town's prime late spot. But this new place, with all its glossy improvements, eminently respectable—and therefore less exciting—in his favor, however, is Benny's constant presence on the job. Also on the credit side is Benny's food. As at the former location, Sir

Benjamin serves just about the best dinner in town—and for a reasonable figure—\$1.50 being average price. Another thing that contributes to Benny's chances is the fact that it continues to be THE place for notables to be seen. Particularly in Philly, that's a sure attraction for the spenders.

Current show at Benny's, about an average presentation for him, brings Tess Gardell (Aunt Jenna), who is so xoxo at every show; Serge Flash, in fourth week with his juggling; Patsy Ogden, fair tapper; May McKim and the Swingers, harmony foursome with piano; Bartell and Hurs, showmanly adagio four, and Harry Rose, whose m.e.ing will go over better when local audiences catch up to his speedy stuff. Jay King's between-show piano thumpings are stand-out.

Music is by Abe Salinger's band, with Earl Denny 'guest' batoning for shows. *Hobe.*

### RAINBOW GRILL, N. Y.

Emery Deutsch ('Play, Gypsy, Play, When a Gypsy Makes His Violin Cry,' et al., among his own compositions) is the new dansapoca feature at the Rainbow Grill. Considering that Deutsch's meter has always been the strings—he's a violinist, personally, and accordingly partial to the smoother style of music—he has a nifty dance band at this No. 2 Rockefeller eatery atop the 65th floor of the RCA Bldg.

And that's all the show, there is; which should be enough for a \$2.40 ticket. (Note from the same kitchen that services the chichi Rainbow Room) in a modest but classy environment, with Peter capably handling them at the door. A couple of other hors d'oeuvres in the form of Evalyn Tyner pianologing the interludes and Dr. Sydney Ross, per se, giving out with the magic at the tables, are occasional filler-in. Deutsch has a full dance team of the best intine workers extant and should be a wow for the private party gag where the class joint talent picks up the soft coin.

Deutsch has a full dance team backing his violining, and while it's pretty music to listen to, which is in itself no demerit, he also gets 'em out on the hoof. That's something that can't be said for every smooth dance combo, as too often they just sit and listen. For to recurse to one mugg Ch. nite club manager, the only way he judges a band—and he doesn't care what their Crosley rating is—if the boys and girls itch to clinch, that's the penultimate in o. k. dance music.

Meantime, managing director John Roy has built up Don Azpiazu and his rhumba-tango combo, at the smooter Rainbow Grill across the 65th floor, to mean something more than just another alternating band. Guy Gray and his Casa Loma-ites, Alec Templeton, the blind pianist, and a singing harpiste, are slated to follow Maurice and Corbala in Feb. 17 in the R. R., but the Grill seems to be doing all right by itself as is. *Abel.*

### BILL'S GAY NINETIES

(NEW YORK)

What starts out as a casual idea somehow, sometimes fortuitously develops into an institution. That's perhaps the answer to many an industry and while a remote thought as regards running a saloon, Bill Hardy's Gay Nineties in East 54th (off Madison) is apt example of the

### 15 YEARS AGO

(From VARIETY and Clipper)

Picture rights to 'ge plays going up. As high as \$35,000 had been offered for 'Applejack' and 'Si Cylinder

Henry Ford, figuring on the Presidential nomination, planned free picture show. Reported to be making films for campaigning.

Adolph Zukor went West to shake up Par studios. Every time a scandal broke, Par was involved. Four in a row were too many.

First National worried over reports that Schenck would take Norma Talmadge off its schedule and go it alone. He did.

Murder of William Desmond Taylor had Hollywood batty. Felt it might even lead to the abandonment of the town as a production center, come it did, atop the Arbuckle matter.

Wilton Lackaye headed the N. Palace bill in a French pantomime written for Rejane. Jack Lait, who caught the show had more to say about Nancy Welford's dimpled knees. She was William Rock's new partner.

Charles King, working with Lila Rhodes, was a clicker the N. Y. Colonial. Doing a Hollywood comeback rdw. Tops then.

'Franklin' wrote VARIETY to complain of the preponderance of souses in the audience now that prohibition was in. Said she never saw so many in wet days.

American Society of Composers, Authors and Publishers planning to slap vaude houses for \$250 a year each for performing rights. Settled on a per seat basis. ASCAP making real headway.

Four Marx Bros. opened at 'Frisco Orpheum and doing better than with their former vehicles.

Gus Hild announced he would get back into burlesque. Had three franchises, but rented them to Joe Hurlig. Would operate one show himself the coming season, he declared.

Bill Hardy, related to the Jack & Charlie (21) club, thought up the Gay Nineties motif. In a way it was a natural association of ideas. Since time immemorial, 'Sweet Adeline' and that mellow feeling have become synonymy and thus, under the influence of the Police Gazette and gaslight motif, the spot became quite an oasis in its day.

Come the revelation and Hardy has not only kept pace with shifting trends but has seen to it that his idea is perpetuated. Thus nothing has arisen so that the parade may pass him by.

Having established a character, the Gay Nineties adheres to it strictly. If it's not the Bert Swor minstrel, it's something of kindred calibre. He's staged quite a few 'comebacks' for yesteryear renowned talent.

Joseph E. Howard, vet songwriter-entertainer, now 73, is in his third year here. John Steel started here, on the comeback trail at \$75, wowed 'em later at the Paradise restaurant on Broadway, and is now in the big money again in Florida. Ethel Gilbert (Mars and Gilbert) is in her second year here and clicking with her subret vocal delivery as big as ever. Yvette Rugel (New Acts) is the latest on the comeback trail.

Hardy, from his husky days at Reisenweber's, Healy's et al. grew up in the vaudeville tradition, and he's now making it pay, perhaps in a sentimental way, but never lachrymose. J. band or maudlin because, basically, the talent's there.

Rudy Madison is a juve tenor, now being ogled by the film bunch. Jack West, old-time minstrel man, still whangs 'em. The flayer, baritone, used to be a champ college middle-weight and looks and sings as well as he used to box. The surefire minstrel quartet, Jerry White, Fred Bishop, Gus Wiken and Paul are holdovers. Bernie Grauer tickles the ivories in socko manner, as of yore. Spike Harrison, ex-Steinway here, is now vacationing in Florida. Will Ward, another standard vaude and minstrel name of yesteryear, is another who registers.

Current show features a punchy medley of operetta excerpts, effectively arranged and mastered by Jerry White (of the original Radio Franks) from the piano. 'My Mary-

land,' 'Student Prince,' 'Maytime' et al. are the shows. In between Ethel Gilbert clicks with her 'Yama Yama Mam' (Bessie McCoy) and kindred numbers. 'East hales,' 'Burlington Bertie' for strong returns. And all the other specialists likewise stand out, notably Madison, Wicke with his robust bass-baritone, and Bishop. Latter understudied Walter Woolf King in 'May Wine.' Wicke's 'Isle of Spice' number is another stand-out; ditto Davin's 'My Maryland' solo.

With it all Joe E. Howard with his sock songs—a catalog of yesteryear hits that are even more appealing today, in their sentimental associations—continues to wow the customers, considering that Howard's a young-old boy of 73. He looks 20 years younger than that.

Bill's Gay Nineties is by no means an A. K.-appeal joint but it's understandable why the 'substantial' people go for this niterie especially—and are willing to pay well for sentimentality and song. Yet its downside—bar is jam-packed day and night. *Abel.*

### COCOANUT GROVE

(PARK CENTRAL, N. Y.)

Out-of-towners wanted more than straight vaudeville in this hotel spot, so the Grove now has returned to a floor show, with a bevy of 14 blondes and brunettes. Same moderate added charge applies to supper show, with no restrictions on dinner performance, making the current vaudeville-revue a nice downtown buy.

Bill Powers is credited as stager. Palm goes to him as picker of femme beauty. Show girls (6) have what it takes, and the line (8) is pretty agile.

Aside from the chorines, show holds Roscoe Ails of the cinema and vaudeville, and Betty Lewis (New Acts), tapster. They are mainstays currently, finale stepping number being a trim display of showmanship. Ails goes about his m.c. chores with the expected ease of a vet. Material is strictly ad lib, but good. Two dance solos, cleaning up with his shuffle number. Then mops up with his duo combinations, 'Truckin' and 'Sine Q' with Miss Lewis. Captivating Lewis femme scenes with two tapping efforts, besides closing stepping with Ails. Toreador novelty is her ace solo try at 'Stardust and Stardust Acts,' ballroom tea, contribute two efforts, colorful number with huge capes being something out of the ordinary. Marion Melton (New Acts), stately blonde, provides the interludes, her voice being especially suited for this type of show.

Jerry Blaine's orchestra continues to draw favorable response. Now in tenth week, band provides sweet syncope for dancing and music for full show. Blaine, who came east from the Coast, has several nice vocal and instrumental combos in organization. Phyllis Kenny is given heaviest plug, charming with looks and dulcet tones. Clark Ringwalt's string quartet provides music in between. Nelson continues as affable maitre. *Wear.*

### Niterie Placements

Paul Draper, dancer, joins Hartmans and Pancho's orchestra at Plaza hotel, N. Y.

Tommy Dorsey's band goes into Hotel Commodore, N. Y. Feb. 19, replacing Mal Hallert.

Diaz and Dolores, ballroomers, and La Corita, rhuma terper, added to show at Casa Loma, N. Y.

Joe Grey Trio and Lucille, singers, open Madeleine's new N. Y. niterie this week.

Dorothy Howe, kid contralto, vocalizing with Eddie Lane's crew at Vanderbilt hotel, N. Y.

Mrs. Theodore Dreiser will sing with Enoch Light's band at the McAlpin hotel starting Feb. 13.

Leo Reisman's band and Eve Symington, singer, leave the Waldorf Feb. 9 for Lenten season. Reopen later with Edgar Bergen, ventriloquist, added to show.

Wini Shaw moved from Versailles, N. Y., to Hollywood Country Club, Hollywood, Fla. Benny Fields goes into same spot Feb. 16.

Alec Templeton, pianist, and Ariel Perry, singing harpist, join the show at the Rainbow Room, N. Y. Feb. 17.

Walton and Joanne, dance team, and Doris Hare, comedienne, have joined Vincent Lopez band in the Grill Room of the Hotel Astor, N. Y.

Faith Bacon, fully recovered from her accident, opens at Colisimo's in Chicago Feb. 12.

Marion Morgan, burlesque stripper, opened this week at Harry's New York Bar, Chicago.

### Philly Niterie Operators Must Also Know Their Marquis of Queensbury

Philadelphia, Feb.

If niteries here ever start throwing boxing bouts in with the floor shows operators of two of the best known spots in town will probably get top billing. Both figured in fist-swinging duels in the past two weeks.

Latest was Benny the Bum (Ben Fogelman). Ex-Magistrate Eddie Carney, known as 'The Dancing Judge,' Sunday morning (7) said something the Bum didn't like. Fists flew, but aims were bad, and damages were confined to torn clothing. At the President's birthday ball Jack Lynch, operator of the Hotel Adelphia's Cafe Marguery, and A. A. Tomei, president of the musicians' local, almost gave 17,000 spectators more than their dollar's worth.

Lynch went up on the stage and asked his band—supposed to be playing a benefit—to strike up. Tomei flashed out of the wings and said the musicians wouldn't hit a key unless they got paid. Onlookers put a sudden stop to the ensuing fistfights.

### Bert Walton Forced Out

Bert Walton was a last minute cancellation out of the current vaude show at Loew's State, New York, due to illness. Showed up at rehearsals opening day (4), but lost his voice and had to pull out.

George Beatty replaced Walton in the four-act show.

### USHER-ORGANIST

Greenville, S. C., Feb. 9.

Manager Dick Lasley of Carolina here, some time back discovered Robert Bruns, a pianist, who was adept at organ playing, and now opens the Carolina each day with Bruns caressing the Wurflitzer.

Bruns is believed to be the only usher-organist in the country.

### 'SPIKE' HARRISON



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## Flint, Mich., Bone Dry as 668 Niteries, Bars Stop Liquor Sale Due to Strike

Detroit, Feb. 9. Nearby Flint, a 100,000-pop. town which has been the hotbed in the current auto strikes hereabouts, went 'bone dry' Saturday (6), with all its 668 niteries and bars being shuttered by the state liquor control commiss. Move was designed to forestall further violence in the town, which is practically under martial law with more than 2,500 national guardsmen stationed around the various auto plants where sit-down strikers hold forth.

Orders were issued by V. F. Gormely, commiss head, that no beer, wine or liquor could be sold until the strike situation eases. Signs were tacked on all drinking spots reading 'No liquor until further notice.'

Closing action came after several night riots among strikers, sympathizers and anti-strikers had started in various bars in the neighborhood of struck plants. Even retail liquor stores were shut under the order.

Action has brought a heavy influx of bootleggers into town.

## NEW COMMUTERS LAW WOULD NICK DET. BIZ

Detroit. Huge losses for Detroit niteries theatres is foreseen if a commuters bill, approved last week by the Immigration Committee of the House of Representatives, is passed. Bill would bar persons living in Canada from commuting daily to work in U. S.

Would affect about 1,800 persons who reside in Windsor, across the river from Detroit, and work here. Estimated Canadians spend large sums in Detroit spots weekly, since liquor prices are considerably higher across the border and first class entertainment is scarce.

Similar legislation, which also would affect Mexican commuters, has been introduced annually for several years.

## Veloz and Yolanda for Gracie Fields' New Show

London, Feb. Veloz and Yolanda, American dance team, are wanted for new Cochran show starring Gracie Fields, skedded for production sometime in March.

Lou Wolfson of MCA, who just sailed for London, will try and straighten conflicting bookings which the team must first set back in order to accept the London production.

## Wm. Morris Skating Party

Melitta runner, iennese ice skater, ill attend the North American skating championships to be held at Saranac Lake start Thursday (11) as the guest of William Morris. The Morris will host a small party for her on New York.

Ice star was brought over under contract to the William Morris

## Meller May Move From Hotel to Pitt. Showboat

Pittsburgh, Feb. Old-time meller, 'Snatched from the Koose' now in its third month at Fort Pitt hotel, figuring on moving into a niterie for a run. Show, produced by Morry Fierst, and Clyde McFall, has been building steadily, but management figures they're getting a tough break because hotel forces 'em to move out of English Room whenever there's a big party or dance booked. 'Noose' then goes on in another room with considerably less capacity.

Under consideration at the moment is Show Boat, itery located at Allegheny river wharf, with a stage platform big enough to accommodate show and seats for around 400. Spot also has a circular bar. Producers are now dickering with Furie Ross, operator of boat, but question of cut is holding up deal. At Fort Pitt show gets only admissions, with hotel taking the drink and food dough 100%.

## Ethel Waters Unit from L.A. Acer to Negro House

Los Angeles, Feb. Ethel Waters' all-Negro unit closed a five-day engagement at the Lincoln theatre, all colored patronage house here, moving there direct from the Paramount theatre, where it played previous week.

This is the first time that a complete stage unit has moved from a downtown acer directly into the colored section.

In N. Y., the colored bands at Loew's State, on Broadway, invariably go directly up to the Apollo, colored vaudeville in Harlem.

## 'SCANDALS' CUT TO FILL \$6,000 BUDGETS

White will cut his 'Scandals' down further than its present condensed vaude version. Trimming is expected to take place after its week's booking at Keith's, Boston, open Feb. at \$10,000 plus a split.

Limited number of theatres capable of guaranteeing stage shows \$10,000 weekly plus a percentage of the gross is causing White to tighten the unit's budget. He's expected to get it down to where he can sell it for around \$6,000.

Wi iam Morris office is agenting

## PHILLY AGENTS GIVEN 1 WEEK TO GET LICENSES

Philadelphia, Feb. Campaign of Pa. Dept. of Labor and Industry to force agents here to get 100 licenses or fold took a breather this week.

Victor Girard, local investigator for department, said he is giving the 117 agents and bookers in the city until next Monday (15) to get their diplomas. After that he goes to work on them. Only 13 were licensed up to last night (Monday).

## Minevitch Solo for Pix, Harmonica Band's Tour

Borah Mi following is booking at Ambassador, St. Louis, week of Feb. 26, scrams to the Coast to fulfill his termier with 20th-Fox. William Morris office will route his harmonica band in vaude without the mouth organ maestro.

For his last two weeks in vaude, Chicago, Feb. 19, and then the St. Louis booking, Minevitch's band gets a \$250 raise in salary to \$2,500.

## \$7,500 Breach

Suit has been instituted in Supreme Court of N. Y. County by Milton Douglas, vaude comic, against Count Bernivici and Harry C. Green for \$7,500 for alleged breach of contract.

Douglas contends that Green, as general manager Bernivici, signed him to appear in latter's unit, which currently at Orpheum, Minne. When the William Morris office took over the unit, show was recast, and Douglas dropped. Lou Randall is representing the intif.

## Pryor's Burke Sisters

Milwaukee, Feb. 9. Roger Pryor, now bandleader, motored into Milwaukee from Chicago, where he is appearing at the Hotel Sherman, and quietly caught the Burke Sisters, vocalists at work at the Riverside. He signed them with his band for a tour.

## Ben Barton's Bath

Ben Barton, former m.c. and bandleader, filed voluntary petition in bankruptcy in Federal Court, N. Y., Friday (5) listing his liabilities at \$4,210 and no assets. Among creditors named are Murray Korman, photographer; Noel Sherman, William Shilling and Jack Roach, agents. Barton, otherwise Ben Bochr, is father of Ellen Barton, the Jolly Gillette, of the Milton Berle-Gillette radio program.

## Minstrel Revival May Hold McIntyre-Heath, Tinney; Swor Staging

All-star minstrel revival show which Bill Hardy, of Bill's Gay Nineties, N. Y., is lining up may include McIntyre and Heath and Frank Tinney. Eddie Leonard was set until his recent commitment to an asylum and the proposed substitution of Eddie Leonard, Jr., his adopted son, is temporarily stymied by the 'Broadway Juniors' unit, now on tour.

Frank Tinney is taking cure at a New Jersey san, Jim McIntyre, 70, is still ill in Florida, but it's hoped he and Tom Heath, can do one show nightly. Bert Swor is putting on the show, with himself, Billy Beard, Nate Busby and Tex Hendricks (femme impersonator) in the cast.

## FLOODS, SNOW DISRUPT \$150-DAY UNIT ROUTES

Ohio floods did a flock of damage to Wilbur Cushman's eastern route. Route up into Pennsylvania had been open since October and was dependent on stops in Nashville, Portsmouth, Evansville and others in or near the flood area to furnish break jumps. Dourness, inability to cross the rivers, flooded houses and broken communication systems stymied service. About five units were up in the territory.

Ed Gardiner's 'Winter Garden Follies', making a jump here from Wheeling, W. Va., out of boating out of Wheeling when orders came for the units to scam west. Gardiner show goes on the Wyoming-Montana route until things get back in shape in the valley.

Flood, coupled with heavy north-west snows, has been a heartbreaker for units. Even for the present is the signing of the Saenger time in the south, which will start taking units Feb. 15 from Cushman.

## Philly's Former Torch Club Goes Up in Blaze

Philadelphia, Feb. 9. The '31' Club here put on the hottest show in town Sunday morning (7). Manager George Levi estimated the loss at \$10,000.

Formerly the Torch Club, the place looked like one. The entire second floor, year of the first floor, front stairway and downstairs bar, damed to a trizzle. It took firemen four and one-half hours to douse the blaze.

The name of the place was changed after a fire a year ago.

## Sally Rand's \$5,750 Unit

Sally Rand's 35-people unit has been set for three weeks by RKO at a guarantee of \$5,750 weekly plus a percentage arrangement. William Morris office agenting.

Goes into the Cincinnati, Feb. 19, with Columbus and Cleveland immediately following.

## PLANS BALTO HOFBRAU

Baltimore, Feb. 9. Ivan Frank, operator of the Hofbrau, New York, is lining a Bavarian-type niterie here in a long-drawn type, roofed a chowmeinery, The Golden Pheasant.

Considerable rehabilitation ill likely delay the opening till March. Spot will be first large-scale spot of bert hied in Balto ince pre-war era.

## MARK LEDDY'S FIRST TRIP

Mark Leddy made his first hop across the Atlantic Saturday (6). Agent is going over to scout the London and Paris vaudeville situation and extend his bookings on both sides.

## MCA, CRA and R-O'K in 3-Cornered Battle for Control of Chi Bookings

### New K. C. Nite Spot Changes Op and Title

Kansas City, Feb. 9. Buddy Fisher's class niterie, which he tagged 'Buddy Fisher's', is now the Club Continental and in other hands. Fisher's venture lasted but two and a half months. Place was in hot water from start, when Fisher's partner, Irving Bernstein, gave up the ghost and went back to his jewelry biz in Des Moines.

A group fronted by Jack Randazzo is now running the spot. Policy has been changed, with lesser traveling bands being set for two-week stints.

## RITZ DOUBLED SALARY DUE TO 2 PIX

Ritz Bros., currently at the Palace, Chicago, have been given a \$500 increase in salary even before finishing the date. Booked in Chi at a guarantee of \$5,500 plus a split, which in itself is an increase of \$3250 over their last salary in vaude before going to Hollywood, boys are finding it impossible to go over the split figure because of a flu epidemic there. Health authorities are forbidding lobby holdouts and standees in the Chi houses. As compensation, RKO signed the trio Monday (8) for Keith's, Boston, for the week of Feb. 25 at a guarantee of \$4,000 plus a percentage.

Loew's gets the act for the State, New York, week of March 4. Deal hasn't been entirely worked out as to the split-figure, but the guarantee will also be \$6,000 there. Lou Irwin is agenting the trio, which has more than doubled its salary strictly on the strength of two 20th-Fox pictures, 'Sing, Baby, Sing' and 'One in a Million.'

## Blackstone, Ill, Cancels Richmond, Norfolk Dates

Norfolk, Va., Feb. 9. Blackstone, the magician, had no magic for a breakdown that forced idleness in Richmond and a postponement of his engagement that was due to open here Friday (5) at Loew's State.

He had completed a Washington stand and was due to advance upon Richmond when illness caught him.

## Sunday Vaude Bill Up In Conn. Legislature

Hartford, A bill legalizing vaudeville in Connecticut between 2 p. m. and 10:30 p. m. if local selectmen or boards of aldermen approve has been introduced in the General Assembly. Sunday vaudeville allowed now unless for charity. Introduced just a few minutes before the deadline on new busi ri-day (5), the bill was referred to the Judiciary Committee of the Senate.

## J. C. STEIN'S TRAVELS

icago, Feb. J. C. Stein, president Music Corp. of America, on his way to the Coast. Will do some serious contacting of studios on MCA talent deals. Going out with Phil Bloom of the MCA, ice in New York.

Will be back in the around March 1 to sail for Europe. Lou Wolfson, who becomes co-head of the MCA London office, sailed last week from N. Y.

## Withers at L. A. Par

Los Angeles, Feb. Charles Withers will top vaude show at the Paramount theatre here week of (18). Come is being brought on from the east by Leo Morrison, who handled the booking.

Chicago, Feb.

Chicago, once the stronghold of MCA, is now a wide-open territory, with Rockwell O'Keefe and Consolidated Radio Artists lopping branch after branch from the strong MCA tree. For the past seven or eight years practically important dance spot, nite club and hotel has been MCA-booked, but there is now a serious battle in progress for premacy of the town's band, talent bookings in the nite spots.

Consolidated is the big competitor, with two bands in the Casino Parisien (Hotel Morrison), through the International Casino organization; it grabbed off the LaSalle hotel last week and has spotted the King's Jesters orchestra in the Blue Fountain Room there. Of latest importance, CRA has cracked into the swank Drake hotel, snapping it away from MCA, and putting the Clyde Lucas orchestra into the topnotch Gold Coast Room. Also with the Lucas orchestra RCA is placing Donald Novis as vocal headliner.

Rockwell O'Keefe has the Congress hotel's Casino sewed up at present, taking that hotel away from MCA, and has the Gus Arnheim orchestra (which R-O'K also took from Music Corp. of America) in the niterie.

Don Bestor has switched from management of Music Corp. of America to Consolidated Radio Artists. Bestor was one of MCA's first big three, along with Coon Sanders and Ted Weems, during firm's early days in Chicago.

Last week Jack Denny and Maurice Spitalny, also two old timers with MCA, made a similar switch. CRA has within last few weeks also taken over Maurice Sherman and Ben Pollack bands, both formerly on MCA list.

Bestor's first engagement for CRA is at Netherland Plaza hotel, Cincinnati, opening Feb. 20. Marks first time a CRA band has gone into a Hitz hotel.

## AMBASSADOR, ST. LOUIS, OK'D FOR FULLER STAGE

Louis, Feb. 9. Concession obtained by Harry C. Arthur, Jr., v. p. of Fanchon & Meco's interests here, from John Nick, president of Loew's, in personnel of crew at Ambassador, F&M's downtown deluxer, resulted in abandonment of pit band shows for full apron last week. Compromise added one man more to crew and change considerably enhances stage presentations-as narrow runway in front of band limited activities of entertainers.

Paul Whitman's group was first to enjoy full stage. Fashion show is skedded for next week to be followed by Olson & Johnson and Fred Waring's Pennsylvanians.

## Ben Piermont Booneing

Ben Piermont, former vaude booker and last with Electrical Research Products, joined 20th Century-Fox this week. Went into the eastern talent scouting department under Joe Pincus.

His brother, Sidney, is vaude booking manager of Loew's.

## Windsor, Philly, Old Vaude Hotel, to Become Auto Lot

Philadelphia, Feb. 9. Windsor hotel, known to thousands of vaudevillians as temporary home while playing Philadelphia stands, passed Monday (8) into oblivion.

All its furniture and fixtures went at auction. Building will be torn down to provide an auto parking lot.

## Det. Debut for WPA Unit

Detroit. Local WPA theatre's vaude unit, comprising 12 acts, will make its Detroit debut this week at Dexter Hall. Unit has been touring the state for past several months. Show will be tagged 'Living Puppet Show', and there'll be a free gate, since affair is under auspices of Jules Rosenwalk Post, American Legion.



numbers from 'The Avenue' for Hollywood.



# 42D STREET COMING BACK?

## Equity Passes Rule to Effect No Member of Ass'n Can Sue It

Equity has taken cautionary measure, time to protect itself from suits by members. It is partly the result of criticism of the administration because of heavy legal and court costs. From now on no member will be permitted to sue Equity unless all other measures of adjustment shall have beenhausted.

Step was taken principally as the result of several actions to recover damages by Robert Du Roy, who blamed Equity for the flop of 'Right to Happiness,' which he co-produced in 1931, winning a verdict of \$40,000. Award was subsequently reduced and finally the verdict was reversed in favor of Equity, but it cost about \$200 to defend the actions.

One of Du Roy's suits still pends, through which he seeks \$100,000 on the grounds that Equity's monthly house organ allegedly libelled him in stories about the 'Happiness' actions.

Several years ago Edith Ransome, a Co-Ed actress, sued for \$150,000, alleging she was discriminated by Equity representatives. Actress committed suicide before the case was tried. That incident also prompted the council to adopt the new set of rules.

Two methods of disposing of any similar complaints are outlined. Actors may appear before Council, and if the claim be rejected, would have the right of appearing before the membership, at a general meeting. If the other members favorably consider the claim, a committee shall be named with its decision to be final.

Other method is by arbitration and the decision shall also be final. In other words, Equity does not propose to be forced into the courts again by its members.

Any member who refuses to comply with the new rules will be subject to suspension. In addition, he could also be fined the full amount of the claim. Clause is considered one of the most severe in Equity's history.

## SAM SHIPMAN'S FATAL HEART ATTACK

Samuel Shipman, who passed away in his apartment in New York Tuesday (9) afternoon, was one of the most prolific playwrights of his time. Although death was sudden, he had been under a physician's eye recently and intimates were aware that 'Shippy,' as he was best known, was in precarious condition because of a weakened heart.

Author, like some of the other leading dramatists, preferred to collaborate rather than write alone, although he wrote a dozen plays singly. With John B. Hymer he wrote 'East Is West,' probably their outstanding success. With the late Aaron Hoffman fashioned 'Friendly Enemies,' which Sam Bernard and Louis Mann, both deceased, starred. With Max Marcin there were a number of collaborations, including 'Cheating Cheaters,' 'The Woman in Room 13' and 'The Crooked Square.' With Clara Lipman he wrote 'Elevating a Husband' and 'The Kreutzer Sonata.' Other collaborations include 'Children of Today,' 'The Good For Nothing,' 'First Is Last' and 'Crime.' His last play, done with Beth Brown, was 'Behind Red Lights,' current at the Mansfield, N. Y.

Shipman either wrote or figured in the playwrighting of 30 dramas. A. H. Woods produced most of those plays. He was in his 54th year and died in the Alamac hotel, where he resided almost from the time it was erected.

### Just a Little Late

Reuben, restaurateur, likes to send greeting cards to people of the theatre. One such was received at the Miller theatre, N. Y., addressed to the author of 'The Country Wife.' William Wycherly died Jan. 1716.

## LEGITERS MUST GO VAUDE-HOKE FOR NEW PLAY

Richard Aldrich and Richard Myers, producers of Herman J. Mankiewicz's play 'The Medal Ticket,' are confronted with the problem of teaching legit actors to perform vaudeville hokum. Players must impress as a broken-down vaudeville family of yesteryear.

Thus, Charles King is learning juggl; Ruth Holden, as his stage-wife, is studying Indian club tossing; Leona Powers, is a grandmother who does cartwheels; Joseph Greenwald, as an ex-magician who continues to do parlor tricks are other novices. Cast also includes several other minor roles of magicians, dancers, etc.

Play opens Feb. 15 at the Erlanger, Philadelphia, before Broadway. Harry Wagstaff Gribble stages. Mankiewicz arrived from Hollywood this week.

### 2 CHORUS EQUITY CLAIMS Two Days Pay Asked for 'Co-Ed,' Half a Week for 'Eternal'

Chorus Equity has claims against two managements, which will be settled by arbitration shortly. One claim has to do with rehearsal pay for choristers who appeared in 'Co-Ed,' musical which put on by J. J. Levinthal and Jack Linder at Brighton Beach recently, but which never reached Broadway. Equity contends that two days rehearsal coin is due to 30 girls, with each claim \$5.

Second claim has to do with 'The Eternal Road' ensemble, which was camered for a newsreel during rehearsal. Chorus Equity claims one half a week's salary for that.

### Jones on Way Back

L. Jones, formerly associated with Morris reen in producing musicals ('Greenwich Village Follies') and straight shows, will essay a comeback, having announced 'Orchids Preferred,' a comedy with money. Score is by Dave Stamper, book by Frederic Herenden.

Saul Abraham is slated to rejoin Jones as general manager, with Bill Fields resuming as p.a.

## Hollywood (MG) Call Means Bolger 'Toes' Contract Will Be Arbitrated

Bolger, touring with 'On Your Toes,' has served notice on Dwight Deere Wiman that he will leave the show on March 20, going to Hollywood immediately afterwards, under contract to Metro. Producer contests the actor's right to leave the show, which is booked well into the spring, and the matter will go to arbitration.

Bolger has a full season contract but there are two riders attached.

## BANK EXPECTS BETTER DAYS

Won't Let Burlesque Into New Amsterdam, Selwyn National—Sure of an Upturn in the Near Future

### LEASE OFFERS NIXED

Clearly establishing its conviction that 42nd street will eventually return to legit favor, the Dry Dock Savings Bank, which owns the New Amsterdam and Selwyn theatres on that thoroughfare, as well as the National around the corner, on 41st street, has taken a firm stand to protect all three houses against unwanted tenants. Bank is especially adamant on burlesque and refused to let it creep into the theatres.

New Amsterdam, ace theatre on Broadway in the halcyon days of Klav & Erlanger, has been the target for burley people for several years. They offered a rental of \$85,000 yearly and there was one attempt to purchase the property for \$1,500,000, all such feelers being promptly rejected. Persistence of the burlesque showmen appears to have made the bank all the more determined to keep them out.

Bank people have set up a unique defense. In the event that burley managers obtained possession through an intermediary, they claim it would be regarded as false pretence. Any sale or lease of the property will stipulate that, in such event, the mortgage would be due immediately and the tenants ousted. Same conditions apply to the Selwyn and National.

New Amsterdam was foreclosed for about \$1,650,000 and its actual value is believed to be about \$1,000,000 over that figure. In the event of a mortgage would easily amount to the \$1,000,000 mark, but the bank is not anxious to sell at this time, because realty is steadily on the way up and properties which were tossed back to the banks at the price of the mortgages are expected to net big profits.

It would seem, therefore, that the Dry Dock's protection policy is not altruistic but a matter of business sense. New Amsterdam has had mostly a dark season so far and is at present untenanted, but the bank is willing to handle the carrying charges, confident that all that coin and more will be recaptured eventually. Bank still figures that 42nd street will see at least several legit shows along the block before another season expires.

Bank's policy in the matter of the Selwyn was shown when it leased the house for grind pictures at \$650 weekly. Burlesque people had offered \$1,500 weekly and expressed willingness to put up a year's rent in advance.

### WOODS BUYS 'MONEY'

'Money,' play by Aurania Rouverol, has been purchased by A. H. Woods. Play made its debut recently in a two-week run at Pasadena Community Playhouse.

## 'Eternal Road's' Troubles Pile Up; Actors Nix Salary Cut, Though Equity Admits Slice Is Needed

### Well, That's Something

Meyer Weisgal, who promoted 'The Eternal Road,' Manhattan H. N. Y., returned from Florida with a fine sunburn, but no coi. He went south for the purpose of arranging a sinking fund for the spectacle from among the show's backers, who are wintering there.

Further financial support for 'Road' is expected to be ranged for this week.

Operating expense of 'The Eternal Road,' Manhattan O. H. N. Y., must be revised downward if the religious spectacle is to continue. Business is slowly developing, but not fast enough for the finances in sight. Last week was the best at the box-office—it is not an agency show—except one, gross going off, however, the previous week.

Weekly operating nut is approximately \$30,000 and the show missed that mark by several thousand. Management now figures that the spec's pace will hardly exceed an average of \$30,000 per week and if that mark is secured, there will not be enough money to pay off. Only week did the show approximate an even break, but it failed to show operating profit even then, when the final count was made.

First move to reduce expenses was to attempt a cut-in salaries, which are considered somewhat too high, although at \$9,500 weekly the actors' pay is but one-third of the total weekly outlay. Twice, the management conferred with the Cuts Board at Equity, without coming to an agreement. Understood that Equity execs regarded reducing salaries as a necessary move, but the actors had their side of it, too.

### 14 Notices

Meyer W. Weisgal, who heads the management, appears to have jumbled the salary situation by handing out notices (two weeks) of dismissal to 14 in the cast last Friday (5). Result was unpleasant feeling backstage, with dimmed chances of agreeing on a cut. Number of stagehands in the enormous crew were also let out. He and Crosby Gai are the presenters.

There are 29 players with speaking parts or whose salaries are above the minimum and therefore possibly affected by a salary reduction. Most of them attended the Equity sessions. They pointed out that there were other expenditures which could be lowered, such as a \$6,000 advertising weekly outlay. Actors also contended that most of the show's red was piled up before opening, the show owing about \$40,000, despite the \$500,000 total expenditure.

Management, instead of asking for a specific percentage cut, made the error of putting this up to the actors. Weisgal sought a one-third cut and later made it 25%, with the actors saying they might consider 12½%. Weisgal's answer was to hand out dismissal notices, with the idea of engaging other actors at lower salaries.

It is believed, however, that if the management again puts it up to the players to agree to a reasonable reduction over a period of about six weeks they will agree, provided full salaries are paid in the event of the show climbing to profitable figures. Among the items reported not paid in any measure are royalties, which are 14%. Understood the players also suggested there be a cut in that direction, too.

There are 382 persons on the 'Road' payroll.

## Equity Nixes Irene Browne For Irving Cooper Play

Equity refused to exempt Irene Browne, English actress, from the six months lapse rule between engagements when was Irving Cooper applied to the council last week, stating that he wished to engage her for a play called 'Casa Carroll.' Council nixed the idea after the young manager stated it was American play, located in a New York brothel.

Miss Browne came from London to appear 'The Country Wife.' Equity assented when she switched to 'Promise,' because of its principally British cast. Latter show was withdrawn after a short engagement at the Little, N. Y.

## ONE FLOOD IS PLENTY FOR THE LUNTS

Pittsburgh, Feb. 9.

The Lunts aren't going to get themselves in the middle of another flood if they can help it. Guild stars cancelled the week of March 24 in Cincinnati for 'Idiot's Delight' and were pencilled into the Nixon here instead, until they remembered that it was just at this time a year ago that the Pittsburgh deluge left them high and dry. So the local date was dropped, too.

Excuse was that it would be a return engagement, but it could hardly be called that. 'Delight' opened in Pittsburgh on March 16, 1936, before going to Broadway, but played only four performances. Rivers broke loose two days later and the Lunts continued for two additional performances during the height of the flood because the Nixon had its own power plant and kept going. However, things became too tough after that and they pulled out, with half the week unplayed.

It would have been an extra-curricular offering for the Guild here, since the Nixon's six-play ATS subscription series has been played out this season.

## SCALPERS BURN D. C. SOLONS; LEGISLATION

Washington, Feb. 9. Radication of ticket-scalpers from the National Capital was proposed in Congress Wednesday (3) as aftermath of legislators' difficulties in buying pasteboards at established prices.

Fired by premium charged at newsstands and hotels for duets to amusements and sporting events, Representative John M. Coffey of Washington (state) sponsored a bill which would limit service charge on tickets for any sort of affair to 5% of the printed tariff. Violators would be subject to fines of \$100 to \$500 for each offense and imprisonment for 10 to 30 days.

### ED RICE ILL

Edward J. Rice, oldest living member of the Treasurers' Club, is seriously ill at his home on Long Island. He was a box office man about 25 years ago, then went with the Interborough Rapid Transit company, in charge of tickets. When turnstiles introduced he switched to the auditing department.

### CHAPEL HILL MEET

Charlotte, N. C., Feb. 9. Fourteenth annual festival and state tournament of the Carolina Dramatic Assn. will be held at Chapel Hill March 25-27. Contests will be held for original play productions, makeup, costumes, stage models, posters, playbills and tournaments.



## Maurice Evans' 'King Richard II' Ovation, Follows Gielgud Acclaim

of longest of ovations of the season greeted opening night performance of 'King Richard II' at the St. James, N. Y., last week (4). It was a surprise all around, including the management, Shakespeare play had been in New York since 1878 and was generally passed up as one of the least likely (commercially) of the Bard's opuses.

Show heartily send-off from the critics and met, with immediate b.o. response, both Saturday shows having a number of standees. It was the performance of the title role by Maurice Evans, English actor, which especially called forth enthusiasm, making the second time this season for that type of demonstration. Earlier in the season, at the same theatre, Jhon Gielgud, also English, ran up long-run and b.o. records in the title role of Hamlet.

Max Gordon brought over from England for 'St. Helena' earlier in the season. Actor impressed in that, too, but the play couldn't make the b.o. grade. Gordon was about to sponsor 'Richard' but ducked with Robinson Smith stepped in. Smith then arranged a tie-up with Eddie Dowling, the duo being billed as presenters, and the show going into Dowling's theatre, the St. James.

**Credits Missing**  
Billing for the show at the opening did not include credit for the designer of the sets, which steamed up the Scenic Artists' Union and nearly caused a clash. Fred Marshall, secretary of the Union, made a demand on Smith that billing must be stuck on pronto, else, it is still being argued.

Understood that Smith engaged David Folks, an Englishman, for the job, since Folks does not belong to the "he" was credited in the program only as the designer of the costumes. Union shop (Alliance Studio) built the sets and is credited that way. Union now declares that Robert Barnhart of the Alliance Studio must be billed as the designer as well and it is likely that the dispute will be settled in that way.

Last time 'Richard' was seen in New York was at the Fifth Avenue theatre (still up, but buried now) on Nov. 23, 1878, when Edwin Booth played it. Records available seem to indicate that, before its present showing, it played only 10 performances in all in New York, having been introduced by James W. Wallack at the Park theatre in 1819 for one performance. In England it is seen more frequently and it has been played on the road in the U. S. on more occasions than in N. Y., although, again, not very often.

### 'L'Aiglon' Suit Dropped

Old suit involving Lee Shubert, Eva LeGallienne, Arch Selwyn and Harold B. Franklin over the play, 'L'Aiglon' was dismissed Monday (8) by N. Y. Federal Judge John C. Knox for lack of prosecution. Winifred Ashton, agent, and Clarence Dane and Richard Addinsell filed the action in 1934 claiming the defendants appropriated the play which Dane and Addinsell wrote. Doubleday, Doran, publishers, was also involved in the action as defendant. Frankwyn Productions presented Miss LeGallienne in the play.

### 'Diddle' Folding for Pre-Broadway Revise

Notice of closing of 'Hey, Diddle' was posted Monday (8) in Washington. Show has been trying out for several weeks but its presenter, Anne Nichols, decided that cast and script revisions were necessary before bringing it to Broadway. Conway Tearle, who came on from the Coast to play the lead, will probably leave the cast. Lynne Overman being mentioned to succeed him.

### 'Cellini' in Hartford

'Celli' chronicle, in verse by Joseph Lee Walsh, opened a week's run Friday (6) at the Palace theatre here as a Federal Theatre project.

Play had its premiere report about a month ago, making the performance here, a mild reception for the author was held at the Hotel, and they attended the opening, due to no advance sale and poor weather conditions.

### FTP's Flood Relief

For the past two weeks collections for the flood sufferers have been taken up in all theatres with WPA shows. In some instances the donations have exceeded the gross of the show, especially in spot bookings. Over \$2,300 was so collected in the first two weeks.

Donations are in sealed containers, treasurers of the houses turning them over to Lyle D. Andrews, agent-cashier of the Federal Theatre Project in New York, who delivers the coin boxes to the Red Cross.

## NAT'L THEATRE STILL IN WIND

American National Theatre and Academy, which secured a charter from Congress over a year ago and nothing happened, has been reorganized, original aims of the project having been revised. Those presently interested say it will not attempt production of plays, nor compete with the commercial theatre. General idea is to form a string of community theatres throughout the country, with amateur and college groups involved.

A. Conger Goodyear, now head of the group, proposes a repertory theatre for the New York World's Fair, but the expo execs have not passed on the matter as yet. Also mentioned is a repertory company for Broadway.

When the National Theatre was chartered, a flock of socialites were mentioned, who were to raise \$1,000,000. No money is known to have been actually subscribed.

### Current Road Shows

(WEEK OF FEB. 8)

Ballet Russe, Temple, Tacoma, 9; Capitol, Yakima, Wash., 10; Fox, Spokane, 11; Pinney, Boise, 12; Kingsway, Salt Lake, 13.

'Boy Meets Girl,' Orpheum, Phoenix, 8; Rialto, Tucson, 9; Plaza, El Paso, travel; Paramount, Austin, 12, Texas; San Antonio, 13.

'Brother Rat,' New Haven.

'Dead End,' Nixon, Pittsburgh. D'Oyly Carte Repertory, Erlanger, Chicago.

'Enemy of the People,' (Walter Hampden), Shubert, Newark, 11-12-13.

'First Lady,' (Jane Cowl) Arcadia, Wichita, 8; travel, 9; Auditorium, Colorado Springs, 10; Auditorium, Denver, 11-13.

'Follies,' Chicago.

'Glory,' Erlanger.

'Hamlet,' (Gielgud) Shubert, Boston.

'Hamlet,' (Leslie Howard) Illinois, Los Angeles.

'Hey, Diddle, Diddle,' Washington.

'Idiot's Delight,' Fontaine, Forest.

'In a Nutshell,' more.

'Jane Eyre,' Hepburn.

'Leaning,' (Post)

'Mulatto,' Selwyn.

'Nazimova Repertory,' Cleveland.

'On Your Toes,' Cass, Detroit.

'Prejudice,' Chestnut, (Ladelp).

'Reflected Glory,' (Tallulah Bankhead) National, Washington.

'Return,' San Francisco.

'Ruth Draper,' Parkway, Madison, 11; Davi, Milwaukee, 12-13.

'Tobacco Road,' Lynchburg, W. Va., 10; Roanoke, 11-13.

'You Can't Take It With You,' Harris, Chicago.

### Shows in Rehearsal

'Storm Over Balkie' (Storm 1 a Teacup)—Theatre Guild.  
'Excursion'—John C. Wilson.  
'Driftwood'—Eugene Kerry.  
'Sun Kissed'—Bonfils and Sommes.  
'The Amazing Dr. Clitterhouse'—Gilbert Miller.

'Now You've Done It'—Brook Pemberton.

'The Meal Ticket'—Aldrich and Myers.

'Having Wonderful Time'—Marc Connelly.

'In a Nutshell'—Lawrence Rivers.

'London Assurance' (revival)—Barbara Robbins.

'Marching Song'—Theatre Union.

## Theatrical P. A.'s Oppose General Unionization Idea

With the i it, picture and radio press agents into a new organization with union plans, a meeting was held Tuesday evening (9) at American Advertising Guild in N. Y. It was proposed to either join with the Newspaper Guild or secure a charter from the American Federation of Labor.

It was known, however, that the leading show publicists are opposed to any labor affiliations. Group of the better known agents got together last week with plans calling for an independent organization designed to handle the pass situation and other matters pertaining to the p. a. field.

Announcement naming the Guild officers included the names of speakers, who later declared themselves out and stated they would not attend. Guild consists of those employed in space buying, department store advertising and commercial and industrial publicity.

Guild's plan to unionize may be blocked if amusement p. a.'s are included, because there is such a union, formed several years ago by Theodore Mitchell and others. Union also takes in company managers and treasurers, but has not been active.

Theatrical Press Representatives' Association for the New York World's Fair, but the expo execs have not passed on the matter as yet. Also mentioned is a repertory company for Broadway.

### Detroit Starts Again

'Around the Corner' reopens the local WPA theatre project Wednesday (17), after more than three months' idleness. Pop prices will prevail at the Peoples Theatre, new WPA home.

Local project, which has been undergoing reorganization, is now under the supervision of Fred E. Morrow, former head of the Texas WPA projects. Cast, under direction of Herschell Mayall, includes Douglas Wright, Helen Bud, Halbert Brown, J. Richard Gamble, Henry Craig No, Peggy Fenn, Edward Masson, Alma Brock, Chester Adams, David Carnes and John Matthew.

## Coast FTP Probe Is Finished; L.A. Didn't Know It Had Started

Los Angeles, Feb. 9. Widely advertised investigation into the administrative angles of the Los Angeles Federal Theatre Project, announced as scheduled for the middle of last week, Mrs. Mary S. Isham, charge of women's and professional divisions for the Works Progress Administration, to be pretty much of an undercover probe. While execs and project workers anxiously awaited the arrival here of Mrs. Isham, dispatched by Mrs. Ellen S. Woodward, assistant administrator of the WPA, following a demand upon Administrator Harry L. Hopkins by Congressman Thomas E. Ford, it developed last Thursday (4) that Mr. Isham had been here, concluded her probe and departed.

Interested parties threw up their hands in despair at this announcement, which was made by Clayton S. Triggs, WPA field worker from Salt Lake, who lent more mystery to the situation by announcing that on Tuesday (9) he would make a full report of the findings brought out by Mrs. Isham's quiz and the investigation concluded last week by W. H. Kinler, Jr. of the San Francisco WPA staff.

## Film Companies Contend That The 'Bureau of New Plays' Has at Least Unearthed New Talent

### Laughing Gas

Hollywood, Feb. 9. William Perlman, out of Federal Theatre Project in L. testifying before Federal investigators on ouster proceedings against F. D. Howard Miller, declared since proceeding began he's getting threatening phone calls daily. Threats took form of belly laugh every time he picked up receiver and said hello.

Bellylaugh hung on him, and, says Perlman, ird degree getting him

## 'TOBACCO ROAD' HEADING SOUTH

'Tobacco Road,' in its third season on tour, will invade the South for the first time. Drama, now in the 168th week at the Forrest, N. Y., was tested last week in Norfolk and Richmond by a road company and drew excellent support.

Show grossed approximately \$13,000 on the week. Colonial, Norfolk, demanded a rental of \$900 for three days, but the show was quoted getting \$6,812 and the management sought a return date on sharing terms. Last half at Richmond was played on the usual percentage arrangement.

Reporter assigned to cover the show Norfolk wrote that it was 'the worst thing done to Georgia since Sherman marched through.'

'Road' is currently playing a split week, going to Pittsburgh next week and then returning to the South.

### 20% 'Waltz' Cut

Chicago, Feb. 9. Cast of 'Great Waltz,' at the Auditorium here last week, has taken a salary slice of approximately 20%. Cut is in effect for an indefinite period. While business was fine on its return trip here, b.o. results have been spotty elsewhere, with plenty of overhead on the large cast and big jumps.

### Future Plays

Iri from Hohokus,' musical comedy by Arthur Swanstrom, taken by Jack Curtis for production next fall.

'Susan and God,' by Rachel Crothers, being readied by John Golden.

'Periphery' by Frankfort Langer bought by Libby Holman and Leonard Sillman for full production.

Picture companies have decided to stick by the Bureau of New Plays, despite bitter criticism of it in legit and academic circles last week. Bureau was started by film companies last summer to develop new playwright talent, with a number of scholarships and fellowships set up for novitiate scribes who submit to the bureau what is considered worthwhile play scri. First year's contest ended Feb. 1, with six youngsters getting the awards. Trouble started pronto.

Film companies chipped equal amounts for the prize money, totaling \$9,750. Immediately after the awards were made last week, and papers sent out to the various writers, complications arose. Robert Wetzel, a graduate of the University of Michigan, who had won \$2,500, returned the check, pointing out that he had been misinformed on terms involved. Janet Marshall of the Department of Drama, Yale, also turned her \$500 prize for the same reasons. To top it all, Walter Richard Eaton, head of Yale's Drama Department, publicly withdrew his name as one of the sponsors of the annual contest, claiming he had been induced to be there by commercial chicanery.

In a lengthy statement, Dr. Eaton pointed out that the winners of the contest could not hope to see their plays produced, since the terms involved were opposite to those of Dramatists' Guild. He felt, he said, that motion picture interests thus had tricked young people into aspiring hopelessly and signing over options to the unreasonable and unrepresentative terms.

Film company story. New York got together matter Monday night and decided to carry on, nevertheless, insisting that their proposals and terms were above-board, even though opposed to Dramatists' Guild terms. Film companies are not friendly with the Guild at present. They also point out that over 200 plays were submitted and that the least they had accomplished was to smoke out some new writing talent, whether they or other theatre channels profit thereby.

Meantime roadway legit managers continue to agree with Dr. Eaton that there is nothing of commercial value or theatrical value (from a legit standpoint) whole business.

## Clerics to Review 'Mulatto' After Philly Mayor Bans the Play

Philadelphia, Feb. 9. Skedded for the Locust Mayday (8), Langston Hughes' play, 'Mulatto' was banned by Mayor S. Davis Wilson after he had been told by his secretary, Louis Wilgarde, member of the Board of Censors appointed by the Mayor last season to judge the morals of legit plays, that 'Mulatto' was 'indecent.' Mayor said the play, advertised as a daring drama of sex life in the South, is an 'outrageous affront to decency and particularly outrageous in period of Lent.'

Stories that the show wouldn't go on appeared in late editions of Monday papers, but more than 600 persons turned up anyhow.

Today, Mayor Davis arranged for a special showing of the play tomorrow morning (Wednesday) for a jury consisting of a rabbi, a Catholic priest and a Protestant minister. If they okay it, show can open pronto and will play an immediate special matinee performance.

### Mpls. Gets 1st Show

Minneapolis. Minneapolis gets its first legit roadshow drama of the current season Feb. 18, when Katharine Hepburn in 'Jane Eyre' comes into the Metropolitan for three performances.

Except for re-actress necessitated by flood conditions in the South, the town probably wouldn't even have landed this attraction. However, Ziegfeld 'Follies' and 'First Lady' are late winter or early spring possibilities.



# Loop's Sock Biz Continues, 'Waltz'

## \$23,500, 'Follies' \$27,000, 'Eyre' 21G's

Chicago, Feb. 9. This will go down in history as one of the loop's greatest b.o. seasons. Shows are doing remarkable business. Last week there were five of 'em, and all capacity or near capacity.

The repeating 'Great Waltz', which snatched a good \$23,500 at \$2.20 top at the mammoth Auditorium. This was the second showing here for 'Waltz' and could have started another week or so, but scrambled after its scheduled 12 performances. Went to St. Paul and comes back to Milwaukee before heading east.

Two capacity shows left town Saturday night. The most notable stay, 'You Can't Take It With You' by the Erlanger, which is still running at the former house on Sunday (7), while the D'Oyly Carte troupe arrived yesterday (Monday) at the latter. Advance sale on both houses is tremendous. Gilbert & Sullivan troupe is in for four weeks only and looks like a long stay.

**Estimates for Last Week**  
'First Lady', Harris (1,000; \$2.75). Quit town after six capacity weeks, taking better than \$15,000 last week. Could easily have stayed longer.  
'Great Waltz', Auditorium (4,000; \$2.20). In and out after 12 performances on this repeat showing. Did a strong \$23,500 last week for 12th week in 12 times and could have stayed a week longer without any trouble.

'Jane Eyre', Erlanger (4,400; \$3.30). Scrambled after four weeks, holding over one week beyond the original date. Better than \$21,000 on its final, great. Business capacity throughout, despite weak press.

'Leaning on Lety', Selwyn (1,000; \$2.75) (12th week). Into opening without trouble; business holding to excellent gross week after week; consistently hitting around \$13,000.  
'You Can't Take It With You', Harris (1,000; \$2.75) (1st week). Opened here Sunday (7) to big advance. Looks for a long money stay.  
'Ziegfeld Follies', Grand (1,300; \$3.65) (6th week). Begins to add to last week's business. Still in big coin class. Above \$27,000 last week, excellent.

**Other Attractions:**  
D'Oyly Carte Gilbert & Sullivan Repertory. Opened yesterday (Monday) in this 1,400-seat house for month's gallop. Advance excellent.  
WPA.

**O Say Can You Sing?** Great Northern. Opened to big money pace and fine customer trade in 10th week.  
Within These Walls, Blackstone. Last half of a fortnight try for this money play on the Good Old Summertime replacing.

# DELIGHT' SOCK

## \$23,000, PHILLY

Philadelphia, Feb. 9. Big smash of the week in legit here was, without any doubt, 'Idiot's Delight'. Theatrical production started off a two-week stay at the Forrest with a few empty seats Monday and a few more (very few) Tuesday. After that it was a case of try-and-get-in. Topped part of it as the producers and the local Shubert office was that the show was on subscription (ATS's sixth and final show of the '36-'37 season). Having once promised the Guild didn't want to go back on its word, so the next best thing was done by moving the engagement from the Chestnut (where the subscription shows have played to the large capacity Forrest. Even then the subscription scale held the gross down to \$23,000, whereas, with a normal \$3 top in this house, it could have led up plenty more.

This week the show has something of another bad break with Philadelphia. Forum having taken over the house last night and tonight (Tuesday). This will further cut down the gross, with plenty of turn-aways assured all week.

A Point of Honor, costume tragedy, the Erlanger, drew good notices and dismal biz on its single week. It opened Tuesday and didn't hit \$3,500 in seven performances. 'Hey Diddle Diddle', Anne Nichols, did not show up on subscription for one week only, was equally sad, with less than \$4,000 at a \$2 top.

On the other hand, 'Reflected Glory' did well in the last part of its second week at the Chestnut and reported \$11,500.

This week's newcomers are 'Glory for All', George Jessel's comedy production at the Erlanger (one week) and a return to town of 'Pride and Prejudice', which plays two weeks at the Chestnut at \$1.50 top.

Also originally sketched to open at the Chestnut was 'Mulatto', until

# 'DEAD END' FINE \$9,000

## ON 2D WEEK, DETROIT

Detroit, Feb. 9. When a play can stick for two sessions in this town, in face of coin scarcity caused by prolonged strikes, and still keep in the black, it's man-bites-dog. Which is just what 'Dead End' did last week at the Cass, snaring \$9,000.

Extra week's booking, occasioned by the fact the play was routed into the city by floods prevented showings also proved a gift to the Cass, which fortunately was minus a booking for the stanza. It would otherwise have been the house's lone dark session this season.

Currently is 'On Your Toes' at \$3.30 top, pretty stiff with conditions as they are.

**Estimate for Last Week**  
'Dead End' (2d week) (Cass; 1,400; \$2.75 top). Good \$9,500 for second session, in view of prolonged strikes here. Dailies' have notices opening week and after play's extended run here, due to flood in Cincinnati, helped matters along.

# 'ON YOUR TOES'

## SMASH IN LONDON

London, Feb. 9. 'On Your Toes' opened at the Palace Friday (5) and was immediately established as an unmistakable smash. It'll do good business here for quite a spell. If first-night reaction and next-day daily criticism mean anything, Lads here took to the American musical with a vengeance. Individual hits were scored by Jack Whiting, Gina Malo, Vera Zorina and Olive Blakeney of the cast.

'Because We Must' opened at Wyndham's the same night. It is a domestic comedy of feminine disillusion, spinning a good, but doubtful for biz. Written by a new dramatist, Ingaret Giffard.

'The Orchard Walls' opened at the Saint James Wednesday and folded Saturday (6). Politely received by the first-nighters, but panned brutally by the critics. Was dubbed by Merton Hodge, author of 'Wind and the Rain', and a Hungarian play by Ladislav Fodor.

'Night Alone' at the Embassy, opened Tuesday (2). It is an amusing, but transparent comedy, excellently acted.

C. B. Cochran's newest flash revue opened Tuesday (2) at the Adelphi. Tabbed 'Home and Beauty', it is a spectacular show and was splendidly received. Written by A. P. Herbert, with music by Nikolaus Brodsky and Henry Sullivan; John Murray Anderson staged it, with Gitta Alpar, Binii Hales and Nelson Keys starring.

# Cohan \$7,000, Newark

Newark, Feb. 9. George M. Cohan in 'Fulton of Oak Falls' did a fair week at the Shubert Theatre last week, hitting approximately \$7,000.

Critics mentioned long-windedness of the play, which Cohan is pruning hard for Broadway. B. o. came to life at the end of the week, with good word-of-mouth.

Mayor Wilson

entertained.

Gielgud's 'Hamlet' comes to the

Forrest next Monday for a single

and another try-out. 'The Meat

Ticket', arrives at the Erlanger.

**Estimates for Last Week**

'Idiot's Delight' (Forrest, 1st week).

Riot, with \$23,000 gross despite the

fact show is on subscription. Cap-

acity after Tuesday and this week

will be just as big.

'A Point of Honor' (Erlanger).

Opened Tuesday and didn't

didn't get over \$3,500. 'Glory for

All', another try-out, this week.

'Reflected Glory' (Chestnut, 2nd

week). End of week brought the

gross up to \$11,500 for an

okay engagement. 'Pride and Preju-

dice' this week.

'Hey Diddle Diddle' (Locust). An-

other try-out mixed at the b.o. Scant

\$4,000.

# D'OYLY CARTE MERELY

## SO-SO \$20,000, PITTS.

Pittsburgh, Feb. 9. Take of the D'Oyly Carte troupe at the Nixon last week was a bit disappointing, hitting only around \$20,000, or considerably under the gross of \$25,000 it ran up here two seasons ago. Galleries and balconies seats went fast, but plenty of empty rows in the orchestra.

General consensus was that this year's repertoire isn't quite as attractive as the 1934 lineup and even matinees, with 'Gondoliers' and 'Iolanthe', didn't sell out as expected. Show was profitable, however.

Nixon has 'Dead End' current at \$2.85 top. Opened to big advance sale, despite the fact that there isn't a single name in the cast.

**D'Oyly Carte Opera Co. (Nixon):** 2,100; \$3.30. Not up to the gross of two seasons ago, but fairly profitable at \$20,000.

# LESLIE HOWARD

## 'HAMLET' BIG IN L.A.

Los Angeles, Feb. 9. Leslie Howard's long-awaited engagement in 'Hamlet' got under way Friday (5) at the Biltmore where it sticks until next Saturday night (13). Shakespeare opus got under way to a smash start and, with advance heavy for the rest of this week, should do right smartly on the brief sojourn.

Henry Duffy folded 'Petrified Forest' after two weeks at the El Capitan, with the house temporarily dark.

**Estimate for Last Week**  
'Hamlet', Biltmore, Los Angeles (S-1,600; \$2.75) (1st week). With sellouts Friday and Saturday nights and near-capacity Saturday matinee, Leslie Howard couldn't compete with the trade garnered by the film recently, so folded after a second week at \$4,500.

'Habit', Mason. New murder mystery by Charles Conger Stewart debuts today (9) for the customary two weeks' run. Walter Bernard directed, with the cast featuring Philip Dakin, Mossie Kimbler, Walter Marshall and George Barnes.

'Review of Reviews', Hollywood Playhouse. Musical show continues to draw well and runs Feb. 21, then probably moving to the Mayan, downtown.

'Roaring Girl', Mayan. John C. Mayan's drama of the 17th century opens Thursday (4), showing promise. Is tentatively set to run to Feb. 21.

'Help Yourself', Musart. Winds up next week-end, making way for 'Lars Killed His Son', opening Feb. 18.

# 'MASQUE' GOOD

## \$17,000 IN HUB

Boston, Feb. 9. Practically sold out before it opened, John Gielgud's version of 'Hamlet' took off from a single frame at the Shubert Monday (8). Gielgud and company are doing a solo this week and there is some wonderment that the extra seats of the Opera House were not used for the engagement.

Next week 'Brother Rat' the Plymouth has the town to itself. 'Idiot's Delight' comes to the Colonial Feb. 22 under auspices of the Theatre Guild.

'Help Yourself' stays for a fourth week at the Copley.

Last week 'Masque of Kings' ended a two-frame date at the Shubert with a very satisfactory take and a completed script.

'Pride and Prejudice' quit the Colonial after four okay weeks, Saturday (6).

**Estimates for Last Week**

'Masque of Kings' (Shubert; \$2.75,

2nd week). Maxwell Anderson's

blank verse play with Dudley Digges,

Henry Hull, Pauline Frederick and

Margo, received warm critical re-

action, this one doing enough extra

trade in the final two weeks to make

the hang-over worthwhile. Finale,

about \$8,000.

'Pride and Prejudice' (Colonial;

\$2.75; fourth week). Extended be-

cause usual two subscription weeks

(Guild), this one did enough extra

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# 31 Shows Now on Broadway and Biz

## Generally Good, But Lent May Hurt

There are 31 attractions on Broadway's list this week, about par with the same period last winter. Fact that there have been few closings recently attests to the strength of legit theatre patronage, which has supported the weaker shows in enough measure to hold them.

Business eased off somewhat last week, but not enough to really dent grosses. Hotels report heavy bookings and there are many buyers in the metropolis, most of them spending money freely. If that condition continues, Lent, which started today (10), will have even less effect on business. However, the income tax deadlines will probably bring box-office headaches.

Two attractions which opened last week may be among the season's successes. One, revival, 'King Richard' (Maurice Evans) at the St. James, which has not been seen in New York for years, drew rave notices after Friday's (5) debut. Other, 'Frederick', drew mixed notices but its chances are fairly good. 'And Gnose of God', which is lighted the Golden (Masque) appears to be in doubt. 'Behind Red Lights', a recent entrant, is gaining at the box office, with last week's gross around \$9,000. More money business was not strong. 'Tide Rising', moved from the Lyceum to the 44th Street, after being announced to fold. 'Howdy Stranger' moved from the Longacre and George Lawler Street. Both houses are large and both shows can cut-rate to a large extent.

Incoming next week: 'Having Wonderful Time', Lyceum; 'Glory for All', 46th Street; 'Marching Song', Bayes (revival); 'An Enemy of the People' (revival), Hudson; 'London Assurance' (revival), Vanderbilt. Only one attraction is slated off Saturday, it being 'The Country Wife', which extended its engagement. 'Thirsty Soil' will either close or move from the 48th St. But for this, it is slated off the middle of next week.

**Estimates for Last Week**  
'And Now Goodbye', Golden (2d week) (C-769-\$3.30). Drew in and out, but indicated a more modern money. First week estimated around \$5,000.

'Be So Kindly', Little (1st week) (C-810-\$3.30). Presented by Richard Skinner and Hope Lawler in association with Aldrich and Myers; written by Sara Sandberg; first called 'In Gold We Trust'; opened Monday.

'Key Meets Girl', Cort (64th week) (C-1,059-\$3.30). Hooked up to operate to profit at moderate coin; last week around \$9,000 and okay.

'The Great Seal', Guild (5th week) (D-914-\$3.30). Due off next Wednesday (17); estimated around \$11,000, slated following attraction is 'Storm in a Teacup'.

'Behold the Handmaid' (5th week) (D-1,097-\$3.30). Improved again, with gross now around \$9,000; strong at boxoffice and figures to stick.

'Brother Rat', Biltmore (9th week) (CD-991-\$3.30). Eased off somewhat last week, but clearly in the hit class and good for rest of season; \$13,500.

'The Great Seal', Guild (1st week) (C-1,019-\$3.30). Presented by Michael Todd; written by Dan Goldberg and presenter; opens Thursday (11).

'Dead End', Belasco (68th week) (CD-991-\$3.30). Slated to stick well into spring; getting around \$7,500; turning weekly good.

'Frederick', Imperial (2d week) (O-1,469-\$3.65). Opened last week; notices somewhat mixed, but indications favorable for moderate coin.

'Fulton of Oak Falls', Morosco (1st week) (CD-961-\$3.30). Presented by Cohan and Harris; written by Parker Fennelly; George M. Cohan starred; opens tonight.

'Back (5th week) (D-1,214-\$3.30). Getting excellent attendance; last week's pace moved forward again and approximated \$16,000.

'Howdy Stranger', 46th St. (5th week) (C-1,375-\$3.30). Moved here from the Longacre Monday; bettering an even break, with gross close to \$5,000.

'Masque of Kings', Shubert (1st week) (D-1,382-\$3.30). Presented by Theatre Guild; written by Maxwell Anderson; opened Monday.

'Gnase of God', Fulton (1st week) (O-912-\$3.30). Presented by Luther Greene; written by Jo Eisinger and Stephen Van Gluck; opens Thursday (11).

'Red, Hot and Blue', Alvi (16th week) (M-1,355-\$4.40). Holds to excellent takings, with gross around \$28,000; looks set well into the spring.

'Show Is On', Winter Garden (8th week) (C-1,181-\$4.40). Still out in front of the list, but may run into the summer; pace approximately \$38,000.

'Stage Door', Music Box (17th week) (C-1,016-\$3.20). Holding to real money, with last week's takings again around \$16,000; among the season's good things.

'The Eternal Road', Manhattan O.H. (6th week) (M-2,780-\$4.40). Eased off last week, with gross around \$25,

000; some downward revisi operating expense necessary.

'The Wingless Victory', Empire (8th week) (D-1,099-\$3.30). Again around \$17,000 for dramatic hit; Katharine Cornell will add 'Candida' soon, appearing in it three times weekly instead of 'Victory'.

'The Women', Barrymore (6th week) (C-1,048-\$3.30). One of the strongest draws in town; virtual capacity at all performances, with pace better than \$20,000.

'Tide Rising', 44th St. (3d week) (D-1,325-\$3.30). Was slated to close last Saturday, but moved here from Lyceum Monday; around \$4,000 last week.

'Thirsty Soil', 48th St. (2d week) (CD-927-\$3.75). Opened last week, drawing a negative press; chances not so good.

'Tobacco Road', Forrest (166th week) (D-1,017-\$1.65). Has been running above its estimated figures, with grosses recently going around the \$8,000 mark; amazing vitality.

'Tonight at 8:30', National (12th week) (C-1,032-\$3.30). Length of engagement not definite, but may stick another month or so because of clean-up business; \$25,000.

'Tovarich', Plymouth (18th week) (CD-1,032-\$3.30). Another hit consistently getting smash business every week, with gross over \$21,000.

'Victoria Regina', Broadhurst (re-summed en) (56th week off -1,110-\$3.30). Holds to excellent figures, with last week's takings again around \$18,000.

'White Horse Inn', Center (20th week) (C-944-\$3.30). No much change, but slightly under previous week, with gross close to \$33,000; looks sure through the winter.

'Yes, My Darling Daughter', Playhouse (1st week) (C-870-\$3.30). Presented by Alfred de Ligré, Jr.; written by Mark Reed; first called 'All About Love'; opened Tuesday.

'You Can't Take It With You', Book (6th week) (C-704-\$3.30). Advance sale extends into June and all performances to standee attendance; over \$15,000.

**Revolutions**  
'King Richard II', St. James; opened Friday (5) and accorded rave notices.

'The Country Wife', Miller (11th week) (C-944-\$3.30). Due off this week; last week around \$7,500; next attraction will be 'Now You've Done It'.

'Naughty Naught', American Music Hall; doing very well.

**WPA**  
'It Can't Happen Here', Adelphi; final week again announced.

'Dr. Faustus', Specter of the House; final week again announced.

'Sweet Land', Lafayette, Harlem.



# 38 Mags Use Small-Size Format; Art, Class Highlight New Trends

Boys who buy sex magazines don't have to slip them under their beds any more. New desire-inspirers come in a size that can be thrust right into the pocket. And so does every other kind of a magazine nowadays, from the staid American Mercury to the Children's Play Magazine. There are 38 magazines already out in the new small size, with many more all stages of preparation.

These new-size magazines cover every field of periodical. Even the pulps are represented with one called Pocket Detective, put out purely as an experiment. There are digests of all kinds: Magazines, Readers, Fact, World, Science, Current, Health, Consumers, and Women's.

But Digests aren't all. Others include two which are boldly emblazoned: *Sexology*, one is an International Detective Cases; several deal with both from a technical and angle; Current Contests is another; more than a few deal with astrology; one devotes itself to column reviewing; there's a magazine for men, *Hard-* soon to change its name to Popular; there's a new *Play*, *Printer's Ink*, and, of course, there are *Smoke House* and *Whiz Bang*. All of them come in the new pocket size.

Also in the small size is *Coronet* which, perhaps, typifies better than any other, the new trend. A three months' old periodical, it combines class with small size. Sales for the three issues which are out have been tremendous, and a continued good show is expected. In *Coronet*, as in the other smallies, the stories and features are as many and as long as in other large papers. The decrease in size is obtained without thickness by using a different type on thinner paper.

**Pictures**  
One of *Coronet's* strong points is its liberal use of pictures. Pictures are another important trend in magazines today. Today's demand for pictures is giving even newspapers more competition than they care to stand, in many cases making the camera department more important than the reportorial staff. Sunday papers have suddenly become full of color photography, and even more space will be given to pictures during the coming months. *Hearst's* newswoman with a small film which takes colored photographs. Up to now, 120 cameras have been ordered, and every reporter is soon to carry a candid camera on the side. Outstanding example of picture possibilities for magazines is *Life*, which is trying hard to meet a demand for more pictures than it can possibly print on its present equipment.

Out for its first issue Tuesday (5), a magazine entitled *Look*, also devoted to news, photos, is expected to take a few encores with the first issue. *Look's* outlook is particularly bright because it is heavily enough financed so that it will carry no advertising in its first year.

Class magazines are going in for more than newsy photos, however. They're going in for swell productions of artistic subjects. First to use them to any great extent has been *Coronet*, but the ori in can probably be traced back to *Dollar* monthly. Started unsuspecting world with its first issue, which contained astonishing beautiful pictures and advertisements. Fortune is still selling at \$1 per copy, and selling big.

**Fortune and Esquire**  
Following *Fortune*, and along the trend modern magazines are taking, came *Esquire*, combining the class of *Fortune* with the ribaldry of *Ballyhoo*, magazine, which, a few years ago, created a momentary sensation. *Esquire* sales have continued upward and this year's Christmas subscription business was better than ever, which is a real indication, considering that the price is 50c. per copy.

These two, *Fortune* and *Esquire*, were the pioneers in class magazines—pioneers which achieved smartness in make-up, stories, articles, and pictures. Both catered away from shop-girls and true confessions toward the elite and self-spoofers. It has been largely through the efforts and popularity of these two that the present trend of smartness is covered.

At the present time, financial magazines are showing greater sales than at any time in their history, with a

## Threat Promise?

Guy Jarrett, author of 'Magic and Stagecraft,' ran an advertisement in a trade paper for magic reading.

"Only a limited number of copies have been printed. This mo. \$5, next mo. \$6, and so on, June 10. Then, after one month, I'll publicly burn all copies I have other things to do."

greater number on the market. Picture fan mags, astrology and current topic periodicals also are showing a definite pick-up.

Pulps continue their steady sale, varying little month by month, but an extremely interesting note is the very up-lift in Western sales. More, the ever increasing number of Westerns are sold in greater numbers in Texas than in any other state in the union, with other cattle and cowboy states close behind.

Stories of the west are not limited to the pulps; scarcely a week goes by that *Collier's* and the *Saturday Evening Post* do not feature a cowboy or western yarn, and even the class magazines are going in for them somewhat.

Several price cuts have helped increase circulation, notably for *Scribner's* and *American Mercury*. Format of both has been changed, of course. *Latter* has gone to a smaller, while *Scribner's* increased its size. Price of both magazines has been cut, and figures indicate that it is this action which has caused their circulation to jump over the increase recorded by those which changed format alone.

Interesting also is the fact that sex magazines sell in larger quantities than those of any other class in downtown districts all over the country, while their sale is only nominal in neighborhood stores.

## Hyde's New News Mag

Fillmore Hyde, who the style for *New Yorker's* Talk of the Town, will start his own magazine this spring. Publication, as yet unnamed, will be a novel type of news-monthly by expected to appear in *Reader's Digest* format. Hyde believes he has found a formula which makes a monthly news mag possible.

Publication will be largely a re-write job, containing readable material, packed with facts, *Hyde's* theory being that since time started the heavy research type of journalism, the American public is a sucker for more and more facts. Mag will carry no ads at first, but will try for big circulation, costing about four cents a copy to produce, and selling for a quarter.

New firm, of which Hyde is president, is called *Enley Publishing Co.*, with offices in New York. It includes William V. Griffin, J. Keep (Fact and Cue), and William Hale Harkness, who has put in \$35,000. Others interested are Thomas R. Coward, Gilman Low, Irwin H. Cornell, C. Moore, Eustace Seligman and E. Noble.

## ierre Key's New Book

Pierre V. R. Key, music editor of the old N. Y. World, before he began to publish *Musical Digest*, has written a book called 'This Business of Singing.'

Between his two jobs, Key came into confidential contact with hundreds of singers of all grades of proficiency and studied with them the problems and handicaps. This gives his book, published by himself, an inside slant which will be hailed by the novice.

In only 128 pages he covers the prospects, ing and study techniques, business angles and promotional hints.

## Wi

Duel between Serge Weber, drama critic for the *Paris Mitransigent* and Charles Michelson, newspaper director, ing out of alleged insult by the latter, resulted in Michelson's being wounded in the forearm in the third round, after which the duel was stopped by the seconds. Weber is said to be still unsatisfied, but further sword crossing is not expected.

Regular aspect of the duel was selected by Michelson of a blind man for a second, creating a precedent which had to be put up to big-shot French fencing authorities, who decided to okay it.

## Two Papers, One Press

Something of record is being established in American journalism with the arrival of the Brooklyn Times-Union in the Brooklyn Eagle plant. Times-Union, recently phased by the Eagle, is being continued as an afternoon sheet, as is also the Eagle, first time known for two afternoon papers to come off the press: from a single plant.

Many changes in city and editorial rooms of both papers. Arthur Pollock continues as drama critic of the Eagle. Louis Sheaffer replaces Rowland Field as dramatic critic and editor of the T.U. Drama editor on the Eagle is Gaud Cassal, replacing Albee Best, who becomes Sunday literary editor. Eagle's motion picture editor is Martin Dickstein, with Winston Burdett as critic and Cassal as second string. Janet White becomes film. of the T.U., replacing Seymour Roman, who becomes radio editor. Hanson stays as the Eagle's radio editor. Dickstein is supervising the motion picture departments of both papers and is also in charge of motion picture advertising for both papers.

ity editor of the Eagle is George Quint, replacing Howard Swain, who becomes the T. U. city ed. Eagle's m.e. is Edward A. Ruhfel and the T. U. m.e. John W. Smith. Lyle Dowling is executive editor of both papers.

Object is to have U. stress local news, while Eagle will cover the metropolitan field more thoroughly.

## eminiscs

March issue of *Cosmopolitan* include the first of a series of articles on sport by Paul Gallico. First is titled 'Farewell to Sport.' It is a resume of the era during which he was sports editor, reporter and columnist for the *Daily News*, N. Y. Author believes he witnessed the greatest parade of top athletes ever.

When in stride no event was too far from New York for Gallico. One far from home was a heavyweight fight championship in New York and flew in his own plane to the mid-west, where golf champi in tournament started at nine the next morning. He arrived plenty of time, after writing his end of the boxing assignment.

Gallico recently returned from England, where he bought a home and planned to remain indefinitely, writing fiction for magazines and films. He recently sold 'Twas the Night Before Christmas' Columbia. Writer sets forth in his *Cosmopolitan* yarn the idea that events in the sports world shifted with 'breathless rapidity,' so fast that he had not time for reflection.

## Appeal on N.L.R.B. Decision

Permission to appeal from an order of the National Labor Relations Board ordering the reinstatement of two discharged Seattle Post-Intelligencer employees was granted (4) to the *Hearst* management by the U. S. Circuit Court of Appeals in San Francisco. Discharge last July of Frank Lynch, cameraman, and Everhard Armstrong, drama critic, allegedly for Newspaper Guild activities, brought on the strike at the P-I, which was settled just after the election last year.

Court denied the *Hearst* petition for an injunction to restrain the board from enforcing the reinstatement order. *Hearst* petition also asked release from the order to the N.L.R.B. to desist from interfering with membership in the Guild.

Appeal will be based on the contention that the Wagner Act is unconstitutional. Transcript of the record was ordered by the court.

## Today Merges With News-Week

Merger of *News-Week* and *Today* was announced yesterday (9) by Vincent Astor, for the purpose of providing increased circulation and increased reader interest. The new publication will continue the *News-Week* format, keeping the same name and contain a page of editorial comment by Raymond Moley. First issue will appear shortly.

Officers are Vincent Astor, president; W. W. Hilds and F. D. Sossoloff Duke, vice presidents; Raymond Moley, editor; S. T. Williamson, executive editor; Frank K. White, treasurer; and Charles F. Bomer, asst. treasurer.

New capital has been paid the corporation and the magazine is expected to maintain a minimum circulation of 275,000 throughout the year. It will continue to be printed at McCall's printing plant at Dayton, O. W. A. Harriman, Astor's associate in *Today*, will continue in the direction of the new magazine.

## Best Sellers

for the week ending Feb. 6, as reported by the American News Co.

'Gone With the Wind' (\$3.00) By Margaret Mitchell  
'Drums Along the Mohawk' (\$2.50) By W. D. Edmonds  
'Late George Apley' (\$3.00) By John Marquand  
'Yang and Yin' (\$2.50) By Alice Hobart  
'The Door Between' (\$2.00) By Ellery Queen  
'Sound of Running Feet' (\$2.50) By Josephine Lawrence

'How to Win Friends' (\$2.00) By Dale Carnegie  
'An American Doctor's Odyssey' (\$3.50) By Doctor Victor G. Heiser  
'The Hundred Years' (\$3.00) By Philip Guedella  
'Live Alone and Like It' (\$1.50) By Marjorie Hillis  
'Lancer at Large' (\$2.75) By Francis Vane's Brown  
'Nine Old Men' (\$2.50) new Pearson and Robert S.

## Baseball Writers' Shindig

a top hat, James Patrick Dawson, sports expert of the N. Y. Times, was interlocutor at the minstrel show presented at the Commodore Hotel after the annual dinner of the Baseball Writers' Assn. Sunday (7) night. It was the largest gathering in the history of the organization.

Dais was studded with star after-dinner speakers, who included Jimmy Walker, Joe Cook, Walter C. Kelly, Bugs Baer, Bob Ripley and James A. Farley.

Joe Cook had 'em laughing with a story about the old Polo Grounds, not the old, old Polo Grounds, Kelly tripped with new stories. Jack White, who goes for the Giants in a big way, declared there never was a 1936 world's series.

Dawson read a real fan's letter from President Roosevelt, who wrote that he liked plenty of action for his money and that the games where a lot of runs were scored are right down his alley.

Affair was virtually a good-bye for the writers. Lads have to go to Florida and Cuba to watch the major leaguers tune up for the new season.

## Dismissal

Motion by Robert H. McBride, publisher, to dismiss a complaint brought by H. S. Boulton, in a \$50,000 libel suit growing out of Edward Levinson's book on Pearl Bergoff, titled 'I Break Strikes' grounds of insufficiency for cause of action was denied Monday (8) by Justice Cotto in New York. The judge also declared that the complaint was sufficient to support a act for the plaintiff in libel.

Boulton, the plaintiff, asserts that linking him up with characters in the book (which is attached to and made part of the complaint itself) and the imputation of criminal acts in the carrying out of his business is libelous.

## Scribes Elect

Walter Trohan of the Chicago Tribune's Washington bureau has been elected president of the White House Correspondents Assn., succeeding Fred Storm of the U.P. Other officers elected were Earl Godwin, of the Washington Times, vice-president, and Robert Henderson of the Central Press, secretary. Harold Oliver of the A.P., Jack O'Brien of the N. Y. Herald-Tribune and John O'Donnell of the N. Y. News were elected to the executive committee.

## levance Hour

'Book and Magazine Guild' will hold a 'Grievance Hour' for the publishing trade on Feb. 17, with Clifton Fadiman presiding.

Selma Robinson will speak on 'Women Publishing,' Margaret Wademer on 'Authors' Grievances,' Hugo Gellert on 'The Artist and the Publisher,' and May Lambertson Becker on 'Congestion and Anemia' in juve publishing.

## Moppets Mopping Up

Patience, Richard, and John, the Abbe children who authored 'Around the World in Eleven Years' now over 100,000, lunched with Deanna Durbin at the day's rushes. Durbin now want to write a sequel, and Universal in eleven Reels.

## Lenser Mag Head Quits

J. Varhainen, for the past four years editor of the American Cinematographer, Hollywood mag, has resigned.

Will his entire time to 'Home Movies,' his own publication.

## Beatty's Stories

Sumner Blossom, author of *Mr. American Magazine*, arrived from N. Y. Feb. 8 to confer with Jerome Beatty in Hollywood, latter to do film personality stories for American.

## Decision Delayed

Decision in the action brought by the New York Society for the Suppression of Vice, through John S. Summer, in an attempt to suppress James T. Farrell's novel 'A World I Never Made' is expected tomorrow (11). Hearings in the case were adjourned last week, after a number of w.k. writers had testified for the defense. Magistrate Henry H. Curran has taken the time in the interim to read the book.

Last important censorship case of this kind which attracted wide attention was brought again Caldwell's 'God's Little Acre,' the publishers, Vi King Press, won, Farrell book, published by Vanguard, has been vigorously defended and a committee name writers and critics headed by John Chamberlain have protested the action.

## Delineator-Pic. ewer Merger

Hearst-owned Picture Review Co. has purchased the Delineator Magazine from the Butterick Co. Latter firm will, however, continue to manufacture and sell Butterick Patterns. Announcement was made by Richard Berlin, executive vice-president of Hearst Magazines, Inc., but the sale will not be completely executed until next Monday (15), when a meeting of the Delineator stockholders is expected to approve the sale.

First combined issue of two magazines is scheduled to appear in May.

## W. H. Cook's Bankruptcy

William H. Cook, editor of *Comics Magazine Co.*, filed a petition in bankruptcy Thursday (4) in N.Y. Federal Court. Liabilities listed at \$16,486, no assets.

Among the creditors named by Cook: Art Color and Printing Co., \$1,514; Eddie Toussant (unidentified), \$150, and to the Federal News Co., Inc., distributors of the magazine Western Round-up, \$3,162.

## CHATTER

Arnold Genthe in San Francisco. Philip Guedella in N. Y. from England.

Marjorie Fischer at work new book.

Charles Rothenberg to do a popular history of divorce.

Muriel Babcock, asst. to Louella Parsons, planning a trip East.

Random House will publish Clare Booth Luce's play 'The Women.'

Lion Feuchtwanger's new historical novel, 'The Pretender,' due April.

Ivan Goff, Hollywood rep of London Daily Mirror, has added George Goddard to his staff.

Eddie Brietz, sports columnist for the P., who has been critically ill, now much improved.

Herbert Kili left last week (6) for Spai where he will correspond for a number of publications.

First book on the Civilian Conservation Corps, edited by A. C. Oliver, Jr., and Harold M. Dudley, will be out next week.

Mel Graff, who draws 'Patsy,' comic adventure strip for kids for A. married Gertrude Stonehouse, secretary to Wilson Hicks, photo editor for that news association, Florida for honeymoon.

Jim Tully, ace fan magger, son of a son of a ditch-digger and presently termite inspector of Toluca Lake, near Hollywood, gave his Filipi boy a birthday present—a brand new novel.

Newspaper Guild unit of the City News Ass'n. has succeeded in getting to the poi where representatives will confer with the management. Requests by the Guild for a conference have been going on for a long time.

Special issue of PM, mag for art directors and production men, will be devoted to memory of William Edwin Rudge, master printer. Cover will be designed by Frederic William Goudy and title page by Bruce Rogers.

## News From the Dailies

This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. Variety takes no credit for these news items; each has been rewritten from a daily paper.

### East

Lone gungli held up Chin Lee's eatery in Times Sq. last Wednesday. Got away with \$70.

Air show at Grand Central Palace did so well it's to be made an annual.

Cab Calloway, through a proxy, contributed \$5 to uptown traffic court. Doing 54 per on the Harlem speedway.

National oard of Review. A three-day session at the Pennsylvania Hotel.

Vinton Freedley, in Coral Gables, tells the world musical comedies will be out presently unless a new crop of comedians develop. All the old ones, he says, are in Hollywood or on the air.

Pearl Buck tells the Nat. Board of Review that the real menace of pictures is the "occasionally false outlook on life" they create. Thinks many suicides might be traced to the influence of films.

A. L. Jones back with a musical, "Orchids Preferred." Due around Easter.

Paul Berny has doubled with S. Chaucery Olman for production. Will produce a number of plays, most of which have been previously announced.

Mrs. Clara Clemens Gabriellowsky in from Europe Thursday with her head in bandages, due to the rough trip. Widow of the former conductor of the Detroit Symphony and daughter of Mark Twain.

David Sarnoff lands Toscanini. Will place him at the head of his own symphonic orchestra for RCA broadcasting and concert work. Will be given time out to take his crew to Palestine each year. Contract is for three years.

Lolita Cordoba, rumba dancer, pulled off the Berengaria by her recently acquired husband, Prescott Van Wyck. Explained he had to remain in the U. S. on account of law suits.

Ariel Players (Yiddish) to go on tour in mid-April. No new production meanwhile.

Theatre Union has cast "Marching Song" and is rehearsing for a debut next week (17).

Federal liquor takes for 1936 \$110,507.18 over the 1935. Drama League of N. Y. gave a dinner at the Pierre Sunday in

honor of Nati Drama Week. Grant Mitchell was toastmaster.

Gustav Tintol, concertmaster of the Rochester Symphony, out. Alexander Leventon replaces. Reported to be due to a tiff with Jose Hurbi.

Katharine Cornell backing the local run of Remo Bufano's marionette show at MacDowell Club.

Dora Jeda, hatcheck girl at 1 Chico, nitery, stabbed Doris Roy in an argument over Cesar Concepcion, trumpet player. Don Alberto's orchestra.

Group Theatre offering life memberships at \$100 to establish a fund for next season's productions.

Vilhelmur Stefansson elected prexy of Exploiters' club. Lowell Thomas is 2nd v-p.

Will of the late Martin Johnson probated in N. Y. court. His widow gets bulk of the estate.

Katharine Cornell to revive "Candida." Will alternate with "Wings of Victory." Eight performances a week of the Anderson play too much of a strain, she says.

"The White Bird," American opera by Ernest Carter, with libretto by Brian Hooker, given a single performance at the Hudson Sunday night. Had already been done in Chicago and Germany.

Uday Shar-Kan to give four more dance recitals at the 48th St.

Talullah Bankhead in Washington for "Reflected Glory" and her dad sees her for the first time in two years.

Press photos to hold their annual dance at the Commodore April 9.

Robinson Smith, who is in with Eddie Dowling on "Richard II," is figuring on sponsoring Theatre Union's production of "Life and Death of an American."

Chalmers Clifton, of Columbia University, to take over the Federal Music project in the N. Y. area. Succeeds Lee Pattison, who went over to the Met.

Owen Davis working with Arthur Train on "Mr. Tutt Comes Home," play using the familiar Satevepost character.

Title of Sam J. Park play chopped from "Dr. Wood in the Dust" to just "Driftwood." Due in March.

"Country Wife," Co. parted Roger Livesey and his bride after Monday night's show. Mrs. Livesey (Ursula Jeans) given a loving cup.

Fortune Gallo, with Columbia Concerts Corp., to re-form San Carlo

troupe for a road tour. Opera will carry a Russian ballet troupe. Stamford University to hold another Max Anderson Award contest.

Peggy Garcia's breach suit against Dave Rubinoff a mistrial when called Monday (8). Will start again next week.

Queen Mary made "French Without Tears" her first play since the death of her husband. Attended the Monday performance.

### Coast

William Russell Malcor, editor and columnist of the Redondo Beach, Cal., Reflex, recently recommended that the Democratic Party should

nominate candidates carry out their threat to "sock him in the nose." They did.

On the perennial newspaper, review of the William Desmond Taylor murder case in L. A. Mary Miles Minter asserted that "I would give everything I possess to solve the mystery of Mr. Taylor's murder."

Julius Tanner, who will celebrate his 37th wedding anniversary Feb. 2 in Los Angeles.

Shirley Seward, picture actress, received an ultimatum from her marriage to Edmund Garfield Seward, scenarist, in Los Angeles.

William F. Dugan, 42, who wrote the radio script "Death Rides the Highway" was convicted of drunk driving in Beverly Hills. He applied for probation.

Will of William B. Hogg, radio personality, secured by David Selznick, was probated in L. A., leaving \$5,000 estate to his widow.

Gambling raid on Clover Club, heavily patronized by film crowd, may result in revocation of liquor license, Board of Equalization announced. Policy of the board has been to cancel liquor permits when evidences of gambling are found.

Ring Lardner, announced his forthcoming marriage to Sylvia Schulman, secretary to David Selznick. Son of late humorist is on the Selznick International writing staff.

Mayo Methot, actress, filed suit for divorce in Los Angeles from Perry Morgan, charging too much interference with her career.

Arline Judge instituted divorce proceedings against her husband, film director, charging "cruel and inhuman treatment." Property settlement gives actress \$1,000 a month for support of their son. They were married in 1929.

Stan Laurel and his wife, who obtained a default divorce decree last December, "eloped" to New York to start a new life.

Petition to allow Sunday dancing in Los Angeles submitted to City Council with request that it go on the next ballot as an initiative ordinance.

Walter Meyers, agent, won a step in his \$75,000 damage suit against Lionel Stander, actor, when L. A. judge overruled a demurrer, contending there was nothing mutual in their contract. Meyers is seeking possible commission for four years of a five-year pact.

Complaint was filed in L. A. charging C. Sharpe Minor, theatrical organizer, with forging three checks for \$30.

Humphrey Bogart admitted in L. A. that his wife (Mary Phillips) is returning to New York shortly to start divorce proceedings.

Ellen Prescott, stage player, had her picture contract with 20th-Fox renewed in the L. A. courts.

Unusual method of photography has been invented in Hollywood by Robert Coburn, photographer, and Rowena Thorne Rathbone, his assistant. In what they declare is a soul picture, the face alone is disclosed, while the clothes and background are entirely eliminated.

Alleging that L. A. court decisions against his client made it possible for an actor's manager to collect on his earnings while devoting little or no time to his affairs, Attorney Morton Garbus filed an appeal on behalf of Lloyd B. Nolan, actor, with the California Supreme Court. Decision on appeal granted Ruth Meyers, Hollywood agent, the right to collect on Nolan's contract, although it had been annulled.

Jewelry and heirlooms valued at several thousand dollars were stolen from the Hollywood apartment of Elizabeth Allen, English film actress, during a burglary last week.

Unauthorized use of his literary work for the production of a film based on "Crime and Punishment" by Dostoevsky, photographer, was charged against Columbia Pictures in L. A. suit for \$25,000 damages filed by David Chag, who alleges the film adapted the novel for pictures and that the studio appropriated it.

Gay Matinez, actress, was arrested in L. A. on a charge of lifting \$125 from the wallet of Tommy Thompson, actor. She was released on \$100 bail.

Pilotless airplane designed by Reginald Denny as an improved

target for army anti-aircraft practice will be submitted to the U. S. army officials in a test at San Diego. Adrienne Ames asserted in L. A. that she is planning to file a second divorce suit against Bruce Cabot. Previously, Miss Ames received an interlocutory decree against the actor but later they were reconciled.

Betty Miller, picture player, filed \$200,000 breach of promise suit against Cosmo, Metro producer, filed suit for divorce in L. A. Complaint asks for approval of a property settlement giving her \$1,000 a month. Settlement also gives couple's seven-month-old child to the mother with \$500 monthly for boy's support.

Olympie Bradna requested the L. A. superior court to determine the status of her agency contract with Zeppo Marx, Inc. Actress, 16, asks court to affirm discharge of contract asserted to have been made Dec. 17, 1936. Suit claims discharge of agency should be upheld as she was under 18 years of age at the time of signing. She asks return of all monies paid to the agency.

Two bandits held up and robbed William Lawrence, actor, in Hollywood.

Ignace Jan Paderewski assertedly owes the U. S. government \$15,944 in additional income taxes for 1932, according to lien filed in L. A.

Slim Martin, rank leader, ordered to appear in L. A. court to explain why he hasn't paid \$6,700 alleged back alimony to Mrs. Martin, adopted daughter of the late Alexander Panagiotis. Former wife stated he is earning \$350 weekly.

Gastone Usgili has been named acting director of music for the Federal Music Project in L. A. county.

Aroused after a remark made about his "big cigars," Ben Bernie dropped off the bandstand at the Ambassador hotel in L. A. and planted a hay-maker on the jaw of a naval officer. Bernie said the ribbing was "very annoying."

Reciprocal exchange of appearances by the comic is okay with the sponsors involved. The guests, working either way strictly on the cuff, manage to sneak in one if not several plugs for their pay-roll's product. Idea of mike logrolling started three years ago. Jack Benny and Fred Allen were among the first to do it. In due time it became an intra-agency fashion. Comics working under the same agency banner made it a practice of appearing gratis on one another's program. From this arrangement developed the you-appear-for-me-and-I'll-do-the-same-for-you thing. In some cases it helped to bolster a program that wasn't doing so well, without added expense to the advertiser.

In recent months the outstanding exchanger of favors along this line has been Eddie Cantor. Within a short period Cantor played the I'll-do-the-same-for-you act three programs emanating from Hollywood. Reciprocities involved Al Jolson (Ringo), Jack Oakie (Camel) and Irving Berlin, who appeared on the "Hollywood Hotel's" stanza (Campbell Soup) when it broadcast (5) an excerpt from "On the Avenue."

Berlin had the previous Sunday (31) traded compliments with Cantor on the Texaco show. During his several weeks' stay in New York this winter, Cantor reciprocated on dates with Rudy Vallee. Walter Winchell and Ben Bernie is another long-standing "feud," with consistent build-up every week.

Benny has Ben Bernie slated to visit him this Sunday (14) and it is assumed that Benny will return the favor on the American Can program. Others that have done some gadding about from one program to another on the tit-for-tat basis are Stoopnagle and Budd, etrairie Lillie, Ed Wynn and Phil Barker, and quite a number of others. Not all comedians, but latter category is most active at visiting around.

Mr. and Mrs. Charles Edward Midgley, Jr., son, Feb. 2 in New York. Father, time buyer for Batten, Barton, Durstine & Osborne.

Thelma Goodman to Harry Einstein, Feb. 7, in Los Angeles. Groom is Parkyakarkas; bride, Thelma Leeds, lecture actress.

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## DORIS DAWSON'S SUIT TO RECOVER FINERY

Charlotte, N. C., Feb. 9.

Doris Dawson, New York

who spent a short time in Greensboro in November, 1935, filed suit in Guilford superior court against William Comer Covington, High Point manufacturer, for actual and punitive damages, aggregating \$30,000, and for the recovery of the value of a diamond ring and two estimated at \$13,400.

It is alleged in the complaint that Covington, with false firearms, attacked the plaintiff on Nov. 1, 1935, in Greensboro, and forcibly took possession of the ring and coats. It is also alleged that the plaintiff suffered great physical shock and was ill in bed for some time by reason of the treatment accorded her by Covington.

The complaint set out that on Nov. 7, 1935, the plaintiff was the owner of a marquise diamond ring, valued at \$3,400; a sabbie coat and a blended mink fur coat, valued at \$5,000 each; that on the above date i Greensboro the defendant by force, violence and threats, whereby the plaintiff was put in fear for her life and great bodily injury, wrongfully and by force of arms, seized and took the aforementioned articles.

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## New York Theatres

**ROXY**

THEATRE

THEATRE

**PARAMOUNT SQUARE**

HELD OVER

**"CHAMPAGNE WALTZ"**

—ON THE STAGE—

FRED WARING

HIS ORCHESTRA

**"YOU ONLY LIVE ONCE"**

with HENRY

# Broadway

Harlan Thompsons back to the Coast.  
Herbert Bayard Swope to Flori-  
Saturday (6).  
Judy Kelly, it-  
fected tooth.  
Jack Pegler due from the  
Coast this week.  
Gene Towne, writer for Para-  
mount, in town from Coast.  
Eddie Flynn, of MacKay's ticket  
agency, passed away in his sleep.  
Arthur Block, of Fulton b.o., plans  
presenting a play called "Recount."  
Frank Hale and Johnny Walker  
back from Florida plenty smoked up.  
Leon Spachner back with Chicago  
company of "You Can Take It With  
You."  
Walter (my) Stewart has finally  
trained down to box office dimen-  
sions.  
Harry Ertie, singer, stuck up and  
slashed by hoodlums in Harlem last  
week.  
Libman appointed agency  
supervisor of Manhattan Life Ins.  
Company.  
Mort Lewis, writer, signed by Edu-  
cational for series of shorts. One  
year ticket.  
Radio Ramblers start March 23 on  
new WB short at the Brooklyn Vita-  
phone studios.  
Richard Morenus off to Indianapo-  
lis, where he will be affiliated with  
"Station WIRE."  
Al Burks back from Boston where  
he handled picture openings for  
United Artists.  
Mortimer Gold, who was a ceme-  
tery in Jamaica, going into circus  
field next summer.  
Al Trahan, escaped another trap  
shooting prize in New York. C.  
handicap meet Sunday (7).  
Bob Broder back from the Coast  
with a foot play script under his  
arm. Went out of legal biz.  
Edythe Serai, former p.a. for the  
Shuberts and the Met Opera, on her  
own as publicist for hotels.  
Robert Schless, Warner general  
manager in Europe, sailed for Paris  
Saturday (6) to take up his duties  
there.  
Joe Bigelow's family follows him  
to Hollywood in a couple of weeks.  
VARIETY mugs gave Bige a farewell  
shindig.  
Lee (Mrs. Hal) Horne to Florida  
with Rose (Mrs. Al) Lichtman, while  
Horne went back to the Coast and  
Wanger production.  
Major film companies are planning  
to close down their Lincoln's  
birthday (12). Majority of them were  
open all day last year.  
Warner Bros. have Hal Kemp's  
orchestra for the annual banquet-hall  
this year of the Warner Club, Feb.  
20 at the Waldorf-Astoria.  
Living Mills suffered broken  
finger last week when Walter  
Meyers, agent, accidentally slammed  
a taxi door on Mills' hand.  
Byline on Mirror's story of Gar-  
dner's wrestling show Monday read  
Danno Parker, who were  
Crusher Casey and Danno O'Mahoney.  
Sol and Fay Lesser back to  
Coast after six weeks abroad, during  
which he signed Oscar Strauss  
for the next Bobby Brown (RKO)  
picture.  
Herb Crocker left New York Mon-  
day night (8) on a romantic trip  
for Warners that will take in Pitts-  
burgh, Washington and Baltimore.  
Back in a week.  
Gilda Oakley, who's in "But for  
the Grace of God," threw a party for  
Prince and Princess Vladimir Krin-  
sky, who are here from Russia on  
their way to Hollywood.  
There will be five teams represent-  
ing the R. C. Music Hall in the In-  
ternational American Bowling Con-  
gress, to be held here from March  
10 to April 28. Fred Fikritz is  
president of the R. C. Music Hall  
Bowling club.  
Sons of Indiana, society of New  
Yorkers from that state, are having  
a shindig at the Commodore tomor-  
row night (11), which means that  
George Wellbaum and most of the  
boys at the Hays office are now in  
training for the affair.  
Election in Mecca Temple (Shrine)  
id night by Times Sq. Ranney Wil-  
son, of the Times, moves into second  
spot as Chief Rabbi. Max Fuchs,  
of the Lobster, made a two-bagger.  
Re-elected trustee and rep. to Im-  
perial Council. VARIETY mugs got  
executive member, starting his 33d  
year on the executive committee.

# Chicago

J. C. Stein off to the Coast.  
Max Halperin to New York.  
John Balaban vacationing  
vana.  
Joey Jacobson on his way to South  
America.  
George Pincus displaying in  
Florida suntan around the loop.  
Frank Schreiber planning to go to  
the Coast with the baseball teams.  
Louise Fitch claims to have gotten  
on a train to say good-bye to a  
friend and carted all the to  
Omaha.  
Charlie Blake, star writer on the  
Chi. evening American, in hospital  
with pneumonia after wrestling with  
the food.  
George R. Weisberg, formerly with  
New York brokerage firm of J. S.  
Bache, into show biz as assistant  
mgr. at the Garrick.

# Berlin

Fox execs into a huddle.  
Perennial 'Merriv W' in  
this year at the Plaza.  
Maria Roland back from io  
yodelling in Stockholm.  
Andrew Marton from London to  
look his Himalaya material.  
Gerhard Huch to song-recital at  
the Schubert festival at Beethoven  
Hall.  
Death took Leo Pasetti, one of  
Germany's most prominent ic  
designers.  
Sir Thomas Beecham in Berlin to  
conduct Gluck's 'Orpheus' at the  
State Opera.  
State radio chamber sending out  
six radio-equipped vans to drum up  
trade in the sticks.  
Colin Ross back from Spa, giving  
a lecture with lantern slides at  
Philharmonic Hall.  
Jung Oshu Diuen, Chinese ac-  
tress, to give performances at the  
Behrenstheatre.  
Jack Hylton, headlining at the  
Scala in February, to baton at the  
coming Press ball here.  
World premiere of Paul Beyer's  
opera, 'Kaiserin Katharina' Feb. 3  
at the Admirals' Palace.  
Al. Trahan, escaped another trap  
shooting prize in New York. C.  
handicap meet Sunday (7).  
Anton Hamik's modernized ver-  
sion of Goldoni's 'Liar' scheduled  
for the State Theatre, Berlin.  
Much more space being given over  
this last January off to Pompeii for  
photography and motion-pictures.  
Every cinema in Germany was  
open at noon on Jan. 30 to give the  
public a chance to hear Hitler's  
broadcast.  
Karl Ritter, directing 'Patrioten',  
was visited at Ufa by Dr. Goebbels  
and the French Ambassador, Fran-  
cois-Poncet.  
Fritz Peter Busch signed by Tobis  
Europa for 'Werschaer Zitadelle'  
from Alfred Muehr's play 'Der  
Weisse Adler'.  
Impressive production of Ludwig  
Thoma's 'Madalena' even at Unter  
den Linden theatre honor of his  
70th anniversary.  
Paul Lincke's opera, 'Im Reiche  
des Indra', rearranged by Bolten-  
Baekers and Hans Breuncke, to  
premiere at the Plaza.  
Tobis signing La Jana, for four  
films, beginning with two Eichberg  
pix, 'The Tiger from Eshnapur' and  
'The Indian Memorial'.  
Hagabauer's castle near Berlin,  
acquired by the German Reichspost  
Ministry to be used as laboratory  
for television research.  
Rudi Lodder's scenic juve who  
put plenty of punch into Tobis' re-  
cent production 'Truxa', has been  
signed up by it for a year.  
From the Bayreuth Wagner Fest-  
ival of last year, 22 records have  
been made by Telefunken, 10 of  
which are already on the market.  
Norbert Jacques now in Germanis-  
Partenkirchen working on scenario  
for new Terra film 'Eine Frau  
Kommt... die Tropen'. Outdoor  
shots to be taken in Nairobi, Africa,  
in April.  
G. Gregor, director of the Viennese  
national department of the Viennese  
National Library, is editor of a new  
periodical, Theater der Welt, con-  
taining good illustrations and inter-  
national low-down.

# London

Jack Barnstyn own  
Rita Poulton lini  
girls band  
Richard B. thelmes here on a fly-  
ing visit from Switzerland.  
Jackie Heller may do a picture for  
Joe Rock Film Prods. here.  
Carl Randall escorting his folks, on  
first time here around West-End.  
Mae Wynne and Zella on a 10-week  
English tour of General Theatres.  
Lionel Carson, 65, managing editor of  
the Stage, died. Had been ill for  
months.  
Heinrich Frankel returned from a  
continental trip and back on scenario  
writing.  
Ruth Chatterton here for a holiday,  
but admits she would like to make  
a picture.  
Mike Middleton is N. Y. to  
dispose of American rights of 'Mill on  
the Cross'.  
J. Walter Thompson testing Car-  
roll and Howe for a Radio Luxem-  
bourg program.  
Sylvia and Pinner, brother of Cliff,  
back from Bad Neuenahr, where he  
underwent a cure.  
Carl Brisson expected here in three  
weeks to consider film offers from  
three local film cos.  
Covent Garden to have an 11-week  
opera season. Prices are being tilted  
for the Coronation.  
Sylvia and 'Christian' booked by  
Cliff Fischer for his next show at the  
French Casino, New York.  
June Hart and Jack Holland to

# CHATTEER

# Sydney

Eric Gorrick  
'Wild iolets' Mel-  
bourne.  
Clarence Badger do  
another pic.  
Stuart F. Doyle back from is  
yachting trip.  
Monte Carlo ill  
tour New Zealand.  
Charles Munro, Hoyts, soon taking  
a New Zealand trip.  
Frank Marden, boss of 2 UW, tak-  
ing a short vacation.  
Joe Joel, Columbia,  
pone his American trip.  
Hessons's 'It Isn't Done' will  
shortly be released in Sydney.  
Coin still hard to secure for pro-  
duction of local pix by indies.  
Joe Brennan appearing in 'Sleep-  
ing Beauty' for Graham Mitchel.  
Griffen Foley has replaced Tom  
Gurr as film critic for the Sunday  
Sun.  
Very few street beggars here; a  
sure si that bad times have  
parted.  
Brett Randall premiered Uir No-  
vella's 'Full House' Melbourne  
successfully.  
Perry Bros.' circus completing a  
season in Sydney prior to setting out  
for England.  
Roy Pines setting plans for his  
new theatre in a Sydney nabie due  
for opening next May.  
Activity continues in the nabes  
among the indies. Reported that 1937  
will see a real building boom.  
Excellent exploitation campaign  
carried out by Herbie Hayward for  
'Sweet Time' in Sydney.  
Gordon Williams has completed a  
Victorian o.o. for B.I.P. Product is  
released here by British Empire  
Films.  
Gordon Conrad turning out some  
corking exploitation stunts for Luna  
Park. Conrad was for years an ac-  
pic exploiter here.  
City of Adelaide has been packed  
with visitors for the Centenary and  
the various shows made out all right.  
Next year it's Sydney's turn.  
Boxing has taken the count in Syd-  
ney for the time being. No impor-  
tant fight lined up, and there are no  
overseas' fighters of any note here.  
Clerics have been taking a slap at  
the evils of Sydney's night life.  
Overseas' visitors have always com-  
plained about the absence of high life  
in the city.  
With Japan now buying wool from  
this country, trade all around has  
taken a great uplift. In due course,  
some of the coin will flow into the  
managerial sockets.  
Dickers still on for introduction of  
Chesterfield product into Australia.  
American indies have found it hard  
to secure an outlet in this field, but  
nowhere are the odds so high.  
Josephine O'Neil handling film  
criticisms for the Daily Telegraph in  
Sydney. Isabel Gullett, who recently  
retired from a world's tour, handles  
the pic stuff for the Sun and Woman.  
Athenaeum, Melbourne, has been  
completely remodelled for Frank  
Lalor and opened with 'Song of  
Freedom' (G-B) and 'Everybody  
Dance' (G-B). Athenaeum is the ac-  
British theatre in Melbourne now.  
Hamilton Webber doing the mu-  
sical score for Cinesound's 'It Isn't  
Done'. Webber also did the score  
for same unit's 'Orphan of the Wil-  
derness'. Twice daily he conducts  
the orchestra at the State theatre,  
Sydney.  
Acts playing Sydney and Mel-  
bourne for Frank Neil include Jim  
Gerald, Bill West and McIntyre,  
Hadi Ali, Will Car & Spotty, Will Au-  
brey, Murray and Walton, Patricia  
and Collin, Frank O'Brian, Cressos,  
Harry Abby, Ross and Stone and  
Eddie Gordon.

# Paris

Paul Colline at the Bobi  
Luis Gautry off to London.  
Eric Pommer in from London.  
Tito Meller at the Alhambra.  
Gretl Vernon at Chez Ray Ventura.  
Jane Renouard in from New York.  
Louis Lemarchand back from New  
York.  
Walter D'River. Ciroce  
Jean Berry, nephew of Jules, to  
enter films.  
Edwin Fischer piano-recital at  
the Salle Chopin.  
Theatre des Arts its  
100th anniversary.  
William Wyler throwi  
tailor for the press.  
Jean Witten welcoming Mary  
Glory back from N. Y.  
Leon Volterra throwing a cham-  
pagne party at the Lido.  
French tenor, Andre Burdi off  
to London for five recitals.  
Lucien Baroux off on a provincial  
tour starting in Marseilles.  
Henri de la Farsale in from Annam,  
where he made a color film, 'Kloul'.  
Cecile Sorrel making a screen test  
at Billancourt under Yves Mirande's  
eyes.  
'Land Without Music', starring  
Richard Tauber, openi at the Ma-  
rigny.  
Opening of the Normandi, inema-  
matic hall in Champs-Elysees, set for  
Feb. 4.  
'Nous les Femmes Nues' 'We, the  
Nude Ladies', new revue opening at  
Concerts-Mayol.  
Jean Warner commencing work on  
pic, 'Seduction', Epinay; Pierre  
Caron megging.  
'Les Gangsters du Chateau d'Ir',  
Marseillaise operetta, opening at the  
Theatre Varieties.  
Lucienne Boyer scheduled to star  
in a musical comedy by Pierre Bayle  
and Jean Deletrre.  
'Tout Paris Chanle' (All Paris  
Sings), starring Tino Rossi, closing  
at the Casino de Paris.  
Pierre Sandrini producing the  
stage show at the Normandie, new  
Champs-Elysees showcase.  
'Le Roi' ('The King'), starring  
Gaby Morlay, setting record of 13  
weeks' run at the Marivoux.  
'Deux de la Police' ('Two from the  
Police'), comedy, will be produced at  
the Theatre Deux-Masques for the  
'L'Estrange Nuit de Rochland' folds,

# Detroit

Pete Wemhoff  
Claude Riley heads Michigan Press  
Assn.  
Ground for Palmer Park  
theatre.  
Wayne U. ing series of old-  
time dickers.  
Federal agents cracki down on  
liquor stills here.  
Frank Gill, Windsor Star crack,  
wed to Carol Loring, Detroit.  
Nan Blackstone recuiping from  
broken leg suffered in car crash in  
Canada.  
Gregory Piatigorsky, Russian cell-  
ist, marries Jacqueline de Rothschild  
in Ann Arbor.  
Father of Clyde Beck and Esther  
Beck McIntyre, of the News' staff,  
killed in car crash.  
Wad of local entertainers signed  
up for the 'Grand Fair', April 2-  
11 in Convention Hall.  
Harry Russell denied injunction  
restraining Harry Jarkay from m.c.'  
ing in an oppositio, beef true' show,  
Harvey Croze of WPA here, or-  
ganizes dramatic guild for Detroit  
youth, between 18 and 25; instruction  
free.  
Property owners fighting use of  
new Naval Armory for sport events,  
expositions, dances, et al, claiming  
nuisance.

# Hollywood

Clarence Muse li ing up  
Stanley Smith trained in for pi  
work.  
Joy Hodges  
birthday.  
Walter Meyers New York  
two weeks.  
J. J. McCarthy improv  
Beethoven's 'Eroica' symphony.  
Ed Bangs, Cleveland  
ed, ogling studios.  
Sarah Padden back from tour  
at St. Vincent's hospital.  
Bill Underwood up from Dallas for  
couple of weeks' rest.  
Spencer Grey getting  
at St. Vincent's hospital.  
J. J. McCarthy improv  
product powwow on Coast.  
William Anthony McGuire  
ering from sinus operation.  
That Walter sent Jean  
Harlow to bed with the flu.  
Edna May Oliver will journey to  
England for the Coronation.  
Rufus Howe, cracked to Frisco  
to lamp talent for Universal.  
S. Kabayana, Japanese film pro-  
duction exec, observing at Metro.  
Arnold Van Leer in town working  
on pic ties for the Dictograph Co.  
Anna Sten isposed of her Santa  
Monica menage and buildi in  
Brentwood.  
Walter Harrison here doing a se-  
ries of fashion stories for the Daily  
Oklahoman.  
Mae West bought a ranch near  
Van Nuys for her brother's horse-  
breeding biz.  
Dorothy Manners replaced Jerry  
Lane as one of Louella Parsons'  
studio legmen.  
Clarence Brown  
buying new planes.  
taking lessons.  
B. Matthews Boulton arrived from  
New York for part in 'Night Must  
Fall' at Metro.  
Gloria Swanson reached Coast to  
prepare for title spot Metro's  
Marie Kanyon.  
Ella Logan in from Chicago for  
comedy role i Goldwyn's 'The  
Woman's Touch'.  
Bill Speer, member RKO's  
publicity staff, sold his ori, 'Certi-  
fied', to the studio.  
Douglas Fairbanks, Jr., due at  
Selznick-International Feb. 20 to do  
the Prisoner of Zenda.  
Hank Hankinson, prizefighter,  
playing role of heavyweight con-  
tender in 'Kid Galahad'.  
Hank Hankinson has been ordered  
back from New York for spot in  
RKO's 'New Faces of 1938'.  
Arthur Auerbach, newspaperman,  
actor, killed in plane crash poison-  
ing. He's in a short at MG.  
Norman Siegal, radio ed of Cleve-  
land Press, here doing series of yarns  
for Scripps-Howard papers.  
Lester Scott, former Fathe pro-  
ducer, now assistant to Larry Wick-  
land, Rep associate producer.  
Allen Cummings, general manager  
of ex-circuit chain of Metro,  
visited the studio for the first time.  
Universal studio again put up bars  
against the overflow of yokels ogling  
sets. Val Paul must sign the slips  
now.  
Eleanor Powell, Buddy Ebsen and  
George Murphy have started 'terp  
rehearsals for 'Broadway Melody of  
1937' at MGM.  
E. A. Dupont, Par director, bought  
these nags when the J. W. March-  
bank stable was auctioned off at  
Santa Anita.  
Henry Hathaway lost 22 pounds  
and Gary Cooper five while laid-up  
with flu, necessitating delay on Par's  
'Soldier of Fortune'.  
Mary Doyle, widow of Lair  
Doyle, recently killed in a plane  
crash, gets an acting role 'Talent  
Scout' at WB.  
Lee Beecher, formerly in  
Metro's publicity department, has  
turned talent scout for Bill Brady  
in the casting office.  
Franklin Hansen, Tom Reed, Mil-  
ton Casby, Lee Tracy, Donald Crisp  
and Walter Greene are new officers  
of the Pacific Writers Yacht Club.  
Sy Bartlett trained to Chicago to  
meet Sol Lesser, en route from Eu-  
rope, to mull Bartlett's script on  
'Boots and Saddles' while breezing  
westward.  
Grantland Rice helping Pete Smith  
watch Lawson Little, Horton Smith,  
Harry Cooper and Jimmy Thompson  
use their clubs for Smith's short,  
'Golf Mistakes'.  
Mrs. Max Mesziasheimer, widow of  
Marcus Loew, her husband and two  
daughters, and Mrs. Ida Mayer Cum-  
mings, were studio guests last week  
of Louis B. Mayer at Metro.

# Quebec

Ben Garson down with flu.  
Will H. Cohen passing through.  
Toussaint, here from Toronto.  
Harry Gouffain in from New York.  
Harry Applebaum appointed pub-  
licity manager of Loew's theatre,  
Montreal.  
Sally Sage, from Des Moines, Iowa,  
opened at the Mount Royal with  
Lloyd Huntley.  
W. Covert, Canadian vice-presi-  
dent of DeLaval, here from Toron-  
to, and Representative Gaffie of  
the I.A.T.S.E. cleaned up the stage-  
hands dispute here and returned.

# OBITUARIES

## SAMUEL SHIPMAN

Samuel Shipman, 54, one of most prolific playwrights of the last generation, died suddenly at his apartment in the Alamac hotel, N. Y., Tuesday (9). Story in the legit section.

## KEITH VAWTER

Keith Vawter, 64, who made the outdoor Chautauque a national institution, died Feb. 5 in Marion, a suburb of Cedar Rapids. He was well known in the show world because of the large amount of talent he had contacted during his career.

It was while he was connected with the Redpath Lyceum bureau in Chicago 1903 that Vawter conceived the idea of bringing high-class entertainment to the small towns. He formed Redpath Vawter system, booking such notables as Wm. J. Bryan, Elsie Baker, famous contralto; former President Warren G. Harding, Bohumir Kral and his band, Swiss Bell Ringers, Zouave bands, etc. When interest began to wane in the outdoor stuff, Vawter produced royalty plays, engaging many well known stock company performers, besides 'name' stars; most of whom were glad to work for nominal salaries because of summer engagement guarantees.

Vawter moved his paraphernalia from town to town in the same style as the old wagon shows, with folding scenery, seats and tents. His programs were always surefire, as the 'hut' for each ten-day stay was guaranteed in advance by local committees through ticket sales. While his programs included preachers and reform workers for Sunday shows, he was smart enough to use circus promotion methods to ballyhoo his talent.

## Caldwell H. Brown, Jr.

1911 1936

Entered in advance by local committees through ticket sales. While his programs included preachers and reform workers for Sunday shows, he was smart enough to use circus promotion methods to ballyhoo his talent.

## VLASTA MASLOVA

Vlasta Maslova, internationally known Russian ballerina, died in a sanitarium at Prague, Czechoslovakia, Jan. 26, after an operation performed to remove abscesses near the base of her brain. She had been ill for three months.

Trained in the Russian Ballet, Miss Maslova made her first public appearance at the age of fourteen. She appeared as the premiere ballerina at the Frankfort-on-Main opera house. Year later she was co-starred with Theodore Kosloff in productions in the U. S. Forming her own company, she toured the Keith circuit, where, while playing at the Palace, N. Y., she was seen by Anna Pavlova. Closing her own unit she joined Pavlova's troupe and played throughout South America and Mexico. On her return to this country Miss Maslova played a year's engagement at the Capitol theatre, N. Y., then the Greenwich Village Follies. After that came engagements in the stage productions 'White Cargo' and the 'Firefly Ballet'.

During the past three years she had been in Europe touring with her own company.

Survived by a sister.

## MIKE

Mike Coyne, a pioneer legit and picture showman, died in Southgate, Cal., Feb. 1, after long illness. He was a member of The Agents (legit) and was widely known throughout the theatrical world. He was buried in Oceanside, Cal., beside his wife who died three years ago.

Born in Memphis, Coyne entered the show business as advance for Eugene Robinson's Mississippi River Show Boat Co. He traveled the circuit and stuck several years.

Then he began trouping ahead of repertoire and minstrel shows, finally landing in New York. He joined the staff of Henry W. Savage and for a number of years piloted 'The Prince of Pilsen' on tour. Later he hooked up with J. J. McCarthy and went ahead of 'The Birth of a Nation'.

After being field rep for United Artists, he was named Southern rep of U. A., opening the company's Atlanta exchange. Deceased went to California 10 years ago and worked at various theatrical and

picture jobs. For several years, due to failing health, he was inactive.

## JOSEPH SCHWARTZ

Joseph Schwartz, secretary of the International Alliance of Billposters No. 33, Brooklyn, N. Y., died at his home, Richmond Hill, on Friday, Feb. 5th. Death was caused by complication of diseases.

Schwartz was well known in the circus and theatrical world, having been with the P. T. Barnum circus for nine years, with Hagenbeck-Wallace for five years, was road agent for various leading theatrical attractions, such as McIntyre & Heath, and George M. Cohan road attractions. For a number of years he was in the advertising department of the Percy Williams Orpheum theatre, and later advance agent for D. W. Griffith's 'Birth of a Nation'.

He leaves a wife and two daughters.

## SCHLUND

Carl Schlund, 60, of the first theatrical stage carpenters in Los Angeles, died Feb. 5 in Hollywood. He was a member of Stagehands' local 33, International Alliance, of Theatrical Stage Employees.

Schlund built the first road show production of John S. McGroarty's 'Mission Play' in 1915 and also the first production of 'The Bird of Paradise' for Oliver Morosoff. Prior to his death he had worked for several years for Tom Wilkes, Coast showman.

Widow and a daughter, latter residing in Oakland, Cal., survive. Funeral was held in Glendale, Cal., with burial being held in Oakland.

## J. G. McMURTRIE

J. G. McMurtie, technician of the Canadian Broadcasting Company, collapsed and died in Vancouver, B. C., Jan. 21. He installed CNRV here for Canadian National Railways in 1925 and later became manager of CROCO, Ottawa.

He joined the Canadian Radio Commission when it took over the C. N. facilities. McMurtie had a host of friends throughout radio in Canada and was also designer of the chimes time signal, 'O Canada,' used by the CBC. He leaves his wife, one son and two daughters.

## WILLIAM W. DURBIN

William W. Durbin, 71, register of the United States Treasury and former chairman of the Ohio Democratic executive committee, died of a heart ailment at his home at Kenton, O., Feb. 4.

In addition to his political activities, Mr. Durbin was well known as a magician. In the rear of his home

## In Loving Memory Of Maryl Leavitt

Mr. & Mrs. Doug Leavitt

he constructed a theatre with seating space for 125 persons. There he gave shows. Scores of trunks of tricks he had purchased from prominent magicians filled a warehouse at his home at Kenton.

## LEON VICTOR

Victor, veteran company manager and advance man, over 60, died Saturday (6) in New York. He had been a patient in the Elks Room, Misericordia hospital, for several days.

Victor started with Sullivan, Harris and Woods and later handled a number of Cohan & Harris attractions. He also managed the road showing of feature films.

Burial was under the auspices of the Actors' Fund, with the Jewish Theatrical Guild and No. 1 Elks participating.

## EUGENE B. FULLER

Eugene Burney Fuller, 51, for many years secretary of the Mechanicsville, N. Y., local of the American Federation of Musicians, organizer of Fuller's City Band, and former member of orchestras in Mechanicsville, Saratoga Springs, Troy and Albany, died Jan. 30 at the Homestead Sanitarium after a long illness.

Surviving are his wife, mother, a son, two brothers and two sisters. Burial in North Adams, Mass.

## SYDNEY BARTON BOOTH

Sydney Barton Booth, 63, a nephew of Edwi Booth, and son of Agnes

and Junius Booth, died in Stamford, Conn., Feb. 5 of a cerebral hemorrhage.

He retired several years ago, but came back to the stage last year in support of William Gillette in 'Three Wise Fools'. He had played leads opposite Maude Adams, Lillian Russell, Jane Cowl, Florence Reed, Gertrude Elliott, Blanche Ring, Grace George, Alice Brady and Ruth Chatterton.

## YORKE STEPHENS

Yorke Stephens, 74, British actor-manager, died in London Feb. 5. He made his stage debut in 1879 and his American appearance in 1882 at Daly's. The following year he joined the Daly stock company and later toured with John McCullough. He is perhaps best remembered for his work in 'Pomander Walk' in 1910. He made his farewell at the Globe theatre, London, in 1929.

## N. S. MERRITT

N. S. Merritt, 32, manager of the High Point theatre, High Point, N. C., died Feb. 1 of a heart attack. Two hours later news of the death of his mother, Mrs. Mary Monroe Merritt, in a nearby city, was received.

He had managed theatres in Raleigh, Goldsboro, Burlington and Durham, N. C. Funeral services were held Feb. 2.

## DANIEL BODDER

Daniel Bodder, 70, oldtime circus man, died of a stroke at Chambersburg, Pa., Feb. 4. He had been ill for four years.

He was at one time or another connected with R. B. & B., Hagenbeck-Wallace and other 'as a drummer in the band'.

Survived by an aunt at whose home he succumbed.

## PIER TIRINDELLI

Pier Adolfo Tirindelli, 78, conductor, composer and violinist, died in Rome Feb. 6 of a heart attack.

In 1895 he appeared as soloist with the Boston Symphony and the following year became concert master of the orchestra of the Cincinnati conservatory. He retained that position until his return to Rome in 1922.

## HELLA MOJA

Hella Moja, 39, one of the heroines of the silents, died in Berlin recently. Beginning her career as picture actress about 20 years ago, she soon had her own company. Retiring with the talker, she became scripter.

Her last scenario was in cooperation with her husband Heinz Paul for 'Unsterbliche Melodi'.

## CHARLES LUNDGREN

Charles Lundgren, 44,icago salesman for Warner brothers, died Feb. 1, of heart disease. Had been with Warners for only six months, but was with Pathe for 14 years, and several other film companies previously.

Survived by his widow, mother, and several brothers and sisters.

## MAURICE A. WEBER

Maurice A. Weber, stage mechanic at various St. Paul theatres since the early '90's, died at his home after a long illness, Jan. 29.

Was chief of the stage hands' camp at Forest Lake for 25 years. Survived by two sisters. Burial in St. Paul.

## MRS. FLORA BRAGG

Mrs. Flora Bragg, 52, cashier of the War Department theatre on Fort Bragg near Fayetteville, died unexpectedly Jan. 28.

She had been cash of the Post theatre for 15 years and in this capacity came into contact with persons from all sections of the country.

## NARO LOCKFORD

Naro Lockford, formerly of the adagio team of the Lockfords, died at his home in Washington, D. C., Jan. 30. He had been ill and in retirement since May, 1935.

He is survived by his wife, Ruth, and two children.

## TOMMY KERNS

Tommy Kerns, 29, died at the N.V.A. lodge, Saranac, after a

lingering illness of about two years. He was a dancer in vaudeville and unit acts.

Surviving are his parents, Interment Saranac Lake.

## LEO LEWIN

Leo Lewin, veteran music man, died Feb. 1937, of heart trouble, in front of Berlin, Inc., where he was band and orchestra manager.

Details in music dept. of this issue.

## BEE COLE

Bee Rothschild, known professionally in vaude, musical comedy, burlesque as Bee Cole, died Feb. 4 in Los Angeles.

Husband, two children survive.

## GEORGE J. EBRIGHT

George Ebright, 80, many years secretary of the Wayne County Fair association, died Jan. 20 at his home at Wooster.

Four children survive.

## BILLY

Billy Grant, 44, lecture irector in the silent days, died Jan. 1937, in Los Angeles general hospital.

His widow survives.

## RICHARD SMITH

Richard Smith, comedy writer-director of silent pictures, died of pneumonia, Feb. 7, Los Angeles. Widow survives.

## WALTER AUMAN

Walter Auman, president of Local 97, I. T.S.E., Reading, Pa., died of a heart attack, that city.

Phyllis McCarthy, wife of Peter McCarthy, of Loew publicity, died in New York, Feb. 6.

Mrs. Essie Gillman, mother of Lawrence Gillman, music editor of the Herald Tribune, died in New York, Feb. 4, of pneumonia. Two sons and two sisters survive.

Daughter, Mary, of Doug Leavitt, and Ruth Lockwood, standard vaude act, died Feb. 5 at home in Bayside, L. I., after a lingering illness.

Totherob, father of Rollie, cameraman under contract to Charlie Chaplin for 15 years, and Dan, playwright-scenarist, died in Santa Clara, Cal.

James Mitchell, 78, father of idney D. Mitchell, songwriter, died Feb. 4 in Baltimore.

## Acad. Maybes

(Continued from page 2)

London' (20th-Fox), William Darling; 'Magnificent Brute' (U), Jack Otterson and Al D'Agosti; 'Romeo and Juliet' (MG), Cedric Gibbons; 'Winterse' (Radio), Van Nest Polglase.

Assistant directors' section picked 25 pictures as candidates from which five will be voted upon by all assistant directors.

Pictures and assistant directors thereof are: 'Anthony Adverse' (WB), William Cannon; 'Charge of the Light' (WB), Jack Sullivan; 'Come and Get It' (Goldwyn-UA), Walter Mayo; 'Dodsworth' (Goldwyn-UA), Edward Bernoudy; 'Follow Your Heart' (Rep.), Jasper Blystone; 'Garden of Allah' (S-I), Eric G. Stacey; 'The Gay Desperado' (Pickford-Lasky), Robert Lee; 'The General Died at Dawn' (Par), Hal L. Walker; 'Last of the Mohicans' (Rel.), Clem Beauchamp; 'San Francisco' (MG), Joseph Newman; 'Show Boat' (U), Joseph McDonough; 'Texas Rangers' (Par), Russell Matthews; 'Theodora Goes Wild' (Col), William E. Mull; 'Trail of the Lonesome Pine' (Wanger), Richard Talmadge; 'Under Two Flags' (20th-Fox), Ad Schaumer and A. F. Erickson; 'Winterse' (Radio), Clem Beauchamp and James H. Anderson; 'Boys of London' (20th-Fox), Robert Webb; 'Mary of Scotland' (Radio), Edward Donohue; 'Modern Times' (Chaplin), Carter De Haven and Henry Bergman; 'The Moon's Our Home' (Wanger), James Hartnett; 'Mr. Deeds Goes to Town' (Col), Charles C. Coleman; 'My Man Godfrey' (U), Fred Frank; 'One Rain' (Afternoon) (Pickford-Lasky), Percy A. Klerd.

Cameramen will be represented by Tony Gaudio, Warners, for 'Adverse'; Victor Milnes, Paramount, for 'General Died at Dawn'; George Folsey, Metro, for 'Gorgeous Hussy'.

## Electro-Sound

(Continued from page 41)

'wiped clean' and used again and again.

There will also be three instruments for silent films synchronized to sounds: television, in which you take what the broadcasting stations send out; home talking film projectors and libraries of films for rental or sale; and, eventually, a home talking film camera with which anyone can take pictures, in color, with sound-track recording of his own family and friends.

I feel that we will soon see a rekindling of interest in home talkers, with projectors coming on the market of a better quality than we have had heretofore, and with some of the big film and motion picture companies' libraries of good films.

## One Common Need

All these seven devices, McCann declared, will have one common need, a good audio amplifier and a good loud speaker and speaker cabinet. In all other respects these devices will differ widely, but he expressed the belief that it will be possible to plug into the phonograph jack of a good radio receiver and make multiple use of its amplifier and loud speaking equipment.

'The best provision for the future,' he told dealers and broadcasters, 'is to buy a high quality radio set, capable of reproducing the sound part of the program from any of these instruments with true tone quality.'

Most radio merchants are counting too much on television, McCann stated. 'Some are waiting for television to place a new bonanza in their laps. From the engineering standpoint, television is here, he continued, but fortunately, before we start, the American manufacturers are trying to standardize on a picture of such size and quality that there will be little need for improvement later, which would obsolete all receivers and transmitters made up to that time.'

McCann discussed television transmission costs at considerable length, as well as the problems of producing a sufficient program to meet demands and of paying for their production, pointing out that the service area of each television transmitter is limited in range by the horizon.

'After we have television, how much actual use can we make of it?' McCann asked. 'The radio receiver can run all day and the housewife listens to it as she does her work. With television, one has to lay aside all other occupations, pull down the shades, turn out the lights, sit and look at the pictures. It is like an evening of home films. People may use television receivers a few hours a day, but hardly as much as they use their radios.'

## THIRSTY SOIL

(Continued from page 54)

of the others of similar theme. But the subject matter does not impress as the kind making the diverging theatre. There is a good hurricane effect, so far as backstage effects and lighting goes, making for a neat second act finale.

Play's characters are hardy or stubborn farmers of the mid-west, afflicted by unprecedented weather conditions that have caused so much privation. There isn't enough water for the cattle, the corn is burning up through lack of rain, there is no change of pace from the dry, hot winds.

Added to that is the head of the house, Silas Warner, hard-fisted, Bible-spouting, dour. Mother Warner sees that her man's mind is affected and he goes mad before the end of the second act, he is hurled into the 'twister' and being killed, while the others have gone to the cyclone cellar.

Milly, 17, adopted when a kid, has the motherly urge, but the son, Matt, who is the most intelligent of the Warners, doesn't love her. Luke, an older son, back after three years, brings up the second act, a new medicine show. Right off the wise guy goes on the make for Milly. Then comes the twister, and three months later the girl is wondering when for the cattle, the corn is burning up, going to have a baby. He does reappear and takes her away grumblingly. Matt sweet on the daughter of a railroad building superintendent, loses her when the road is abandoned, but there is promise better times, what with the youth's exuberance.

There are scarcely been little changes in the script. Raymond Bond and Maude Allen, of the original cast, are present, and both give good characterizations. There were eight players on the seven best in the present performance, played in one set.

George Makinson as Matt, Ann Meril as Milly and Leon Ames as Luke are best, after the leads. Lee.

# Marine-Hayburner Novelty Show Is Latest Trick; Who Frank Hatch Is

By BILL RICE

Long Beach, Cal., Feb. 9.

An entirely new type of truck show and, for that matter, new setup for any type amusement has been originated by Anfenger and Hoffman, who for several years have operated many 'whale shows' on steel flat cars. It is called a Marine Wonder Exhibit, combined with hay eating animals from all over the world.

The show will be transported on 20 trucks and trailers that have been built at Long Beach. They leave for New Orleans where the show will be assembled, and open there on or about March 20. The Marine exhibit is housed in four glass-enclosed two-side trucks that, placed end to end, make 110 feet of exhibits. It is enclosed with scenery flats that are in the form of a large boat. Hay upper deck, made, pilot house, calliope, etc. Back of this will be a 60 by 180 foot top that will house the animals and various side shows, 10 in number, and operated on the order of an arcade. Prices of admission range from 2c to 25c. To see it all will cost 75c. The Marine Show is advertised free and is the come-on for the money take in the big top.

The circus world sat up last week when it was announced that Edward Arlington, one of the all-time greatest circus general agents, and J. Frank Hatch had bought the Hagenbeck-Wallace, Adam 4-Paw and John Robinson Circus titles from Sam Gumpertz, agent for the N. Y. Investment Corp., a subsidiary of the Prudential Life Ins. Co.

Everyone knows Eddie Arlington, but few know J. Frank Hatch. To start with I was his general agent. 1912 for a show of his name and at the time he operated a cut-rate film exchange in Pittsburgh. He was in the money then, but about 1914 he sold the Hatch Show to Hamilton and moved to Newark and started the undercover owner of many picture houses. His profits were enormous.

About 1930 he started to operate in Wall Street on the bull side and went to town, and today has more cash than anyone that was ever in the outdoor show business, with the possible exception of John Ringling. Hatch is a showman who always kept under cover and I don't suppose there are 100 people that know about his activities since he sold his show. I have always thought him the No. 1 smart showman for the past 25 years. It is reported that George Deagnon will be the general agent. As an afterthought, Clarendon, Waltham and I bought the old Hatch show from Hamilton's widow and operated it as the Waltham & Rice show. This show is now the Hennies Bros. Show, after passing from W. & R. to Rice & Dorman, then to Morris & Castle, then the United Shows of America.

Bates Will Animal Show and Sells-Floto Circus combined to open March 20, but everyone marking time as no confirmation from the New York office has been received to date.

When playing Manila, P. I., with my Water Circus in 1923, I sold two Russian wolfhounds to the Mayor of Manila for \$200 and gave him their pedigrees. He stopped payment on the check, as he had been told that they had been stolen from Admiral Starke's Russian fleet that had escaped from the Red Russians and were then in the harbor. At the time I was arranging the benefit for this outfit for Governor Wood and of course had the Mayor straightened out. This show made net over \$3,000 one night, but it was immediately followed by another 'beef'. His Honor requested that I eliminate the fishing number from my show, where we caught live dogs, pigs, fish, turtles, ducks, etc., as the natives were leaving their work for large numbers and attempting to duplicate the act in various still water streams. It was no framed press gag, but it got results.

Played opposition there to Harnstrong's English Circus, that started its performance at 11 p.m. He had two wonderful acts that would have been a sensation in the U. S., but would never have been allowed to work. The first was a Chinese flying act of four men that did all our regulation tricks, and the second one and one-half consortsault and twice without a net. The other was their lid animal act, especially the ix

tigers that all worked on a leash in the ring without a cage.

Chas. Sparks, who was supposed to have the Sparks Shows and John Robinson Circus titles, had to withdraw, he could not finance the show on rails and Gumpertz thought the titles would be cheapened by operating on trucks. Sparks has a large truck show operating under the 'Downie Bros. Circus' title.

Eddie Vaughn is now the fix with the big show. Jack Pollit ahead of the Mutons Whale Show. . . Norman Shue has the cook house with Archie Clark Carnival. . . Craft Shows now in the midst of the biggest battle for titles ever staged the Pacific Coast.

Reported that the 'G' Men will look into the carnival, park, pier and fair concessions.

## Paris After Biz

Paris, Jan. 31.

Conferences, more than 150 of them of every type imaginable, is one of the cards the Expo authorities are using to help draw visitors here this summer.

Every person who belongs to any sort of club or association has seemingly been approached to ask if his organization will hold an annual meeting in Paris during the big blowout.

Just how successful expo authorities have been in this respect is illustrated by the wide diversity of congresses already scheduled to take place.

Beginning with peace and parliamentarians whose advocates will hold a meeting anywhere any time, the subjects which will be discussed here include the technique of stained glass, underground urbanism, Esperanto and practical metrology.

Even the International Union of Marinonettes will have a get-together while a convention devoted to petroleum is expected to bring some 4,000 visitors.

The city of Nice, however, has stepped in and grabbed the largest one of them all for itself. More than 10,000 Rotarians will leave their wives behind to attend that "important meet" during the coming summer.

## Sheesley Cinches Fair

Lynchburg, Feb. 9.

John M. Sheesley, midway owner, is reported to have signed three-year binder with Lucian Shrader, Amherst county fair official, to hold autumn fairs just across the corporate line.

Fairs been virtually outlawed the Lynchburg city limits since the municipality bought the interstate fair grounds. Sheesley, who formerly leased the fair grounds, held his first fair across the city line last year and was said to have been so well pleased (everything goes in the county and no holds barred) that he quickly tied up the lot.

## Two New Bosses

San Francisco, Feb. 9.

Frank Y. McLaughlin, former WPA Administrator in California, has been made Director of Exhibits and Concessions for the 1939 Golden Gate International Exposition, according to an announcement made last week by President Leland W. Cutler.

McLaughlin, who resigned his government post in Washington last week, will arrive in San Francisco from the East this week and will immediately assume his new position.

Milton H. Esberg has been made chairman of the Committee on Amusements for the fair.

## N. C. FAIR DATES

Charlotte, N. C., Feb. 9. Dates for various North Carolina fairs have been fixed as follows: Golden Belt, Henderson, week Oct. 18; Weldon, week Oct. 18; Durham, Sept. 27 or Oct. 1; Pitt County, Greenville, week Oct. 11; Catawba County, Shelby, week Sept. 27; Winston-Salem and Forsyth County, Oct. 4 or 11; Coastal Plain, Wilmington, week Oct. 18; Greenboro, week Oct. 18, and Rocky Mount, week Sept. 27.

## HORSE RACE ANGLE

Lesser Penalties for Bookies, Etc., Proposed in Missouri

St. Louis, Feb. 9.

Betting on horse races, keeping of handbooks and operating gambling devices no longer will be felonies in Missouri if several bills introduced by Rep. Michael R. Kennedy of St. Louis become laws. Measures reduce offenses to misdemeanors.

Kennedy declares it's almost impossible to obtain convictions as long as charges remain felonies. Usual custom of courts, after cops have made cases against bookies, is to accept pleas of guilty and assess a \$500 fine. There is slim chance that horse racing will be restored in State, as Rep. Hess, who fostered bill two years ago that was vetoed by former Gov. Park, said he was through. Missouri has been without horse racing for more than 20 years.

## THREE BIGGIES LOOM FOR DALLAS EXPO

Dallas, Feb. 9.

Director General Frank McNeny pondered overtures this week in connection with entertainment projects at the approaching Texas-Pan American exposition. Deals involve the use of auditorium and amphitheatre on grounds.

Charles Freeman, Paramount and Interstate booker, was in town with Maurice and George Golden. Trio has presented idea to expo staff regarding show titled "Auditorium." It wants this undertaking financed by producer. Freeman expects plan to jell by end of week. Setup of plant ideal for theatre-restaurant, but Freeman declined to detail his plan.

Clifford Fischer also has talked to management regarding concession and Music Corporation of America representatives have looked over the

San Carlo Opera Company is eyeing the amphitheatre with view of presenting a season of eight weeks in open air. Charles E. Burk has been swapping ideas with Mr. McNeny on this matter. He has sent an okay on the season to Fortune Gallo.

## Beatty's 70 Cats

Clyde Beatty will have 70 lions and tigers in the cage when the Cole Brothers Circus opens at the Hippodrome, N. Y., March 18. Highest number of cats used after he was with the Hagenbeck-Wallace and Ringling outfits was 34.

Cole show will have 40 girls for ensemble, rehearsals for which have been started under the direction of Allen K. Foster.

Ringling Barnum & Bailey show will open at Madison Square Garden April 8, which is after Easter. It was proposed to open at the Coliseum, Bronx, and play day and date with the Cole-Beatty combination, moving down to the Garden later. Coliseum, however, declined to book the big top, not caring to disturb its wrestling and boxing schedule.

# Chicago Revives Annual Show Gag, Feels Need of Offsetting Sticks

## ALL BUT THE OCEAN

Buenos Aires Promoter Starts Non-Marine Coney Island

Buenos Aires, Feb.

Argentine Coney Island without the island sprang into existence last Saturday. The promoter has set it up on the large grounds belonging to Argentine Rural Society, where livestock shows are held and where the British Fair was held some years ago.

In addition to a large number of 'attractions' which are new to this country, there is a fine dance hall which was an instant success. The promoter is Gus 'Gem' Meyers, an American who started in the show business at the age of 15 when he joined Barnum & Bailey's circus. He came to this country in 1910 with a show, he had traveled many parts of the world with, including a Ferris Wheel which caught on here. He has stayed here ever and has started and operated a large number of carnival shows like flying boats, Ferris Wheel, etc.

He is to organize a Marathon dance shortly, for which he expects a large number of entrants.

## No Dark Secrets

Norfolk, Va., Feb.

It is day ball or else for the Portsmouth club of the Piedmont League, according to the 'law' laid down by George Weiss, vice-president of the Norfolk baseball club, blocking efforts of Frank Lawrence, Portsmouth franchise owner, to have night ball in the Ports lot.

Weiss has upper hand in that Norfolk has territorial rights for twenty mile radii, the Yankees having secured it when they backed Norfolk for a berth in the Piedmont League.

## Pullers for Frisco

San Francisco, Feb.

Admiral Richard E. Byrd and Frank Buck proposed special exhibits for the 1939 Golden Gate International Exposition during several days spent by both of them here last week.

Byrd, who was here for a lecture engagement, discussed his proposal with the Exposition Division of Concessions. He has in mind a re-creation of 'Little America' at the fair.

Buck has proposed a complete Malay Village and jungle camp, with wild animals, Balinese dancing girls and other atmospheric touches, as an attraction.

## STRIKE HITS CIRCUS

Detroit, Feb.

With strikes still plaguing this town, attendance at the annual Shrine Circus in the State Coliseum here is lagging considerably under record mark of year ago.

# Chambliss-Hamid Lose N. C. Fair

## State Cancels Last Four Years of Five Year Pact—Will Operate With WPA Aid

Charlotte, N. C.,

North Carolina has taken back its State Fair, four years of the five-year contract made last year with Norman Y. Chambliss of Rocky Mount and George Hamid of New York, who have operated the fair for the last three years.

Action was taken after the new Commissioner of Agriculture, W. Kerr Scott, issued a ruling from Attorney-General that members of the Board of Agriculture would not be individually responsible for any deficit incurred by the State in the operation of the fair. Previously, the board had asked under a ruling of the late Attorney General that members would be individually liable.

An effort to obtain a contingency appropriation of \$25,000 for use in

case of a deficit failed before the joint committee last week. The State received \$11,000 from the lessees last year and it was indicated that this would constitute the capital for the State's re-entry into the exposition business.

Commissioner Scott, who made State operation of the fair of his campaign planks, said a Division of Fairs would be set up in his department. Dr. J. D. Dorton of Shelby, president of the State Fair Association is expected to be named its head.

The week of October 11 has been set as the time for the 1937 North Carolina State Fair.

The new Commissioner of Agriculture said he would seek WPA funds to provide new buildings for the fair, and cited the fact that other states have secured such funds.

Chicago, Feb. 9. Two years without a summer lake-front attraction following the amazing drawing power of the Century of Progress Exposition of 1933-34 has convinced Chicago fathers, that the town needs a civic celebration and show to bring the people of the entire midwest territory into the loop regularly.

Under the guidance of Walter S. Gregory, head of the State St. Council, a committee is shaping plans for a permanent exposition and amusement center on the lakefront site of the World's Fair of 1933-34. This is expected to get under way within the next three years, and become a permanent center for national commercial, industrial and scientific exhibitions, in addition to regular amusement projects.

But the boys generally can't wait until 1940 for some action, particularly since they are wary of the moves being made in New York, San Francisco, Dallas-Ft. Worth, and other key cities throughout the country to juggle up some tourist trade by selling some civic exhibitions. In an effort to grab off some of that spotlight and trade for the Windy City, plans have been set for a 1937 celebration on the lakefront.

The will be titled Chicago Charter Jubilee and represents the 100th anniversary of the signing of the Chicago municipal charter. Jubilee will run from March 4 until Oct. 15 and will also occupy a portion of the land of the Century of Progress in Burnham Park on the lakefront, just south of the loop.

Full With Pageants Where the Century of Progress Exposition utilized industrial and scientific exhibition as its raison d'etre, plus its carnival midway, the Jubilee will base its hopes on series of pageants, parades and contests to get its national publicity and draw.

Will opened with a special gal pageant staged by Bill Robson, as a starter. This will run for a week in Soldier Field. When the weather warms up there will be a number of contests held: a national beauty contest, a dance contest for both truckin' and ballroom dancers, a national horse show, agricultural show, a roller skating derby, square dance contest, and possibly a general field gymnastic drill contest in which all midwest high schools will be vited to compete.

In the fall the Jubilee will include the Cook County Fair, which has been running annually in town for years, but which has been located on the far northwest side of the county, miles away from the loop. Expected that with the County Fair held right on the lakefront it easy access for the entire metropolitan area, it will attract thousands of people who never even knew there was such a thing as a Cook County Fair.

Because of the presence of the Jubilee it is doubtful that the Ringling Bros. Barnum & Bailey Circus will put up in Grant Park or in Soldier Field this year, but will be forced to find some other location. There is some possibility that the show may play indoors this season, taking the Stadium for 10 or 14-day stand.

## Selling Mich. to Fla.

Detroit, Feb. 9.

Michi is going to Florida this month show resorters, through color films, why they should come to Michigan next summer.

The tour, which'll last a month and cover other southern states, will be made by officials of the West Michigan Tourist and Resort Assn., the Upper Peninsula Development bureau, the East Michigan Tourist Assn. and the Southeastern Michigan Tourist bureau. Color films, abetted by lectures, will try to show Michigan's resort advantages.

## Fair and Races

Reading, Pa.

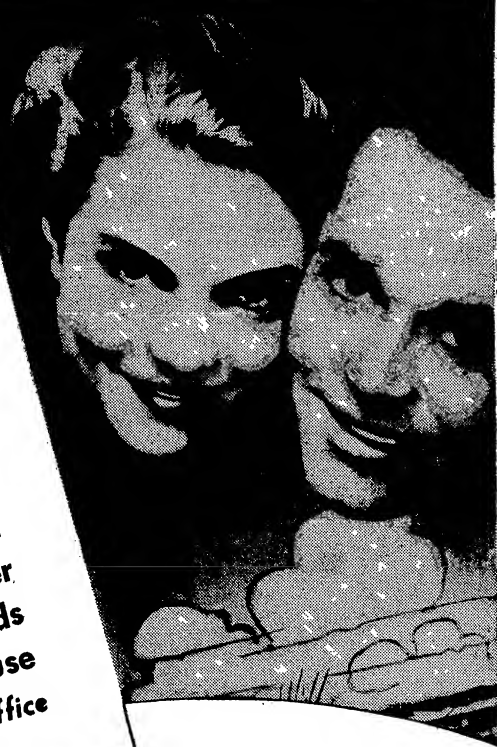
Cetti & Wilson Co. has again been awarded the carnival concession for the Reading Fair, dates for which (Sept. 13-18) were announced Feb. 6.

Automobile racing dates this year will be Sunday, April 25, rain date May 2, Hankinson auspices; Sunday, May 30, rain date May 31, Middle Atlantic Dealers' Association auspices; Penn-Jersey Harness Racing Association, June 3-4-5, 10 events.

"A money-maker! Many touching and tender scenes. Annabella endears herself to the audience. John McCormack's presence is a thrill!"  
—Daily Variety

"A strong offering! Exploitation angles aplenty for a profitable box-office build-up. Annabella will cause a sensation!"  
—Hollywood Reporter

"Technicolor has never been used to better advantage or with greater success. Unusual story theme holds interest. Audiences sure to enthuse over Annabella!"  
—Box-office



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in

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PRESENTING THE WORLD-FAMOUS TENOR

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Produced by Robert T. Kane • Directed by  
Harold Schuster • From stories by Donn Byrne  
Colour direction by Natalie Kalmus

A 20th Century-Fox Film Release

Produced by New World Pictures Limited



RADIO

SCREEN

STAGE

# VARIETY

 PRICE  
15¢

 Published Weekly at 154 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$6.  
Entered as second-class matter December 22, 1905, at the Post Office at New York, N. Y., under the  
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Vol. 125 No. 10

NEW YORK, WEDNESDAY, FEBRUARY 17, 1937

64 PAGES

## FILMUSICALS' AIR BUILDUP

### KIT VERSUS ANN IN 'CANDIDA' ON B'WAY

Broadway legit season, already a curiously repetitious one, what with two 'Hamlets,' etc., may see two versions of 'Candida' in the near future, with Katharine Cornell and Ann Harding as opposing stars.

'Miss Harding opened in 'Candida' in London last week and was claimed by the critics there. Miss Cornell has put the show into rehearsal and expects to open it in N. Y. next month. There is some legal question about Miss Harding's mind about playing on Broadway because of the status of her child and possible legal entanglements with her former husband, Harry Bannister. While lawyers are disentangling, Miss Harding is holding in abeyance her plans for an American appearance in the Shavian comedy.

London, Feb. 16.  
Ann Harding made her London stage debut Wednesday night (10) at (Continued on page 59)

### Students Talk Boycott Of 'Official' School Song Proposed by Outsider

Salt Lake City, Feb. 16.  
University of Utah collegians, as well as local songwriters, are irked at President George Thomas for allowing a New York City music factory to turn out the school song. Prexy signed contract with Thornton W. Allen, New York City to compose music to the lyrics written by Prof. S. B. Neff.

Greek tongues fairly burned over action and hinted that when the new song is finished it will be snubbed in favor of a many-verse Boodle-ditty, semi-official song, in vogue for many years.

Many student song writers contributed efforts in a recent contest, but college head deemed them all amateurish. Rehearsal citizens at same time were envious over the professor winning \$250 for the best set of lyrics.

School already has ordered 500 copies at one half the retail selling

### Par's M. D. Tie-Up?

Buffalo, Feb. 16.  
In furtherance of Health Commissioner Fronczak's anti-kiss campaign, local houses are featuring a trailer demonstration effects of promiscuous osculation, including a lecture on the subject by the commissioner himself.

ing gun of the campaign spotlight the film on the same bill with 'Champagne Waltz' at the Buffalo. Song hit of film is 'When Is a Kiss Not a Kiss.'

### Music as a Desire

John G. Paine, chairman, the Music Publishers Protective Association, called the attention of the trade by way of a circular letter to the fact that not a single family out of 10,512 quizzed in a recent survey gave music as immediate buying desire. Survey was conducted by the DePaul University College of Commerce in and around Chicago and sought to find out what article the wife or head of the family would like to purchase next.

As his moral to this info Paine urged the music publishing industry as well as the instrument makers to do something about arousing desire and need among consumers.

### LONDON'S FIRST GANDER AT STRIPPER

England will get its first glimpse of a strip-tease dancer in the Jack Hylton variety show, opening March 29 for a run at the Palladium, London. She's Diane Ray, American burlesque underdresser who will also be making her first trip abroad.

How much stripping London will see, however, is problematical, as nudity, even in small portions, is taboo in the English metropolis. Miss Ray, in fact, has been given to understand that she'll be given production help to make her strip-tease look much more revealing than it will really be.

trippier will be one several American and specialties going over for the Hylton show, all (Conti 30)

### Warn Philly Cafe Ops Prohibit May Be Back

Philadelphia, Feb. 16.  
It'll be back in five years, unless cafe and taproom owners organize to fight it, 1,500 members of the Cafe Owners Assn. were told at their first annual banquet in Mercantile Hall, here, Sunday (14). Warning was given by seven congressmen, state legislators and city councilmen, who were guests. Each took the same theme: Cafe owners must regulate from within if they want to avoid regulation from without. Adrian Bonnelly, deputy attorney-general of Pennsylvania, principal speaker, advocated formation of a strong body to wage a stiff battle.

Cafe Owners Assn. was formed here about six months ago. Officers elected were: Thomas F. O'Boyle, Cadillac Tavern, president; Harry Hahn, Coconut Grove, v.p.; Lewis E. Moffet, The Chateau, secretary, and Alfred E. Ehrlich, Ballyhoo Cafe, treasurer.

### RADIO ADDS BIG VALUE TO B. O.

Picture Business Admits Radio's Genuine Merit for Boxoffice Stimulation—Sundry Sales Executives Cite the Relative Worth of Radio Plugging—Chiefly for Pictures with Songs

#### JUDICIOUS BALLY

By ROY CHARTIER

Antagonism against radiobroadcasting may still exist in some quarters, notably among exhibitors who contend that the draught of large air programs is injuring their business, but with quick strokes this unfriendly attitude is disappearing. Not only are leaders the producer-distributor and chain operating fields getting very bullish about air values, but certain exhibitors who charge that outstanding radio programs (especially on Sunday night) are reducing gross expectancies, will at the same time point out that people now go to more Sunday matinees instead. While this added afternoon business may not balance the deflection at night, it is possible that the interference may more than be made up on other days.

This is something about which no one can be categorically certain, but regardless of how many exhibitors complain about radio, or other real or fancied box office threats, it is the opinion of a growing majority that the radio is helping pictures far more than hindering them.

Objections Fewer Now.  
Those who are reluctant to grant radio the powers of a hypodermic are now in a dwindling minority. And, as some distributors point out, exhibitors frequently squawk about radio, or anything else without basis unless the basis is a defense against high rentals, preferred playdacting percentages, etc. There's nothing new in that, however. The distributing companies which also operate theatres invariably know whether squawks are justified. They are more and more convinced that radio can be a strong factor in favor of pictures, both in their selling and in exhibition at theatres.

This feeling is largely actuating Paramount toward a program of its own on the air and has RKO, 20th Century-Fox and other companies enthusiastic over the establishment of a closer accord between the picture and film. Metro recently was so warm about putting itself in the air that it was considering a commercial tie-up with Ford Motors. Paramount, however, will not attempt to interest a commercial for its program, which will be a half-hour weekly from the Paramount studio and go out over a coast-to-coast NBC hookup Sunday mornings. Most of the details have been set and Paramount itself (Continued on page 11)

### Yankee Shortwave Programs to So. America Resented Down There

#### Literary Bally

Knowing radio's habit of belittling authorship and paying off literary craftsmen in postage stamps, a canny agent, making a presentation of a script show to New York advertising agencies, adopted a subtle way of letting them know that the author was a priced hack.

Included in the presentation were photographs of:  
a. Author's wife and children, all dressed in the height fashion.  
b. Author's private estate photographed at an angle to look like a castle on Long Island.  
c. Author's private yacht.

### TALENTED 16-20 YR. OLD 'BABES' CAST WORRY

Unusual casting problems have cropped up in production of several legit plays this season and the latest in that group is 'Babes in Arms' to be presented by Dwight Deere Wiman. Book calls for a number of specialty artists but the further requirement is that they must be between 16 and 20 years of age. Forrest C. Haring, who is handling the cast for the Rodgers and Hart musical, stated that agents failed to turn up the needed youngsters.

In the case of 'You Can't Take It With You' one actor, plays the xylophone, while the forthcoming 'The Meal Ticket' includes players who are supposed to do other vaudeville stunts. 'Swing Your Lady' called for a trio of huge actors, one a femme who was recruited from musical comedy.

#### ORGAN-ORCHESTRA IDEA

Crawfords, Lew White, Lind'say McPhail—New Slant

Mr. and Mrs. Jesse Crawford will augment their organing with a 12-piece band being formed by Consolidated Radio Artists. Pair went under management CRA this week.

Office is li up theatre dates for the new com'bo, which will feature pair before portable Hammonds for solos. Jesse Crawford will also play with the band.

Lew White and Lind'say McPhail organ-orchestra.

rectional short wave broadcasting to Latin America conducted by CBS and NBC for the past couple of months, as a good-will builder with the ultimate aim of a wedge, is falling far short of expectations. Interference, intentional and otherwise, lack of adequate receiving apparatus and language differences have all been conducive to smearing of the American origin of South American-aimed programs.

Both nets have been informed of the conditions by their S. A. reps. U. S. A. film company branch managers (Warners notably) also have reported to their home offices on the poor reception, when received at all. Fears of local agents of the S. A. stations were dissipated on advices from stations they represented.

Disregard of radio regulations by many Central and South American station operators can be blamed for much of the American nets' headaches. Daily changes in power with consequent distortions and wavelength jumping so butcher the Yank broadcasts, when they are lucky enough to get through at all, as to make them frequently unintelligible. Continuity and consistency are completely lacking. Objection to so-called Yank competition takes form of intentional irregularities.

Although no accurate gauge is available, number of short wave receivers in Latin nations is considered (Continued on page 30)

### Speaker Bankhead Signs Bill Betwixt Eyecing His Daughter

Washington, Feb. 16.  
Speaker of the House Bankhead may be a key man on Capitol Hill most of the time, but he's just a proud papa when daughter Tallulah comes to town on the stage.

Day Tallulah opened her engagement of 'Reflected Glory' Congress got in jam over deficiency bill and sat until nearly 9 p. m. Speaker ducked out, however, and showed up in box at theatre in time for 8:30 curtain.

Bill, which finally passed, was rushed to theatre by special messenger. Speaker signed it between acts and sent it on to White House. Senate Majority Leader Robinson also, among sizeable congressional delegation that slipped away for show.

#### Salary Insurance

London, Feb. 16.  
Newest stunt here is salary insurance for actors and other show people. Stunt is on the level, and sponsored by Lloyds.

Idea is that artists can collect 75% of their pay during any illness for a premium of 1 1/2% of salary. No claim, however, is permissible if incapacitated less than three days.

# Awards Are 'A' Poll on Coast, All Other Voting Is 'B' Stuff; 5 Originals in 'Best Film' Lineup

By JOHN C. FLINN

Hollywood, Feb. 16. The great American game of choosing by ballot the 'best' of everything, from baseball players to light summer fiction, is developed to its highest point in Hollywood's annual awards for best pictures, best performances, best screen writing, etc. Under auspices of the Academy of Motion Picture Arts and Sciences, selections for 1936 are to be announced at the annual dinner here March 4.

Anyone who assumes that the industry is fed up on these annual voting contests, because of the numerous polls which are conducted by the trade press and news associations around January 1, is mistaken. But all previous tabulations are locally considered merely warming up exercises. While honorable mention in critics' polls are duly noticed and commented upon by the studio press departments, the men and women who make the pictures reserve their enthusiastic congratulations until the Academy statutes are passed out.

These little gold figures of an anonymous person, who is cast in a pose closely resembling the attitude of an exhibitor praying for unsettled weather on a holiday, are the symbols of screen prestige. A vote of praise from 100 newspaper critics and 5,000 theatres may have its points, but an Academy award is tops around here.

Officials of the Academy this year are trying out a new method of selecting winners for the annual awards. A committee of 50 was appointed, composed of 10 each from the five divisions of the membership. Ten best pictures of the year have been selected, but in all other classifications the nominations are limited to five. The full Academy membership will vote secretly, by mail, from these nomination lists, and the ballots will not be counted until the evening the awards are made. This process heightens the suspense and gives confidence to the participants. Not a few wagers are also made around town on the results.

## Studio Rivalry

While the Academy's choice of the best acting performance by a man or woman star carries the broadest interest in and outside of Hollywood, the rivalry between the studios for the prize of best production is the keenest of all the contests. Of this year's nominations, five were produced by Metro, two by Warner and one each by Samuel Goldwyn, Columbia and Universal.

The production nominations are 'The Great Ziegfeld,' 'Romeo and Juliet,' 'Libeled Lady,' 'San Francisco' and 'A Tale of Two Cities' (Metro); 'Anthony Adverse' and 'The Story of General Waverley' (Warner); 'Dodsworth' (Goldwyn); 'Mr. Deeds Goes to Town' (Columbia), and 'Three Smart Girls' (Universal).

Every studio production staff has made a careful study of the committee's selections for the purpose of analyzing the whys and wherefores. Opinion is general that the list is a good one, although several films rated among the season's best are not included because of numerical limitations.

Five of the chosen 10 are original stories; that is, the plot material was developed by studio screen writers from suggestions submitted to the plants by outside writers or staff scribblers. In this category are 'The Great Ziegfeld,' 'Libeled Lady,' 'San Francisco,' 'Pastor' and 'Three Wise Girls.' Adaptations from plays are 'Dodsworth' and 'Romeo and Juliet.' Those derived from novels are 'Adverse,' 'Mr. Deeds' and 'A Tale of Two Cities.'

The history of these pieces of material differs as to genesis, or the course followed before reaching the screen. No general rule apparently may be applied to the group as a whole, except that in each instance some one championed the cause of production against all resistance. But these productions as a whole are but part of the run of the mill. Nearly 500 other features were made in Hollywood in 1936, and the story material of most was obtained in the same manner as the selected 10. No consideration of box office success enters into the committee's

(Continued on page 27)

## No Thumbing, Either

Hollywood, Feb. 16. Request has gone out from the headquarters of the Screen Actors' Guild for each member to leave his auto-at home when going on location. Guild contends that this will provide more work for transportation drivers.

## Paul Muni to Pick His Parts After His Ports Of Call on World Tour

Hollywood, Feb. 16. After finishing current 'The Woman I Love' at RKO, Paul Muni returns to Warners for 'Story of Emile Zola,' and one more to wind up his contract at Burbank. After that star intends to take round-the-world trip, accompanied by Mrs. Muni. He will be gone at least six months.

Muni's intimates state that he will extend the length of his trip if any particular spot catches his fancy, and if and when he returns to Hollywood and pictures, it will be for no term contract, but only for roles that he especially wants to do.

## BILL GRADY OUT AT M-G; MAY JOIN AGCY.

Hollywood, Feb. 16. Bill Grady finished up Feb. 13 as casting director at Metro, after one year on the lot. Reported that he is negotiating a deal to join the Myron Selznick agency.

Marcella Napp, first aide to Grady, takes over the reins at casting office, with William Koenig, studio manager, looking in as temporary advisor. Several other casters being mullied by studio for spots.

## Korda Tags Kernell

London, Feb. 16. William Kernell has been signed by Alexander Korda to write and produce a musical. Kernell formerly was a songwriter at the 20th-Fox studio in Hollywood.

## SAILINGS

March 13 (New York to London), Slate Bros, Frank Libuse, Diane Ray, Joan Andrews, Moore and Revel, Dick Rogers, Georgie Lyons, Helene Grant, Fay Carroll, Gloria Day (le de France).

March 6 (New York to Naples), Lynn Farnol (Conte di Savoia).

Feb. 27 (Los Angeles to Honolulu), Leon Schlesinger, Eddie Blackburn (Malolo).

Feb. 20 (New York to London), Frank Lawton, Evelyn Laye (Aquitania).

Feb. 19 (West Indies Cruise), Izzy Rappaport (Lafayette).

Feb. 19 (New York to Paris), Lela Moore (Bremen).

Feb. 17 (London to New York), Zasu Pitts, Raymond Massey, Florence Desmond, Grisha Godoloff, Marcelle Chantal, Thomas Dodds (Queen Mary).

Feb. 16 (Los Angeles to Honolulu), J. P. McEvoy (Maru).

Feb. 14 (New York to London), Mr. and Mrs. Bernardino Milonari, A. Matthews, Patricia Desmond (Queen Mary).

Feb. 13 (London to New York), Sally O'Neill (Bremen).

Feb. 10 (London to New York), Dwight Deere Wiman (le de France).

Feb. 9 (New York to London), Frederick Lonsdale (Europa).

## ARRIVALS

Lillian Fischer, Maysie Grieg Ames, Douglas Fairbanks, Jr., Ruth Chatterton, Jean Sabin, M. Joachimson, Herta Glatz, Mrs. Paul Csonka, Emil Boreo, Nicholas Bros., Paul Bentata, Arnold Meckel, Louis Dreyfus, J. Cheever Cowdi



OSWALD

Chicago Daily News says: "Now that Ken Murray has brought his comedy show to the Palace stage, Chicago is having its first glimpse of Oswald, the perfect stooge. Whose 'Oh Yeah' reverberates through the country via radio." Signed for the Campbell radio show starring Ken Murray beginning March 31st over CBS.

## AXE FALLS AT REP IN WAKE OF LEVINE EXIT

Hollywood. With Nat Levine, production head of Republic, leaving the studio March 15 after selling his in the studio, the axe has started to fall on some of the employees.

Manny Frank, in charge of talent with the casting office, is leaving, and Bill Perry, head of the electrical department, received his notice. So far the producer and supervisor ranks have not been affected by the change in administration.

## WB's Inside San Quentin Stuff to Be Edited Down

San Francisco, Feb. 16. The lure of Hollywood fastened on Walter Robbins, mustached driver of the prison car at San Quentin Prison, and led to Warner Bros. getting the inside shots for the picture 'San Quentin,' thereby causing a recent state investigation at the penitentiary. Directors and cameramen were warned by prison officials not to make any closeups in which any of the prisoners could be identified. When the film execs found that flattery worked wonders with Robbins, they got intimate pictures of the mess hall, and they almost got shots of the lookout before the trick was discovered. Warner Bros. have promised to delete objectionable scenes.

## Borzage's M-G Swing

Hollywood, Feb. 16. Although his contract had a year to run, Frank Borzage, director, has obtained his release from Warners and moved over to Metro. Metro deal is an option term.

## Jean Arthur Topper In Par's 'Easy Living'

Hollywood, Feb. 16. Jean Arthur will be starred in 'Easy Living' at Paramount. Ray Milland gets the romantic lead with Adolphe Menjou in a featured spot. Mitchell Leisen will direct from a yarn by Vera Caspary. Production is slated to start end of next month.

## The Old Soak's Gal

Hollywood, Feb. 16. Lynn Carver was plucked from Metro's studio stock roster to enact the role of Wallace Beery's daughter in 'The Old Soak.' Judith Barrett, on loan from U. and Robert McWade, Una Merkel, Eric Linden, Janet Beecher and Ted Healy also have been cast.

## M'CAREY'S 'DOCTOR'

Hollywood, Feb. 16. 'Oh, Doctor' is the next directorial assignment for Ray McCarey at Universal. Studio has sidetracked 'Love in a Bungalow,' also on McCarey's list.

# Fritz Lang Abhors Propaganda Pix, Favors Originals, and Yens for Color

## Swing Street Pic

Hollywood, Feb. 16.

M. Y.'s nitery belt will form the basis of a new Walter Wanger musical, '32nd Street.' Entertainers on the strip between Fifth and Sixth Avenues will be used in film, together with studio names.

Gene Towne and Graham Baker are shaping up yarn from an original synopsis by Hal Horne.

## Thomson East to Rep Screen Actors' Guild At N. Y. Labor Parleys

Hollywood, Feb.

Kenneth Thomson was designated at a meeting Monday (15) of the Screen Actors' Guild as representative of the craft at the producers' set-to with labor delegates in N. Y. next month.

On behalf of the Associated Actors and Artists of America, Thomson and Frank Gillmore will press demands for producer recognition of the group and inclusion in the new-studio basic agreement.

S.A.A. ball Feb. 13 netted \$4,000, as against last year's \$2,500.

## TALKING A COMEBACK FOR MISS BOW AT 20TH

Hollywood, Feb. 16.

Clara Bow may be called out of retirement for the femme lead in 20th-Fox's. She had to eat Director Mal St. Clair is negotiating with the former IT girl and if unsuccessful, will give part to Rochelle Hudson.

Role was vacated by Arline Judge, who takes a six months' leave of absence. Miss Judge may forsake films entirely as a result of her divorce, Dan Topping, is opposed to her career.

## Training a Recruit

Hollywood, Feb. 16.

Look for one of those famous Hollywood fights any day now. Socker is likely to be Bill Haade, ex-steel worker, in his first picture, playing champ Warner's 'Kid Galahad.' Haade, according to the cameras, is 16 pounds overweight for a champ, tipping beams currently at 216. It is the job of Joe Cunningham and Mushy Callahan to train him down. Pair follow him into restaurants and order his meals for him.

Ten days of this and Haade is building a beautiful specialty burn. Cunningham thinks he's in the clear because of his glasses, but Callahan hasn't anything to protect him but his chin.

## John Farrow's 'Bandit'

Hollywood, Feb. 16.

John Farrow will direct 'China Bandit' from an original by Crane Wilbur, at Warners. Boris Karloff, Ricardo Cortez, Beverly Roberts and Vladimir Sokolov are cast toppers.

## L. A. to N. Y.

Don Becker.  
J. Edward Bromberg.  
Dinty Doyle.  
Donald Friede.  
Jack Goetz.  
Tom Harrington.  
Richard Krakeur.  
Arnold Van Leer.  
Dick Moore.  
Gertrude Niesen.  
Spyros Skouras.  
Morton Spring.  
Robert Taplinger.  
Pinky Tomlin.

## N. Y. to L. A.

Milton Berle.  
Douglas Fairbanks, Jr.  
Steve Hannagan.  
Lillian Hellman.  
James L. Wachner.  
Lou Smith.  
Larry Urbach.

By CECILIA AGER

'Did you think,' Fritz Lang asked the interviewer, 'that 'Fury' was a propaganda picture?'

'Mm—no,' the interviewer said. 'Ah,' said Mr. Lang, content for Mr. Lang doesn't like propaganda pictures, doesn't approve of their method. 'If you preach,' he said, 'nobody likes you. It's more important for a picture if the audience finds out for itself what's behind the picture, than if you put the finger on it. A picture is entertainment, should be entertainment, but entertainment doesn't mean only a light laugh. It's something that interests you, interests you enough that you remember it afterward. It's like a book you read and want to read again. You get more for your money in a picture if its subject interests you deeply enough to make you want to discuss it after.'

What he means, Mr. Lang said, is the public's attitude toward the comic strips, for instance. 'Did you see,' people ask each other, 'what happened to Pop Eye today?' But they don't go to see pictures with the same feeling of concern over the characters as they have toward the comic strips. For the most part they see a picture, and forget it straightaway. They wouldn't go to see a picture if it had achieved its function of being entertainment; the full sense of the word.

When Joe Mankiewicz offered him 'Fury,' Mr. Lang said in it the possibilities he seeks in a picture. 'Fury' gave opportunity for an exposition of modern psychology. People might talk about it afterward. When 'Walter Wanger—a fine and daring producer,' Mr. Lang said—gave him 'You Only Live Once,' Mr. Lang felt it too had material for later discussion. Women, he hoped, would say, 'Well, I don't know, but I go through what Sylvia idly did for a man—but I know a girl who would.'

Entertainment Element For Mr. Lang reiterated, a picture should be an entertainment—made out of not only laughter, but living people, need not parallel the lives of its audience, but it should dive into them at some point, touch them, have a kinship with them. It should have significance to the daily life of its beholders. It should teach them, without being preachy; it should help them by expounding and clarifying situations that has happened to them, or might happen to them.

So Mr. Lang looks for a convincing story, tries to make each character in it living, complete. He prefers a story written direct for the screen, because 'novels and plays have different rules; a novel goes along on an even keel, a play has three ascending climaxes, but a picture should have only one. It should ascend in a smooth, sharp curve. At the top, bang, finish.' He prefers a story written direct for the screen because 'when you're telling a story pictorially you choose different scenes to tell it with than you'd use for a novel or a play.' Right now Mr. Lang is not looking for a story that has a mob in it.

He's interested, though, in a story suitable for color photography. He got ideas about color. 'Color should be used as a dramatic point, as a narrative moment. Don't photograph a thing only because it has color. Make color work. Use it to make a character unsympathetic, use its suggestion. Play on audience emotion with color, as you do with the score.' One has to understand color to use it so, Mr. Lang grants. Fortunately, he says, he used to be a pai

## Tie Hudson-Kent Again

Hollywood, Feb. 16.

Rochelle Hudson and Robert Kent have been teamed romantically for the fourth picture at 20th-Fox.

They will go into the next Jane Withers starrer, as yet James Finlay will direct.

## Bromberg's Vacash

Hollywood, Feb. 16.

J. Edward Bromberg, actor, getting his first breathing-spell in more than a year that he has been here under contract to 20th-Fox, left for New York Saturday (15).

He will spend a month east around old Group Theatre haunts.

# H'WOOD SUPPRESS AGENTS

## Carl Brisson Reminisces on What Happens When a Dane Goes H'wood

Carl Brisson sailed back home last week and although he garnered plenty of American dollars, the music hall favorite of London and Copenhagen was rather depressed that he failed to click over here. Danish actor and former professional boxer, well known in that field in Europe, turned down \$3,000 for a week in a Boston theatre, but he will probably return and take another fling in the American theatre.

After the close of his idyllic Melody, following a short engagement last fall at the New Amsterdam, N. Y., Brisson went to Miami and meditated over his experience on this side. He received almost \$500,000 from Paramount during the period in which he appeared in Par's films. "At the King's Horses, Murder at the Vanities," Brisson was doing all right in London when a Par executive signed him at \$5,000 weekly. He was feted, even suite on a liner with its private kitchen and Danish cook, the party including his wife, secretary and maid. Upon arrival in New York there were high jinks—a suite at the Waldorf, the party of welcome going on all night.

Drawing rooms on the train to the Coast were supplied for the party but upon reaching Hollywood there was no one on hand to greet Brisson. Hotel accommodations were mixed up and when he called the studio, no one seemed to know what it was all about. Finally when going to the studio he was told to report for make-up. Before he knew what the story was, Brisson was appearing in "King's Horses" scenes. Otto Harbach, who is of Danish extraction, wrote "Forbidden Melody" for Brisson. "Operaetta" was finished one year before he could be secured, however, picture end refusing to release him, although the actor was rarely called to the studio. "Melody's" quick flop added to Brisson's disappointment. Show which had a Sigmund Romberg score and which was presented by Jack Kirkland and Sam H. Grisman, lost more than \$100,000. Of that sum \$57,000 went into production.

## GEORGE STOLL CLEFS SELF INTO A DIRECTOR

Hollywood, Feb. 16. George Stoll, musical director in radio and films for several years, becomes a picture director under a contract signed with Emanuel Cohen of Major Pictures.

Stoll, who did the musical assignment on "Pennies from Heaven" (Major), and currently handling tunes on Metro's "Broadway Melody of 1937," will switch to Cohen upon completion of the MG chore. He has done the scoring on Bing Crosby's pictures.

Stoll will continue as conductor on the Camel radio program.

## Jones Moves to Wanger

Hollywood, Feb. 16. After 14 years on the Paramount lot as a writer and producer, Grover Jones will leave Par for a writing spot with Walter Wanger.

Deal with Wanger is expected to be signed later this week.

## Landers Gets 'Time'

Hollywood, Feb. 16. Landers will direct "Borrowed Time," an original by Martin Mooney, at RKO.

Mooney and T. Horman turned out. Maury Cohen will produce.

## FRED STONE'S NEXT PIC

Hollywood. RKO is readying "House in the Country" for Fred Stone, recuperating from his long hospital siege.

## Chatterers De Luxe

Hollywood, Feb. 16. Chatter hierarchy getting so complicated on the Coast that stars and chatterers rarely meet, all the contacting being done by studio's p.a. and chatterers and legmen. Top chatterers sit in royal sanctums and toss items away with regal sweep unless guaranteed exclusive items. Unit flacks at studios have learned to hold out, even on their bosses in order to slip legman of an ace chatterer, an exclusive. Some of these chatterers have as many as four flutters under them.

Aces of the breed think nothing of sending legman to cover a preview and then by lining the opinion as their own. While studios don't mind this on chatter, they resent it when tried on their A pictures.

Any production on which a flack spent more from one to three million dollars deserves better than a stooge review, is the producer opinion on all this ghastly ghosting.

## STOKI BACK TO PAR AFTER U-DURBIN FILM

Hollywood, Feb. 16. Leopold Stokowski and Paramount are in the midst of negotiations for a three-year contract which would permit him to work in two or three films yearly.

In the air for some time, and was pending at the time Stokowski went to Universal to do a picture with Anna Durbin.

It is reported Stokowski was perturbed over the Universal deal, inasmuch as it figured Stokowski was to stick with that studio, outside of his concert chores.

Conductor of the Philadelphia Symphony will act in "20 Men and One Girl," next Durbin starrer at Universal, in addition to supervising all music and handling an orchestra of 100. Stoki and Miss Durbin are rehearsing so far for the production, which is slated to go before the cameras March 15. Frederick Hollander has been borrowed by the studio from Par to work on the tunes for the film.

## Lucille Ryman Aide To Harry Evans at U

Dean Markham, first assistant to Harry Evans, talent executive for Universal in the east, has resigned. Lucille Ryman, talent scout for U for about a year, moves up as aide to Evans. Markham was with National Broadcasting Co. before joining Universal.

Miss Ryman, former actress, grabbed Polly Rowles, Carnegie Tech grad, and Robert Wilcox, actor appearing in Buffalo, for U.

## New Sid Rogell Deal

Hollywood, Feb. 16. Sid Rogell, RKO studio manager, received a new two-year contract for the job.

Rogell went to RKO from Columbia a year ago with S. J. Briskin.

## Readying Cagney's Next

Hollywood, Feb. 16. James Cagney and Richard Rowland, producer, are preparing for the player's second Grand National flicker, "Hot Oil."

Manny Seiff is doing the treatment from an original by Layne Britton and George D. Smart.

## N.Y., WASH., COAST TOP NEWS SPOTS

Films, Where Formerly Exploitive, Now Sometimes Seek to Be Secretive — Studio P.A.'s Have as Much Value Suppressing Press Stuff as Disseminating It

## SUNDRY PROBLEMS

By FRANK SCULLY

Hollywood, Feb. 16. Press departments have rapidly turned into suppress departments in Hollywood studios, according to recent reports of what news mugs have said about the way they're being serviced. A good deal more than half the flacks' time is spent trying to get things not printed or putting the screws on such correspondents as "and again write things as they see them."

Lot's flacks say you'll have to get the producers off the necks of the p. a.'s before you can get the p. a.'s off the necks of the mugs. But fact is that, as flacks love to boast, Hollywood has become one of three great American news centers, along with New York and Washington. Until studios get help to their new situation, it will be created instead of good will for the industry.

Old-line p. a., who pounded out copy in the days when it was a feat to get film news into print, has been replaced by non-writing sort of flack whose sole job is to keep correspondents and editors in line. Oldtime copywriters did great job of making film news headline stuff worth over, and now new flacks are trying to learn how to handle the situation—mostly bungling it.

Can't seem to get it through their heads that news organs are independent enterprises not in pay of film industry; refuse to see news as flacks regard it only as second-line publicity for sale of films. Therein lie plenty of headaches for all concerned.

Chief lever discipline is the Hays card. Correspondents get these on presenting credentials to Hays office. Card is good for 95% studio entries and 90% previews—individual correspondents have to fight for the rest. Any infraction to play ball on the type of copy may mean less news headline stuff worth over, and now new flacks are trying to learn how to handle the situation—mostly bungling it.

Making correspondents the rap for editorial whimsies only makes matters worse. Recent hullabaloo about Life and Look mags brought out press departments' ability to take it. Writers and editors don't ask for leave to print stuff, but demand editorial values be considered by the studios and legitimate reporting accepted as okay.

Needless Bad Feeling Scribes also point out that, due to importance of Hollywood news, attempted censorship grossly ineffective. Accedes only in creating bad feelings, editorial policies of sheets.

Holdback on publications has not kept them from getting their own stills and those of independent p. a.'s, resorts, restaurants, etc. Banning of Plai Talk and Film Fun for use of material considered objectionable hasn't totally obstructed these outfits from getting all film copy they needed. If Look backs down, ported, it's shots of years back, chances are Metro did the trick on its own; not any threats or suspension of rep.

News items town: scribes don't need studio cooperation to get them. Stills, always purchasable through exchanges when (Continued on page 63).

## Haysites Oppose Anti-Alien Bill; Visiting Pix Bunch Tells 'Em Why

## East Meets West

Hollywood, Feb. 16. New York writer, signed by a major studio, work with a veteran team concocted a musical, breezed into the quarters of his collaborators ready to go to work. For two days neither of them broke the silence. "Did you ever have a breakdown?" he wanted to know.

## DUSTOFF FOR 'ZIGGY,' BUILDUP FOR BULOFF

Several film companies are dickering for the

loff, idish actor who showed up on Broadway last week in Me Zi of the notices. Metro will make a test of him this of temporary

for a number years a star on Second Avenue, has never had film tumble before. He appeared the first time is season in a play called about week. That show was caught only by second-stringers and film companies paid no attention to 'Ziggy,' which got a first-string round-robin panning, and lasted but three performances and unpleasant notices. But anyway it got Buloff lots of attention

## Ozzie Nelsons Plan to Settle Down on Coast

The Ozzie Nelsons (Harriet Hilliard) plan to settle permanently on the Coast. Songstress leaves Feb. 24 to start in RKO's "New Faces," her second picture. She's under a term, interrupted by the arrival of a baby. She appeared in a Fred Astaire film musical.

Nelson, maestroing at the Hotel Lexington, N. Y., may also wind up under an RKO film contract. He'll do his radio commercials from the Coast regardless, as soon as his N.Y. contract expires May 1.

## Friml Preps 'Firefly'

Hollywood, Feb. 16. Rudolph Friml has arrived from the east to prepare for the musical direction of his operetta, "The Firefly," at Metro.

Val Raset has been assigned to do the dance numbers.

## FILMS SCOUT RADIO

Couple Chicago Actresses Get Script

Chicago, Feb. 16. Film scouts seem to be ganging up this week to grab this town's radio talent. Joe Holton of 20th Century-Fox, Altmann of Metro, and Ted Lesser of Paramount, are all here, and evidencing much interest in dio people.

Looks like pictures possibly for two Columbia radio players, Virginia Lark, of "Hello, Trent," an Louise Litch, of "Mortimer Gooch."

## Dunne's 'Truth'

Hollywood. Columbia ill star Irene Dunne in Arthur Richman's edy, "The Awful Truth," light Taylor, verett Riskin.

Hearings on the Samuel bill in Washi this week are attract industry generally, certain Hollywood actors speci and all trade organizations. Film players on vacation i New York are making the trip to the nation's capital to have their say fore the committee.

The attitude of the Hays' wholeheartedly enactment the Dickstein alien-measure into a law. Understood that the outstanding reason for this stand is that it stands as a bar to all foreign talent and undoubtedly would produce a series of reprisal acts which would be as harsh on American picture actors as the U. S. proposal.

Obviously, the proposed act against imported talent is only set up to bar undeveloped talent from other countries but actually it would place ban on virtually all outside artists of the stage, screen and radio. That is the opinion of industry experts who have studied the law.

Not only would it shut off an interchange of talent, preventing American actors and actresses from taking remunerative engagements abroad, especially in England, should expected reprisals be adopted, but there also is the possibility that the foreign film market for exhibition purposes might be impaired by a severely hostile attitude towards foreigners.

## Bill Fields Scanning Script for Next Film

Hollywood, Feb. 16. W. C. Fields is passing through successful convalescence while working on the screenplay of his next Paramount picture, "Bag of Tricks." He has regained most of the weight he lost during his lengthy illness.

Fields has been working on the script with Jack Cunningham, who will supervise.

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Trade Mark Register  
FOUNDED BY NINE IRMAN  
Published Weekly by VARIETY, Inc.  
810 Broadway, President  
164 West Street, New York City

SUBSCRIPTION  
...\$6 For 12 Months  
...\$15 For 6 Months  
...\$10 For 3 Months

Vol. 125 No. 10

## INDEX

Chart	18
Exploitation	51
15 Years Ago	63
Film Reviews	61
Hous Reviews	
Inside—Legit	54
Inside—Pictures	6
Inside—Radi	43
e—Vaude	48
national Show News	
Legitimate	
terate	60
Music	45-47
New Acts	51
News from the	62
Nite Clubs	
Obituary	
Outdoors	
Pictures	
Radio	
Radio Revi	38
Radio Showmans	44
Shorts	14
U. S. Film Dooli	19
Vaudeville	50

# SOMETHING OF A BOOM FOR FOREIGN PIX INTO AMERICANSE IMPENDS

**Gives Worthy Foreign-Made Films a Good In for U. S. Releasing—Costs \$10,000 or So for an Expert Job**

America, which has been feeding dubbed pictures to the world, is about to get a taste of its own medicine. Observers in international film trade think the time is ripe at last for foreign language films to be generally released in the U. S. in dubbed versions and it is quite likely that there will be a parade of such films in the near future.

First successful dubbed film (in English) was 'Cloistered', a current release. Picture, made in French, was dubbed in New York and introduced into arties. Clicked distinctly and was given a showing by RKO in its metropolitan New York circuit. As result, a number of other circuit deals were made for it and it is estimated that the film can gross between \$200,000 to \$300,000 in this country. If getting that kind of business it will set a new high for foreign language films in the U. S. (with the possible exception of 'Maedchen in Uniform') and is considered to prove the value of dubbing.

Actually, 'Cloistered' is not a good test, however, because of its special subject matter of appeal to secular interests. Since the time of 'Goliath' also French and also dubbed, which is now being sent out on a special roadshow basis by George McLeod Baynes.

On the other hand it is pointed out that, at the same time as RKO booked 'Cloistered' for its New York circuit, it booked 'Kermesse Herique' (French-Tobis). This film, too, had run up strong box in arties and won excellent critical acclaim. Nevertheless it did none too well at the box office in N. Y. Customers in number of spots objected to the French dialog despite the superimposed English titles. Observers feel that this picture, had it been dubbed into English, could have run up even higher grosses than any of its predecessors from abroad.

Dubbing is now accepted in international film trade as the usual thing. All American films are dubbed into practically all languages of the world. Europeans accept them easily and without argument because dubbing has made such exceptional strides technically that flaws are the exception rather than the rule today. Thus, auditors frequently can't tell the difference between dubbed and straight screened product and a number of European countries, for protection, have ordered the U. S. companies to distinctly brand their product as dubbed and to bill the dub actors (voices only) as well as the actual cast. Only known exception is portions of the Spanish market (notably South America) where natives prefer films in the original, with subtitles. This is explainable by the large number of Spanish accents around the world and the sensitivity of the various sectors on their own patois.

**No Real Test for U. S.**  
No real test of dubbing has been made in America. In 1932 Ufa brought over a number of German films dubbed into English. These were passed up by the b.o.'s largely due to imperfect technique. There have been a number of attempts in a small way to dub French, Italian and German pictures and, in at least one case, a British picture was dubbed into American, but again the technical means employed were always found wanting. After it had pretty much run its course in the original version plus subtitles, 'Maedchen in Uniform' was dubbed and an attempt made to reroute it. This proved none too successful, but largely due to the fact the film had run its course. 'Gulliver's Travels', a Russian film (Burstyn-Mayers) was released in the original plus titles and then dubbed. This, too, proved none too successful but it is noteworthy that the dubbed version, despite limited appeal and playing time, has practically paid for itself and is hoped for profit.

I. E. Lopert, a pioneer in dubbing and in charge of that department for Paramount in Paris (Joinville) for a number of years, is so convinced that dubbing is in and on the way that he has established offices and

## Boyer's Caution

Charles Boyer always sticks a clause into all film contracts that his pictures are not to be dubbed. His Walter Wanger films made in Hollywood thus cannot be shown in France in dubbed version, nor can his French-made films be shown in the U. S. in dubbed version.

Boyer was first brought to Hollywood by Metro to dub French pictures, making 'Big House' and some others, in which he dubbed Wallace Beery's voice. His experience of those days makes him insist that no one must see his pictures with anyone else's voice emanating from the screen.

studios on his own in New York for dubbing. He is also organizing a distribution organization on the side and leaves next month for Europe to line up product.

His attitude and angles on the subject is that he hopes for only two or three pictures a year. A feature film can now be expertly dubbed for approximately \$10,000. Supposing that the original film can be bought on percentage with, say, a \$10,000 guarantee (pretty high guaranty for foreign language films, even the best of them, under current conditions) the picture would represent an outlay of \$20,000 to \$25,000. It would, however, be a top European product and in every acceptable English, which average audiences in nabs and second runs could be expected to accept. If finding spotting on double feature programs alone the returns would, obviously, be considerable.

## Albany No Like Artie

Albany, Feb. 16.  
Albany fans nixed foreign-made film try at the Capital (legit house) and after a week the house is closed. Announcement said failure of 'Broken Blossoms' to arrive caused closing, and the house would reopen soon.

However, scant audiences for 'Carnival in Flanders', hailed by the local reviewers as 'one of the best', and backed by liberal newspaper space, are believed reasons W. W. Farley, owner-manager, called the season off.

## DEANNA FIRST JUVE TO WIN GUILD NOD

Hollywood, Feb. 16.  
For the first time in its history, a juve, Deanna Durbi, was selected for the best performance in pix in December by the Screen Actors Guild. She was picked for her part in Universal's 'Three Smart Girls'.

Teddy Hart was selected as the best supporting player for his work in Warners 'Three Men on a Horse'.

## Brock's 'Underworld'

Hollywood, Feb. 16.  
Lou Brock will produce 'Fighting the Underworld' for Universal. Philip S. Van Cize, Denver lawyer, wrote the original about incidents in his home city.  
It's Brock's first non-musical film in some time.

## Brian-Purcell Teamed

Hollywood, Feb. 16.  
Mary Brian and Dick Purcell have top spots in 'Navy Blues' at Republic.  
Picture is slated for the cameras Feb. 16, Ralph Staub directing, Burt Kelly associate producer.

## U'S MAGYAR SCRIPTER

Joseph Joachimson, Hungarian screen writer, arrives this week from Europe to join the directorial-producing team of Koster-Paster-nack at Universal.

## UA's Dub on 'Cloistered' For So. American Mart

United Artists is making another try at dubbing for portions of the Spanish market. Has bought the South American distribution rights to 'Cloistered', French film, and is trying to dub it into Portuguese in New York. If successful, treatment will be given to other films for this market. L. E. Lopert is doing the dubbing of the film, using actors from the Spanish colony in New York.

Spanish market is the most difficult one to handle, from the viewpoint of the foreign sales departments. It varies in a number of spots, with a number of patois in.

Thus certain South American countries use Castilian, certain countries use Portuguese, and there are a number of languages in between. And all of them jealous and annoyed at the other. Most U. S. film companies, for that reason, use super-imposed titles on their films for that Spanish market, but find it impossible to cover the whole field that way.

## U.S. SUPREME CT TO REVIEW WM. FOX DYNASTY

Washington, Feb. 16.  
Review of complicated litigation over what is left of William Fox millions was promised Monday (15) by the U. S. Supreme Court. Final bench agreed to look over court wrangling between Hiram Steelman, trustee of the deposed film magnate's estate, and All-Continent Corp., holding company headed by Mrs. Fox.

In agreeing to look over the record, the last tribunal continued in effect an earlier injunction which prevents All-Continent from proceeding in Pennsylvania with a suit to acquire title to millions worth of securities formerly owned by Fox and moved from New York to Philadelphia. The stop order was handed down several weeks ago when Steelman originally asked the Supreme Court to do the tiff.

Part of an extremely intricate muddle, the case which the 'nine old men' will ponder grows out of conflicting efforts of All-Continent and Steelman to get their paws on securities said to have value of \$7,000,000. In this phase of the situation, Steelman claims the New Jersey court, where the Fox bankruptcy matter started, has power to enjoin a creditor from prosecuting a suit against him in another jurisdiction. The Third Circuit Court of Appeals vacated the injunction and ordered Steelman to participate in a Pennsylvania row over title to the paper.

The suit originally was started by Steelman, who tried to recover from All-Continent, Fox, and members of the family. The trustee claimed the holding company had no separate existence and was merely Fox doing business under a wig. When securities were turned over to All-Continent, the deal was a deliberate attempt to get cash out of the hands of creditors, Steelman averred.

All-Continent retaliated in Pennsylvania by filing suit to remove cloud from the title. The papers. Keystone state courts ordered Steelman to plead, disregarding his residence in another jurisdiction. Steelman then went to the Supreme Court with his plea for a stop order holding up the Pennsylvania vendetta launched by All-Continent.

The case, according to Steelman's brief, involves the question whether the original court when bankruptcy proceedings began has the power to enjoin a creditor from pushing a suit against the trustee in a foreign jurisdiction. Legal points arise from Steelman's contention that he could not properly be made a party to the

## It's Done with Mirrors

Business of dubbing films is perhaps the most mysterious and puzzling of all film technicalities from the average layman's viewpoint. As a matter of fact, actually, it's a simple technical job, but one requiring infinite patience and care.

Nub of the dubbing expert's technical crew is the writer. His is the painstaking task of making words fit. Working with a camera, a small screen and a mirror, he runs the film through for himself time after time, slowly, and a scene at a time. Dialog sheet in one hand, translation in another, and two or three dictionaries all about, he then pronounces translations in various word twists into the mirror, watching vocal functions. Eventually, it is his task to find a way of making the screen character say things which fit the same mouth formations as the original. Dictator only reply to difficulties entailed is, 'It can be done.' And it can, as proven over and over again for the past few years.

Really difficult work, of course, is in the screen closeups or straight-face shots. Most players in almost any film don't speak directly into the screen, which makes those portions easy to synchronize.

Once the dialog is written, the director has another tough job, fitting voices. In well-dubbed films an attempt is made to find voices somewhat similar in timbre to the original so that, should customers hear both, they won't be disappointed. Also, of course, to contain some sort of unanimity.

Then rehearsals by the voices into mirrors, at the same time watching the screen, to make them pronounce their speeches properly. Then a new sound track is shot. It's as easy as that.

## Those Tax Taps Have Pic Execs Worried on Where the Clip Goes

Pennsylvania negotiations and that prosecution of the All-Continent suit would interfere with his operations settling the estate.

Atlantic City, Feb. 16.  
Hiram Steelman, trustee in bankruptcy of William Fox, announced today that his effort to prevent the All-Continent Corp. of Delaware from bringing suit against him in the federal district court of Pennsylvania would be reviewed by the U. S. Supreme Court. The supreme court consented to pass upon a judgment against Steelman issued recently in Philadelphia by the third circuit court of appeals.

Steelman in previous action stated that the All-Continent Corp. 'was the creation for the bankrupt himself' and that its funds all came from Fox. As trustee for Fox, he sought to gain control of the corporation's assets. All-Continent, on the other hand, brought suit in the federal court in Pennsylvania for the purpose of clearing the title of securities in the hands of Philadelphia brokers. Steelman had sought to stay this suit in the federal court of New Jersey which adjudicated Fox a bankrupt last May 23, but the bankruptcy action was contested by creditors at hearings held here before Federal Referee Robert E. Steedle as Fox had become a shore resident.

The Jersey court enjoined All-Continent from proceeding with the Pennsylvania action. But the third circuit court at Philadelphia reversed the bankruptcy court decree. Steelman then carried his case to Washington.

## LILLIAN HELLMAN ON 'DEAD END' SCRIPTING

Hollywood, Feb. 16.  
'Dead End' will go into the scripting stage this week, with arrival of Lillian Hellman.  
Writer is fulfilling her commitment to Sam Goldwyn on optional contract after adapting her own stage play, 'Children's Hour', which screened as 'These Three'.

## McCrea, Margo Toppers In Goldwyn's 'Hurricane'

Hollywood, Feb. 16.  
Joel McCrea and Margo have been assigned the leads in 'Hurricane' by Samuel Goldwyn. Picture will go into production next month with company locating at Samoa.  
John Ford directs.

## RKO Reties Cliff Reid

Hollywood, Feb. 16.  
Cliff Reid has signed a contract to remain at RKO for another year as a producer.  
Reid has been on the lot for four years in this capacity.

Hollywood, Feb. 16.  
Deduction of tax from studio workers pay to comply with the Federal old age benefit and the California unemployment statutes, ticularly for extras, location workers and definition of casual workers exempted under the U. S. law, has picture execs in dither. With the first payment on the Federal tax due by Feb. 28, the local office of the Internal Revenue Collector has been flooded with requests for info as to whom and how the duty should be paid.

Deduction of the levy in the case of an agent selling a client to a studio and collecting his stipend is one of the major questions facing Nat Rogan, local collector of revenues. Inasmuch as no hard and fast rules have been made, each case is settled individually.

Hypothetically, an agent sells his client to a studio for \$1,000. Should the agent deduct the 1% from the \$900 he would turn over to the client after the commission or should the studio deduct the tax from the entire \$1,000? And how is the tax deducted on the \$100 the agent receives as commission? These are questions which daily confront Rogan.

In regard to extras, location help and other workers, Rogan pointed out that every worker who is connected with the promotion and advancement of the studio's business must pay the tax through his employer in the monthly report.

**Deduct On Payment**  
This tax, however, must be deducted upon payment of the wages. Consequently, the studio must deduct 1% of each daily pay check given an extra. This also applies to location help.

Only exemptions are employers of domestics, agricultural, government employees, casual laborers not employed in the course of regular business, officers and members of ships' crews, employees over 65 and certain non-profit endeavors.

Any tax less than \$10 withdrawn from an employee's pay must be witnessed by two persons. Any amount above \$10 must be notarized. Every worker must pay tax on his income until he makes \$3,000, except those exempted. If an actor is signed by a studio for \$1,000 weekly for six stanzas, tax is withdrawn weekly for three weeks. If an actor goes to another studio he must again pay tax until he has made \$3,000.

**Nip Domestic Dodge**  
One problem already settled concerned a private secretary employed by a studio producer. Later listed her as a domestic, but when it was shown that the secretary lived in the producer's home, he was forced to file a tax report.

Another settled concerned a producer who has an actress under personal contract. At present she is working at the lot. He draws \$500 weekly from the producer and turns over \$350 to his client. Ruling was that the tax had to be paid only on the \$350. Latter was termed wages and the \$150 was defined as a payment for the sale of a contract to the studio.

# WHAT TO GIVE AWAY NOW?

## Philco's Latest Demonstration Sets Television Back Further in Future

television demonstration (11) at the Germantown Cricket Club, Philadelphia, was pretty much of a mishap. Comment of those who saw the 345-line demonstration suggested that the touted advance to 441 lines meant little. Indeed, whatever the cause, the August demonstration was relatively a greater prestige builder.

ilco incident tends to emphasize chaotic, uncertain and remote theory of the future sup-

hazy amount of engineering proof. Its advances are offset by such unexpected difficulties as marred the afternoon at Cricket Club.

It has a long turn-pike to travel. As an entertainment form it's impossible on the present evidence to guess what it may eventually be like. Certainly there is no present alarm from either pictures or radio that a competitive amusement is around the corner. Its discernible level is as a possible novelty in the home, with home films (16 m.m.) having the advantage and probably about as cheap (or as expensive).

It seemed to impress some that the second hand of a watch could be observed in fair detail with nothing but the watch in front of the television. That's pretty kindergarten from an entertainment standpoint. Agai trying to put sex appeal into the proceedings, there was an Ina Ray Hutton film short that was a blur of moving blotches of black and white and a fashion show conducted by Margaret Case of Vogue that simply didn't register.

### Images OK

Admission was made by a Philco exec that pretty girls are the easiest television tests because imagination fills in the gaps. But the small images, the lack of individual visual identity throws the whole thing back to sound. Television in its present state of development is without personality save in terms of vocal effects.

Boake Carter, who was televised with Connie Mack, the baseball mogul, was a personality only to the same extent he is on the air—because of his voice.

Contrasts were made by rapid switchovers between 345 and 441 lines. Differences could be noted, but seemed less than revolutionary. If deemed the goal—the arrived state—of clarity and perception, as has been claimed, it was a distant setback for television's prestige. RCA is now working toward 441 lines also.

Speculation has been rife lately as to what and who might be behind the current gossip on television. Some buzzing has to do with the theory that the advance publicity preparations are predicated on some sort of a stock-market killing. Television is still experimentally licensed and controlled by the Federal Communications Commission and unlikely to emerge from that condition without pretty strong proof. Again, the Federal Securities Commission would probably retard the stock promotional angles.

Looks like a question of getting in on the ground floor of the whoop-la. But a bit dangerous in view of Philco's indifferent demonstration.

### Japan Hot on Tele

Tokyo, Jan. 27. Japan is all het up over publicity from Europe and U.S.A. on television. It intends to do something about it. Will spend some coin perfecting the receiver developed by Prof. Kenjiro Takayanagi the Hamamatsu Higher Technical School. With this in mind, the Japan Broadcasting Association, which is a semi-governmental organization monopolizing the broadcasting field in

## DAVE LOEW EAST ON BROWN PIC RELEASE

Dave L. Loew, who produced "When's Your Birthday," Joe E. Brown, star for RKO release, is in New York for two weeks in connection with the picture's release.

Producer's next with Brown will be "All Is Confusion," which is slated to go before the cameras March 1, Edward Sedgwick directing.

## Selznick Takes Over RKO-Pathe Lot in Buildup

Hollywood, Feb.

Selznick-International Pictures, Inc., ically took over the RKO-Pathe studio, comprising 80 acres, in Culver City and henceforth the plant will be known as Selznick-International studio. In addition company, headed by David O. Selznick, took over a 40-acre location site in Baldwin Hills nearby.

Forced to expand because of its \$12,000,000 picture program for 1937, the company will remodel several of the studio buildings and add some sound stages and dressing rooms.

Future productions include: "The Prisoner of Zenda," "Let Me Live," "The Adventures of Tom Sawyer," "The World's Own Oyster" and "Gone with the Wind."

## COOPER'S B. O.'S TO AID CHARITY FOUNDATION

Feb. 16.

After J. H. Cooper's foundation, a move announced in VARIETY a year ago as a showman's attempt to set aside a fund of \$1,000,000 to aid underprivileged children in Nebraska, Oklahoma and New York, seemed to be stymied and getting nowhere, a deal was worked out by Cooper here this week with Bob Livingston, indie manager-owner of the Capitol, whereby his house operates at a guaranteed \$1,400 monthly for the foundation.

rig announcement the foundation carried with it word that about \$100,000 in money and bonds had been placed in the fund to start it, and at various times thereafter theatre properties would be added. Besides Cooper, on the board are several Lincoln non-pro citizens who are biggies in the city's biz. Cooper, at the time of announcing the foundation, announced intention of building two theatres in Oklahoma which would operate for the foundation.

Japan, recently appropriated \$150,000 to carry on experimental work in the Association's new laboratory, now under construction.

Professor Takayanagi is working on a daylight television-receiver which he expects to replace the present fluorescent-light type now in use. The new method is understood to be a combination of Takayanagi's experiments and those of Dr. Vladimir K. Zwornik of R.C.A. So far the professor claims that his gadget is 90% successful and hopes to make it 100% by this March.

Olympic games to in Tokyo in 1940 seems to be the cause of all this sudden interest in television. Hope to have things so arranged that pix of all the events of the games can be televised to all homes within a 12 mile radius of the stadium.

## EXHIBS REALLY UP AGAINST IT

Coin Banned by Cops—Dishes Too Mild for Customers—Prize Trips, Even Season Passes, Only Mild Substitutes for Coin-Hungry Fans

### A FRANKENSTEIN

icago, Feb.

Following the sloughing the police of bank night, screen and other coin giveaway stunts, the local exhibitors are their ears and looking in books in an endeavor to find some sort of box-office gimmick to bring in the customers. Exhibs have found that they have trained the public around here to expect more than just pictures when they walk into a theatre, and the public is squawking that they're getting gyped unless they get that 'extra added attraction' stunt.

Just what the stunt should be is the problem that's driving the mid-west exhibs nuts. Some of them have tried to go back to giving away dishes and kitchenware, but they have been laughed out of it by the customers who claim, first, that they've got enough dishes already from previous giveaways to open individual crockery stores, and second, that the dishes are too old-fashioned and too mild. They've gotten accustomed to \$2,000 jackpot for the lucky number, and they won't be satisfied with a saucer in exchange. The fact that everybody is a winner doesn't interest 'em; they would rather have a 60,000-to-1 shot on a \$3,000 prize than be a sure-winner of a teacup.

And since it can't be money, according to the cops, the exhibs are up against it, especially with the public yelling about it. Some of them have tried to go into the old-fashioned contest idea, with the winners getting trips to California and Florida, but it hasn't the same wallop. Others are even giving away season passes, even though they realize the pass habit is inimical to all good show business.

## LE ROY'S QUINT FOR WARNERS

Hollywood, Feb. 16.

Mervyn LeRoy will make five pix for Warners' release instead of four as previously contemplated.

They are "The King and the Chorus Girl," recently completed; "In the Deep South," next to hit cameras; "The Great Crooner," untitled musical, and "The Great Garrick," based on the life of the actor, David Garrick.

Richard Rodgers and Lorenz Hart are writing the musical, to star Fernand Gravet and Ethel Merman. LeRoy has added Lana Turner, 17, from Idaho, to his list of personal contractees. She will play the tragic role of Mary Clay "The Deep South."

### Kent, Clark to Miami

R. Kent and John D. Clark checked out of the 20th-Fox home offices Saturday (13) for Miami. They will be back around March 1. Clark to prepare for an early sales confab in March, which means he may miss year's Motion Picture Theatre Owners of America convention.

### Wurtzel' Vacash

Hollywood, Feb.

Sol Wurtzel will take a two-month vacation in April touring the Orient. Lou Breslau goes along also.

## Par to Offer Barney Balaban a 5-Yr. Contract; Prez Wants B.&K. Control

### Wait and See

London, Feb. 7.

Here's a Parliamentary reaction to recent walling wall comments on the attitude of U.S. market to British films.

Hall Caine, M.P., asked in the House of Commons: 'Has attention of the President of the Board of Trade been called to the fact that British films have been given a reasonable chance in the United States, and, in view of the large revenue received by U.S. products in respect of exhibitions in this country; will he take steps to ensure a greater measure of reciprocity?'

Dr. Leslie Burgin, representing the board, told him to wait and see. Point, presumably, will be covered when the Quota Laws are redrafted.

## Gordon-Goetz-UA Pends; Former's RKO-LeRoy Tasks

Hollywood, Feb. 16.

Under a deal that doesn't affect his Broadway stage productions, Max Gordon has joined S. J. Briskin at RKO as a production assistant. Deal is only until April 1, and then he hops over to Warners to aid Mervyn LeRoy for three months.

Meanwhile, Gordon and Harry Goetz are holding up their United Artists production plans until they can produce "The Women" as their first film. Several members of the stage cast, now appearing in the play at the Barrymore, in New York, will come west for the picture.

## CROSBY'S REPEATER FOR COHEN VIA PAR

Hollywood, Feb.

Bing Crosby and Emanuel Cohen have tied for another picture to be made this year. Cohen had a similar deal with the crooner last year on "Pennies from Heaven," which was released through Columbia.

Cohen's Major Pictures has release through Paramount now, so the arrangement keeps all of Crosby's pix moving through that channel. Arthur Johnston and Johnny Burke, who did the songs for "Pennies," will do a repeat job on the next film.

## Sherman's 500G Budgeter

Hollywood, Feb. 16.

Harry Sherman's remake of "The Barrier" for Paramount will be directed by Edward Ludwig. Film is carrying a budget of \$500,000.

Location troupe is looking for a spot in Alaska with start skedded for April 15.

### Cowdin Returns Feb. 22

J. Cheever Cowdin, irman of Universal Pictures, returns to N. Y. Feb. 22, after nearly two months in Europe visiting key cities where U has interests.

He will be accompanied by secretary, Anthony Pettit, and is wife.

### ED SCHILLER TO FLORIDA

Hollywood, Feb. 16.

Col. Edward A. Schiller, p. of Loew's, Inc., trained to Jacksonville, Fla., Feb. 15.

He planned a stopover in New Orleans for exhibitor confabs.

Understood that the Paramount board of directors will vote Barney Balaban, company president, a five-year contract at \$150,000 salary, plus 5% of the profits of Paramount.

However, Balaban is reported insisting that he retain his present salary and percentage in Balaban & Katz, Barney and John Balaban collect \$175,000 as the annual salary of the Balaban brothers, against 15% to 17 1/2% of the profits.

Barney Balaban wants this B. & K. arrangement to remain as is, in addition to his contract as chief of Paramount, so that he will be able to utilize this B. & K. money to take care of a good many of his topflight assistants. Chicago, who have worked with him and for the firm for many years. This takes in such men as Walter Immernan, Dave Wallerstein, J. J. Rubens, Nate Platt, Harry Lustgarten, Bill Hollander, Elmer Upton and others.

Balaban himself, when he accepted the presidency, stated that he had 'enlisted' in the service of Paramount, and when he was asked by the board what deal he wanted, Balaban answered that he still felt the same way about it and would set no price. He has been working as president of Par for no salary, taking only his remuneration as head of B. & K. Now that the board has tentatively drawn up the five-year deal, Balaban has added his insistence on the retention of his full B. & K. deal for the benefit of his Chi associates.

## PATHE-DU PONT FINANCING IN MONO

Monogram Pictures is still mulling several financial plans that have been up for consideration in the last few weeks. While there have been numerous offers made to provide company financing, Wall Street hears that no attempt will be made to float a stock issue until circumstances are held to be more auspicious. Not set as to whether or not any public offering of stock will be made and it made, when the issue will be placed on any stock exchange.

Pathe is favored for laboratory business, which would automatically swing in Du Pont on the deal to supply the raw stock for production. But understanding is that the deal would be on a much more elaborate scale, and that it would develop along the lines of certain advances on raw stock and laboratory work. Actual financi would come direct through a loan or underwriting of small stock issue by a banking if further funds are required.

Monogram expects to have its selling campaign in full swing shortly. By the time that the convention opens early in April, the company officials expect to have six features completed and prints available various exchanges.

Product still remains at 26 features and eight westerns.

### Mintz Producing

Hollywood, Feb.

Columbia has taken Sam Mintz from the writing ranks for a producer berth.

His first picture will be Paul Gallico's "Twice the Night Before Christmas," Satevost yarrn.

### Hays Back East

Will Hays arrived in New York this week from the Coast in order to make preparations for the forthcoming annual meeting of the MPDPA. Annual confab scheduled for early March.

## Arch Spencer's Theatre Acceptance Syndicate Behind Ill. Building Boom

Chicago, and all Illinois, is on a theatre building spree which seems to be going places. In the past 30 days plans have been considered for a 40-story office building and theatre on Randolph street, another theatre on Madison street, and several other loop spots being looked into by Balaban & Katz among others.

These do not include the Balaban Bros. Coronet, the Esquire, the Walton, by Essaness, or the new house being built on the outskirts at Western and Devon avenues.

Behind most of these building programs, and several others in different parts of the midwest region, is the Theatre Acceptance Syndicate, headed by Archie G. Spencer, a firm organized to finance, lease, build and improve theatre sites. Capital for the workings of the firm is said to come from local bankers, and work being done is, for the most part, on sites which banks have had to take over on mortgages.

Working on plan of an auto acceptance organization, the Theatre Acceptance Syndicate is financing and building theatres in Evanston, Wilmette, Belvedere, Elgin, Glen Ellyn, and two in Chicago.

Plans are also being laid by the company for erecting two, and possibly three, houses for legitimate productions in Chicago, but actual work will probably not begin until the fall of the season. Legitimate managers with hit shows have had considerable difficulty in finding a house in which to play their shows this year, and in several cases have had to move out long before they should have because other attractions were booked in the house they were playing.

## PAR BOARD APPROVES NEW \$15,000,000 ISSUE

At a meeting of the board of Paramount yesterday afternoon (Tues.), directors authorized the creation of a new issue of \$15,000,000 in 3 1/2% convertible debentures, dated as of March 1 this year and due March 1, 1947. These debentures will be convertible until five days prior to redemption date, or maturity into common stock at \$33 1/3 a share until March 1, 1942 and thereafter until Feb. 23, 1947, at \$40 a share.

The debts will be redeemable in whole or part at any time upon at least 30 days public notice, at par value, plus accrued interest. The 3 1/2% convertible debts will be issued pursuant to an indenture between Par and the Manufacturers Trust Co. of New York, as trustee, which will provide, among other things, for annual sinking fund payments to the trustee starting April 15, 1941, the sinking fund payments to be 15% of the consolidated net earnings of the company, as defined in the indenture for each year beginning in 1940. The indenture will provide sinking fund payments may be made in cash or debentures, with a credit to the sinking fund of the amount of debentures converted into common after Dec. 1, 1939.

Par, under the plan, will offer to holders of its 20-year 6% sinking fund debts the right to exchange as of March 1, 1937, without adjustment of interest, at equal face value, 6% debentures for the new 3 1/2% debts. The rights to exchange will expire March 9, 1937. In the event that more than \$15,000,000 in principal amount of 6% debentures are presented for exchange, the exchange will be substantially on a pro rata basis.

Par now holds in its treasury \$2,376,000 of the 6% bonds which will not be exchanged under the offer. Script or fractions for new debts in denominations of less than \$100 will not be issued, nor will the holders of script for present bonds participate in the exchange. The 20-year bonds which are exchanged pursuant to the new offer will not be re-issued by Par, but will be cancelled or tendered from time to time for retirement through the sinking fund under the present indenture with the City Bank Farmers Trust Co.

Par announced there is no underwriting or payment of commission in connection with the proposed exchange.

## Incorporations

### NEW YORK

**Regent Theatre Corp.**, New York; theatrical business; capital stock, 100 shares, no par value. Incorporators: Essie Aldenberg, Anne Nadelman, Florence M. Raden, all of 1501 Broadway, New York City.

**Murray Theatre Corp.**, New York; theatrical business; capital stock, 100 shares, no par value. Incorporators: Samuel Goldberg, 753 Eastern Parkway, Brooklyn; Julia Chernay, 1430 Plimpton avenue, Bronx; Herman Larris, 908 Stebbins avenue, Bronx.

**Orchids Preferred, Inc.**, Manhattan; theatrical business; capital stock, 750 shares, \$50 a share, preferred, 500 common, no par value. Incorporators: Alexander L. Jones, Hotel Wellington, New York City; Catherine York, 202 Jules Suppin, both of 580 Fifth avenue, New York City.

**Bumpe Malone Corp.**, Manhattan; theatrical business; capital stock, 100 shares, no par value. Incorporators: Irving B. Gavey, 370 Broadway, New York City; Irving Klein, 305 Broadway, New York City; Samuel L. Cohen, 170 Broadway, New York City.

**Saultry Theatres Corp.**, New York; theatrical business; capital stock, 100 shares, no par value. Incorporators: Samuel Goldberg, 753 Eastern Parkway, Brooklyn; Julia Chernay, 1430 Plimpton avenue, Bronx; Herman Larris, 908 Stebbins avenue, Bronx.

**Sterling Pictures Corp.**, Manhattan; motion picture business; capital stock, 100 shares, no par value. Incorporators: Harold J. Sherman, 1919 Broadway, New York City; George J. Sherman, 1919 Broadway, New York City; Martha Barria, 116 East 56th avenue, Brooklyn.

**Admitt Brandon & Mark, Inc.**, Manhattan; motion picture business, etc.; capital stock, 200 shares, no par value. Incorporators: H. C. McKee, 271 Madison avenue, New York City; William H. Smith, 51 East 34th street, New York City; B. Thatcher, 160 East 46th street, New York City.

**Nearly Whitty, Inc.**, Manhattan; theatrical business; capital stock, 177 shares, no par value. Incorporators: Louis L. Gavey, 370 Broadway, New York City; Anthony Forbes, all of 9 East 46th street, New York City.

**Woody Herman Orchestra, Inc.**, Manhattan; motion picture business; capital stock, 140 shares, no par value. Incorporators: Woody Herman, 373 Bleeker street, New York City; Joe Bishop, 4015 51st street, Jackson Heights, N. Y.; Kermel Simons, 18 Columbia street, New York City. Subscribers: Fannie Smith, Nathan Bilek, Edward M. Loden, all of 557 71th avenue, New York City.

**Rialto Productions Corp.**, New York; motion picture business; capital stock, 200 shares, no par value. Incorporators: Margaret Tully, Margaret McMullen, Charles Blittinger, all of 444 Madison avenue, New York City.

### MISSOURI

**Joplin Moore Park Amuse.**, Joplin, Mo.; 200 shares, no par value. Control and management grounds for public exhibitions and other field games and to own and control a professional baseball club. Incorporators, who also will be directors: J. C. Moore, all of W. R. Sharp, Arnold Leonard, A. B. Reed, R. L. Smith, R. W. Boyd, R. Reynolds and J. C. Fink, all of Joplin.

### TEXAS

**Artville Amuse.**, Galveston; decreasing capital stock from \$75,000 to \$60,000.

**R.K.O. Pictures, Inc.**, Delaware; motion picture and advertising; capital stock, 100 shares, no par value. Incorporator, Texas agent, M. Sachs, Dallas.

## RKO'S EASTERN SALES MEET; 3D REGIONAL

RKO went into session yesterday (Tues.) on a two-day eastern sales regional meeting at the Hotel Astor, N. Y., presided over by Ned E. Depinet and Jules Levy, latter returning to town just in time to make it. This is the third of three regional confabs, others having been held in San Francisco for the west and at Chicago for the midwest.

District and branch managers of 12 eastern and southern exchanges are attending.

Their New York visit will include a special trade and exhibitor screening today (Wed.) at the Astor of "When's Your Birthday," print of which was brought in Monday (15) by its producer, David Loew.

## COL'S REGULAR DIVVY

Columbia Pictures maintained its annual dividend rate of \$1 on the common last week by declaring the usual quarterly payment of 25c on common and certificates of the same. Company also distributes a stock dividend of around 5% but only on a semi-annual basis.

Latest cash distribution is payable April 1 to common and certificates of the common on record March 18,

## GN Sales Meet on Coast

Hollywood, Feb. 16.

Edward L. Alperson is planning to hold Grand National's sales convention here in May.

Confabs will take place at the new Grand National studio.

Desiring to devote more time to distribution of his Far West indie pictures, Sam Berkowitz, who aligned with Grand National Pictures distribution six months ago, is leaving the GN spot although retailing his headquarters in the exchange, where he had long been identified.

Hi Pesky goes in to take charge of GN distribution with the L. A. territory with Mel Hurling, Berkowitz's partner in West, continuing as district manager for GN, the Coast. Pesky, brother of Ed Pesky, GN general sales manager, is a former exhibitor.

## WALL ST. SEES ANOTHER 20TH EXTRA DIVVY

Earnings of 20th Century-Fox are running 50% higher above the same period last year that Wall Street anticipates another substantial dividend distribution on the common stock. Announcement of new payment, which is expected to be 75c, or \$1, is expected within the next 10 days to two weeks.

Rentals of 20th-Fox are estimated for the first 45 days of 1937 to be running 56% ahead of the comparable period in 1936. The company's financial statement covering the year of 1937, ended last in December, will show consolidated net income of \$6,200,000, to \$7,100,000, depending upon how much is received in the 12-month period in dividends from National Theatres Corp. and other subsidiaries.

Twentieth Century-Fox reported net operating profit for the 39 weeks ended Sept. 26 at \$4,451,851, but this did not include any dividends from National Theatres those subsidiaries. At least one divvy was declared by this subsid. Company has 42% interest in National. Current estimates in the street are that the final 13 weeks in 1936 will show 20th-Fox profits-running 45% ahead of final quarter in 1935.

The 39-week period ending last September, reported earnings of \$3.27 on the preference issue and \$2.38 on the common. Consequently, the \$2 declared, the common shares last year were covered easily by profits com' in during the first three quarters.

Final quarter of 1936 may show returns of around \$1 on the common stock, and the company undoubtedly will distribute part of this to stockholders rather than pay the heavy federal tax on undistributed profits. Although the company is paying only \$1.50 currently on the preferred, the net consolidated income for the past year probably will represent earnings of more than \$5 on this class of stock. Part of this remaining \$3.50 undoubtedly would revert to common stockholders.

More optimistic in Wall Street envision earnings of \$4 to \$6 per common share in 1937. While normally this might prompt directors to place the common on a regular dividend basis of \$2 to \$3 a share before mid-year, the present tax law on undistributed net earnings may alter the usual policy.

## IA RULES NO SWAPPING LENSERS EAST-WEST

There will be no interchange of cameramen between the east and west coast or with other locals, according to Charles Downs, business agent of International Photographers Local 644. He outlined this undeviating attitude on his return last week from Los Angeles where he attended meetings of the I. A.

Not only will there be no swapping of camera grinders but Local 644 officials are making a diligent survey of picture company photographers who come into New York from other cities. As soon as they begin working steadily within the jurisdiction of the N. Y. union, they are asked to transfer affiliation to No. 644.

## Inside Stuff—Pictures

Decision of Paramount to try to get bondholders to convert debentures into common stock, together with considerable recent conversion of first preferred shares into common, is accepted as meaning that the company desires to eliminate or reduce both bonds and preferential holdings. It was reported sometime ago, prior to any converting of stock, that this was an expectation of the future. Conversion is not obligatory.

Such moves by security holders in Par would mean not only a very substantial increase in the common stock of the concern but an entirely new position for Par. Formerly, prior to bankruptcy, Paramount Public securities consisted of two bond issues and common stock but no preferential lists. Placing Par on a basis of more common would be somewhat unit for the company. A new \$15,000,000 bond issue is also converted into common.

When Metro produced "Night Flight" in 1933 it was bailed as right out of the archives of South American aviation. Picture, hinged on old hope that some must die in the others might live. If civilization is to progress, sought to justify sacrifice of two aviators' lives, who were trying to prove that aviation was safe, and squaring that by having another plane make the grade when bringing serum to a dying child.

Latest smack-up on the Coast made a living ghost of Metro's forgotten meller. Eleven were drowned, and airlines took edge off that by rushi another plane from New York to Hollywood bearing life-saving serum for Myron Selznick, who was critically ill with pneumonia, but now improved.

Seasonal attack superlatives in trailers is a full blast again. Audiences unimpressed by unbounded claims made by trailers, often stay away from films because they feel elaborateness of trailer is intended to counteract inadequacy of film.

Many exhibits have been squawking to exchanges that they are feating own purpose, becoming main comic attraction in nabe. Advertising men generally feel (as best evidenced by restraint shown recently by Frank Whitbeck in MGM copy) that this has come to tone down the blubs and restore confidence with the fans.

Marguerite Fitzsimmons, booker for the Westland theatres in Colorado, is one of the few women in the line job. Having been connected with theatres and exchanges for several years, she knows what the public wants, and pretty much on what days they want it. She was first secretary for Harry Huffman, Denver theatre man, then worked the Columbi exchange before going to the Westland outfit as secretary, which job she still handles in addition to the booking end.

Publicity makes box office. This axiom is being exempli the country at present as theatre box offices discover that 'social diseases' are no longer censored from the newspapers. Following the national public hygiene campaign against social diseases, which has been taken up with plenty of drum-banging and headlines by the newspapers, the old-time pictures have suddenly found public favor and interest.

Although the Hays office smut-sleuths okayed the word, 'whore,' in the recent New York Daily News editorial in praise of 'Camille,' several newspapers turned down the ad of the Capitol, N. Y., which reproduced this plug. A few people coming into the theatre also complained about the lobby bloup of the editorial containing this strike-me-pink word of Webster's. Management was amused at all.

A newsreel depicting scenes of the Spanish revolution, as taken from the Loyalist or Popular Front side, has been barred from Ohio theatres by the State Board of Censors. It was rejected on the grounds that it was 'harmful.' Roy Reichelderfer, supervisor of censorship announced, Picture, titled 'Spain in Flames,' is being distributed by the Amkino.

Chariot drawn by three nags and driven by a femme has been selected as the symbol for Mervyn LeRoy productions for Warners release. Boston entrant drafted the winning symbol in a mag contest.

Rushing through the shorts which he must deliver under his contract with United Artists, Walt Disney has pushed through six which are yet (Continued on page 31)

## Condor Picts' New Issue; Am. Seating's 241G Net

Condor formed a short time ago, as an indie producing-distributing unit, obtained first financing yesterday (Tues.) when 472,818 shares of common were offered at \$3.25 offering being made by Chicago San Francisco financial houses. Stock not listed in N.

New company is consolidation of Regal Productions, Inc., Metropolitan Pictures, Productions and George Hirilman Productions, Inc. RKO will release.

American Seating reported yesterday (Tues.) net profit of \$241,756 after taxes and charges, or \$1.19 per capital stock share, for the quarter ended Dec. 31, 1936 as compared with \$1.14 in September quarter and 58c per share in December quarter in previous year. Total net for year 1936 was \$541,968 or \$2.45 per share against \$330,262 or \$1.63 a share in preceding year.

## Balabans' Mother Grave

Miami, 16. Mrs. Gussie Balaban Levin, mother of the Balaban brothers (A. J., Barney, John, Dave, Harry and Elmer), is seriously here, followi a stroke last week. Her condition is so grave at present that relatives have been called to her bed.

Harry Balaban has flown in from Chicago and John, who happened to be in Havana on a vacation, hurried here also. Barney hopped a plane Monday (15) from N. Y. while Dave and Elmer from Chicago. A. J. is in Europe.

## S.E.C.'S-ROUTINE PROBE ON WB'S SUDDEN ACTION

Brokerage houses were notified Monday (15) by the Securities & Exchange Commission that the action of Warner Bros. in dropping two points of common stock on Tuesday (9) was being investigated. Financial houses were asked to submit the full details on all transactions in Warner stock on that date so that the SEC could have a clear picture as to who was interested in purchasing disposing of shares after Warner Bros. announced that it would not market additional common stock.

Action probably was prompted by the enormous activity in this issue because the demand for shares and absence of offerings forced stock exchange governors to halt trading in WB for about an hour. Warner stock pushed up to 17 1/2 in heavy dealings on the Tuesday in question as compared with a closing quotation of 15 on the previous trading day.

The stock had been selling between 17 1/2 and above 18 before the plan to issue about 900,000 additional common shares was issued (with present holders given the right to buy at about \$12.50 per share) and quickly dropped two points or more on disclosure of the plan. After the run-up on Tuesday of last week, Warner common has settled back slowly along with other film company issues, selling around 15 1/2 after brokers were informed of the SEC probe.

Any sudden moves in stocks, particularly when news affecting such fluctuations is issued during a market session, have brought prompt action on the part of the SEC in recent months. Naturally more than the usual amount of attention was rected to the Warner move because actual trading in the issue was halted until floor specialists could collect enough stock tabbed for sale to meet the sudden purchasing demands.

# REELS' MOUNTING COSTS

## Huge Legal Job of Amalgamating A Flock of Pix Subsidiaries Almost Done

The most elaborate and sweeping corporate structure revision ever attempted in so brief a period by major picture companies is nearing final completion this week. Finishing details of the program of combining or eliminating numerous subsidiary companies or units to major producer-distributor corporations, have swamped the legal departments in the last two or three weeks, although the revision work has been under way for the most part since last fall.

Urges to simplify the corporate structure is based on the desire to conform with the spirit of the 1936 revenue act. Procedure has been to cut out as many of the so-called "deadwood" companies as possible. Aside from making the entire capital structure less involved and in many instances bringing an added expense, the large number of subsidiaries to the parent corporation would actually harm the financial position of the parent firm in two ways under the new federal statute. Hence, the desire to simplify.

The new revenue law does not allow parent corporations to deduct losses of one subsidiary from the earnings of another in arriving at net combined subsidiary returns. Under the new federal law stipulations, these must be segregated with full tax levied on the profit of each subsidiary without making any allowances for losses by losing subsidiaries.

**10% Tax Cuts Per Unit**  
Second obstacle overcome by getting rid of subsidiary companies is the 10% tax on intercorporate dividends. In cases where the principal corporation derives earnings via dividends from five or more subsidiaries, particularly where various subsidiary units have other lesser companies operating under them, this tax cuts deeply into revenue that accrues to the parent firm through monetary declarations. Where two or three minor operating firms work under a main subsid, it means the payment of three or four 10% taxes, which gives an idea of how desirable one main operating subsidiary is for larger film companies.

In many instances, now with the complete overhaul of the subsidiary set-up, only one subsid operating firm has been left in the field to carry on for the parent corporation. Thus, Metro-Goldwyn-Mayer corporation is the producing subsid for Loew's, Inc., with the stock wholly owned by the latter company. Under the simplified line-up, earnings shown by this producing corporation move up to the parent firm, with the single 10% assessment via a dividend declaration. Thus, it permits this one operating company to show a profit and push the earnings up to the main corporation with the minimum deduction.

Legal departments of major companies undertook first steps in trimming the subsidiary companies for the most part last fall. Loew and Paramount were credited with being among first to get this gigantic capital revision work under way. Twentieth Century-Fox probably had the smallest amount of legal work to do because of the few existing subsidiaries, in order to avoid heavy tax payments.

Because these subsidiaries were organized and set up over a period of 15-20 years, the revision of the old corporate structure to eliminate and combine these dependent companies within a space of a few months involved a tremendous task. While the bulk of this activity was completed last year, final touches had to be rushed through the last few weeks.

### Wayne's War Chore

Hollywood, Feb. 16. Rem Garr's next production starring John Wayne will be "Cover the War," an origin by Bernard McConville, which is being scripted by "Adventure's End," from a story by Ben Ames Williams, will follow "War."

### Patterson's Time-Out

Warner executive, who has been in ill health for some time, has been advised to go away for a six months' rest. He will probably leave within a week or 10 days, going either to New Mexico or Asheville, N. C.

Recently, Patterson has been coming into his office only now and then, sometimes for a couple of hours daily.

### Union Would Bar Newsreel Lenses Doubling on Shorts

Officials of International Photographers' Union, No. 644, are beginning to crack the whip on newsreel cameramen who double on short features. Union officers are putting it strictly up to the lensmen to obey the stipulation the regulation which forbids doing anything but newsreel work. Where violations of the rule are uncovered, a fine of \$500 will be slapped on the cameraman.

What the Local executives have in mind is the practice employed by producing companies of shooting out camera grinders from their newsreel staff to do scenes for certain topical short subjects, "Living Places," which Universal produces, Pathe Review and other such short features were cited.

Practice of telling a photographer definitely assigned to newsreel work to "go out and make us a story" for these timely shorts is the thing objected to by the union. They figure that by the encroaching on territory that should be handled by other cameramen.

Asked if this ruling on newsreel cameramen's contracts would prevent producers from using newsreel clips in their feature productions, Local 644 officials denied that there was any intention of trying to bar this newsreel material.

Controversy has numerous producers aroused because of implications in the rule against permitting newsreel cameramen to double. Some fear that it would prevent any scene made by a newsreel photographer from being used either in a feature or any sort of a short. This would automatically wipe out the by-product usage of this newsreel material which is profitable to many feature producers.

### N. Y.'S NEW THEATRE SMOKING ORDINANCE

New ordinance which will specify just where and in what size theatre, both film and legit, smoking is to be permitted in New York was given a first reading last Thursday (11) and now goes to the fire commissioner and fire chief, who will prepare it for submission to the board of aldermen.

In its present form, the proposed statute would limit smoking privileges to a single portion of the house, generally speaking the loges. However, certain alterations in the original draft are to be made by fire department officials before it even is submitted to the city fathers for approval, with chance of further revision likely at hands of the board.

Virtually no interest being evinced by larger midtown picture theatre managers in proposed ordinance, some describing the present smoking privileges a nuisance and source of annoyance because of necessity of checking on lighted cigarettes and cigar butts. Damage to carpeting is another problem resulting from practice.

## NEWS COVERAGE MORE EXPENSIVE

**Big News Events (Floods, War, Etc.) Sending Newsreel Outfits Into the Red — Yet Can't Charge More for the Extra Service Due to Blanket Contracts**

### MUST DO SOMETHING

The problem of getting the newsreels on a profitable operating basis and at the same time devising ways and means of cashing in on the current dearth of suitable two-reel product is expected to be given weighty consideration by the executives of major producing the next few months. One thing certain is that the newsreel editors are fully cognizant of the situation and its potentialities.

One advanced is that the newsreels either should expand and bally their novelty material, such as sports, fashions, comedy moments, freak news, etc., or they should develop a heavy exploitation campaign heralding the timeliness and world coverage to be found in the news weeklies. This would follow the intensified methods of advertising and publicizing employed by "March of Time" to a certain extent. Might even copy the sales ideas of that reel at least to the extent of making the newsreel a stand-out product and a highly valuable addition to gram.

Feeling with many newsreel executives and others high in the industry is that the newsreels never should be permitted to lose their identity as such or be allowed to verge off too much in the novelty short feature field. However, there is a widespread belief that something should be done to enhance the status of newsreels and make them profitable operations on their own. Those holding to such a slant feel that the present time is most auspicious.

**2 Out of 5 in the Black**  
It is no trade secret that the newsreels have been struggling for years to keep their heads above water. Even within this last year, probably only two of the five will show anything like a substantial profit for their efforts to cover world happen-

itation is such that newsreel producers are unable to collect an extra cent for such comprehensive and costly coverage as was provided on the recent flood disaster. There is no provision under the present set-up whereby exhibitors can be assessed anything more when the newsreels are called on to handle a national calamity such as the floods, a war or any other big world's news (Continued on page 59)

## U. S. Sold More Footage Abroad But Income Less This Past Year

### Includes WB

Washington, Feb. 16. One major picture company bobbed up last week in Washington as a member of a group of industries which used directives to keep tabs on labor. Warner Bros. was the picture firm included in the list of more than 20 corporations which had engaged the services of Pinkerton detectives on the labor angle. No details of the WB deal with Pinkerton were obtained, however, by the Senate Education and Labor Committee.

### 4th U. S. Propaganda Pic Out, This One on Social Security Data

Washington, Feb. 16. Fourth the Social Security Board's series of educational films, explaining unemployment compensation features of the Security Act, was released Monday (15). One reel is tagged "Today's Frontiers" and already is booked in more than 6,000 houses.

Written by Ferol Thorpe, SSB propagandist, picture was turned out under contract by Pathe. James S. Douglass supervised production. Reel explains principal feature of jobless insurance law in force in 35 states, covering estimated 18,000,000 workers.

The SSB has spent more than \$50,000 to date on educational pix, all made by Pathe. Previous titles are "We, the People, and Social Security," "Youthful Old Age" and "Apocalypse of Old Age Security." Estimated 100,000,000 persons have watched unscrambled.

Additional reels are planned, although Congress has shown signs of apprehension over Government expenditures for such propaganda. The unfavorable reaction among lawmakers cropped out during recent hearings on the Independent Offices Appropriation Bill, when Representative Richard B. Wigglesworth brought out details of \$52,866 bill for 1936 and Jan. produced between July 1, 1933, and Jan. 1, 1937.

### O'Connor's 10G Fox Fee

Basil O'Connor, as solicitor to Milton C. Weisman, receiver for Fox Theatres, awarded an additional \$10,000 by Federal Judge Manton for his services covering the period from Jan. 1, 1936, to Dec. 31, 1936.

O'Connor has held the advisory job since Fox Theatres entered bankruptcy Nov. 15, 1934. Judge Manton Monday continued him as solicitor.

## Pix Biz Rushing Its Product Out By March 1 When Tax Rap's Due

### COL. SHINDIG CAPACITY

Saturday Night at Waldorf—Par and WB This Week

This year's Columbia Pictures banquet-ball, held at the Waldorf-Astoria N. Y., Saturday night (13), drew a capacity crowd, made up of members of the company's own club, the Columbians, as well as representatives of companies and theatres.

Two more parties due this week, Paramount's Pep Club having its first banquet ball in several years at the Hotel Astor Friday night (19), while Warner Bros. puts on its annual Saturday night (20) at the Waldorf.

Hollywood, Feb. 16. With California state property tax rap due March 1, majors and indies are working the film editors frantically to get the negatives out of the state. Production is being rushed and no new ones starting till after the March 1 deadline.

Major film industry's survey indicates an assessment of around \$250,000 for negative on hand, based on films before the cameras and in the cutting rooms. With 88 films being cut and 39 in work, and figuring the average cost at \$200,000 each on finished product, and \$100,000 on those in work, is would indicate total investment of around \$21,000,000. That sum is subject to tax by state.

Washington, Feb. 16. Overseas customers of American film producers gobbled up more footage but unwrapped fewer dollars last year, Commerce Department reported Monday (15).

In survey showing the foreign market was much livelier 1936, Nate Golden, chi of the motion picture section, fixed value of foreign sales of celluloid at \$4,531,639 and equipment at \$2,100,000. From footage viewpoint, imports were the best since 1930.

Preliminary revealed 10,000,000 foot jump in yardage. Demands of 101 markets called for 209,651,404 feet, compared with 190,690,621 feet in 1935. Value was down about \$85,000. Best year saw 274,000,000 feet riding the waves. South American countries were the biggest users of Hollywood product, with Argentina topping the list. Gauchos needed 18,065,518 feet, a jump of more than 1,000,000 feet, spending \$323,988, drop about \$4,000.

Although trail from footage standpoint, limeys were best revenue-producers. United Kingdom took 18,071,389 feet, worth \$525,031, with length jump 2,200,000 feet and dollar figure going up \$50,000. Brazil retained third place. Imported 12,785,110 feet, up 1,200,000 and paid \$252,859, up \$5,500.

Panama was fourth, followed by Mexico, France, British West Indies, Australia, Cuba and Spain. Only drop was the latter, where revolution presumably caused a slicing to the tune of \$160,000 in revenue for American shippers.

Equipment sales bounded sharply, with 16 mm. gadgets zooming. Foreigners took 7,388 minnie projectors, a jump of more than 5,000 units. Standard machine shipments numbered 1,454, a rise of about 200. Value of sound equipment sales upped \$600,000, reaching \$2,105,288.

## Completing Transfer Of Orpheum's Assets To Stadium (RKO) Corp.

Oscar W. Ehrhorn, bankruptcy referee for Orpheum Circuit, is concluding the details of transferring Orpheum assets to Stadium Theatre Corp., subsidiary of RKO. The formal O.K. of Federal Judge William Bondy is expected immediately. The referee last Wednesday (10) gave his approval of the transfer of the cash of the defunct concern with the understanding that besides turning over \$700,000 to the trustee, Stadium is also to either cancel or subordinate all claims against Orpheum, which aggregate \$2,880,666.

In consenting to accept the Stadium offer, Ehrhorn turned down the bid of \$2,000,000 made by Isidor J. Kresel on behalf of the Hudson County Warehouses, Inc. Kresel also represented a committee of Orpheum preferred stockholders. Under the agreement reached upon the acceptance of the Stadium offer, all creditors except Stadium will share in the \$700,000. Stadium reserved the right to either cancel or subordinate the claim notes which with interest now amount to \$3,001,239. Among the claims to be settled by Stadium is that of \$28,088 entered by RKO Service Corp. against Orpheum.

Hippodrome Building Co. was granted an order Wednesday (10) by Federal Judge Patterson to enter an appeal from the Court's order which allowed the company \$88,666 in the RKO reorganization proceedings. The company had asked for \$451,166.39.

### NORMAN SHEEHAN OUT

Buffalo, Feb. 18. Norman Sheehan, brother of Willie Sheehan, has resigned after 20 years as manager of the poster department for 20th-Fox at Buffalo.

# Trade Bucking Weather in L. A.; 'Avenue' Strong \$25,500; 'Devils' Oke 15½G; 'Earth' Big 3rd, \$17,500

First week of Lent failed to appreciate the bulk of the downtown first runs, but the Hollywood and nabe situations were not quite so fortunate. Bad weather in the weekend, however, hurt most all houses. Particularly bright spot is the Carthy Circle, where 'Good Earth' is hanging up b. o. records. Current week was helped by Lincoln's birthday holiday and gross should be only a few hundred dollars below that of second stanza.

'On the Avenue' got away to good start at the States and headed for substantial returns there, but is not faring quite so well at the Chinese. Couple of first-run movers fared badly and will hit lowest takes in West. 'United Artists' (UA) in some weeks. 'Sea Devils' is getting fair returns at Pantages and RKO Hillstreet, while the two day-dare Warner houses are also doing oke with 'God's Country' (WB) and 'You Only Live Once' (UA) and 'Dangerous Number' (MG), disappointing at \$8,500.

**Estimates for This Week**  
Carthy Circle (Fox) (1,518; 55-83-110-185)—'Good Earth' (MG) (2d week). Aided by the holiday trade holding firm and finish should show another nifty \$17,500 in the last week (2d), at \$16,600, net new house record and was \$3 better than second week of 'The Great Ziegfeld', previous topper at the nabe de luxe.  
Chinese (Grauman's) (2,048; 40-55)—'On Avenue' (20th) and 'Under Cover of Night' (MG), dual. Drawing fair returns currently and best of night is \$15,500. Last week, 'You Only Live Once' (UA) and 'Dangerous Number' (MG), disappointing at \$8,500.

Downtown (WB) (1,800; 30-40-55-65)—'God's Country' (WB) and 'Two Wise Maids' (Republic), dual. Fair jump in trade currently and at \$7,400 is quite oke. Last week, 'Sing Me a Love Song' (FN), and 'Once a Doctor' (FN), fair. Last week, 'Once a Doctor' (FN), fair. Last week, 'Once a Doctor' (FN), fair.

Four Star (Fox) (800; 30-40-55)—'Wings of the Morning' (20th). Won't prompt any dividends at \$3,500. Last week, quick windup of 'Men Not Gods' (UA), netted \$3,500 on nine days, pretty weak.

Hollywood (WB) (2,756; 30-40-55-65)—'God's Country' (WB) and 'Two Wise Maids' (Republic), dual. Run slightly behind its day-date mate (Downtown), but at \$8,000 should be oke. Last week, 'Love Song' (FN) and 'Once a Doctor' (FN), got so \$7,300.

Orpheum (Bdwy) (2,280; 25-35-40)—'Arizona Mahoney' (Par) and 'Happy Go Lucky' (Republic), dual, and vaudeville. Draw customers into this downtown spot and best this week is weak \$7,500, not profitable. Last week, 'General Spanky' (MG), and 'Beware of Ladies' (Rep), fair. Last week, 'General Spanky' (MG), and 'Beware of Ladies' (Rep), fair.

Pantages (Pan) (2,700; 30-40-55)—'Sea Devils' (RKO), and 'Criminal Lawyer' (RKO), dual. Victor Mack-Laden name aiding, take here to run of around \$12,000. Last week, 'White Hunter' (20th), and 'We're on the Jury' (RKO), weak \$5,000.

Paramount (Parimar) (3,595; 30-40-55)—'Devil's Playground' (Col) and 'Clarence' (Par), dual, and stage show. Nothing like smash biz previous, duals at \$12,000, net out. Last week, 'Champagne Waltz' (Par), plenty oke at \$19,200 and better than expected.

RKO (2,850; 30-40-55)—'Sea Devils' (RKO) and 'Criminal Lawyer' (RKO), dual. Top trade in several weeks and at \$8,500 will show profit. Last week, 'White Hunter' (20th), and 'We're on the Jury' (RKO), fair \$4,400.

State (Loew-Fox) (2,024; 30-40-55-75)—'On Avenue' (20th) and 'Under Cover of Night' (MG), dual. Headed for satisfaction at \$14,000, oke week. 'Live Once' (UA) and 'Dangerous Number' (MG), fair \$12,400.

United Artists (Fox-UA) (3,300; 30-40-55)—'Live Once' (UA) and 'Dangerous Number' (MG), dual. The acids and will be lucky to wind up with \$2,800. Last week, 'Camille' (MG) and 'Off to the Races' (20th), on mover hit oke \$5,500, little above expectations.

Wilshire (Fox) (2,296; 30-40-55-65)—'Live Once' (UA) and 'Dangerous Number' (MG), dual. Bottom dropped out of this nabe continued first run spot and at \$12,000, oke week. 'Live Once' (UA) and 'Dangerous Number' (MG), dual. Bottom dropped out of this nabe continued first run spot and at \$12,000, oke week.

**H.O.'s, No B.O. in Birm.;**  
**Oberon, \$2,500, N. S. G.**  
irmingham, 16.  
Still the holdovers come, ut biz is only so-so.

**Estimates for This Week**  
Alabama (Wilby-Kinney) (2,800; 30-35-40)—'One in Million' (20th). Around \$7,300, moderate. Last week,

'Champagne Waltz' (Par), \$7,600, moderately good.

**Empire (Amen)** (1,100; 25)—'Stage Struck' (FN)—Too much musical comedy here last few weeks and public fed up with them. Will get around \$2,300, fair. Last week, 'Give Me Your Heart' (WB), \$2,600, merited a holdover and moved to Galax.

**Rite (Wilby-Kinney)** (1,800; 25-30)—'Beloved Enemy' (UA)—Buildups given Jerry Cowan, who played stock here several years ago, but biz only ordinary; \$2,500. Last week, 'Last of Moliere' (UA), nice \$3,500.

**Strand (Wilby-Kinney)** (800; 25)—'Reunion' (20th). Dionne guins getting the bally, but not the dough; \$2,000, just fair. Last week, 'White Hunter' (20th), because of Gail Patrick, Birmingham girl, got \$2,300, moderate.

**Galax (Amen)** (500; 25)—'Give Me Your Heart' (WB). Second week in biz; \$1,800, fair. Last week, 'Theodora' (Col) (4th wk), \$1,200, good enough.

## WASH. BIZ OFF; 'LLOYDS' NICE \$18,000

Washington, Feb. 16.  
'Lloyds of London' out in front this week and only celluloid really paying dividends. Boys put plenty behind it and fact that it hasn't cracked amazingly doesn't seem to be hurting. Week's disappointment is 'Men Are Not Gods', which is coming out of Keith's tomorrow (Wed.) after six days.

**Estimates for This Week**  
Capitol (Loew) (3,424; 25-35-60)—'Cover of Night' (MG) and vaude. Stepin Fetchit and Clyde McCoy's band responsible for most of light \$18,000. Last week, 'Outcast' (Par) and Ray Noble band, fair \$20,000.

Columbia (Loew) (1,583; 25-40)—'Champagne Waltz' (Par) (2d run). Second week downtown heading for oke \$4,000. Last week, 'Stowaway' (20th) (2d run), set \$5,200.

Earle (WB) (25-35-40-50-70)—'Great O'Malley' (WB) and vaude. Light draw at \$14,000. Last week, 'Stolen Holiday' (FN) (1,530; 25-35-60)—'Men Not Gods' (UA). Coming out tomorrow (Wed.) with poor \$5,500 in six days. Last week, 'Great Guy' (GN), fair.

WB (WB) (1,553; 25-40)—'Devil's Playground' (Col). Oke \$4,000. Last week, 'Bulldog Drummond' (Par) same figure.

Falk (Loew) (2,363; 25-35-60)—'Lloyds' (20th). Leading town with nice \$18,000. Last week, 'Plainsman' (Par) (2d week), oke \$9,000.

Bialto (Indie) (1,000; 25-30-40-55)—'Bride of Samos' (DuWorld). Looks like good \$2,400. Last week, 'Monte Carlo' (Par) and 'Raven' (U) (revivals), slipped to \$2,100, fair.

## 'AVENUE' PARADES TO STOUT \$9,000 IN BALTO

Baltimore, Feb. 16.  
Lent doesn't seem to dent very far into the local biz this week. Plenty of activity all around with all of the exhibits going out after coin.

**On the Avenue**, which opened at the New last Wednesday, has them coming in good style, attracting an excellent night trade in addition to the usual substantial matinee enjoyed because of its location right in the heart of the shopping district. Should knock out a socko \$9,000, plenty good for this house.

Hippodrome, with Ina Ray Hutton and her band, the stage helping matters considerably, got off to a splendid opening and did five on Saturday and four on Sunday, all very well attended. Looks like a bangup \$18,000 for this combo house.

## 1st Run on Broadway (Subject to Change)

Week of Feb. 26.  
Astor—'Good Earth' (MG) (3d week).

Capitol—'Last of Mrs. Cheyney' (MG) (18).

Criterion—'Man of Affairs' (GB) (18).

Music Hall—'When You're in Love' (Col) (18).

Paramount—'John Meade's Woman' (Par) (17).

Rialto—'Doctor's Diary' (Par) (16).

Rivoli—'Man Who Could Work Miracles' (UA) (20).

Roxy—'Head Over Heels in Love' (GB) (2d week).

Strand—'Green Light' (WB) (2d week).

Week of Feb. 26  
Astor—'Good Earth' (MG) (4th week).

Capitol—'Last of Mrs. Cheyney' (MG) (2d week).

Music Hall—'When You're in Love' (Col) (2d week).

Paramount—'Maid of Salem' (Par) (24).

Rialto—'Man Who Could Work Miracles' (UA) (2d week).

Roxy—'Woman Alone' (GB).

Strand—'Great O'Malley' (WB) (27).

Weismuller on stage, meagre \$15,000.

Hippodrome (Rappaport) (2,300; 15-25-35-40-55-66)—'Criminal Lawyer' (Par) with Ina Ray Hutton Band on stage; \$18,000. Last week, 'Great Guy' (FN) and vaude, profit at \$13,000.

Keith's (Schamberger) (2,500; 15-25-35-40-55)—'Doctor's Diary' (Par). Opened Saturday night at supper show with John Trent making p.a. both Saturday and Sunday; looks oke \$5,000. Last week 'Man of Affairs' (GB), \$4,500, fair.

New Mechanic (1,400; 15-25-35-40-55)—'On Avenue' (20th). Opened Wednesday (10) and a buxom \$9,000 means holdover. Last week, 'Lloyds' (UA) did better than \$1,000 for four days added to sold two weeks.

Stanley (WB) (3,450; 15-25-35-40-55)—'Black Legion' (WB). Opened Saturday. Somewhat disappointing pace at \$5,500. Last week, 'Stolen Holiday' (FN) got femme trade to tune of \$6,000.

Buffalo, Feb. 16.  
Moppetts are socko at the Buffalo box offices. Following a record fortnight's run of Bobby Breen at the Century, the house by a smart booking, came back this week with Jane Withers and another top gross.

Rudy Vallee, at the Buffalo, doing nicely, but not sensational.

**Estimates for This Week**  
Buffalo (Shea) (3,800; 30-40-55)—'We're on the Jury' (RKO) and Rudy Vallee's unit. Indications are for 200,000. Last week, 'Stolen Holiday' (WB), and Jesse Crawford, slid to poor \$11,200.

Central (Loew) (3,400; 25-35)—'Holy Terror' (20th) and 'Chan' (20th)—Neat looking trick here, with b. o. reacting for great \$12,000. Last week, 'Rainbow on River' (RKO) and 'Without Orders' (RKO) (2d week), got \$10,000, swell, after \$13,000 first week.

Great Lakes (Shea) (3,400; 30-50)—'Girl from Reno' (RKO). Doing nicely and should get near \$9,000. Last week, 'God's Country' (WB), climbed for substantial \$9,700.

Hipp (Shea) (2,400; 40)—'Man of the Century' (MG) and 'Under Spell' (20th)—Only average at \$7,000. Last week, 'One in Million' (20th) (2d run), came in with \$8,300, good.

Mayette (Indie) (1,000; 25-30-40-55)—'Man of Affairs' (GB) and 'Love Letters' (Par) (U)—Arlliss film doing very slow business; poor at \$8,000. Last week, 'North of Nome' (Col) and 'Lark from Nowhere' (Col.), not much action and under estimates at just over \$7,000.

## 'LEGION' AND 'WINGS' \$7,000, BEST IN PROV.

Providence, Feb. 16.  
Lent, mediocre bills and weather are combining to put this week's grosses under par. It's a toss-up whether the MG's best, 'Black Legion' at the Majestic seems to have it. Biz is not terrific, but house is figuring on garnering at least \$7,000.

All dualers on tap, except at Fay's, town's only vaude spot.

**Estimates for This Week**  
Fay's (2,200; 15-25-40)—'Holy Ter-

# Lent a Bust in Pitt.; 'Lloyds' Getting Record \$14,500; Francis, \$10,000, Blah

for (20th) and vaude. Good show here and holding its own; around \$6,800; not bad for these times. Last week, 'Great O'Malley' (WB) was up with the leaders at \$7,100.

Loew's State (2,000; 15-25-40)—'Women of Glamour' (Col) and 'Devil's Playground' (MG). No marriage strength; opening looks like \$8,500 will be tops; so-so. Last week, 'Dangerous Number' (MG) and 'Undercover of Night' (MG) was another dull stanza at \$8,100.

Maidie (Far) (2,200; 15-25-40)—'Black Legion' (WB) and 'Wings of Morning' (20th). Considering the type of entertainment, main picture is holding up well; in fact this is the spot with best chance for a pick-up.

Looks like \$7,000, oke. Last week, 'Lloyds' (20th) was best in town at \$10,800.

RKO Albee (2,300; 15-25-40)—'Live Only Once' (UA) and 'Mighty Treve' (RKO). Just so-so; maybe \$8,000. Last week, 'About to Die' (RKO) and 'Fair Game' (WB) was another mild combo at \$8,300.

Strand (Indie) (2,200; 15-25-40)—'Bulldog Drummond' (Par) and 'Doctor's Diary' (Par). Start indicates around \$6,400 for the week. Last week, 'More Than Stanley' (Col) and 'Hopalong Cassidy' (Par), nice at \$9,300.

So. Philadelphia, Feb. 16.  
Nothing very hot in downtown film biz this week, with several not-too-exciting holdovers helping hold down average.

Cris spoke well of 'Lloyds' and Stars, but admitted it didn't compare with 'The Informer' or its own stage version. Stage show at the Fines decidedly shy on marquee names and combo is hardly likely to go far.

Same goes for the Earle, whose stage show, Ben Grauer radio unit, is okay, but whose film, 'Great O'Malley', is run-of-the-mill.

Downtown situation going to be plenty scrambled soon. Locust goes over to pick next Sunday, when 'Good Earth' moves in for a road-show run, while early in March 'Lost Horizon' is skedded for the Chestnut, also, roadshow. We'll see first time two roadshowers have clashed here.

**Estimates for This Week**  
Aldine (1,200; 40-55-65)—'Only Live Once' (UA). Finishing second week tonight (Wed.); film too grim for femme trade and second week weak \$5,000. Last week's \$9,800 under expectations.

Arcadia (600; 25-40-50)—'Camille' (MG) (2d run). Figures big b. o. with probably \$2,500. Last week, split between 'Wings of Morning' (20th) and 'Muthy on Bounty' (MG), \$1,700, poor.

Boyd (2,400; 40-55)—'Lloyds' (20th). Terrific and best second-week sure. First should mean very strong \$18,000. Last week, 'Champagne Waltz' (Par), five-day second week, \$7,500, so-so.

Earle (Loew-Fox; 25-40-55)—'Great O'Malley' (WB) and vaude. Grauer and radio unit on stage. Combo won't get over \$15,500, light. Last week, 'Bulldog Drummond' (Par) and vaude, Dumcans headlined, \$13,000, poor.

Fox (3,000; 40-55-65)—'Plough and Stars' (RKO) and stage show. No marquee names, but swell reviews on the whole, but only fair \$14,500. Last week, 'Secretary' (Col) and stage show. Ina Ray Hutton better than expected at \$15,200.

Secretary (Col) (2d run). Fair \$2,800 figured. Last week, 'Men Not Gods' (UA) (2d run), fair \$3,700 in nine days.

Keith's (2,900; 30-40-50)—'Champagne Waltz' (Par) (2d run). Fair \$3,900 seen. Last week, 'Stolen Holiday' (WB), tepid \$2,700.

Stanley (WB) (3,700; 40-55)—'On Avenue' (20th). Second week should mean fairly good \$12,500. First week's \$18,000 very nice indeed.

Stanton (1,700; 30-40-50)—'Man of the Century' (MG) and 'Black Legion' (WB). Last week, 'Lack Legion' (WB) (2d week), hotzy \$7,000.

Sydney, 26.  
Margaret Dare, femme lead in Col. Nat's 'Rangle Rye', leaves next week to try her luck in Hollywood.

Had planned a trip to England, but switched to Hollywood instead.

Pittsburgh, Feb. 16.  
Old Lent bugaboo growing less and less, but eye-ear until to-day exhibs are willing to admit that it's having little or no effect on biz. That's being illustrated pretty thoroughly this week, with takes generally on the up-grade, with no drop in attendance visible to naked eye.

Even Ash Wednesday, in the past a certain cropper, is no longer the despatch it used to be for the film boys and they're saying all over that Good Friday is now the only Lenten ouch.

Looks like a Zanuck Zephyr after Sixth street, with 'Lloyds' and 'On the Avenue' playing side by side at Alvin and Fulton, with a howl, snowstorm and blizzard on Sunday didn't affect either of these, and 'Lloyds' is heading for a new house record, with 'Avenue' threatening to crack the Fulton's previous mark too. H. o.'s certain for both of them and while too early yet to say, a third week isn't beyond speculation.

So. Philadelphia, Feb. 16.  
Pinching de luxe at these two spots is 'Lloyds' and 'On the Avenue'. Stanley, where 'Stolen Holiday' is taking it on the chin. Penn's slightly better, however, with 'You Only Live Once' and 'Black Legion' depressing theme is hurting somewhat.

**Estimates for This Week**  
Alvin (Harris) (2,000; 25-35-40)—'Lloyds' (20th). Cracked opening day (Thursday) mark and also Saturday record, and practically a cinch to set a new house figure for straight run on the week. Looks like \$14,500 on opening stanza and sticks. Management sees a potent factor in awarding the Scripps-Howard flicker-of-month medal to 'Lloyds', since it's the first time that honor has broken for a film here before it hit the nabe. Last week 'Charlie Chan' (20th) and 'Secretary' (Col), oke at \$7,000.

Fulton (Shea-Hynde) (1,750; 25-40)—'On Avenue' (20th). A natural and bringing house out of doldrums after several weeks of indifferent grosses. Combo of local popular, Lick Powell and Irving Berlin music turning the trick and first week should see around \$10,000 rolling into the till. Fulton hasn't encounteredough like this since 'My Girl Godfrey' last September. Move for second stanza and third isn't unlikely. Last week 'Men Not Gods' (UA) and 'Laughing at Trouble' (20th), fair \$6,000.

Penn (Loew's UA) (3,300; 25-35-50)—'Only Live Once' (UA). Rave notices for this one from every quarter and good word of mouth, too, but depressing theme apparently squealing to prospective customers. While biz is fair enough, it's considerably below expectations and doubtful of hitting much beyond \$11,000 if that. 'Bulldog Drummond' (Par) last week collected about the same.

Stanley (WB) (3,600; 25-35-50)—'Stolen Holiday' (WB). One of Kay Francis' poorest and biz commensurate. Got a good opening day, but then too much of a dud. Last week, touching \$10,000, pretty poor and not up to recent grosses star has been snatching. Last week 'Champagne Waltz' (Par) oke at \$12,000.

Warner (WB) (2,000; 25-40)—'General Spanky' (MG) and 'Accusing Finger' (Par). Salable duo and kiddies are going for 'Spanky'. Looks like \$5,500, good enough. Last week 'Plainsman' (Par), after swell session at \$12,000, was left to give Warner a crack \$8,500.

## 'Home', Mitchell-Durant Unit, \$10,000, Ind'polis

Indianapolis.  
Mitchell and Durant's stage unit, coupled with 'Breezing Home', is doing the business of the town this week at the vaudillim Lyric with the beginning of the Lenten season bringing a slump to other downtown box offices.

**Estimates for This Week**  
Apollo (Fourth Ave) (1,100; 25-40)—'Lloyds of London' (20th). Hold-over session moderate at \$4,000 pace. Last week picture did excellent \$5,500.

Urele (Monarch) (2,800; 25-40)—'We're on the Jury' (RKO) dualled with 'Outcast' (Par). Former given play in ads. Last week, \$3,750.

Only 'Live Once' (UA) and 'Drummond Escapes' (Par) on twin bill, all right at \$5,200.

Loew's (Loew's) (2,800; 25-40)—'Devil's Playground' (MG) dualled with 'Dangerous Number' (MG). Latter picture overshadowed in campaign. Trade mild at \$5,400. Last week dual of 'Under Cover of Night' (MG) and 'Wings of Morning' (Col) weak at \$3,900.

Lyric (Olson) (2,000; 25-30-40)—'Breezing Home' (U) and Mitchell and Durant unit. Stage too well.

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Lyric (Olson) (2,000;

# Pix Reflect Spring-y Chi; 'Devils,' Murray, Oswald, Big 27G; 'Holiday' No Panic, \$32,000; 'Garbo,' 3d, 11G

Biz is like the spring weather here—good. Palace is due to shoot for \$27,000 this week, with a combination that's hard to beat. Picture of the much-touted 'Sea Devils' (RKO) and on the stage is Ken Murray and Oswald, who help.

'Black Legion' (WB) after taking a beating at the Roosevelt last week, has been replaced by 'You Only Live Once.' 'Man of the People' will hold the action-thriller seekers at the Oriental, as will 'She's Dangerous' (UA), dual. Chicago, has 'Stolen Holiday' and 'Champagne Waltz' moved over to the Garrick for a third loop week.

'Inde Bectasy' at the Playhouse is going into its seventh week and still doing amazingly on the bang-up publicity drive by Dan Roche.

**Estimates for This Week**

Apollo (B & K) (1,200; 35-45-65-75)—'Love Song' (WB). Opened Saturday (13) and drawing \$15,000, satisfactory. Last week, 'Rembrandt' (UA), finished a fortnight to good \$6,500. House goes roadshow on Friday (19) at \$185 top for 'Good Earth' (MGM).

Chicago (B & K) (4,000; 35-55-75)—'Stolen Holiday' (WB) and stage show. Doing just fair; \$32,000. Last week, 'Champagne Waltz' (Par), (2d week), plus 'She's Dangerous' and 'Yolanda on stage, rang up fifty \$35,400.

Garrick (B & K) (900; 35-55-65-75)—'Champagne Waltz' (Par) slipped in here Saturday (13) and took third week in loop, and looks to do okay at \$3,500. Last week, 'Thin Man' (MGM), in sixth loop session, got pleasant \$4,800.

Oriental (B & K) (3,200; 35-45-55)—'Man of the People' (MGM) and Benny Davis unit. Just the type of show this house likes, and again in the chips with \$18,000. Last week, 'Secretariat' (Col), finished \$2,100.

Palace (RKO) (2,500; 35-55-65-75)—'Sea Devils' (RKO) and vaude. Ken Murray and Oswald on stage; riding into mighty success, currently looking for nearly \$27,000. Last week, 'Plough and the Stars' (RKO), acted as the brake to fast pace by Ritz Bros. on stage, who accounted for highly profitable \$22,000.

Roosevelt (B & K) (1,500; 35-55-65-75)—'Only Live Once' (UA). Opened in midweek and getting plenty of customers following. Fine comment. Upping to \$13,500, excellent money. Last week, 'Black Legion' (WB), couldn't get started and yanked after \$4,800 opened.

State-Lake (Siness) (2,700; 25-35-40)—'She's Dangerous' (UA) and vaude. House never misses. Goes along, week after week, to steady profits. This week, with 'Duran Sisters on stage, will be no exception. Take headed for plenty good \$14,000. Last week, 'Lady from Nowhere' (Col), got fair \$12,000.

United Artists (M&P) (1,700; 35-55-75)—'Camille' (MG), in third and final week. Will do around \$11,000 currently, good, following solid \$16,800 last week. 'Beloved Enemy' (UA), replacing.

## Rowboats Out of L'ville Theatres, Wickets Open; 'Holiday,' \$2,700, Nice

Louisville, Feb. 16. Show business is leading the way back after the great flood disaster of 1937. Marquess are lighted on the main stem, although for business houses are still without power and heat.

Rialto beat the first-runs the wire, opening Thursday (1), when Ohio was first subsequent to throw open the doors. Theatres are operating full time, but street lighting is supplied only to certain blocks. Street car service still poor, but additional lines being added daily. Cave-ins on several downtown streets are adding to traffic hazards. Current returns are gratifying, particularly at the Strand and Rialto, both of which did heavy weekend business. Most houses picked up bookings which were scheduled after flood hit the town.

**Estimates for This Week**

Kentucky (Swift) (900; 15-25)—'Three Men on Horse' (FN) and 'White Hunter' (20th-Fox), dual. Riders and recreators run the completion day for reopening Sunday (14). Short week will hold down takings, but biz looks to be above average. Should take \$1,400 on five days at least.

Loew's State (3,000; 25-40)—'Beloved Enemy' (UA) and 'Counterfeit Lady' (Col), dual. Take will be down account lack of seats, held up in transit from \$4,500, plenty good in face of difficulties.

Mary Anderson (Libson) (1,000; 15-25-40)—'Stolen Holiday' (WB).

Single is opener, as it was the closer three weeks ago, when old man river died in run to uninvited; \$2,700 will doubt the mark, okay.

Ohio (Settos) (900; 15)—'Flirtation Walk' (WB) and 'Desirable' (WB), dual, splitting with 'Little Miss Nobody' (20th) and 'Dark Angel' (UA), dual. First-subbie to light up. Gross headed for \$800, fine.

Rialto (Fourth Ave.) (3,000; 15-25-40)—'Bulldog Drummond' (Par) and 'Doctor's Diary' (Par), dual. Blazing marquee lights on an otherwise dark main stem looked mighty cheerful and had patrons lined up at wicket. Should lead the way with \$6,000, okay.

Strand (Fourth Ave.) (1,500; 15-25-40)—'Great Guy' (GN) and 'Mysterious Crossing' (U), dual. This house not hard hit; should do fine \$4,000.

## 'Enemy,' \$30,000 In 2 Hub Spots, Quite Friendly

Boston, Feb. 16. 'Beloved Enemy' will be friendly to Orph and State b.o.s this week on dual with 'Maid of Salem' (Par). Met is slackening pace with 'Stolen Holiday' and Eddie Duchin on stage. Kay Francis drawing matinee crowd and Duchin helping after dark, but the total take will fall short of recent weeks.

'Only Live Once' is good, but not so hot at Memorial. 'Good Earth' will roadshow at the Colonial, starting March 7.

**Estimates for This Week**

Boston (RKO) (3,000; 35-55-75)—'Condemned Row' (RKO) (studio title: 'We Who Are About to Die'), with Olsen and Johnson on stage. Will satisfy with \$20,000. Last week \$18,000 on 'Join the Marines' (Rep) and Leon Errol.

Fenway (M&P) (1,400; 25-35-40-50)—'Black Legion' (WB) and 'Holy Terror' (20th), dual. Striking to around \$5,000. 'Legion' rated good notices, but women are giving it the swerve. 'Maid of Salem' (Par) (2nd run), dual, last week got okay \$7,200.

Keith Memorial (RKO) (2,900; 25-35-55)—'Only Live Once' (UA), just so-so \$13,000 indicated. 'Plough and Stars' (RKO) limped to \$12,500 last week.

Metropolitan (M&P) (4,300; 35-55-75)—'Stolen Holiday' (WB), with stage show topped by Eddie Duchin. Will get around \$25,000, satisfactory. 'Lloyds' (20th), with Belle Baker and Stepin Fetchak, showed plenty punch last week at \$31,400.

Orpheum (Loew) (3,000; 25-35-40-50)—'Beloved Enemy' (UA) and 'Women of Glamour' (Col), dual. Salting toward good \$16,500. 'Thin Man' (MG), 2nd week, held up beautifully to \$15,600 last week.

Paramount (M&P) (1,600; 25-30-50)—'Black Legion' (WB) and 'Holy Terror' (20th), dual. Rung \$8,500. Last week 'Maid of Salem' (Par) (2nd run) and 'Bulldog Drummond' (Par) (1st run), very pleasing \$11,000.

Scollay (M&P) (2,700; 25-35-40-50)—'Maid of Salem' (Par) (3rd run) and 'King of Hockey' (WB) (1st run), dual. Okay \$8,000. Last week 'One in a Million' (20th) (3rd run) and 'God's Country' (WB) (2nd run), dual, okay \$8,500.

'Beloved Enemy' (UA) and 'Women of Glamour' (Col), dual, okay \$13,500. Last week 'Thin Man' (MG) turned good \$12,500 for second frame.

## Durbin's Omaha Repeat Good for Big \$7,500

Omaha, 16. Omaha theatre makes news of the week by bringing back 'Three Smart Girls' for a return engagement. Picture played Orph several weeks back with a stage show. Inclement weather and lack of names on the stage, but the trade light on the film's first time, so Deanna Durbin gets a second chance in this town with 'Dangerous Number' dual partner.

**Estimates for This Week**

Brandels (Singer-RKO) (1,250; 25-35-40)—'Condemned Row' (RKO) and 'We're on the Jury' (RKO), dual. 'We're on the Jury' (RKO) has two second features don't make a good dual here; \$3,800, low. Last week 'Stolen Holiday' (FN) and 'Devil's

Playground' (Col), dual, went over expectations with \$5,000.

Omaha (Blank) (2,100; 25-40)—'Smile, Girls' (U), 'Dangerous Number' (MG), dual. Durbin vehicle played a week at the Orpheum as screen fare with a stage show early in January. Big \$7,500 in sight. Last week 'Holy Terror' (20th) and 'Chariot at Opera' (20th), \$5,800 fair enough.

Orpheum (Blank) (2,976; 25-40)—'Lloyds' (20th) and 'Career Woman' (20th), dual. First getting exploitation; \$9,700 will be swell. Last week, 'Great Guy' (GN) and 'La Vie Paree', Marcus unit. Film did its part, \$9,400, good.

## Post-Flood Cincy Giving 'Lloyds' 14G in 8 Days

incinnati, 16. Biz in downtown cinemas is okay, considering post-flood affairs in Greater Cincy. Wreckage of the disaster is big pee for towners. Street car service to nearby Kentucky towns will not be fully restored until end of week, affecting more than 100,000 persons.

Regular order of screen showings will be resumed by theatres next week. Currently 'Lloyds' is the prize puller.

**Estimates for This Week**

Albee (RKO) (3,300; 35-42)—'Champagne Waltz' (Par). For eight-day run ended Monday (15) \$12,500, okay. On the Avenue (20th) in Tuesday (16). First half of last week, 'Beloved Enemy' (UA), \$5,000, all right.

Capitol (RKO) (2,600; 35-42)—'Holy Terror' (20th), Good \$6,000. Last week 'Camille' (MG) (2d run), \$5,000, average.

Family (RKO) (1,000; 15-25)—'Guns of Pecos' (WB) and 'Night Waitress' (RKO), split. Average \$2,100. Last week 'I Cover Chinatown' (Ind) and 'House of Secrets' (Ind), split, good \$2,500.

Grand (RKO) (1,200; 25-40)—'Plainsman' (Par) (3d run), six days. Fair \$2,000. Last week 'One in a Million' (20th) (3d run), \$3,500, nice.

Keith's (Libson) (1,500; 30-40)—'Man of Affairs' (GB), six days. Fair at \$4,000. Last week 'Great Guy' (GN), two days on holdover week, interrupted by flood, and 'Sing Me a Love Song' (Five days, \$5,000, nice).

Lyric (RKO) (1,400; 35-42)—'Secretary' (Col), eight days. Good \$5,500. Last week 'Plainsman' (Par) (2d run), \$4,500, fair.

Palace (RKO) (2,600; 35-42)—'Lloyds' (20th), eight days. Drawing big \$14,000, nice. 'God's Country' (WB), six days, okay \$9,500. 'Accused' (UA) and 'Scandals of 1937' unit, round par at \$13,000.

Last week 'Under Cover of Night' (MG) and Mitchell and Durant's 'Greenwich Village Scandals', fair \$11,500.

Strand (Ind) (1,300; 15-25)—'Wi-ter' (RKO) and 'Love on the Run' (MG), split. Neat \$1,800. Last week 'Gay Desperado' (UA) and 'Come Get It' (UA), revivals, fair \$1,500.

**DENVER PIX HAVE B. O.; 'LLOYDS' \$12,500 SWELL**

Denver, Feb. 16. 'Lloyds' is doing the biz here this week and goes to the Aladdin for a second week. 'Three Smart Girls' holding up nearly as well as last week at the Broadway, while 'One in a Million', plenty good at Aladdin, will move to Broadway for 1st week.

**Estimates for This Week**

Aladdin (Huffman) (1,500; 25-40)—'One in a Million' (20th). Second week in town and still swell at \$5,000 pace. Last week, 'Man of Affairs' (GB), nine days, got fine \$4,500.

Broadway (Huffman) (1,500; 25-40)—'Smart Girls' (U) (2d week). Came here after week at Denver, and doing big \$4,000 on h. o. Last week, same pic, got fine \$4,500.

Denham (Cockrill) (1,500; 25-35-40)—'Doctor's Diary' (Par). Doing nice \$5,500. Last week, 'Champagne Waltz' (Par), got same in second week.

# Lent No Dent to B'way; 'Head Over Heels' Strong \$45,000, Holds; 'Ave.' Sock 80G After 1st 85G; H. O.'s OK

Only three new pictures came in with Lent while six held over through it. This is believed to set a record both ways for downtown New York, but arrival of the Lenten period had nothing to do with it since managers no longer run into hiding for fear Lent will get them. It's something of the past.

Two of the first starters, 'Green Light' and 'Head Over Heels' in the first week, while the holdovers four are strong and two anemic. The Jessie Matthews English-made 'Head Over Heels' is tearing its way to a big \$45,000, and remains a second week. 'Green Light' is not as invincible an entry but will get \$25,000 or better on its first week and also holds. 'We're on the Jury', which was brought into the Rialto Tuesday (9), finished seven days at \$7,000, only fair, and was supplanted yesterday (Tues.) by 'A Doctor's Diary', with John Trent making a personal appearance opening day.

'On the Avenue' and 'Champagne Waltz', in their second week; 'Camille', in its final (4th) week and 'Good Earth', on its second stanza as a roadshow \$2 attraction, are all very muscular. The gross being shown would make it appear there's no such animal as Lent.

'Good Earth' on its first seven days went to \$23,100, which is over capacity. Astor, widely known, has been selling standing room at most shows, including all three performances Sunday (14). A long and profitable run seems assured. Another \$2 roadshow will open March 3 at the Globe, when 'Lost Horizon' is hitched there by Columbia. House has been taken from Harry Brandt on a basis of six weeks and options.

The Music Hall, after a mild opening on its first week of 'On the Avenue', suddenly spurred on the first weekend to get \$85,000 initial seven days and on holdover currently will get \$100,000. Over on the 1st week-end and picture grossed \$100,000, close as much as the Music Hall can handle, while on the holdover weekend the business for Saturday and Sunday was \$100,000.

A Lincoln's birthday (12) take of as much as \$16,000. Smart plugging of the picture on the air, notably the Irving Berlin song numbers, is believed to have done it. As for this business, reviews having been lukewarm.

The Gladys Swarthout musical, 'Champagne Waltz', must share its b. o. success at the Music Hall with Fred Waring's Pennsylvania, which has a strong following. The house got \$50,000 the first week, and on second, ending last night (Tues.), was \$100,000. As for this figure, Bob Weitman would like to hold a third week, but this can't be done because Waring has to fill a date in Detroit that's unmovable. As a result, John Wade's 'Woman and the Guy Lombardo band check in today (Wed.).

'Camille' goes six days on its fourth week at the Cap for a total of \$24,000 or better, though going into a Thursday show tomorrow (18) with 'Last of Mrs. Cheyne'. On its third (final) week at the Rivoli, 'You Only Live Once' looks no more than \$10,000, while 'Great Guy' (GN) at the Criterion, its seventh, indicates picture has petered out on its sustained run here, only about \$5,000. 'Man of Affairs' opens here about \$20,000. Last week (Wed.) Guy (20) gets 'Man Who Could Work Miracles'.

**Estimates for This Week**

Astor (1,012; 55-61.10-16.55-22.20)—'Good Earth' (MG). Last week, a terrific smash, first week's gross being \$22,000. This is over capacity, standing room having been sold at most performances so far.

Capitol (4,620; 25-35-55-65-125.25)—'Camille' (MG). Last week, \$100,000. Goes six days on final-4th week looking \$20,000 or over, very good. Third week was in thin breathing distance of \$30,000. House goes into a Thursday opening tomorrow (18) with 'Mrs. Cheyne' (MG).

Criterion (1,662; 25-40-55)—'Great Guy' (GN) (7th-final week). Cagney picture pretty well spent itself after six weeks, final (7th) lap going only about \$20,000. Last week (Wed.) was over \$11,000, good. Management got a highly profitable run out of Guy, best picture it has had since opening early last fall. 'Man of Affairs' (GB) opens Friday (19).

Palace (1,700; 25-35-55)—'One in a Million' (20th) and 'Plough and Stars' (RKO), both 2d run, doubled. This combination doing excellently, \$10,500 or better. Last week's 'Counterfeit Lady' (Col) (WB) (2d run) and 'Off to Races' (20th) (1st run), \$9,300, okay.

Paramount (3,664; 25-35-55-85-95)—'Champagne Waltz' (Par) and

Waring's Pennsylvanians (2nd week). At \$41,000 on second week, up last night (Tues.), could hold a third, but for fact Waring's band has to play for a date in Detroit. First week for 'Waltz'—Waring show \$50,000, very big. 'Meade's Woman' (Par) and Guy Lombardo band in today (Wed.).

Radio City Music Hall (5,980; 40-80-85-95-165)—'On the Avenue' (20th) and stage show (2nd week). Both have been tremendously aided by radio plugging for first week's gross of \$65,000 and strong holdover stamina currently (2nd week) for \$80,000 or over, plenty of profit over the artists' run. 'When You're in Love' (Col) opens tomorrow (Thurs.).

Rialto (750; 25-40-55)—'A Doctor's Diary' (Par) went on the spoils here yesterday morning (Tues.), with John Trent making a p. a. at house with premiere. 'We're on the Jury' (RKO) finishes its week Monday night (16) at \$7,000, just fair. Prior picture, 'Slither Take All' (MG), got \$7,500.

Rivoli (2,092; 25-35-75-85-95)—'You Only Live Once' (UA) (3rd-final week). Weakened considerably on final (3rd) week, only around \$4,000. The second week was over \$16,000, fair. 'Man Who Could Work Miracles' (Col) opens Saturday (20).

Roxy (8,386; 25-35-55-75)—'Head Over Heels' (MG) and stage show. Air plugging of songs from this British-made musical, attributed in part for instant and strong b. o. response. Second week, on second week first week big. Holds. Last week, third for 'Three Smart Girls' (U), was \$37,600, immense. What radio did for Deanna Durbin counted strongly here, in opinion of management.

Strand (2,767; 25-55-75)—'Green Light' (WB). Doing satisfactory, \$25,000 or better first week, and goes second week, only around \$12,000, for 'Stolen Holiday' (WB) under \$12,000, slender, after good first week of \$24,300.

State (3,450; 35-55-75)—'Beloved Enemy' (UA) (2d run) and 'Camille' (MG) (4th-final week), headed by Jay C. Flippen. Combination of picture and Flippen will mean around \$22,000, fair. Last week 'Man of Affairs' (GB) (2d run) and Leon Navaro orchestra, \$32,000, big.

## Lent Boffs St.L., Francis Vamping Only Fair \$13,500

St. Louis, Feb. 16. Lent in this heavily populated Catholic community is affecting b.o. activities at all cinema palaces, but big berth Fox, with 'On the Avenue' and 'Criminal Lawyer', is destined to lead burg with sock \$18,000.

**Estimates for This Week**

Ambassador (F&M) (3,018; 25-40-55)—'Stolen Holiday' (WB) and stage show. 'Key O-Rance' film, paced off \$13,500, just fair. Last week 'Wings of Morning' (20th) and 'Paul White-man' on stage, finished with good \$17,200, but under expectations.

Fox (F&M) (5,058; 25-35-55)—'Avenue' (20th) and 'Criminal Lawyer' (RKO). Should lead town with sock \$18,000. Last week 'God's Country' (WB) and 'Sing Me Love Songs' (WB) (WB) closed close expectations with \$13,700, so-so.

Loew's (Loew) (3,162; 25-35-55)—'Under Cover of Night' (MG) and 'Mama Steps Out' (MG). Dual won't do better than \$12,200, average. Last week, 'Key O-Rance' film, paced off \$13,500, and 'Rembrandt' (UA), ended with \$10,800, poor.

Missouri (F&M) (3,514; 25-35-55)—'Black Legion' (WB) and 'We're on the Jury' (RKO) (2d run) and stage show. Average last week 'Woman Alone' (GB) and 'Holy Terror' (20th), got \$9,200, poor.

St. Louis (F&M) (4,000; 25-40)—'Smart Girls' (U) (2d run) and stage show. Pointing to \$10,000, first time house will make five figure mark since reopening. Last week 'College Holiday' (WB) (2d run) and stage show got \$9,700, fine.

## Orig for DeSylva Hollywood

Henry Myers is writing an ori al musical for Buddy de Sylva's production at Universal. Bert Lahr and Mischa Auer have been pencilled in for leading spots.

# Frisco Pix, B.O.'s Improve; 'Ave.'s Radio Plugs Attract Robust \$16,000

San Francisco, Feb. 16.

Screen at most main stem houses this week reach high standard. Fox has 'Maid of Salem'; the Paramount 'On the Avenue'; and Sylvia Sydney's 'The Woman Alone'; the United Artists, 'Beloved Enemy'; the Warfield is holding 'Loyds of London' for a third week and the St. Francis, 'Thin Man' for a sixth and final week.

Although the Golden Gate is doing the best biz in town, the Harlem revue with Ethel Waters on the stage is credited as being the draw.

**Estimates for This Week**  
Embassy (RKO-Cohen) (1,512; 30-35-40)—'Now and Forever' (Par) and 'Horse Feathers' (Par), dual. Will just about get by on these two revivals. Take will be around \$2,500. It may not mean anything, but Shirley Temple is holding 'Gladys' and Carole Lombard in the billing. Last week, second for 'Forbidden Adventure' (Dwal Esberg) off at \$2,000.

Fox (F-WC) (5,000; 35-40)—'Salem' (Par) and 'Holy Terror' (20th). Witchcraft scare in old New England not scaring up big money. Jane Withers makes her first appearance in this house in 'Holy Terror' and bringing in some biz. Will have better than average week at around \$16,000. Last week 'Great O'Malley' (WB) and 'Dangerous Number' (MG) faded to poor \$13,000.

Golden Gate (RKO) (2,850; 35-55)—'We're on Jury' (RKO) and Ethel Waters' 'Swing, Swing, Swing'. Good notices on this show, which should come through handsomely at around \$22,500. Last week, 'Criminal Lawyer' (RKO) and 'Vaude' and fair \$13,500.

Orpheum (F&M) (2,400; 30-35-40)—'Secretary' (Col) and 'Mighty Treve' (U) (2d wk). Jean Arthur still getting some biz, but not enough to over average, at \$6,000. Last week good at \$11,000.

Paramount (F-WC) (2,700; 30-35-40)—'On the Avenue' (20th) and 'Woman Alone' (20th). Looks like several radio balladys gave 'Avenue' an impetus. Abundance of Irving Berlin hit tunes in picture getting plenty of breaks on the radio for healthy \$18,000. Last week (2d) a fizzle at \$8,000 for 'Champagne Waltz' (Par) and 'Career Woman' (20th).

St. Francis (F-WC) (1,470; 30-35-40)—'Thin Man' (MG) and 'Hats Off' (GN) (6th wk). Repeats will help swell take on final week of this combo to satisfactory \$4,000. Last week v. g. \$6,000.

United Artists (UA-Cohen) (1,200; 25-40)—'Beloved Enemy' (UA). Merle Oberon getting to mean something. Bad picture, but nature down to \$5,500, fair. Last week (4th), 'Allah' (UA) drifted down to about \$3,500.

## Auto Strike Over, But Detroit Biz Still Off; 'Maid' Best at \$26,500

Detroit, Feb. 16.

Auto strike may be over but it's not reflected at the b. o. yet. Figured I'll take a couple of days before things begin to look up. Then, with about \$400,000 wage boosts in effect at various plants, wickets oughta get plenty of whirling.

Leader currently is 'Maid of Salem', plus 'Broadway Juniors' unit, at the Michigan.

**Estimates for This Week**  
Adams (Balaban) (1,700; 25-40)—'Devil's Playground' (Col) and 'Laughing at Trouble' (20th). Good \$6,000 at this spot, with the garnering first returns from strike peace through price differential. 'Loyds' (20th) (2d wk) plus 'Mighty Treve' (U), nice \$6,400. Last week, 'Beloved Enemy' (UA) moved here after big session at the Fox.

Downtown (Indie) (2,500; 25-35)—'Smashing Vice Trust' (Ind) (2d wk) and 'With Plenty of Love' (20th), dual. Second bumper session at \$5,000, following big \$6,200 last stanza, best house has done since re-opening several months ago.

Fox (Indie) (1,600; 35-40)—'Wings of Morning' (20th) and 'Your Hit Parade' unit. Good buildup on Annabell probably saved pic from worse fate than the fair \$18,000 coming up. Nice \$30,000 last week on 'Secretary' (Col) and George White's 'Scandals' on stage.

Madison (United Detroit) (2,000; 30-40-65)—'Man of the Year' (GN). Drawing Artists fans but hardly anybody else, at low \$6,000. Oke \$7,500 last stanza for fourth week of 'After Thin Man' (MG), moved here after three bumper sessions at the Michigan (United Detroit) (4,000; 30-40-65)—'Maid of Salem' (Par) and 'Broadway Juniors' unit. Tops the town easily with a nice \$26,500. Okay

## GARBO OKAY IN B'KLYN

\$18,000 'Camille'; 'Cagney Du-'; Socko \$24,000

Healthy biz evidenced at majority of downtown deluxers. Socko biz with 'Loyds of London'. Loew's Met and Fabian's Paramount also clicking.

Theatres got some opposition from 'Golgatha', French production on view at Academy of Music three days last week.

**Estimates for This Week**  
Albee (2,500; 25-35-55)—'Loyds' (20th) and 'We're on the Jury' (Par), dual. Getting considerable play and will bang out peachy \$20,000. Last week 'One in Million' (20th, 2nd wk) and 'Loyds' (20th, 2nd wk) (RKO), \$18,000, nifty.  
Fox (4,000; 25-35-55)—'Great Guy' (GN) and 'Join the Marines' (Rep), dual. Looks like socko \$24,000 and holdover 'Loyds of London' (20th) (WB) (2d wk), and 'Once a Doctor' (WB), \$17,000, good.  
Metropolitan (2,400; 25-35-55)—'Camille' (RKO), dual. Good holdover and promises to get nice \$18,000. Last week, 'Beloved Enemy' (UA), and 'Sinner Take All' (MG), \$18,000, okay.

Paramount (4,000; 25-35-55)—'Stolen Holiday' (WB) and 'Mind Your Own Business' (Par). Satisfactory pair of flickers, will get okay \$17,500. Last week, 'Plainsman' (Par) and 'Let's Make Millions' (Par) (2d wk), \$19,000, splendid.  
Strand (2,000; 25-35-50)—'Secret Valley' (20th) and 'Death on the Nile' (20th), dual. Good holdover for okay \$8,000. Last week, 'Confict' (UA), and 'Kidnapped in Shanghai' (Ind) got \$4,500, good.

## 'LEGION' OKAY \$7,500, K. CITY.

Kansas City, Feb. 16.

Weather and biz are both mild. Golden Gloves tournament kayoved openings and early Lenten slump will take care of the balance of the week.

'Black Legion' at the Newman is being sold straight for the hard-boiled fare it is. No gate-smashing, but nice biz in sight.

**Estimates for This Week**  
Mainstreet (RKO) (3,200; 25-40)—'Stolen Holiday' (WB). Doing average Kay Francis business here, \$7,500, fair. Last week 'God's Country' (WB). Color still no sales item locally, but pic got \$8,000, okay.  
Midland (Loew) (2,500; 35-40)—'Women of Glamour' (Col) and 'Dangerous Number' (MG). Dualer getting \$10,000, n.s.h. Last week 'Secretary' (Col) and 'Devil's Playground' (MG). Not so hot, \$10,400. House has been the only first-run dualer during the past few weeks, with brunt of newspaper copy on anti-bulge-features directed straight at it.

Newman (Par) (1,800; 25-40)—'Black Legion' (WB). Week-end didn't kick up much ood, but this heavy 'Strait selling may get an acceptable job as girls won't have the alibi that they weren't warned, thus squelching adverse word-of-mouth. Last week 'Strait' (WB), \$6,700, so-so.  
Tower (Revolt-Fox) (2,200; 25-35)

## Home-Town-Boy Taylor Gets 'Camille' Strong \$3,500 in Lincoln, Neb.

Lincoln, Neb.

Heavy downpour and radio space given Robert Taylor's homecoming and recent balladys on his grandpa's being a relief client in Holmesville, Neb., is counting in favor of 'Camille'. Will kick where Thin Man left off two weeks ago and may get \$3,500 or over. Likewise into heavy money is the Orpheum presentation of the A. Marcus 'La Vie Parée' unit, at the same figure.

**Estimates for This Week**  
Liberty (LTC) (1,200; 10-15)—'Empty Saddles' (U), plus 'Glass Key' (Par), split with 'Arizona Man' (MG), plus 'Message to Garcia' (WB). Fair collection, and worth \$850. Last week 'Ghost Town Gold' (Rep) plus 'Last Outlaw' (RKO) split with 'Secret Valley' (20th) plus 'Shind Them No Mercy' (20th). Oke at \$950.

Lincoln (LTC) (1,600; 10-20-25)—'Hideaway Girl' (Par) plus 'Jungle Princess' (Par). First dual for the house several weeks, and as a good comedy potition is nothing at the b. o. pace of around \$2,700. Last week 'Beloved Enemy' (UA) ran pretty good, although the Irish sitting pretty getting bit boring here; \$2,450, all right.

Orpheum (LTC) (1,350; 10-15-20-25-40-55)—'Off to the Races' (20th) and A. B. Marcus 'La Vie Parée' unit for five days. Last half is 'August Weekend' (Indie) plus 'Criminal Lawyer' (RKO). First-class money; will hit \$5,000. Last week 'Larceny on Air' (Rep) plus 'The Thin Man' (MG) and 'Hats Off' (GN) (6th wk). Last week, 'Beloved Enemy' (UA) and 'Couldn't Have Happened' (Invinc). Not bad at \$2,600.

Stuart (LTC) (1,900; 10-25-40)—'Camille' (RKO). Pic has been on everybody's lips for months, since the balladys Taylor homecoming last October. B. o. take will substantiate value of the publicity with a possible \$3,500. Last week 'One in Million' (20th) got plenty word-of-mouth and ditto biz at \$3,500.

Varsity (Westland) (1,100; 10-25-35)—'Midsummer Night's Dream' (WB). Regular price run for this one and everybody is helping it up across. May do \$1,700, good for this house. Last week 'Theodora' (Col), nice \$1,300.

## Ritz Trio in 'Ave.' Vaude Wow Cleve.: Pic Big \$18,500, Stage House \$24,500

Cleveland, Feb.

One-inch snow over cold week-end, a thaw, is example of current weather that is causing fluctuations in biz for average pic, but not for the top-notchers. Lent's not cutting in as much as previous years. Neither is annual Grotto circus in Public Hall, despite its heavy balladys.

Brothers in p. a, storming Palace and giving 'Great O'Malley' a swell ride to about \$24,500.

**Estimates for This Week**  
Alhambra (Martin Printz) (1,200; 20-30-35)—'Man Betrayed' (Rep) and 'Smart Girls' (U), dual. Latter a second-runner, but copying all the way and everybody is helping it up one week. Also possibility of a second h. o. of three more days, a house record. Last week same combo pulled in \$4,300, swell.  
Arcade (MG) (1,600; 25-40)—'About to Die' (RKO). Only average \$5,500. Last week, 'Holy Terror' (20th), was very neat, \$7,000.  
Vivide (Marston) (1,600; 15-35)—'Fury' (MG) and 'Rose Mari' (MG)—Revels. Brief spurge in dual revivals, proving just the right tonic, \$6,000 being way over first-run grosses. Last week, 'Cloistered'

(Pathe Cinema), had hard time collecting \$3,000, poor.

Hipp (Warner) (3,700; 30-40)—'Avenue' (WB). Irving Berlin songs put it across; so are Ritz Bros. due to their personal up-the-street at Palace. Both houses went in for recording \$18,500. Ritz Bros. got up to \$18,500, highest here in two months. Last week, 'Stolen Holiday' (WB), couldn't get warmed up; \$14,500, fair.  
Palace (RKO) (3,200; 30-40)—'Great O'Malley' (WB) with Ritz Bros. topping vaude. Film okay, but it's three comics that are filling the pews to the sweet tune of about \$24,500. Last week, 'Cagney Du-Socko' (WB) with Benny Field on stage, caught \$20,000, flattening.

State (Loew's) (3,450; 35-40-50)—'Rembrandt' (UA). Originally scheduled for Stillman B. House, this one was kicked around and postponed at least four times before they decided it was strong enough for top Loew spot. Guesseed right, as it is heading for around \$18,500. Ritz Bros. bring up, last week, 'Champagne Waltz' (Par) got lambasting from critics, but \$18,500 was good.  
Shirley (MG) (2,500; 25-35)—'Under Cover of Night' (MG)—Fair meller and a bit above ordinary b. o., \$6,500. Last week, 'Plainsman' (Par) 1 third hold-over, garnered \$7,500, excellent.

## Berlin's Score, Powell, Carroll Pave Way for 'Ave.' in Minne., OK \$11,000

Minneapolis, Feb. 16.

Advertiser and exploitation are having their inning here this week, with 'On the Avenue' going swell at the Minnesota, thanks to socko publicity (Evelyn) as the Irving Berlin score and cast names.

'Loyds of London' well the Minnesota last week that it was moved over to the Century for second long stanza and conti to give a satisfactory account of itself. In its seventh week downtown, 'Three Smart Girls' still holds forth profitably at the World. Two double feature houses, State and Aster, still in the Minneapolis business at the former being particularly brutal.

## Strike Over, Seattle Biz Booming Despite Lent

Feb.

only a mi factor here. 'On the Avenue' is leading this burg at the Music Hall. Thousands of men are back to work along waterfront, with lumber mills looking for immense biz the coming months to supply demands from flooded areas along Ohio and Mississippi. Theatres feel this upsurge in employment.

**Estimates for This Week**  
Blue Mouse (Hamrick) (900; 37-42)—'Stolen Holiday' (FN) and 'Under Cover Night' (MG), dual. Moved over from Paramount, with week \$2,400 expected. Last week 'Winteret' (RKO) and 'Woman Wise' (20th), dual, \$2,500, slow.  
Coliseum (Evergreen) (1,800; 21-32)—'Liberia' (MG) and 'White Hunter' (20th), dual. Looks like \$3,300, swell. Last week 'Tarzan Escapes' (MG) and 'Hideaway Girl' (Par), dual, slumped to bad \$2,100 biz, and 'Liberia' (MG) \$2,100.

Colonial (Sterling) (850; 11-16-21)—'Trailing West' (WB) and 'Lived Again' (GB), dual, split with 'Private Secretary' (Prin) and 'Confict' (UA), dual, \$2,500 anticpated. Last week 'Empty Saddles' (U) and 'Get 'Em Haines' (Rep), dual, split with 'Devil on Horseback' (GN) and 'Lived Again' (GB), dual, \$2,100, good.

Fifth Ave. (Evergreen) (2,400; 27-37-42)—'Loyds' (20th) and 'On the Jury' (RKO), dual, 2d wk. Okay \$5,200. Last week same flick \$5,200.  
Liberty (J-VH) (1,800; 27-37-42)—'Rembrandt' (UA) and 'Counterfeit Lady' (Col), dual. Good biz at \$4,500. Last week, 'Beloved Enemy' (UA), \$6,100, big.

Music Box (Hamrick) (900; 27-37-42)—'One in Million' (20th) (7th wk). Still going swell at \$3,600 and steady for eight weeks. Last week sixth week, \$4,200, beating fifth, due to weather break and end of strike.

Music Hall (Hamrick) (2,300; 27-37-42)—'On the Avenue' (WB) and 'Crack-Up' (20th), dual. Headed for great \$8,200. Last week 'Live Only Once' (UA) and 'Holy Terror' (20th), dual, \$3,900, slow.

Orpheum (Hamrick) (2,700; 27-37-42)—'Bulldog Drummond' (Par) and 'Doctor' (WB), dual, and vaude. Doing good \$6,000. Last week 'Daniel Boone' (Col) and 'Hats Off' (GN), dual, \$4,400, only fair.

Palomar (Sterling) (1,450; 16-27-37)—'Shakedown' (Col) and Duke Ellington band, four days. Band drew big \$4,500. Letter on 'Hats Off' (GN), dual, \$4,400, only fair.

Paramount (Evergreen) (3,100; 27-37-42)—'Black Legion' (WB) and 'Mamma Steps Out' (MG), dual. Letter on 'Black Legion' (WB), dual, \$4,500. Last week 'Stolen Holiday' (WB) and 'Under Cover Night' (MG), good \$5,000.

Roxy (Hamrick) (800; 21-32)—'Go West' (Sterling) and 'In His Steps' (GN), dual. Combo-drawing good \$2,700. Last week 'Light Brigade' (WB) and 'Smartest Girl' (RKO), dual, \$2,800, swell.

## SONJA RESUMES PORT. RUN, BIG 8G 2D W'K

Portland, Ore., Feb. 16.

In Marion ran up terrific score at the Evergreen. Paramount first. Scored for one day to permit house to sell out on Ballet Russe road unit at \$27.50, but now standing its record-breaking run for another two weeks.

'Winteret' holding second week at Orpheum to fat results.

**Estimates for This Week**  
Broadway (Parker) (2,000; 30-40)—'Mamma Steps Out' (MG) and 'Man of the Year' (GN). Registering okay \$5,000. Last week 'Smart Girls' (U) and 'Mad Holiday' (MG) (3d wk), good enough \$3,200. First two weeks totaled okay \$10,800.  
Mayfair (Parker-Evergreen) (1,400; 30-40)—'Bulldog Drummond' (Par) and 'Join the Marines' (Rep), dual. Average fare for average \$2,000. Last week 'Man of Affairs' (Continued on page 31)

**Estimates for This Week**

Aster (Public-Singer) (900; 15-25)—'Tarzan Escapes' (MG) and 'Polo Joe' (FN) (2d runs), split, and 'Arizona Mahoney' (Par) and 'Woman in Distress' (Col)—first-run dual last three days. Pointed toward fair \$800. Last week, 'Hideaway Girl' (Par), first run and 'Rose Beyond the Clouds' (2d run), split, and 'North of Nome' (Col) and 'Mysterious Crossing' (U), first-run dual last three days, \$800, fair.

Century (Public-Singer) (1,600; 25-35-55)—'Liberia' (MG) (2d wk). Moved here from Minnesota and still clicking; \$6,000, profitable. Last week, 'Doctor's Diary' (Par), \$3,000, light.

Lyric (Public-Singer) (1,300; 20-25)—'Theodora' (Col) (2d run). En route to big \$3,500. Last week 'Love on Run' (MG) (2d run), \$2,500, fair.  
Minnesota (Public-Singer) (4,000; 25-35-55)—'Avenue' (20th). Big-scale advertising and plenty of radio and other plugs have attracted much attention to this one. Irving Berlin's music also b. o. here. Pushing toward swell \$11,000. Last week 'Loyds' (20th), \$10,500, good.

Orpheum (Public-Singer) (2,800; 25-35-55)—'Black Legion' (WB). Strong press and sensational exploitation calculated to garner attention, but femmes are fighting shy of this one and it will do well to reach fair \$7,000. Last week, 'Stolen Holiday' (FN) and 'Spices of 1937' unit, with latter mainly responsible for the \$12,500.

State (Public-Singer) 'Chan at Opera' (20th) and 'Mind Own Business' (Par), dual. Double features don't mean a thing to the local public. Last week, 'Sinner Take All' (FN) and 'Can This Be Dixie' (20th), dual, \$1,500, poor.

Time (Public) (1,200; 15-25)—'Seven Sinners' (GB). Fair \$800 indicated. Last week, 'Legion of Terror' (Col), \$1,000, fair.

Union (Public) (1,200; 25-35)—'Plainsman' (Par). Oke \$3,000 for first name showing. Last week, 'College Holiday' (Par), \$2,800, pretty good.

West (Steffes) (350; 25-35-40-55)—'Smart Girls' (U) (7th wk). Still has 'em coming in paying numbers. Looks like good \$2,000. Last week, \$2,200, good.

## MONT'L HAS FLU, SKING, BUT VERY LITTLE B.O.

Montreal, Feb. 16.

of repeats at mai stems and prevalence of flu, plus better skiing weather week-end, are still cutting into grosses.

**Estimates for This Week**  
His Majesty's (CT) (1,600; 50)—'Wings of Morning' (20th-Brit) (3d wk). Hoping for \$3,500, fair, after \$4,500 last week.  
Palace (CT) (2,700; 50)—'Thin Man' (MG) (2d wk). Repeat doing surprisingly well, and should average \$7,000. Last week it came corking \$10,000.

Capitol (CT) (2,700; 50)—'Stolen Holiday' (WB) and 'Racing Lady' (WB), dual. Betting fair play, and last week \$6,000. Last week, 'Mama Steps Out' (MG) and 'Mind Own Business' (WB), fair \$5,500.  
Leew's (M.T. Co.) (3,200; 60)—'Mad Holiday' (MG) and 'Great O'Malley' (WB) hit Riviera Folies unit. Should gross \$10,000, nice. Last week 'One Way Passage' (WB) and 'Once a Doctor' (WB), with 'Command Performance' unit, \$9,000, fair.  
Princess (CT) (2,300; 50)—'Secretary' (Col) and 'Legion of Terror' (Col). May get \$8,500, good. Last week 'Winteret' (RKO) and 'Rainbow on River' (RKO), \$6,000, good.  
Cinema de Paris (France-Film) (500; 20)—'Rising Sun' (WB). Betting may go above average at \$3,000. Last week 'L'Appel du lence' fair at \$2,000.  
St. Denis (France-Film) (2,300; 34)—'WB'. Slow across Gates de Palace. Expect gross around \$5,000, very good. Last week 'Toi, C'est Moi' and 'Notre Dame d'Amour', \$4,500.

## Films' Control of Song Plugs

With almost every major producer-distributor owning, controlling or having a direct working agreement with music publishers for their picture songs, the scientific regulation of the song exploitation, these days, has been reduced to a fine tin Pan Allee air. No longer a spasmodic, haphazard and indiscriminate song-plugging business, the tune exploiters of today know how to best spot the radio ballroom and build-up for (1) best sheet sales, and (2), best film boxoffice.

Both the music man and the film man now recognize the wisdom of preserving the tunes for mutual benefit. And since the American Society of Composers, Authors and Publishers can, like the musical comedy producer of yesteryear, use the full cooperation of the numbers, thus certain choice outlets. The full cooperation, and the new picture tunes are 'restricted' to the less important radio programs.

Accordingly, depending on a new film's songwriting (a Berlin, Kern, Dubi-Warren and kindred type score), the major air shows today literally bid for priority in releasing the songs on the air.

Music pub firms like Feist and Robbins are controlled by Metro; 20th Century-Fox deals with Sam Fox-Movietone Music, and Irving Berlin; Warners has sundry hookups with Harms, Remick and Witmark, its own subsidiaries; Paramount with its wholly owned Famous Music Corp. subsidiary; RKO and the Gershwin-Chappell outfit, and so on down the line.

## Musicals' Air Buildup

(Continued from page 1)  
will sponsor; bearing the full cost. Starting date is mid-March.

Nell F. Agnew, v.p. over distribution, believes that the relationship between radio and pictures is growing closer and closer each day, a view that is shared by another leading distribution executive—Ned E. Deppi. RKO's sales chieftain, Agnew's opinion is that if the quality of a picture is reasonably good, its plugging on the air means that it is virtually underwritten prior to release. The answer from the theatre point of view in Paramount is that such radio-hyped pictures always open big everywhere. There is but one exception, Washington, D. C., which just can't be explained.

A new contends that a good song, plugged the air with care, helps the picture from which it emanates, but that a poor song may hurt. There are certain numbers, in the Par vice-president's opinion, which lend themselves to more plugging than others and with this thought in mind, the company is trying to gauge its musical numbers for best radio results. Some songs from 'Wai Iki Wedding' are being released for air plugging now, these being the more complicated type which may need an appetite-buildup, while others, of a catchy nature, are being held up until later.

While Par believes air plugging on pictures, notably musicals such as 'Big Broadcast', 'Rhythm on Range' and 'College Holiday' has meant much added coin for exchange coffers and at theatres, that company could hardly be any hotter on air values than 20th-Fox and RKO. Both these companies, with a representative share of musicals of the better class, place broadcasting songs, scenes and personalities on a highly favorable basis.

Twentieth-Fox is convinced that the showing which the Irving Berlin musical, 'On the Avenue', is making, not only at Radio City Music Hall, but elsewhere is importantly attributable to the air ballroom given it over a period of about a month in advance of initial dates.

As a concrete instance, the picture opened at the Music Hall, N. Y., last Thursday (4), getting a mild \$18,000 the first two days, then went to a \$39,000 weekend on Saturday and Sunday. This compares very favorably with what any picture has done here, \$40,000 being about all the Music Hall can handle on Saturday-Sunday, unless a holiday falls on a Saturday, when prices are boosted.

W. G. Schmus, managing director of the theatre, and C. S. Eysell, general manager, both feel that plugging of songs from 'On the Avenue' materially helped the picture, notably the final broadcast of the 'Hollywood Hotel' program Friday night (5), when an Irving Berlin cavalcade of songs was presented, though of 30 minutes devoted to 'On the Avenue' excerpts. The same favorable reaction, following the broadcast, was noted also in other keys.

Van Schmus believes the extremely good Sunday business on the picture the first week was due, in part, also to the fact that this was the first nice Sunday in eight weeks and people from the suburbs were encouraged to come to town. However, though the picture started on Thursday and Friday, its

second weekend holdover (13-14) was also unusually strong, amounting to \$38,000. The second Friday, which was Lincoln's birthday, was also large for a holdover week, \$16,000. Result is that while the picture was mixed, some being quite poor, the first week's take was \$36,000 and the second will be around \$60,000.

'The On the Avenue' plug, via the 'Hollywood Hotel' show, became a day-and-date affair so the Music Hall engagement was concerned, the week of Feb. 7. The 20th-Fox musical went out on general release the following Friday (Feb. 12, which is the current stanza), and thus the national plug of the Berlin song cavalcade was still fresh for the b. o. o. There, of course, lies the chief exploitive value of such song exploitation—the timely hookup.

No question, also, that the musical picture lends itself best to sort of air rally. But from the producer-distributor viewpoint, even a dramatic film with song insert—no matter, how casually interpolated, such as in a nitery scene, or even more incidentally—the song-plug for that number has boxoffice value. Provided (1) the tune is there, and (2) the constant tieup, through the formula air announcement, of the film title with the song title.

The Music Hall feels that broadcasting helps greatly, providing the picture has something to sell, such as good tunes or situations, but that giving 'em too much on the air can be dangerous. RKO's experience with pictures, including the Astaire-Rogers musicals, all of which have played the Hall, is that the radio plugging has been vastly important to those pictures. Ned Depinet, the RKO-Radio v.p. and sales chief, cites that broadcasting of numbers from the Astaire-Rogers 'Top Hat', starting four weeks advance of the release of the picture, brought an instant smash reaction box office.

There is no question, but that radio plugging helps pictures a lot in Depinet's opinion. He refuses to concede that Astaire on the air is going to hurt Astaire at the box office, taking the opposite view. While it may be that people like Astaire better in pictures than on the air, he certainly must be well liked on the latter also and not etherizing to any disadvantage, else Packard wouldn't keep him before the microphones. He thus must be satisfactory to their checks, Depinet adds.

The RKO distribution executive has always been an advocate of the practice of putting the right people on the air. He points to Victor Moore and Helen Broderick and adds that the fact they sky-rocketed on the air weeks is bound to help them in pictures. 'If you like them on the air, as all checks would indicate,' notes the RKO v.p., 'then you will want to see them in pictures.' People who are bad on the air are certain newed.

While the chances of air values for musicals are better than for other pictures, RKO's veteran sales head believes that if the picture is worthy of it and the material is properly prepared for the radio it is going to help. Telling too much of the story isn't necessarily detrimental, in his opinion. A résumé of a story or reading a book on which a film is based will ordinarily whet the appetite to

see it on film, Depinet contends. He has found in his extensive sales experience that many an exhibitor is more interested in buying a picture after he has been told what the story and plot's all about.

Agnew also favors hand-picking scenes from dramas, comedies or spectacles for its purposes, but thinks the material should be presented more in the form of trailers so that it will have teaser or curiosity-building value.

20th-Fox's Experience

Over at 20th-Fox, much of the popularity of 'One in a Million,' 'Pigskin Parade' and 'Si Baby,' is credited to the urge to these musicals developed by broad-casting. The sales department, acknowledging that popularizing of song numbers unquestionably aids at the box office, feels, however, that just as much has been done some picture material when transferred to the air for publicity purposes, citing that it's impossible to appreciate the Ritz Bros. as much aurally as visually. An op. in that company, shared by others, none the less, that while certain broadcasting may not act as a hypo from a sales or box office point of view, it at least doesn't hurt poorly at the box office.

20th-Fox is so much in favor of air-plugging, especially for musicals, that it is leaving no stones unturned in an effort to reach the maximum of lists. 'On the Avenue' was spotted—or lived—plugs on no less than 260 air programs to 24 cities. The result is that now, the number of plugs may be doubled. A complete check has not yet been made.

While it is unquestionable that certain pictures from Warner Bros., which produces a lot of musicals, have been greatly aided by broadcasting, in that company it is pointed out that too many elements enter into a picture's success or failure to be precise as to what radio has contributed. WB considers impossible to measure the values of radio as against other factors, one executive adding that the company has had pictures which didn't seem to be aided by good songs which were plugged, while others have. Some pictures for peculiar reasons display dramatic on their own, it is noted, but through title, combinations of talent or for other reasons.

WB's Musicals

Radio, without doubt, played a large part in the sales and box office returns for many of the Warner musicals through intensive air plugging and popularization of song numbers, from 'Grand Street' down to the present. But some pictures are cited which songs and their plugging didn't seem to help so much. In this connection, consensus of opinion throughout the industry is that if you haven't a good quality picture, all the radio plugging in the world may not help.

Warner ros, in Philadelphia, has been putting a good deal of its pictures with commendation for some time, but in the past year, it is declared, there is no positive evidence whether it has been beneficial. There is no evidence either that it hasn't. With WB it is counted along with other mediums of publicity all of which may be contributing. In Warner quarters, also pointed out, the critics may pay a picture and it will do well, while in other cases they may praise and a flop will be the result. In some cases, pictures have opened weakly after broadcasting in its behalf and later started to build. In such instances, it must have been word-of-mouth advertising or something else that did the trick, or maybe these plus what the radio had done.

On one th. Depinet, Agnew and others are in agreement and that is, 'If a picture is bad, nothing will help it.'

Howard S. Cullman, at the oyx, which experienced big opening days on 20th-Fox musicals which had been air-plugged, strong for the value of the air lanes as apoli. to the theatre box office. A sign made 'Head Over Heels in Love' (G-B), the third Jessie Matthews star to play the Roxy, being there currently, is the first to do a smart business. The picture will get \$45,000 this week (its first) and holds over. Much of the play receive is attributed to the Gordon and Revel songs, and the plugging of that music on the air. The leading song, 'May I Have the Next Romance With You,' is already among America's best sellers. This is the first Matthews picture for which American-composed tunes have been written and the business far outstrips prior films with the English star. It also felt at the Roxy that the success of 'Three Smart Girls' was importantly due to the fact that Deanna Durbin had been known on the air, her appearance

## Paramount Sending Out Air Show Sunday A. M. to Curb B. O. Squawks

on the Eddie Cantor program in advance meaning much to her as well as to the Universal production featuring her. The same is held to be true for Bobby Breen and the way he has gone pictures after i work.

Paramount, is same connection, has no hesitancy about giving credit to Bing Crosby, Jack Benny, Guy Lombardo, orchestra, Leopold Stokowski, Martha Raye, Burns and Allen, Fred MacMurray, Bob Burns and others for what their air efforts have meant to that studi. The Par talent roster, fact, almost wholly made up io personalities.

Theatre operating executives also are general enthusiasts about the value of radio for box office punch. Nate Blumberg, RKO theatre executive, believes, however, that radi is a double-edged sword. If material designed to exploit a picture or a personality is done well, then it may be considered a distinct help for that picture at the ticket windows, but if it's done poorly, damage may be the result for the theatre. On the other hand, Blumberg is disposed to aver that radio exploitation will not help a bad picture, citing one which had good song that was heavily plugged but, be it; bad otherwise, flopped miserably at the b.

Opposed to Scenes on Air operating executive does not favor scenes from pictures, not only because there is a tendency too often to give too much but also because they are apt not to be done as well as in the picture itself.

A leading theatre that is 100% for radio and its value to the box office is the Paramount, N. Y., flagship of the Par chain of theatres. The house installed a pit band policy a year ago last Christmas and on the first year of the policy through 1936, profit Paramount through the theatre and film rental was over \$1,000,000. Robert M. Weitman, managing director of the house, who has put out has been strong for the policy credits radio considerably for the success of that policy in that the air has built up tremendous followings for the bands and personalities who have played the house. In conducting a balloting poll in the lobby of the house, with fans voting for their favorite orchestras, it was found that the astounding number of votes were cast for bands outfits which to Weitman and others in the theatre field seemed comparatively unknown. Encouraged by what their customers were listening to on the air and favored, the house, however, booked several such bands and agents with satisfying results.

Holding that radio is the strongest selling medium for picture theatres and a powerful one, Weitman urges that radio be used, not fought. Watching audiences closely for reaction at the Par, his N. Y. house, he deduces that radio must be sending a large percentage of fans to the theatre, since they very often applaud these songs for various bands that have been on the air before the bands even come up out of the pit to do their shows in the flesh. This in Weitman's opinion, must mean that these people, drawn to the theatre, have been encouraged to see a person the entertainment they have heard on the air.

While Jack Cohen, not long ago raised a hue and cry against radio, the fact that 'Pennies from Heaven' was extensively plugged on the air prior to release of the picture of the same name, becoming a hit, leads theatre men to believe that this was more responsible than any other factor for bringing people past box offices to see the Bing Crosby musical. Although theatre operators and buyers regarded 'Pennies' as just an orinary picture, it did over average to good business nearly everywhere and gave the Par, N. Y., the two best pre-Xmas weeks the house ever had.

## Par's Gigolo Racket Pic

Paramount will make a picture based on Ted Peckham's N. Y. experience as stealer for lonely maidens and gay oldsters, if yarn pans out. Peckham is coming to the studi for a conference at the suggestion of producer Harlan Thompson and if story sells he will get a part in it also, besides also scripting. Carries the tentative title of 'Sonal Escort.'

Hollywood, Feb. 16. Paramount, most radio-minded of the picture studios, will go on air around mid-March. Boris Morros, music head on the lot, will produce for a 30-minute swing over NBC red network. So as not to conflict with theatre attendance, program goes out on Sunday mornings to hit the east at noon.

Theme of show will be built around the casual visitor to the lot, peering in on di stages and meeting various personalities. Morros will concentrate on the younger players and augment their studio buildup with an air bath.

Entire studio has been placed at Morros' disposal to use whatever talent and facilities are necessary to the weekly changes. Musical conductors will be rotated with a studio orchestra augmented for the broadcasts.

Contest i may be 'worked into' the shows with the cooperation of the 1,600 theatres throughout the country playing Paramount pictures. Season passes in the various cities will be offered in the nationwide contest.

Idea of the broadcast series is to acquaint dialers the new crop of Paramount players and will also serve as institutional for the theatre track.

Deal was sealed in the east during recent visit of Morros, with John Royal okaying for NBC.

## Mr. Moto a la Charlie Chan

Hollywood, Feb. That 'Mr. Moto' story that Peter Lorre is doing for 20th-Fox is no simple pic, but promises whole series in which erstwhile Continental horror specialist becomes semi-comic Japanese detective. Success of Charlie Chan series has Sol M. Wurtzel already concocting follow-ups to 'Think Fast, Mr. Moto,' with Lorre establishing character similar to Warner Oland's.

Wags are already thinking of names for successors: 'On Your Toes, Mr. Moto,' 'Be Lively, Mr. Moto,' 'Come Quickly, Mr. Moto,' and ad infinitum until inevitable climax of 'Charlie Chan vs. Mr. Moto.'

Chan is okay with Chinese censors; Japanese scissor-wielders have not yet been heard from on Moto.

## Mandelik's Continental Agency; Mistinguett for Pix

Hollywood, Feb. 16. Mistinguett, top French revue star, becomes available for film work following signing of managerial contract with Cosmopolitan Film Agency, New agency, unrelated to W. R. Hearst's eponymous name, is run by Lucien Chartier and Gilbert Mandelik, brothers, formerly French newsmen and publishers of important continental trade sheets. Mandeliks are buildi strong list of foreign personalities for Hollywood representation, including writers, directors, stars.

Mistinguett goes currently into the new 'Casino' now opening abroad, either returns here toward summer for film work or goes into Paris studio for starrer.

## Allegret and Simone

Feb. Mare Allegret, returned from Hollywood, announces here that he will return to the U. S. later in the year to direct 'La Renarde' ('The Vixen'), based French novel, with Simone Simon starring. No other production data available, except that 'it must be done in Hollywood because Simone's contract does not permit her working in France.'

Hollywood, 16.

Twentieth-Fox here knows nothing of supposed pact between Allegret to direct Simone, and denies it.

## Treacher Comics in 'Eat'

Feb. Arthur Treacher will have the top comedy spot in 'She Had to Eat,' at 20th-Fox. Also, Mal St. Clair directs with Samuel Engel produci

# BRITISH EXHIBS, DISTRIBS AND PRODS. OFFER VARIED VIEWS ON NEW QUOTA LAW

In Varying Degrees All Oppose Proposed Gov't  
Commission — Quality and Quantity Clauses  
Basis of Much Disagreement

By JOSHUA LOWE

London, Feb. 16.  
Filing of the new quota law by the British Industries (producers) meeting will be a matter of some importance.

It is a clause to be inserted in the new quota act next year whereby foreign distributors here can claim partial exemption from quota by purchase of British pictures for release in their own countries. This means that American distributors who purchase British pictures for American distribution would secure partial relief from producing pictures here.

Cinemas here would gain an exemption, but with producers would be guaranteed a partial American distribution.

London, Feb. 16.  
Third step towards new quota legislation is now virtually complete, with producers, distributors and exhibitors having replied to the Board of Trade request for comment on the drastic recommendations of the recent Government committee.

Quality and quantity of the new quota are equally the subject of free comment from each group, all three stating definite opposition to the principle of a statutory body to pass on the merit of every British film, so as to determine whether it is good enough for quota or not.

Exhibitors' Panel Idea  
C. E. A., in its published reply, welcomes the proposal for a quality test, but recommends a panel of two exhibitors, a distributor and an independent chairman, responsible to the Board of Trade; it objects to the Quota Committee proposal for a body of individuals dissociated from the industry.

K. R. S. agrees with the board that quality should be the aim, but argues that a viewing committee would lead to chaos and confusion, experience over a long period has proven the impossibility of any person or persons assessing entertainment values, the Society says. It offers no direct alternative, however.

Different slant on the proposition derives from the F. B. I. slant. Accepting the recommendation of a quality committee, it urges the viewing test should seek to establish whether each film is a genuine attempt to provide reasonably good entertainment, should not demand any standard of artistic quality.

It is a naive suggestion made in that any picture costing not less than \$10 a foot should automatically pass, without application of the quality yardstick.

With divergence of opinion is evident, nevertheless, on the broader issues of the Gov't Committee's report. In general, producers and exhibitors give their support (exhibits less generously than the F. B. I. members), but the distributors oppose almost every major recommendation. Implications of the report itself rendered such verdicts inevitable, with demands of the two former groups having been observed in varying degrees, but the evidence of the K. R. S. having been pretty well ignored or flatly opposed.

At the same time, some satisfaction is felt in the industry here that exhibitors and distributors can have found points of mutual agreement. Both bodies object to a clause rising as high as 50%, dismissing it as

(Continued on page 56)

## ANZAC BIZ SLIPPING AFTER FINE HOLIDAYS

Sydney, Feb. 16.  
After brilliant holidays, biz is slipping a little. Leaders are 'Swing Time' (RKO), 'General Died' (Par), 'Dods' (UA), and 'Show Boat' (U).

'Labeled Lady' (MG) came in at the week-end and should have no trouble smashing into the hit class. 'Orphan of the Wilderness' (Cine-sound) and 'Rangle River' (Col-Nat) move out after average trade for four weeks. 'Poor Little Rich Girl' (Fox) did okay on matinee biz, but nights were off. 'Devil Is a Sissy' (M-G) moves on, too, after three weeks.

New ones coming in include 'Craig's Wife' (Col), 'Cain and Mabel' (WB), and 'East Meets West' (G-B).

Melbourne, Feb. 16.  
Trade is still fairly solid here, with 'Anthony Adverse' (WB) tops. Line-up includes 'Piccadilly Jim' (M-G), 'It's Love Again' (G-B), 'Girls Dormitory' (Fox), 'Last of Mohicans' (UA), 'San Francisco' (M-G), 'Big Broadcast' (Par), 'Three Married Men' (Par), 'To Mary—With Love' (Fox), 'Bengal Tiger' (WB), and 'Song of Freedom' (G-B).

## AUSTRIAN CASINO BARS LOCALS; TOO MANY LOSE

Vienna, Jan. 26.  
Austrian Casino, government-controlled, will close its doors for five months, due to the increased number of suicides, embezzlements and crimes committed by heavy losers.

House of laws, former parliament, will shortly enact a law to this effect. As is, almost every Austrian citizen can go to Baden, Semmering or Salzburg and lose his money at roulette, roulette or chemin-de-fer. All that is needed is a membership card, obtainable for a few pennies.

## Victoria Bans Russ Pic

Melbourne, Jan. 26.  
Victorian Chief Secretary has banned Soviet pic, 'Ten Days That Shook the World.'

Pic was shown in New South Wales, but on appeal was allowed to be shown without cuts. Further representation will also be made here by the pic's sponsors, 'Friends of the Soviet Union.'

## Crick to England

Sydney, Feb. 16.  
Stanley Crick, m.d. of Fox-Hoys here, leaves early next month with Mrs. Crick to view the Coronation.

Crick is an Alderman in the City Council outside his pic activities.

Plans are laid for an auto tour through Europe, thence to America for a chatter with 20th-Fox execs. Whole trip will take about six months.

## Jannings in Rome

Rome, Feb. 16.  
Emil Jannings has come to Italy to work on Tobis production of 'The Regent.'

Exteriors for the film are to be taken at Pompeii.

With Jannings are his wife, Gusti Holl, leading lady, Marianne Hopp, Director Veit Harlan, two asst. directors and members of the cast and technical staffs.

## B & DeF's 2d Mex Pic

Mexico City, Feb. 16.  
Bustamante and De Fuentes, who made Mexico's first click pic, 'Alla en el Rancho Grande' ('Way Down on the Rancho Grande'), are arranging to make their second film this month.

Fernando de Fuentes, who directed 'Alla,' will meg.

## Gov't View

London, Feb. 7.  
Questions asked in the House Commons last week gave a slant to the government's attitude, one M.P. asking what was being done about the Quota Report and was not the gov't going to promote some act before it was too late?

Parliamentary Secretary to the Board of Trade, R. Leslie Burgin, said: 'Legislation in connection with the industry must, as far as possible, be canvassed in the industry first. I am awaiting replies from the industry and I propose to give full opportunity of considering the way in which the industry ought to be governed.'

The M. P.: 'Will you ask them to hurry up? Otherwise there will be no industry left!'

## GOOD JAP CINEMA BIZ ENCOURAGES BUILDING

Jan. 27.  
Lush biz is being enjoyed by the entire chain of film houses under the Kinshi theatrical interests. It has encouraged that organization to plan further expansion.

To carry out such plans, the Toho outfit recently (22) incorporated the Koto Rakutenchi (Higher Paradise) with a capital, fully paid up, of \$280,000. New company has purchased a large tract of land near the Kinshi station, upon which a large building will be erected to house two theatres, each with a seating capacity of 2,000. In one house Japanese films will be shown while in the other Western pictures and revues will be presented.

## SYDNEY MGERS. MULL STAGE SHOW RETURN

Stage presentations may come back here this year, according to several managers who are flirting with the idea. So for the comeback try has not penetrated into the city proper, although a few nabes have tried vaude acts with films.

General opi is that stage shows will not be generally introduced in pic program in the city proper because the mob has been educated to expect dual bills. City shows running orchestras sometimes have the pit boys do a novelty number or two, but beyond that no other stage stuff is used.

## Italian Pic Production

Rome, Feb. 16.  
ing Italian films have just been completed: 'Il fu Mattia Pascal' ('He Was Pascal'), for which Pirandello wrote script and which Director Caval has done in two versions, French and Italian; 'La Contessa di Parma' ('The Countess of Parma'), directed by Blasetti; 'Ho Perduto mio Marito' ('I've Lost My Husband'), directed by Guazzoni; 'Questi Ragazzi' ('These Kids'), directed by Mattoli; 'La Fossa degli Angeli' ('The Tomb of the Angels'), directed by C. C. Bragaglia; Regina Della Scala ('Queen of the Scala'), directed by Salvi and Mastroianni.

Work started on 'Marrabo,' and 'Don't id'.

## Somaliland Pic

Rome, Feb. 8.  
Somaliland will be the scene of a new Italian colonial film 'Marrabo,' sponsored by Fono-Roma. Eugenio Fontana, who was the director of the last local film of this sort 'Squadron Bianco' ('White Squadron') will be the director of this one.

Scenario is by Marcello Orano, who is an authority on the customs, languages and costumes of the Somaliland. Gino Gaspare Napolitano will do the sets.

## Mexico City Has 66 Cinemas; More Coming

Mexico City, Feb. 16.  
Another new de luxe nabe, Cine Moderno, has just opened here. Foundations have been laid for the Cine Alhambra, a 4,500-seater, on the fringe of the downtown area.

Plans are well advanced for starting three other cinemas—two class houses in the downtown zone and the other in a slum stocking residential district. Work the trio is expected to begin this winter.

Town now has 66 cinemas in daily operation.

## PARIS PIC BIZ DROPS WAY OFF

Paris, Feb. 16.  
End of the first month of 1937 finds American film industry representatives much the dumps as ever.

Added to the old story of the ever-increasingrench get around the terms American trade treaty, which tests Yank film: business has taken a serious turn for the worse.

Latter has tumbled to such an extent that even the French are grumbling. Holiday spending reached a new high as compared to recent years, but there has been a marked slump since. Political conditions in general might be blamed for this and, with an international situation growing more tense daily, few signs of a let-down are sight.

With the exception of a particularly low number of films—which include 'San Francisco' M-G and 'Charge of the Light Brigade' (WB)—few are gleaming the returns they should. This is true for French, as well as American films.

But this hang-over could be better endured if there were any certainty that existing conditions, under which the Americans are permitted to do business here, would be allowed to continue unchanged. At marked indications that ill not.

To use the old one, practically everybody who has anything to do with the cinema industry here is pregnant with suggestions of what should be done to aid the French cinema industry. And practically all of these ideas, if put into effect, would be the detriment of American interests.

Jean-Michel Pitour, president of the Cinema Commission of the Chamber, is one of the many who has allowed some of his ideas on what should be done to become public property. Renoult, among other things, has let it be known that there is every possibility of an official cinema organization being brought into existence within the next few months.

He also says that, whatever solution is adopted from those which have been proposed to the French industry, certainly measures will be taken to stop what he calls the 'invasion of screens by imported films and to rectify our national industry poisoned by dishonest and doubtful characters who have monopolized.

In defending and encouraging localities, Renoult says in so many words he not only wants to bar American films from French screens but wants American companies to furnish capital for production here.

## ITALIANS TO FILM CASTIGLIONI PLAY

Rome, Feb. 16.

'I fratelli Castiglioni' ('The Castiglioni Brothers'), comedy by Alberto Colantuoni, which was translated into six languages and won considerable success all over Europe, is to be filmed. Camillo Pilotto, Ugo Cesari, Amedeo Nazzari and Armando Migliari will play the parts of the four brothers. Corrado D'Erice will direct the film, of which Amato is to be the producer. Luisa Ferida, Vanna Vanni and Silvio Bagolini will be other members of the cast.

Another film based on a theatrical hit is to be 'Nina, non far la Stupida' ('Nina, Don't Be Stupid'), which the Consorzio Speciale will produce. Nunzio Malasomma will direct. Isa Pola and Desco Bassegio are to act in it.

## OSTRER-BLACK IN CHARGE OF G-B PROD.

London, Feb. 16.

Maurice Ostrer is taking over complete charge of Gaumont-British production in Shepherd's Bush studios, with Teddy Black now the assistant production manager to Ostrer. Black will concentrate at the Gainsborough Studios and be in complete charge there.

Move was forced through drop-out from G-B production activities of Michael Balcon, who goes over to Metro locally.

## 'ROMEO,' 'SWING TIME' BUST INDIA RECORDS

Calcutta, Jan. 16.

American films broke local house records during the holi period and are continuing big. 'Romeo and Juliet' (MG) played for three weeks at the Metro, which broke the standing two-week run record. 'Time' (RKO) at the New Empir broke the gross record.

'Romeo and Juliet,' patrons were getting their ducats days in advance, almost unheard of here. Management states that business far outdistanced the previous record holder, 'Mutiny on the Bounty' (MG). Innovation at the Metro recently of midnight shows has started a vogue, with two other local cinemas following suit.

## Hershey and Mearson's 'Quiet' Caruso Quest

Rome, Feb. 16.

Burnet Hershey and Lyon Mearson, writers of a scenario on life of Enrico Caruso, have come to Italy to visit cities that were Caruso's triumphs. Screen story is based on play, 'Caruso the Magnificent,' by the same authors, and traces development of Caruso's career as well as giving picture of the concert and opera world of his time.

Authors Hershey and Mearson thought to slip quietly into Naples, look up such members of the Caruso family as were still to be found, absorb the atmosphere of Caruso's birthplace, ask a few questions and be off. But a ship-to-shore broadcast from the steamer that carried them to Naples, celebrating the re-inauguration of President Roosevelt, put an end to their ideas of doing anything quietly. Hershey and Mearson found that the party they took in the broadcast—just a few harmless words about how ice it was to hear Whittington when you were over 2,000 miles out at sea—was just enough occasion for publicity in the Naples papers to bring every man and woman who had ever heard or seen or managed to save some picture of Caruso to their hotel. The number of 'authentic' Caruso anecdotes, letters and signed portraits brought to light for the edification of the authors of the Caruso film script was staggering. As were the prices which the owners of these treasures thought the American authors might be willing to pay for them.

From Naples, Hershey and Mearson went to Rome, Florence and finally to Milan, scene of Caruso's successes at the Scala Opera.

Visiting Rome at same time as Hershey and Mearson was Director George Cukor. He was given a big reception, saw Director General for Italian Cinema Freddi, met various and sundry personalities of the Italian screen, and went on to Budapest.

## Royal Cinema

The Hague, Feb. 5.

As the Prince Consort is an enthusiastic film fan, the Palace Soestdyk, where the royal couple is going to live after their honeymoon, is to get a special cinema.

In order to avoid spoiling architecture of the ancient palace, hall will be built underground. It will be furnished with a fireproof projection room.

# JAPS GANGING UP ON U. S.

## NAZI REFUGEES IN NEW CAIRO STUDIO

Cairo, Jan. 22.

Egypt's most modern film studio has just been built by one of the numerous companies affiliated with the Bank Misr, about a mile from the Giza Pyramids.

A most impressive place, studios and workshops being equipped with up-to-the-minute lighting, photographic and sound-reproducing plant. Claim here is that the Misr studio is "better equipped than any individual studio in Hollywood."

Producer is a H. Cramp, formerly of UFA, whose birth certificate was too non-Aryan for the Nazis. He has two other Nazi victims as assistants, but most of the staff is Egyptian. Cramp scours Palestine, Syria and Iraq for material, and says he plans to make a film shortly with Palestine's Habimah troupe. Chief aim, however, is to provide Arabic films for Arabic countries.

## DENY 20TH-FOX PROD. SHUTDOWN IN LONDON

16.

Locally reported that 20th Century-Fox is considering shutting down on its New World production, with Bob Kane shifting his activities to the Fox-Wembley quota studios. There is no official cognizance of the matter.

Actually, the thing looks offside, owing the fact that 20th-Fox and New World are bound under contract for an additional two years or so.

Hollywood, Feb.

Advices from Joe Schenck are that there is no closedown in London. Kane just finished 'Red Robe' at Denham studio and will make four more in higher bracket at Denham. He will also produce eight quickies at Wembley. Latter are needed to comply with the British quota law.

20th Century-Fox is financing two-thirds of this product. Balance is foreign-backed. Same arrangements will be observed in the future, says Schenck.

## Varied International Program in Palestine

23.

Current pic here include 'The Wedding Night' (UA), 'Hopalong Cassidy' (Par), 'Forsaking All Others' (MG), 'Desire' (Par), 'Romeo and Juliet' (2d week) (MG).

ix in Tel Aviv include 'Magnificent Obsession' (U), 'Jana' (Polish), 'Maria Bashkirtseff' (Austrian), 'Mayerling' (5th week) (French), 'Samson' (MG), 'Night at the Opera' (UA), 'Die Julika' (German), 'Texas Rangers' (Par), 'Lake' (Russian), 'The Golem' (Czech).

Pix in Haifa include 'Come to Me' (UA), 'Der Wildfang' (German), 'Dr. Socrates' (WB), 'Private Number' (Col), 'Five Star Final' (WB), 'Ingende Jugend' (German) and 'Capt. January' (20th).

## Korda's Own Shack

London, Feb. 6.

Alexander Korda is taking a long lease of Denham Court, luxurious mansion with grounds of 140 acres, adjacent to the studios. Deal with the owners last year fell through, but Korda has now come to terms, whereby he gets the tenancy for 28 years at a rental of \$2,500 per year.

Korda will use the house as a private residence, and moves in March 25. Terms of the lease make him responsible for maintaining grounds and buildings and 'preserving all standing timber.'

## Competish as Is

London, Feb. 7.

When B&D's picture version of Jack Buchanan's 'This'll Make You Whistle' opens at the Empire next week it will be showing next door to Daly's, where the stage version, with Buchanan topping the cast, is showing.

Looks like a few mixups for stage and screen patrons.

## Hurry-Up Release Of Films Planned By UA in London

London, Feb.

United Artists' will experiment with a system of earlier releases, beginning September, in an endeavor to synchronize more closely the West-End premieres and general biz in the sticks.

Murray Silverstone sees the possibilities of coming nearer into line with the practice, which is standard in the States, so that there shall be no long lapse—varying here normally between three and six months—between first presentation in the capital and exhibition in provincial spots. All UA releases will be booked through the Odeon circuit of around 200 theatres, and will be available for independent houses simultaneously.

Scheme will need probably 100 prints, compared with approximately 70 needed to reach saturation under present arrangements. Pictures will thus get complete nation-wide coverage in three months.

Silverstone sees the experiment likely to increase box-office values of U. A. product as much as 33%, due to national publicity surrounding the London premieres stimulating almost coincidental provincial playdates.

## JAP PRESS LAUGHS OFF HAYSIAN EDICT

Tokyo, Jan.

Will Hays is getting the merry ha-ha from the Jap newspaper fraternity in answer to his request that pix of Hollywood stars be eliminated from Japanese newspaper advertising of an objectionable nature. In his request, made recently to the Hollywood rep of the Tokyo Asahi (Morning Sun), Hays pointed out that photos of stars are copyrighted and the use of them outside of news columns or in theatrical advertising, calls for special permission.

Newspaper answer is that Japanese representatives of the studios are handing out stills by the dozen, knowing at the time that they will be used in advertising of all sorts.

## Historical Censor Board in B. Aires

Buenos Aires, Feb. 10.

Argentine-made films depicting episodes in Argentine history, its institutions, or matters relating to national defense (i.e. naval and military characters or scenes) must be submitted for approval a Board set for the purpose.

Cording to a government decree, foreign-made films dealing with the same subjects must not be released without prior permission of the Board.

Failure to comply with the terms of the decree will entail confiscation.

## GTC Recommends 9%

London.

General Theatres Corp., operating associate of Gaumont-British, recommends dividend of 9% on participating preference dividend valued nominally at \$1.60.

Company has come out of the red, following reconstruction scheme that was bitterly opposed by ordinary stockholders.

## ALL FILMS VIA TWO CHANNELS

American Cos. Can Distrib Only to Regular Exhib Chains — Can't Switch Around in Open Market — Must Take Whatever Is Offered

## QUOTA NEXT?

Tokyo, Jan.

The Japs have ganged up on foreign picture distributors in such a manner that serious competition is now impossible. Jiro Kobayashi, of the Toho chain, is generally accepted as being responsible for the situation, although he denies it.

Through an arrangement between the Toho chain and the Shochiku chain the various pix distributors have been classified into two groups. Those of one group are elected to supply product to the Toho outlets and the other to supply the Shochiku houses. Paramount, Universal, Warners, RKO and Columbia are the vassals of the Toho chain, while 20th-Fox, Metro, United Artists, Towa Shoji (importers of German and French pix) and Saneisha (mostly French) dance to the tune of Shochiku buyers.

This neat little arrangement is working out all to the advantage of the two chains, because they no longer have to worry about the

(Continued on page 50)

## ONLY ONE ALL-BRITISH CINEMA IN AUSTRALIA

Melbourne, 19.

Athenaeum, now the only British cinema operating in Australia, reopened last week successfully with 'Song of Freedom' (G-B) and 'Everybody Dance' (G-B).

Not so long ago mention was frequent that a huge all-British theatre policy would be operating in all Australian ace spots. Today there are very few British pix playing any of the ace spots, and leading pic men admit that there is really no such thing in operation as an all-British chain.

In every big city, theatres originally set to play British have swung over to American pix because of the low b. o. take returned by British product.

Outside of the Athenaeum, the Majestic is the only other theatre playing British. This theatre, however, also plays Americans from time to time.

Sydney, Jan.

There are still no British pix on ace runs in this city. Next week, 'East Meets West' (G-B) will come into the Lyceum, making the first in several weeks. None played the city during Yuletide and New Year.

## French Pasteur Film

Paris, Feb. 8.

Documentary film on the Pasteur Institute is being made here.

Working in collaboration with Doctor Marti, director of the Institute, J. Chausey has been given a free hand to photograph almost what he pleases so he can truthfully present to the world the many scientific accomplishments of the Institute.

E. Peyriller wrote the story on which the film is based.

## Nikkatsu Reorg

Tokyo, Jan.

Ikktatsu Motion Picture Co. has been reorganized. Sakae Osaka was elected chairman of the board.

The officers installed were Sakichi Morita, president; Teiji Tanaka, vice-president; Tsunekichi Ishii, managing director; Kasuo Ogawara, auditor.

## Italy Eases Up On Import Laws To Put Local Producers on Mettle

Rome, Feb.

## Author to Play Himself In Film Version of Book

Paris, Feb.

Henry de Monfreid will play himself in a screen adaptation of his book 'Le Secret de la Mer Rouge' ('The Secret of the Red Sea'). Production of the film, in which Harry Baur will have the leading role, will take place on the spot where the original story was based.

Both Leon Poirier and Richard Pottier are mentioned as probable directors, but no actual choice has yet been made. Exteriors will be shot at a spot between Yemen and the border of French Somaliland.

## Even Australia Can't Use Weak English Films

Sydney, Jan. 28.

When cable stories broke in the newspapers here regarding the crisis in British pic biz, all distributors handling British films at once broke into print denying that any of their units were involved.

Newspaper stories claimed that the crisis was mainly brought about because of the failure of British films to break into the American market and that too much coin had been spent on mediocre productions. One puzzling feature here, however, is the fact that not one British film played the ace spots during Yuletide-New Year in Sydney, although two were spotted in the low period prior to the vacation and got nothing at the b. o.

This week there are only two British films here, 'Land Without Music' (AD), and 'Keep Your Seats, Please' (ATP). These two are playing the indie circuit; Snider-Dean. For months British biz here has been at a low ebb in the ace city spots and the distributors have been somewhat worried.

Good British pix can always get by here. Lately the product has been fearfully weak, however, and the public simply refused to buy. British producers won't get biz, either in America or anywhere else, if they continue to send out poor quality pi.

## MAXWELL'S CO. STOCK PAID FOR G-B SHARES

London, Feb. 16.

John Maxwell's purchase of the heavy block of non-voting shares in Gaumont-British, which first started the G-B merger muddle involving those two companies, 20th-Fox and Metro, was partially paid for with 300,000 previously unissued shares of Maxwell's Associated British Picture Corp. it is now learned.

Facts came out when it was learned that the Ostrers last week sold these shares, resulting in a slight decrease in stock-exchange quotations of the issue.

## New Manchukuo Prod.

Tokyo, Jan. 27.

If present plans carry, the Manchukuo National Policy Film Prod. Co. will be incorporated at Hsinking, during February and will be ready for production in April. About 2,000 acres of land have been purchased in the outskirts of Hsinking and a modern studio will be erected immediately.

Jap advisers have been selected by the promoters, among them being Lin Masutani of the P.C.L. Studios of Tokyo and Osamu Rokusha and Takahiro Tachibana of the Shochiku Film Prod. Co. of Ofuna.

New regulations regarding import of foreign pix into Italy practically establish complete freedom to import. American producers, after their recent walk-out, were accorded permission to import as they liked, subject only to the ruling that all foreign films must be dubbed in Italian. Special import arrangements were made with Germany, France, Austria and Hungary.

Altogether Italy expects to import about 150 foreign films this year. Italian film producers are none too pleased with this settlement, but they were reminded that there are a large number of Italians who earn their livelihood from importing, adapting, dubbing, and distributing foreign films in Italy. Furthermore it has been pointed out that—apart from the Americans who have means at their disposal which are here considered overwhelming in their grandeur—Italian producers have just as good chance as anybody else; in fact, better, as they receive government support and encouragement from the start to the finish of their productions. Under the circumstances, competition of foreign films in the Italian market, far from being harmful, should be helpful in spurring the Italian infant film industry on, it is pointed out.

To cheer the Italian industry on and get over the idea that it must always be on the receiving end of film import and export biz, figures were published showing the increase of Italian films exported to America. In 1934 the number of Italian films imported by the U. S. was down to one. In 1935 there were three, and in 1936 there were 19.

## Metro Lost \$7,000 Last Year in Germany; Now Has \$478,000 Tied Up

Berlin, Feb. 7.

Annual financial statement of Metro's Berlin office shows a loss of about \$1,000 for the year 1936, after carrying over the profit of \$4,000 from preceding year. Because of the difficulties of obtaining foreign exchange for transference of profits to head office, company's bank assets now total \$478,000.

Credits for the closed year include a number of dubbed pictures and quickies, minus deductions, totaling \$208,000; films now being synchronized, \$24,000; imports of \$9,360. Outstanding orders for \$23,000 and bank assets make up the credit side.

On the debit side there are \$200,000 in shares and goods still to be delivered, \$25,000. Down payments of customers aggregate \$18,000, and debts to affiliated companies, \$360,000.

## DEPLORE POOR FILM PROGRESS IN INDIA

Calcutta, Jan. 28.

In opening the second all-Indian film convention in Madras, president Chinnimal B. Desai deplored the poor progress that India has made in the motion picture industry during the past 23 years. Desai pointed out that native production, distribution and exhibition supports only about 25,000 people and that only 450 theatres show native films.

Speaker then set up examples of Italy and Russia in film production, stating that the industry in both countries is to a great extent responsible for the decrease of illiteracy and that the same could be done for India. Admitting some progress in India, where films were being shown until 1918, Desai added that native output has grown to 300 annually.

Although pointing at two European countries as examples of progress, most of the address was directed the American industry, with figures on employment, production, number of theatres, filling the talk.



# THE SCREEN'S NEW DANGEROUS LOVER

★  
**ANTON  
WALBROOK**

the outstanding  
matinee idol of  
the Continent

★ in  
★  
★  
★



**THE YEAR'S BIG  
PICTURE**... Produced by

**PANDRO S. BERMAN**, maker of the  
Astaire-Rogers hits, "Winterset," "That  
Girl From Paris," "Alice Adams," and  
a dozen other big attractions

# MICHAEL



**JULES VERNE'S**  
**SWEEPING NOVEL OF HIGH**  
**ADVENTURE . . . FILMED IN ALL**  
**THE THROBBING GLORY OF ITS**  
**GRAND ROMANCE AND HEART-**  
**RACING EXCITEMENT!**

**ANTON WALBROOK** . . . Ranking favorite of Europe's stage and screen, star of more than 200 stage plays . . . as the dashing courier of the Czar, who fights on through the lash of armies to a crimson goal.

**ELIZABETH ALLAN** . . . seen in "David Copperfield," "A Tale of Two Cities," "Men in White," "A Woman Rebels," etc. . . . as Nadia, the girl whose love meant more than life to Strogoff.

**MARGOT GRAHAME**

co-star with Lee Tracy in "Criminal Lawyer," title-role player in "Night Waitress," love interest in "The Informer," and many others . . . as Zangarra, spy, whose soft white arms swayed armies, whose secret kiss meant death.

**AKIM TAMIROFF**

who played the title role in "The General Died at Dawn," and in "Anthony Adverse," "Story of Louis Pasteur," etc. . . . as Ogareff, traitor who tried to use a woman to twist a throne from the iron grip of the Romanoffs.

★ **ERIC BLORE**

The big comedy hit of "Top Hat," "Swing Time," "Diamond Jim," "Ex-Mrs. Bradford" and countless other shows . . . as Cyril Blount, war correspondent, helpless in the midst of Tartar hordes.

★ **FAY BAINTE**

One of the outstanding stage stars of a few years ago—in shows like "East is West"—as Strogoff's mother, who braved barbarian torture to conceal her fighting son.

# STROGOFF



**TEN THOUSAND TARTAR  
HORSEMEN THUNDER MIDST  
ASTOUNDING SCENES OF  
SPECTACLE AND THRILL . . .**

as fiction's mighty man of valor  
leaps to action on the screen! . . .  
Stalked by a woman spy whose scar-  
let lips would lure him to dishonor  
and death . . . Burning with love for  
a beautiful girl who dared the dan-  
gers of Siberia alone . . . Faced with  
the tortures of the Tartars and the  
hate of a traitor . . . Aflame with the  
dauntless courage that has etched  
his name in letters of fire on the  
glowing pages of great romance!

**R K O  
RADIO  
PICTURES**



Directed by **GEORGE NICHOLLS, Jr.**

## Advance Production Chart

Hollywood, Feb. 16. Production activity on the Coast took a nosedive last week when total number of pictures before the cameras dropped from 48 to 39, which is slightly below normal. This was accounted for by the hesitancy on part of the producers to place new pictures in work during the flu epidemic and uncertain weather. Only six new pictures started, while five were

taken from the cutting rooms and previewed. This leaves a balance of 88 in the cutting rooms, which is an increase of five over the preceding week. More than 40 pictures are in the final preparation stages; all of which are tentatively slated to start within the next four weeks.

## Columbia

Three in work, 11 editing, 5 preparing. In work: **'THE DEVIL IS DRIVING'**, reported Variety, Feb. 10. Started last week.

**'VENUS MATES TROUBLE'**, produced by Wallace McDonald, directed by Gordon Wiles, starring play by Michael L. Simmons. Cast: James Dunn, Patricia Ellis, Gene Morgan, Thurston Hall, Beatrice Curtis, Spencer Charters, Astrid Allwyn, Donald Kirk.

Story depicts Dunn as a small town boy inclined to be promoter, in love with Patricia Ellis, daughter of the town's leading banker. He finds the town isn't big enough for his operations and moves to N. Y., where he ties up with photographer who advances him enough money to open an office. Business is lean when the girl friend moves in and angers them on a new promotion. This brings them in contact with Venus, notorious sharp-shooting real estate woman, who sells the boys a strip of land, which proves to be a swamp. Finding they are gyped, Dunn decides to save his girl's money by setting up a town on the type of Venice and the day is saved. Story is played throughout for fast action farce.

**'HONEYMOON PILOT'**, produced by Wallace McDonald, co-directed by C. Coleman and John Rankin, story by Jack Cooper, screen play by Owen Francis. Cast: Rosalind Keith, Charles Quigley, Russell Hix, John Hamilton, Rita Cansino, Marc Lawrence, John Tyrrell, Arthur Lorr, Crawford Weaver, Ruth Hilliard, Lucille Lund, Lester Dorr.

Story deals with government agents assigned to check activities of a smuggling ring on Mexican border. Quigley is assigned to direct the operations of several other Federal agents. Disguised as an air pilot he comes in contact with Rosalind Keith, newspaperwoman assigned to the border to report marriages of celebrated people who go to the Mexican resort for secret weddings. Quigley as pilot of an airplane called the honeymoon express, which is gyped, Dunn decides to save his girl's money by setting up a town on the type of Venice and the day is saved. Story is played throughout for fast action farce.

Readied to start: **'LEAGUE OF FRIGHTENED MEN'** and **'EIGHT GUY'**.

## Metro

Six in work, 7 editing, 16 preparing. In work: **'A DAY AT THE RACES'**, reported Variety, Sept. 16. **'HANGING COULAGEOUS'**, reported Oct. 7. **'FIREBALL'**, reported Nov. 18. **'SONG OF THE CITY'** and **'SKIDDING'**, reported Feb. 10. Started last week.

**'NIGHT MUST FALL'**, produced by Hunt Stromberg, directed by Richard Thorpe, stage play by Emlyn Williams, screen play by John Van Druten. Cast: Robert Montgomery, Rosalind Russell, Dame May Whitty, Kathleen Harrison, Merle Tottenham, Mathew Bolton.

Story, from English stage play, portrays Montgomery as a suave, seductive bellboy who uses that position to gain confidence of elderly women who pay him to be their companion. After he cleans the money bags of one, he moves to the next, and if the victim protests, he finds a way to keep them quiet by murder. Two murders are committed in this manner when he meets up with Rosalind Russell, a much younger girl, who believes that by treating him nice, she can clear him of the murder complex. This does not work, and when she is about to be killed by the bluebeard the law steps in.

Readied to start: **'MADAME WALEWSKA'**, **'BROADWAY MELODY OF 1937'**, **'THE OLD SOAK'**, **'SARATOGA'**, **'THEY GAVE HIM A GUN'**, **'THE FOUNDRY'**, and **'FIREFLY'**.

## Paramount

Six in work, 5 editing, 5 preparing. In work: **'SOULS AT SEA'**, reported Variety, Nov. 18. **'INTERIORS CAN'T TAKE MONEY'**, and **'WALKING WEDDING'**, reported Dec. 30. **'HIGH, WIDE AND HANDSOME'**, reported Jan. 13. **'THE YEARS ARE SO LONG'**, reported Jan. 20. **'THE GIRL FROM SCOTLAND YARD'** and **'I MET HIM IN PARIS'**, reported Feb. 3. No new pictures started last week.

Readied to start: **'TURN OFF THE MOON'**, **'KID FROM PARADISE'**, **'MOUNTAIN MUSIC'**, **'EXCLUSIVE'**, and **'YOU AND ME'**.

## Republic

Three in work, 8 editing, 5 preparing. In work: **'THE HANVEY'** and **'OFF ALONG, LITTLE DOGIE'**, reported Variety, Feb. 10. Started last week.

**'THE HIT PARADE'**, produced by Colbert Clark, directed by Gus Meins, original story, Bradford Ropes, screen play by Ropes and Samuel Ornitz. Cast: Phil Regan, Frances Langford, Louise Henry, Pert Kelton, Monroe Crowley, Max Terhune, The Toc Girls, Pierre Watkin, Edward Brophy, J. Farrell McDonald, George Givot, Peggy Bernier, Lou Fulton, Ed Platt.

## PRODUCTION TABLE

(This table shows number of features promised to be delivered to exhibitors by the major distributing organizations, and the independent producers contributing product to their producing organizations for the 1936-37 season.)

Producers and contributing companies	Number now of pictures promised, planned	Fix now in the cutting rooms	Fix to be placed in the before the start of the season	Balance
COLUMBIA	50	13	3	10
Larry Darmour	8	2	1	5
METRO	48	12	7	22
Hai Rosch	4	2	1	1
PARAMOUNT	48	23	4	16
B. P. Schulberg	8	2	1	5
Emanuel Cohen	8	3	1	5
Harry Sherman	6	2	1	4
Frank Lloyd	1	1	1	1
RKO RADIO	32	6	1	1
David Loew	2	1	1	1
George Hirshman	6	1	1	1
Sol Lesser	3	1	1	1
REPUBLIC	56	1	1	1
A. W. Hall	16	1	1	1
20TH CENTURY-FOX	63	1	1	1
Sol Lesser	6	1	1	1
UNITED ARTISTS				
Samuel Goldwyn				4
Walter Wanger				4
Selznick				3
E. Berger				1
Criterion				2
Korda London				2
UNIVERSAL	6	5	5	21
Buck Jones	1	1	1	6
WARNERS	34	3	26	3 over
Totals	512			215
				3 over

## Studio Placements

Hollywood, Feb. 16.

Ray Hendricks, Adele St. Maur, Thomas Beck, Think Fast, Mr. Moto, 20-F.

Pedro Regas, Sherry Hall, Jeffrey Sayres, Creighton Hale, Frank Mills, Ed Seering, Paul Stanton, James Flavin, Huey White, Midnight Taxi, 20-F.

Eddie Dunn, Carl Stockdale, Joe Bernard, Paul Porcasi, That I May Live, 20-F.

Arnold Frey, Morgan Wallace, Ferdinand Schumann-Heink, Minerva Urecal, Al Kikume, Charlie Chan at the Olympics, 20-F.

Albert Morin, Charles De Ravenne, Leonid Kiselef, Helen Westley, Cafe Metropole, 20-F.

Eric Milton, Eddie Anderson, Walter Tunton, Allan Fox, Wake Up and Live, 20-F.

Henry Lehrman, direct

Jeeves pic, 20-F.

Don Ackerman, Jimmy Netario, Eugene Anderson, Jimmy Wolfe, Gordon Merrick, Henry Williams, Jack Doyle, Amy Frank, Edna Schofield, Rene Evans, Alcyne Goering, Charles Thompson, Jane Holway, Loueana Marcel, Doris Becker, Mimi Wagner, Dorothy Pressleigh, Elaine Long, This Is My Affair, 20-F.

Maj. P. J. Kieffer, Jack Lowe, Capt. C. Anderson, Mike De Hagen, Leslie Sketchley, Joe McGuinn, Alexander Dunsmuir, Mary Forbes, Ray Dove, Clyde Cook, Lucky Ball, Bunny Beatty, Jack Pennick, Lionel Barrymore, The Last Slave, 20-F.

Mary Forbes, Perry Stubbs, Davi Clyde, Richard Goddard, at Kelly, George Cowd, Aubrey Nathan, Alan Marshall, E. L. Fisher-Smith, Forrester Harvey, Phyllis Coughlan, Night Must Fall, MG.

Henry Howard, Eugene Craig, June Wilkin, Edna Callahan, Song of the City, MG.

George Sidney, Robert McGraw, Henry Colkin, The Old Soak, MG.

William Stack, Charles Middleton, Olaf Hytten, Margaret Dagget, Betty Lorai, Erin LaBlissone, Virginia Kani, Belle Mitchell, Agnes Ayres, Soledad, Par.

James Burke, Fred Warren, Rolfe Sedan, High, Wide and Handsome, Par.

Nina Compagna, Harry Vajer, Robert O'Connor, Lola Encinas, Walkie Wedding, Par.

Geraldine Fietze, Susan Ridgeway, Dorothy Thompson, Meeri, Mary Gordon, Virginia Hogan, Marie de Forest, The Buccaneers, Par.

Fay Holden, Gloria Williams, Betty Sayles, Eddie Dunn, Jack Raymond, Interiors Can't Take Money, Par.

John Leach, Phil started last week.

Years Are So Long, Par.

Fritz Feld, Randolph Amendt, I Met Him in Paris, Par.

Billy Wilder and Charles Brackett, screen play, Marlene Dietrich pic, Par.

Virginia Van Up, scripting life of Victor Herbert, Par.

William Anderson, Tona Marshall, Jack Gardner, Spencer Charters, Frederick Burton, The Devil Is Driving, Col.

Beatrice Curtis, Spencer Charters, Astrid Allwyn, Donald Kirk, Venus Makes Trouble, Col.

Matty Kemp, Jay Eaton, Jane Weir, Ed Featherstone, Robert Fluke, Martha Tibbets, Russell Heustris, George Ford, Leon, Valde, Iris Shuman, Dorothy McNamee, Gail Goodson, Mary Jane Carey, Harry Bailey, Ron Wilson, Lucille McNamee, Norman Pabst, Honeymoon Pilot, Col.

John Leach, Phil started last week.

Readied to start: **'MAZURKA'**, **'MADCAP HEIRES'**, **'STORY OF EMILE ZOLA'** and **'LUCK OF THE IRISH'**.

Theresa Harris, Dean Benton, Richard Beach, Theodore Eltz, Jim Hanvey, Detective, Rep.

Chester Clute, Navy Blues, Rep.

Woodward Nowell, Jay Owen, Rolfe Sedan, Steel, Rep.

Oscar and Elmer, Jim Bowie, Maston Williams, George De Normandie, Charles King, The Painted Stallion, Rep.

John Leach, Phil started last week.

Lynton Brent, Pascale Ferry, Monte Montague, Edwin Parker, William Farnum, Gilt Along Little Dogie, Rep.

Carleton MacAvoy, Robert Emmett Keane, Lee Shumway, William Benedict, Sam Flint, Charles Williams, Special Orders, Rep.

John Leach, Phil started last week.

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(For information and guidance of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distributing companies for the current quarterly period. Date of the reviews given in VARIETY and the running time of prints, after passing by the New York State censor board, included.)

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# JOHN MEADE'S WOMAN GOES OVER BIG WITH THE BOYS!



"'John Meade's Woman' A-1. Larrimore a triumph in Schulberg's picture. Punch laden melodrama... good meaty entertainment... establishes Francine Larrimore as strong box-office material...her portrait unforgettable..."

—*Hollywood Reporter*

"'John Meade's Woman' a tense, dramatic story with a punch...wide audience appeal...sharp drama enlivened by well-timed comedy...Miss Larrimore establishes herself as definite screen possibility...Arnold gives powerful characterization..."

—*Motion Picture Daily*

Poignant drama and colorful melodrama are artfully combined to give the picture widest appeal. It will stand as one of Schulberg's best, if not the best.

—*Daily Variety*



EDWARD ARNOLD and  
FRANCINE LARRIMORE in  
"John Meade's Woman"

with GAIL PATRICK • GEORGE BANCROFT • JOHN TRENT  
SIDNEY BLACKMER • a B. P. SCHULBERG PRODUCTION  
Directed by Richard Wallace • A Paramount Picture

# EXPLOITATION

By Epes W. Sargent

## Another Animation

Taking a tip from a recent vaudeville importation, one theatre dug up a lobby smash with an animated character on a blackboard. Board really was painted cloth, with character drawn in white ink. One arm was made of light cardboard and jointed. There was a piece of iron on the back of the hand which is held by a magnet on the other side of the cloth. The magnet is mounted on a small wheel and carries the hand around with it. Has been done before on flat surfaces, but this time it is horizontal, which makes it the most interesting and mysterious.

Same idea can be applied in a number of ways, but care must be taken that the magnet is not too strong, else it will bind on the cloth and wear it out too quickly. It should merely be strong enough to hold the arm from falling.

Another simple animation was achieved by a small house without the bottom. The house was on a blackboard and was raised and lowered by a pump handle principle instead of a wheel. With each chop, the arm moved, the doorman contributing a few extra chops when business was slow.

Even a slight movement will double the attraction value of a display and animating can be so simply done that it is within the reach of most theatres. The smaller the more inventive genius tied 'em up for two days with a piece of picture cord wedged into a hole in a frame with the invitation to "Pull the cord and see what happens." When it happened, though hundreds pulled the cord, it worked.

## Dual Gags

With people coming to realize that two pictures of equal merit are seldom run on the same bill, there is a growing demand for time data in order to escape the worse of the two. One of the best stunts is worked by a New York nabe which draws most of its business in the evening. Has three changes a week. On the last night of each picture there is a sign in the exit foyer stating that "Tomorrow and Thursday the main feature will be run at 7:28 and 9:20. The following feature will be run at 10:22 and 10:36. It will also be run at 6:12." That gives the wise ones a chance to duck the filler.

In the front of the house is another frame, close to the box office where the words "Next picture" are written. The name of the picture on the screen with "Next showing of" and the title of the companion picture and the time it will start. Cards are changed promptly with the newest trailer giving time to shift the cards. Cards are black with the titles and lines in chalk to economize on cardboard. Figures are in white. Board is lost since those who seek to avoid the dud will come at the proper times.

In a downtown house in another city there is a reversible board with one title on each side. Board is turned as soon as a run is completed, regardless of the intervening small stuff. Each of the still and poster frames also carries a sign now showing for the feature on and "next showing" and the time for the feature to come. With the dualing apparently inescapable and yet with no showing of a board having to sit through a B-minus film, something of this sort needs to be done to hold the class trade.

## Romance in Romeoland

Paris. "Easter in the land of Romeo and Juliet" is the prize offered to 20 persons in a true love story contest being held here by Metro-Goldwyn-Mayer.

Collaborating with the Campagni Italiana Turismo and the "Intransigent," Mc-Gowin's board is carrying a publicity campaign for their film during the time it ran here.

Contestants are invited to write about a love affair they have experienced themselves or one that has happened to some of their friends. Rules regulating the contest are simple:

The stories are not to be more than a thousand words long; style and quality of writing not counting, manuscripts being judged only on text content; and there are no restrictions regarding who may compete. The winner will receive \$15 with the announcement of winners appearing in the "Intransigent" on March 1.

The twenty winners will spend four days touring the district of Verona. All traveling expenses will be covered by the organizers of the contest.

Pierre Benoit, of the Academie Francaise, has accepted the position of president of the judges who are to designate the winners.

## Touting an M. C.

St. Louis. One of the most complete exploitation campaigns ever accorded a theatre act in this Mississippi river metropolis was pulled off by Johnny Perkins, m.c. of St. Louis theatre, by Ralph McGowan, manager.

An extensive paper campaign was started in which 1/3's, 3's and 8's were scattered all over St. Louis proper. St. Louis county and nearby Illinois cities, towns and villages. This paper carried Perkins and theatre copy alone. McGowan made a swell hook-up with operators of 400 service cars and 100 Black and White taxicabs and these vehicles, traveling all over burg, carried Perkins tie covers.

McGowan also planned a swell feature story and candid camera shots in Star-Times, afternoon rag; erected false marquee on shuttered Shubert-Rialto at most important cross-town intersection in order that Perkins as guest of honor for an American Legion Post luncheon; threw a special party at theatre for St. Louis Flyers, pro hockey players; arranged for special radio plugs and announcements; spotted colored blowup heads in prominent hotels and erected four-foot-high cutout letters 50 feet long on Grand Blvd. front of St. Louis theatre. Two Hundred and fifty window cards were spotted in stores all over the burg and with increased budget newspaper ads, sold Perkins in grand style. Police showed definite results with house enjoying upbeat biz since it reopened last night.

## It's a Natural

'You Only Live Once' seems to be a natural for safety hook-ups and the idea has been reported from numerous spots. William Brown, of the Albee, evidences, had it the feature of his campaign on the picture with co-operation from the mayor and the police.

Large cards were headed "Police Department Safety Campaign Crossings carefully. You Only Live Once. James E. Dunne, Mayor." Only direct advertising was a line of the bottom "Contributed by the RKO Albee."

With the police sponsorship, 500 of these cards were given preferred positions in all city department offices, every garage, police courts, libraries and the public schools. Supplementing this, 5,000 throw-aways were used, but without the "official" stamp.

Two train windows and one inside display were promoted, a radio broadcast was sent out by WEAN and Ford dealers contributed a permanent display to carry the safety message all over town. There were several musical plugs, as well. Lobby display was green and red light flashers.

## Late but Good

Greenville, S. C.

red Curdts, Ritz theatre, literally hog-tied the town on a build-up on "You Only Live Once" picture. Through some quirk of booking this pic has never played here before, so Curdts went to town on exploitation from an educational angle, including a local sheepskin emporium, helping locate every beneficiary of (Cecil) Rhodes Scholarship in these parts and then arranged interview between the theatre and newsmen. Interviews broke in local sheets near pic layouts giving him break number one.

Local Public Library fell over backwards aiding Curdts to extend that they devoted a special shelf near the reading room to Cecil Rhodes, giving him publicity puff number two.

Rhodes' ballyhoo break number three came with several local jewelers laying it on thick with window display of diamonds with plug for pic in every case.

Most outstanding, however, was stunt of having High School students compete in writing essays on Cecil Rhodes, with Curdts giving three months' pass and one-month pass for best efforts on subject.

## Columbia's Masterpiece

Explaining that "The Making of a Great Picture" is intended more as an introduction than an exploitation stunt, Columbia has issued a book on "Lost Horizon" which will stand comparison with any similar volume produced by any company on any production. It is an achievement.

Lavishly illustrated with half-tones and with four pages of color reproductions of the costume plates, the volume is in singularly good taste, both in the material and in its illustration. It is a book that represents the best in the printer's art, supplemented by well-chosen letterpress.

If the picture matches the book, it's all that Columbia has been saying it would be—and that covers a lot of ground.

## Always a Way

Atlanta. Local news sheets, notoriously slum pickings for exploiters due to publishers' agreement banning everything that smacks of publicity, can still be sold with the right kind of stuff. Managing editors go for anything that has reader interest or appeal, especially if theatre is willing to put a little money on the line in the way of prizes.

Loew's Grand, for an advance plug on "Last of Mrs. Cheyney," planted a sixty-day "proposal contest" in one rag, offering four cash prizes ranging from \$20 first to \$2.50 low, totaling \$37.50, plus 50 pairs of ducats. "Proposals" entered must not exceed 25 words and paper prints five of them daily, with grand prize (cash) winners announced day pic opens.

Not new, of course, but it only goes to show that there's ways of getting around these so-called bans.

# BEHIND the KEYS

C. G. Doty made city manager at Santa Fe, N. M., for the Gibraltar Enterprise houses.

John Ophreum artist and Carson Harris local scribe, have taken over the Bideawee, a 15c neighborhood.

Fox changes: Verne Fletcher, lately at Las Cruces, N. M., city manager at Caldwell, Idaho; Harry Westerfield goes to Las Cruces from Trinidad, Colo.

Paramount Pictures has signed a four-year franchise for Paramount pictures to continue first run in Denver at the Denham. This is the first franchise Paramount has signed in the territory.

Roxy, Rocky Ford, closed.

Fox exchange staff changes: Robert Garland, former Columbia salesman, new booker; William Dollison, screen booker of the southern district, now handled by Garland, is now booker the northern district; William Ahren, northern booker, in charge of contracts.

C. W. Kelley has left for Chicago to enter the cosmetic business and C. E. McLaughlin has taken over his Simon theatre at Las Animas.

William E. Benton, operator of picture theatres in Saratoga Springs, Ballston Spa, Mechanville, Whitehall, Watkinsburg and Cohoes.

J. Meyer Schine, of Gloversville, conductor of more than 100 houses in New York, Ohio, and Kentucky, have formed a partnership for expansion to include New York and Western New England. The territory in which they will concentrate expansion activities is reported to be northern and eastern New York, Vermont and Massachusetts.

## Caldwell

Two new houses are in the making here with the announcement that Harry Isadore and Frank Lafinsky, owners of theatres in Cambridge and Senecaville, have purchased the old Mabel Cain hotel and will remodel it for a theatre.

Work is now under way on the raising of the old Frank Beyrer hotel which Mrs. E. H. Fishman of Woodfield is making into a picture house. Will give Caldwell three pic theatres.

Gene Fox, chi of the publicity department of the Metropolitan, is resigning to take a position in the production department of National Screen Service, Hollywood, March 1.

Jack Saef, assistant to Fox, will move over to the Paramount to head that publicity office; Martin Glazer, for three years press chief for the Screen Service, has been assigned to assist Paul Levi, who will succeed Fox as department head.

## Los Angeles

Al Snadow, operator of the Hub theatre, has acquired the Florence Mills house, all-colored patronage spot downtown, from E. C. O'Keefe. Principal tenant, Fox-West Coast subsid, is erecting a 500-seater in Brawley, Cal.

Fox West Coast has closed its Rialto house here, figuring theatre is too much competition for its Western and Carlton, all spotted within an area of one square mile. Circuit's lease theatre still has eight years to go.

## New York

David Lustig has resigned as manager of Harlem-Grand theatre, house belonging to Belle Theatres circuit.

## Holding 'Enemy'

Loew's State and Orpheum, Boston, batted 'Beloved Enemy' over with a serialization of the picture, backed by fashion stills of Merle Oberon and Karen Morley all the way. Valentine, co-ops ads and windows in three important stores. Imprinted bags used by a cut rate store, napkins used at the Liggett lunch counters and staged a song guessing contest on the radio. Tire covers were used by a fleet of local cabs, and used the transcriptions over three stations.

## Bill's Fourth

Bill Hendricks, of the Warner theatre, Memphis, has won the prize for the best exploitation campaign on Joe E. Brown's 'Earthworm Tractor.' Makes his fourth in a row, for he had previously pulled down pennants on 'Fireman Save My Child,' 'Circus Clown' and 'Six Day Bike Race.' Getting to be a habit, but Hendricks turned out some pretty campaigns.

## Catching the Kids

he house is tearing up the town, particularly the juvenile section, with the offer of a small cash prize for the best idea for a cartoon character and too much like those already on the screen. Intention is to adopt the animal, or whatever it proves to be, for a club totem with the assurance that anything of sufficient promise will be sent to Walt Disney.

Small likelihood anything will turn up, but the manager figures that it will make for local interest and keep the kids on their toes. Planning an all-cartoon show at which the prize will be awarded, with the list of the submitted designs and the winners' names and also on the screen. Figured that the newspaper space alone will be worth the five bucks, which is the sole prize.

Holding interest to the kid club and making it a live wire is always a problem, and it takes hustle to keep the club out of the rut. Not always good to run contests regularly, since a certain set of clever children are apt to win most of the prizes and get the dullards sore, but a contest now and then helps to jazz things and the cartoon idea is right down the adolescent alley.

Clubs will run along after a fashion without much pepping up. The kids want their picture, but give them a real enthusiasm and not a passive interest and the club can become a money maker in the spirit the children display about the house. One mother has had others 100 solid with a series of very brief chats on first aid, avoiding auto accidents and the like.

## Old Timers

J. P. Harrison, of the Paramount, Amarillo, Texas, one of the independent string, broke the town wide open for 'The Plainsman' with a stunt on which he had been working for more than a month.

(headed by Honey Butch Spoons), he rounded some 250 genuine old timers, about the only real plainsmen in that section of the state. He also located the first white woman to make her home there.

They all came to town with their old-time garb, were taken to the theatre to see the picture and then paraded around town for an hour, winding up at Masonic Hall for a chuck-wagon lunch, followed by a dance, with prizes to the oldest, etc. The parade was followed by a rack in front of the theatre, built a log cabin about the box office and installed a hill-billy orchestra. The Mayor was the official greeter. The old timers and the other stunts, and the whole town turned out.

Barclay V. McCarthy, advance for 'Boy Meets Girl' who kicks in with the stunt, adds that Harrison has the most remarkable set up for an office staff he ever ran into. Mostly youngsters and all go-getters. Harrison's idea was to get old timers, working the Texas houses while they were still in the Publick string. Now if McCarthy can run into Eddie Collins, his education will be complete.

## Match Blotters

Regina, Sask. When 'White Sister' played as a farewell picture (after the regular show on a poor week-night) Walter F. Davis at the Capitol here packed 'em, despite the below weather, by giving members of local nursing order a percentage on all the tickets they sold for the night.

London. He distributed blotters giving the show. On blotters he had matches, and slogan read: These matches are good: to prove it, try them. This show is great; to prove it, give it.

## For Love Birds

Jack Pegler, of Columbia, is broadcasting a gag for 'When You're in Love' that is going to tie the small towns up in hard knots. Pix are not released yet, but will be tomorrow at Radio Music Hall. Hix Nixed the idea as not in keeping.

Gag is that the only time you are in love is the period between taking the picture and getting hitched. So any couple taking out a license is given the courtesy of the theatre before they get hitched and love goes blooey. License must be not released yet, but will be tomorrow at Radio Music Hall. Hix Nixed the idea as not in keeping.

## With Gestures

Seattle, Feb. 16. Politest devil in existence is the one employed last week by the management of the Colonial theatre, second-run house for exploiting its extra special first-run feature, 'Devil on Foreboreck.'

Colonial's devil, grotesquely named and dressed, came about downtown on a weary nag, obligingly making semaphore signals for all right and left-hand turning.

# SOCKO!

**FIRST WEEK OF MIAMI WORLD  
PREMIERE SETS SMASHING NEW HOUSE  
RECORD AT SHERIDAN THEATRE!**

A good idea of what to expect from  
the national release this week of

**ERROL FLYNN AND ANITA LOUISE**

## Green Light

With

MARGARET LINDSAY • Sir CEDRIC HARWICKE • Walter Abel • Henry O'Neill  
A FRANK BORZAGE PRODUCTION • Music by Max Steiner • A COSMOPOLITAN PRODUCTION • A First Nat'l Picture



**AND DOUBLE SOCKO!**

The N. Y. Strand stands them up one  
hour after the start of the first showing!

One of the Famous February Four from  
**WARNER BROS.**

As crooked, trains a stallion to keep himself in the lead. Horsely play a meaty part in film which includes a swell battle between Woodcock and a wild, ill-tamed stallion. A tough shot and a duplicated, it's a real thing. The film is as like a rawhide cinematics.

'Buzzy' Henry does a good job kid brother to the heart thro Martha Tibbets. Kid's roping a horse and get plenty of rises or of juve audience.

Film possesses everything that makes for a good western. Story and treatment are better than a lot of the other films. The production of cowboy music, the spots lightens matters. Hur-

**NOW IT'S 20th's  
'ON THE AVENUE'  
PUTTING EXHIBS  
ON EASY STREET!**

Another in the amazing run of smash attractions that mark 20th Century-Fox as the industry's leading maker of hits!

**NEW YORK:** Held over in pre-release run at Radio City Music Hall. 2nd week opening stronger than 1st.

**PHILADELPHIA:** Held over after first smash pre-release week.

**ALBANY:** Running way ahead of "Pigskin Parade."

**BALTIMORE:** 20% bigger in 5 days than whole week of "One in a Million."

**WATERBURY:** Out-grossing "One in a Million" and "Pigskin Parade."

**SEATTLE:** Absolutely sensational business!

**SPRINGFIELD (Mass.):** Beating "One in a Million's" record run.

**BRIDGEPORT:** Pulling ahead of "One in a Million."

**MIAMI:** Biggest single day in theatre's history. Necessary to turn away hundreds!

**MEMPHIS:** Hitting "One in a Million" grosses!

**WORCESTER:** Neck-and-neck with "One in a Million."

**DALLAS:** Ahead of "Pigskin Parade."

**RICHMOND (State):** Leading "One in a Million."

**MINNEAPOLIS:** Well ahead of "Pigskin Parade."

**CLEVELAND:** Topping "One in a Million" by 30%!

**SALT LAKE CITY:** Right up with "One in a Million's" smash run!



**DICK POWELL** and **MADELEINE CARROLL** in **IRVING BERLIN'S "ON THE AVENUE"** with **ALICE FAYE, RITZ BROTHERS** and **GEORGE BARBIER**, Alan Mowbray, Cora Witherspoon, Stepin Fetchit, Sig Rumann. Directed by Roy Del Ruth. Associate Producer Gene Markey. Screen play by Gene Markey and William Conselman. Music and lyrics by Irving Berlin. Dances staged by Seymour Felix. Darryl F. Zanuck in charge of production



THE KEYSTONE  
OF YOUR FUTURE

—And there's no let-up in the top-gross pace of "One in a Million" and "Lloyds of London"!

# Balaban-Ansells' 'Invasion' of St. L. All Set for March

St. Louis, Feb. 16. Plans for invasion of St. L. by nabes territory by syndicate composed of A. J. Balaban, his brother-in-law, Sam Meyers, Fred Bartman and Arthur Greene of Chicago, and Louis K. and Joseph C. Ansell, owner of string of nabes here, are expected to be perfected March 1 at meeting to be held locally when Delaware corp. is formed and license to do biz in Missouri obtained. Preliminaries have been discussed and completion of project is contingent upon Balaban's return from Switzerland and Greene from South America. Huddle will iron out all details and plans for invasion of St. L. are on a site already purchased near Hodiomant and Easton in the Wells-town business district will proceed. The Ansell Bros. who own Ritz, Empress and Varsity theatres, all money-making nabes are expected to pool these houses with syndicate which is reported to have between \$5,000,000 and \$6,000,000 available for its project.

Tentative plans call for the Ansells to manage and operate properties for syndicate in addition to having a block of stock in new corp. Greene, who is associated with a Chicago company engaged in motion picture exhibition biz in Illinois and Wisconsin is still pending in U. S. District Court here after several motions, offered by Greene's counsel, to set aside deal were denied. After Hope's decision the Bondholders' Committee, headed by Thomas N. Dwyer, pres. of St. Louis Chamber of Commerce, signed a 10-year contract with Harry C. Arthur, Jr., v.p. and gen. mgr. of Fanchon & Marco's interests here, whereby St. Louis Amus. Co.'s string of 26 nabes will be managed and operated by F&M. F&M owns 40% of stock of Amusement by virtue of its settlement with Warner ros. last year and since contract was completed with Bondholders' Committee F&M has added two more houses to string, Shady Oak and Richmond, both located in suburban territory to St. Louis.

He offered \$25,000 more than first bid of Bondholders' Committee but they subsequently matched Greene's figure and sale was made to them. Greene appealed Hope's action and the matter is still pending in U. S. District Court here after several motions, offered by Greene's counsel, to set aside deal were denied. After Hope's decision the Bondholders' Committee, headed by Thomas N. Dwyer, pres. of St. Louis Chamber of Commerce, signed a 10-year contract with Harry C. Arthur, Jr., v.p. and gen. mgr. of Fanchon & Marco's interests here, whereby St. Louis Amus. Co.'s string of 26 nabes will be managed and operated by F&M. F&M owns 40% of stock of Amusement by virtue of its settlement with Warner ros. last year and since contract was completed with Bondholders' Committee F&M has added two more houses to string, Shady Oak and Richmond, both located in suburban territory to St. Louis.

## REDECORATE GLOBE, N. Y., FOR 'HORIZON'

Until the Miami, starting tomorrow (Thurs.), the Globe, N. Y., engagement, beginning March, have gotten under way, Columbia will not set any additional roadshow. 'Lost Horizon'. Those previously set included San Francisco, Chicago, Pittsburgh, Los Angeles and Philadelphia. A. Griffith Grey, in charge of the roadshowing, has arranged for Harry Brandt's Globe for six weeks and options. House will be closed Thursday (25) for some redecoration prior to opening with 'Horizon' at a \$2 top. Brandt is moving his run policy at pop scales to the Central, N. Y., Saturday (27), with 'I Promise to Pay' the picture going in there on 1st run.

Los Angeles, Feb. 16. Columbia's 'Lost Horizon' will get its local premiere at the Fox-West Coast Four Star theatre March 3. Harry Cohn, Columbia prez, is planning a splash and probably will give the pic a \$5 takeoff. Picture will have its California de luxe opening the previous evening at the Geary, San Francisco.

## STRIP-TEASE MARATHON

But It'll Be for Flood Relief Charity —1st Time

Burlesque Artists Association and the Theatre Authority will hold a meeting this week to prepare a monster burlesque benefit for flood sufferers. First time that burley field has tendered such and also the first time that managers have been able to get together on anything.

Plan now is for a Sunday night performance. B.A.A. will conscript the cream of burley's crop for the event. Show comprised of best strippers, comics, etc., will probably run about three hours. In addition to the burlesque performers, will also try to squeeze in about a dozen names from branches of show biz for appearances. Operators of N. Y.'s 14 burley houses will attend the meeting, probably Feb. 19. Admish scale, theatre, performers, etc., will be decided then. Joe Phillips, prez of the B.A.A., started the idea so burlesque could represent in the theatrical contributions to Red Cross.

## Sonja Henie's Hypo To Pitt's Ice Shows Has the Town Ga-Ga

Pittsburgh, Feb. 16. Town's still buzzing as result of phenomenal biz Sonja Henie did here in three-day engagement last week at Duquesne Garden. Skate star booked in originally for only two nights but held for third as result of turnaway crowds and waltzed out of town with better than \$10,000 as her share of split. Miss Henie couple of months ago played a one-niter at Garden before her flicker, 'One in a Million', was released and at \$4 top took \$4,000 for her end. This time, she agreed to come back at \$2 scale and played to better than \$2,000 paid admissions on engagement.

The Henie gal, together with sensational turn-outs recently for 'Ice Pollies', putting Garden solidly in black this season and Harris Amus. Co. operators of arena figuring on steady series of ice attractions for next year. Incidentally, Miss Henie's first picture, which broke house record at Alvin, is mopping up all over the territory, proving one of season's biggest money-makers.

## 'FURY' VOTED TOPS BY FOREIGN PRESS BODY

Hollywood, Feb. 16. 'Fury' was named the best picture in 1936 by the Foreign Press Society. Special award to 'Romeo and Juliet' as the most artistic achievement. Louise Rainer for 'Great Ziegfeld' and Paul Muni for 'Pasteur', rated the year's best acting jobs. Directorial accolade to Rouben Mamoulian for 'Fury' respectively. Norma Shearer for 'Romeo' and Irene Dunne in 'Theodora' runners up the femme division. Bonita Granville gets special award for her work in 'These Three', Spencer Tracy in 'San Francisco' and Walter Huston in 'Dodsworth' next among males.

Society is composed of 40 critics representing 30 different nations.

## Charity or No, Pitt Can't Have Sunday Stageshows

Pittsburgh, Feb. 16. Flood relief or no, stage shows on Sunday, Pennsylvania are still taboo. Assured unofficially he still get away with flesh on Sabbath for worthy cause, George Jaffe for last couple of weeks has been advertising mammoth combo of burlesque and films for last Sunday (14), with all proceeds going to Red Cross for flood sufferers.

At last minute, however, when he turned up at City Hall for a permit, Jaffe was turned down by Mayor Scully. Later informed showman that he didn't have any power to grant him permission, matter what the cause, and had to call off the flesh portion.

Substituted instead full screen program, but flock of would-be customers at the box-office left when informed that stage show had been dropped.

## Rep Loses Talent Tutor

Hollywood, Feb. 16. Lillian Burns, for the past six months head of Republic's stock company and talent school, has resigned to take a radio job in the east. No successor named.

# UA'S PUB AND AD DEPT. REVAMP, EAST-WEST

Monroe Greenhal, head of United Artists' advertising and publicity, goes to the Coast soon to talk things over with U. A. producers. Greenhal has his department on the revamp and according to indications his Coast trip is for the purpose of discussing his plans with the company's film makers.

Greenhal succeeded Hal Horne, inheriting the latter's division, before the present administrative regime moved into operating control of U. A. Bernard Sobol, now with Metro, is understood to have been approached and queried regarding handling the publicity end under Greenhal, by the latter, but nixed it.

The department under Greenhal may be split up into units, each of which would have its own chief under Greenhal. Charles A. Leonard, presently in charge of exploitation, continues.

Chances are, however, that an advertising expert and an artist additional to publicity expert will be hired to work under Greenhal. Later it is understood to have his men picked for the posts but won't announce 'em pronto. It is also understood that among Greenhal's recommendations which may be made on the Coast will be for all of the U. A. producers to use the Donahue & Coe agency as their exclusive ad outlet.

Hollywood, Feb. 16. Walter Wanger combined his publicity and advertising departments under Alex Gottlieb, who recently came out from New York with Hal Horne, Wanger assistant, to handle ad copy direct from the studio. Dan Thomas, who resigned as publicity director last week, is set with Bob Taplinger's organization.

## \$25,000 FALSE ARREST SUIT VS. THEATRE

Atlanta, Feb. 16. Mrs. rank B. Anderson, wife of the Oglethorpe U. athletic director, today filed suit in Decatur City Court for \$25,000, charging she was falsely arrested and accused of attempting to steal the coat collar of Mrs. William K. Fawcett in the Rialto. Defendants named are Mrs. Fawcett, Patrolman Carl Maddox, who made the arrest; Mrs. Katherine Murray, acting as manager of the Rialto, and Mon & Murray operators of theatre. Mrs. Murray is charged with summoning the officer. Mrs. Anderson says charges against her were dismissed, but declares widespread radio and newspaper publicity given her arrest has wrecked her nervous system.

## Broadway, Tampa, Suit For Restraint Starts

Atlanta, Feb. 16. The case of Broadway Theatre, Inc., Tampa, Fla., which is seeking to restrain eight major producers and two individuals for alleged violations of the Sherman Anti-Trust Act got under way here Monday (15) in Federal Court before Federal Judge Bascom S. Deaver. Suit was brought in this, the northern district of Georgia because offices of most of the defendants are located in Atlanta.

Broadway Theatre charges the defendants with monopoly in leasing films by discrimination in price between the plaintiff and other Florida motion picture exhibitors.

Petition names Vitaphone, 20th-Fox, Paramount, Metro, Universal, U. A. RKO, E. J. Sparks and Frank Rogers of Jacksonville, Fla., as defendants.

## Kahn Supes for Conn

Hollywood, Feb. 16. Richard C. Kahn, formerly duccer of the 'Strange As It Seems' series at Columbia, has swung over to Maurice Conn productions as a supervisor. His initial film will be 'Scavengers of Broadway', featuring Frank Rogers, Datto and Kane Richmond. Roy Lubey will direct.

## DUAL PLAGIARISM?

Author Alleges Two Companies Infringed His Story

Columbia Pictures Corp., Warner Bros. and the Interstate Theatre Corp., through attorneys, are expected to appear in N. Y. supreme court today (Wednesday) to oppose the \$125,000 infringement action brought against them by Ferdinand Votuer, writer. The plaintiff claims his play, 'Resurrection Morning', was plagiarized in a picture put out by the defendants. Today Votuer will ask Judge Aaron J. Levy for permission to examine officials of the defendant corporations before trial of the action.

Although the amount of damages sought was not mentioned in the complaint, Votuer's attorney, Harry H. Lipsig, announced that his client would seek \$1,000,000 from Columbia and \$250,000 from Warner and the theatre corp.

Votuer claims that he submitted his play to the defendants but in each instance they rejected it. He claims Columbia thereafter produced the film, 'The Man Who Lived Twice', which he alleges contained the plot and characters he originated.

Votuer claims Warner and Interstate Theatres produced the picture, 'Walking Dead', after rejecting his play. This film, the plaintiff avers, is also similar to his play.

## Hanfif-Metzger's Par Account Does Not Affect H-M and 20th

Twentieth Century-Fox is continuing with the Hanfif-Metzger agency, which has been handling its account right along, it is declared at the home office, despite the H-M organization having just obtained the Paramount advertiser.

H-M is moving back into the Paramount building May 1 when its takes over the Par account. It had that account for more than two years up to 1931, when company switched to Lord & Thomas. This occurred after Albert D. Lasker had become a director of Par.

John D. Hertz, Jr., son of one of the Par directors on the present board, last with Lord & Thomas and for a time with William Esty, joined Hanfif-Metzger Jan.

## ST. LOUIS SECTOR'S \$75,000 PROPERTY LOSS

St. 16. Approximately 50 picture theatres in 35 towns in territory affected by floods of Ohio and Mississippi rivers are served by various St. Louis exchanges suffered property loss estimated at \$75,000. Although about 20 were damaged severely when the high waters entered buildings, no structural damage has been reported here and already some have reopened for business.

At Cairo, Ill., where 60-foot reinforced concrete successfully resisted highest stage ever recorded by Mississippi river, three picture houses reopened last week as thousands of residents returned to city after fleeing when inundation seemed certain. W. A. Collins, operator of house at Metropolis, Ill., which suspended operation because of inability to obtain films, is preparing to reopen with flood benefit show. Rosiclare and Shawneetown, Ill., and Paducah, Ky., were hardest hit and it is doubtful if houses in these towns will be ready for operation for next two months.

Flood benefit grosses total \$20,432, collected 78 theatres in greater St. L. area during past two weeks. The total does not include the \$12,000 used 7-hour show, given at Municipal Auditorium last week under auspices of MPTO of St.

## L'ville Back to Normal

Feb. 16. Downtown houses were fast being restored to normal over the weekend, and the restoration of power found the majority ready to throw open their doors, light up their marquees, and resume where they left off three weeks ago when the history-making flood brought about a paralysis of business and the most serious blow which the show business has ever suffered. First under the wire was the Rialto, which opened Thursday (11).

# Title-Switching Again Annoying Distributing Cos.

Recent tendency some exhibitors to switch titles on feature pictures is courting wholesale trouble, in the opinion of copyright experts. When the title of a picture is changed from the original set by the producer-distributing company it not only constitutes deception but is violation of the copyright license. The exhibi is licensed to show production only under the title by the producer and the one that has been cleared and definitely assigned to that film.

There was widespread violation of this regulation some time ago but producers have stopped this to a great degree until recently.

## UA'S ADDED SALESMEN, WITH INCREASED PIX

ince George Schaefer and A. W. Smith joined United Artists as v.p.-gen. mgrs. and sales chief resp., the staff of film salesmen has been increased to 70. This is exclusive of branch managers and ad sales heads.

Prior to the manning of the distribution machine by Schaefer and Smith, the number of salesmen stood at 50, the added film peddlers being 20 men.

Larger sales force out of exchange has been partly due to the fact that United Artists is now handling more pictures than ever before, this year's program standing at 28. Company may deliver a few extras on which releasing arrangements will be made after pictures on which it has call are looked at.

## Flock of Stiff Anti-Pix Bills Introduced in Neb.

Film distribs took it on the nose yesterday (15), the last opportunity for bills to be introduced in the unicameral legislature, when Senator John Comstock, of Lincoln, with the backing of a few indie exhibs, presented a bill to tax each distib doing business in Nebraska \$1,000 annually as a means of raising finance for the old age assistance fund.

Also, riding with the bill is provision that it shall be illegal for any exhib to be caught overbought, possessing more contracts on pictures than he can play in a reasonable time.

Considering the number of film companies doing business in the state, it's possible the total film row assessment might reach \$20,000. All indie picture outfits, whether using but one exchange or individual exchanges, will each be rapped, as the bill now stands.

Indie boys saw to it that the overbought paragraph went into the makeup, since several situations had their short of product while the opposition chain outfit has its theatre neck deep in dual features, split weeks, etc., and still not able to play off the obligations in time.

Fund raised from this bill, should it pass, will be turned over to the state railway commission for handling and after administration cost is taken out will be handed to the state assistance fund to help on life.

Bill No. 457 by Senator Frost today asked a 47% of gross income tax of 10% on all distributors of motion picture film, proceeds to go to Old Age Assistance Fund. Also bills 433-4 by Senator Johnson provide 8% of the 10% deducted by licensee in pari-mutuel betting shall be retained by licensee, and to go to State Treasury. Would also permit dog-racing under State Racing Commission where pari-mutuel is used. Bill 455 levies for benefit of State Assistance Fund a tax of 1c for each 10c of admission fees paid to commercial amusement enterprise. No. 478 makes unlawful and in restraint of trade for owners of copyrights on musical compositions who control substantial number of songs and insist to fix prices for what they have to sell and declares unlawful all contracts made for such purposes of control.

# Orchids! ... TO MISS GRACE MOORE FOR THE GAYEST, NEWEST AND GREATEST OF GRACE MOORE HITS!

The nation's ace reviewers see the new Grace Moore in "When You're In Love" at its Hollywood preview and extend to her the HI-DE-HIGHEST PRAISE YOU'VE EVER HEARD!

● "It is money in the bank for any house, due for holdover business in many spots smash performance."  
—Hollywood Reporter

● "Finest picture with music of the year Never enjoyed MOORE as much . . . CARY GRANT should become a star after this picture . . . Robert Riskin's direction perfect."  
—Wagner—United Press

● "Anyone that ever liked a musical picture should certainly applaud GRACE MOORE in Columbia's WHEN YOU'RE IN LOVE . . . If this is Robert Riskin's first directorial effort, he should be in line for the awards as a director that he won as a writer."  
—McCall—Universal Service

● "GRACE MOORE is magnificent . . . She sings better than ever. CARY GRANT gives the finest performance of his career. We must hand the palm to Robert Riskin for his story."  
—Welles—N.Y. Herald Tribune

● "WHEN YOU'RE IN LOVE is a gilded picture—SCREEN GUIDE'S highest praise."  
—Schroeder—Screen Guide

● "COLUMBIA—GRACE MOORE — CARY GRANT — ROBERT RISKIN — and everyone else who had a hand in the filming of WHEN YOU'RE IN LOVE deserves a deep bow."  
—Rawles—I. N. S.

● "The most delightful, entertaining film so far this season."  
—MacCarthy—Quigley Publications

● "Far and away the best GRACE MOORE picture and a directorial triumph for Robert Riskin. What IT HAPPENED ONE NIGHT did for Clark Gable, this should do for CARY GRANT who has the finest role of his career."  
—Carroll—King Features Syndicate

● "Robert Riskin's initial directorial assignment is very promising. I look forward to his next film. Grace Moore's has never been heard to better advantage."  
—Graham—NANA

● "Should have no difficulty winning wide audience approval."  
—Motion Picture Daily

## GRACE MOORE

### When You're in Love

#### CARY GRANT

ALINE MACMAHON • HENRY STEPHENSON • THOMAS MITCHELL  
Music by Jerome Kern. Lyrics by Dorothy Fields. Production Ensembles  
by Leonidoff. Written and directed by ROBERT RISKIN

A COLUMBIA PICTURE

World Premiere  
Radio City Music Hall  
FEB. 18th



## Awards On Coast

(Continued from page 2)

choices, but because Hollywood places a high premium on 'discovery' the accepted record of how the productions happened to be made is already being elaborated upon in some instances. Hollywood works the principle that there is glory enough for all who grab it quick. The following brief accounts of the derivation of the material is probably as accurate as it is possible to evade decisions which many minds play a part.

### 'Anthony Adverse' (WB)

Publisher's proofs of the Hervey Allen story were made available to the Warner scenario staffs in New York and Hollywood soon before publication of the novel. Decision deferred because of obvious heavy production cost. Finally, Mervyn LeRoy pleaded the case with Jack Warner, who was able to obtain Fredric March for the title part. But before the rights were secured, the story was proceeded with production was not made until Sheridan Gibney, staff writer, had devoted four months exclusively to preparation of a screen treatment.

### 'Dodsworth' (Goldwyn)

Inclair Lewis' novel was considered by all studios when it first appeared five years ago, but was regarded generally as too great a risk because the sentimental interest rested in adult characters. Meanwhile, Sidney Howard completed a stage version, which was produced by Max Gordon. Samuel Goldwyn saw an early performance in New York with Walter Huston in the title role. Previous experience with Howard's screen adaptation of Lewis' 'Arrow-smith' encouraged the producer, who obtained Howard to make the screen play of 'Dodsworth,' and he also engaged Huston to play it. Production was deferred for nearly two years, however, until the tour of the play was completed and Huston's services available.

### Great (Metro)

Belief that a popular musical success with huge interest could be built around the life of Flo Ziegfeld was an idea of Bill Maguire's. He had been closely associated for many years with the producer, and he finally convinced Carl Laemmle, Jr., then production head of Universal, that his screen play held possibilities. Rights to the story treatment were purchased by U. and the script engaged complete the script for shooting. However, delays occurred and costs assumed prohibitive proportions. Proposition then was submitted to Louis Mayer, at Metro, who became enthusiastic about the opportunity, which he related to Hunt Stromberg, associate producer. Deal was completed by which Metro purchased the Universal rights and Maguire moved to Culver City.

### 'Mr. Deeds Goes to Town' (Col)

Clarence Budington Kelland story entitled 'Opera House' appeared serially in the American Magazine, was sponsored at Columbia by Frances Manson, head of that studio's scenario department. Frank Capra and Robert Askin had begun preparations on 'Lost Horizon,' which were then temporarily put aside as the idea of 'Deeds' appealed to this director-writer combination. Cooper could be obtained.

### 'Romeo and Juliet' (Metro)

Firm conviction for several years of the late Irving Thalberg was that Shakespeare could be successfully translated to the screen. This production had his undivided attention for many months during the preparation. Norma Shearer is actresses nominated for 'best performance' her Juliet. George Cukor directed.

### 'Labeled Lady' (Metro)

Submitted to Metro's scenario department in synopsis form by Wallace Sullivan, free-lance writer, and purchased immediately for William Powell. Staff writer in the good story for him. Yarn was developed and expanded by Maurine Watkins, Howard Emmett Rogers and George Oppenheimer, and produced under supervision of Lawrence Weingarten, with Jack Conway direct. Strictly product of studio organizing to obtain development material for the requirements of contract players; as the cast ultimately included Powell, Myrna Loy, Jean Harlow and Spencer Tracy.

### 'San Francisco' (Metro)

n original story by John Hop-kin which had interested the studio for many months before final determination to produce it on an elaborate scale. Anita Loos wrote the

screen play, which was directed by W. S. Van Dyke under the supervision of John Esmerson and Bernard H. Hyman. Considered an outstanding example of organized production, in which resources of all departments of the studio participated. Special camera work, sound and music played prominent parts in this film.

(WB)

More than three years elapsed from the submission of the first story outline by Pierre Collings until decision was reached to attempt this radical departure from formula, and produce what since has been called the 'biographical' film. Henry Blanke, producer, and William Dieterle, director, were enthusiastic to make the experiment, regarded by studio heads as highly speculative until the producer, director and Paul Muni joined forces and won their pot.

### 'A Tale of Two Cities' (Metro)

David Selznick and Jack Conway had discussed a remake of this Dickens story for months, awaiting the right actor for the role of Sidney Carton. wanted Ronald Colman, who was not obtainable. Through unanticipated circumstances Colman became available, and W. P. Lipscomb, N. Behrman then wrote the screen play.

### 'Three Smart Girls' (Universal)

One of the year's most widely discussed stories because of its unique suitability to young Deanna Durbin, the story was developed in synopsis form by Adele Comandi. An experienced scenario writer, who since has joined the Universal staff. Her writing credits date back to '29 when she wrote 'The Girl from Woolworth's' for First National. She also collaborated on the screen play, 'Flying Down to Rio.' Story was one of a dozen considered by Universal for Miss Durbin. Production served also as skyrocket director, Henry Kostor, into prominence.

## MAN BITES DOG; EXHIBITS FETE 2 EXCHANGE MGRS.

Buffalo, Feb. 16. E. K. (Ted) O'Shea, M-G Buffalo branch manager, was tendered a testimonial dinner by exhibitors Monday (15) to celebrate his 20th anniversary with Metro here. Some 200 attended.

The committee made up exclusively of exhibitors consisted of A. Charles Hayman, chairman, and Nicholas J. Basil, Joseph A. Schuchert, Jr., George Haney, Robert Murphy, George MacKenna, Sidney Kalliet, Harry Altman, Jacob Lavene, Dewey Michaels, Stanley Kozanowski, William Tishkoff, Ralph Crabbill and George Smith.

### Pittsburgh, Feb.

John Maloney, head of Metro office here and just completing 15 years of service locally with same company, will be honored at a testimonial dinner by 500 friends, night of March. William Penn hotel's Urban room.

John H. Harris, proxy of Harris Amus Co., is chairing affair.

## THE MILLENNIUM

Metro's Hal Elias Guest of Honor at Own Ballyhoo Blowout

### Hollywood, Feb. 16.

Hal Elias, of the Metro exploitation department, more than a month ago made a tieup with Bullock's to handle display of 'Good Earth' props and costumes. The department store went to town on the display, utilizing around 50,000 square feet of space. Besides, they had props refurbished, rebuilt and repaired at the studio's expense. Store then used large newspaper space, had placards calling attention to the display in the store, and contacted school principals to bring their pupils to view it.

Thing went over with a smash and Elias was called in by the advertising head one day last week and thanked for the display. Also he was told that the Bullock's execs were going to give a theatre party and have him as a guest of honor to see the pic. Elias, figuring that possibly they wanted ducks, wrote and said, 'I'll fix that up and get you all tickets you want in couple of weeks to be our guest.' No, we're buying and you will be ours.' So 20 Bullock execs played host to a press agent on, is own attraction, something which old timers in the show biz have never heard of before.

## Banko Fraud Attempt

Minneapolis, Feb. 16. Instead of getting the \$150 cash prize which he claimed at the Bluebird, Twin City name house, Theodore Sourek, 22, localite, drew two and a half years in prison.

Sourek was found guilty of trying to defraud the showhouse. He had an accomplice volunteer to draw the winning name stage and claimed to be the person in question. The manager deferred payment until next day, investigated and discovered the fraud and had policemen arrest Sourek when the latter kept an appointment to the \$150.

## N. Y. Indies Denied Injunction in Suit Over Allied Ops Deal

Seven indie theatre ops were denied yesterday (Tuesday) a permanent injunction to restrain the Independent Theatre Owners of America, their own organization, from interfering with an agreement to employ members of Allied Motion Picture Operators Union. Complaint was filed by Gotham Amusement, H. M. Amuse, La Salle Amuse, BBC Amuse, Har-Man Amuse, and the Marvi Amuse, corporations and the Hancock theatre. The theatre operators claimed that interference on the part of ITOA would mean increased cost to them. Although a temporary injunction had been denied several weeks ago, the plaintiffs pressed the trial for a permanent stay yesterday. It is the fact that Allied was merged last week with Local 306 of the Ops Union.

After a few witnesses, Judge Rosenman denied the request for a stay, pointing out that it would be impossible for him to pass upon the validity of each of the contracts involved without the presence in court of all parties concerned and that the absence of officials of Local 306 in the proceedings made it impossible to determine whether the plaintiffs were bound by the agreements between ITOA and Local 306.

## LOEW'S N.Y. SPLASH ADS ON \$3,500 GIVEAWAYS

Loew's circuit has been plugging its all-day bank cash distribution on a heavy scale in the New York daily newspapers in the past week with half-page advertisements. While a postal ruling laid down during the NRA regime specifically banned 'bank night' advertising from the mails, understanding that Loew figured the recent Court of Appeals opinion declaring 'bank night' to be legal in furnishing the right to use ads on their all-day bankings.

Bulk of Loew ad campaign was concentrated in the N. Y. Daily News, hitting is publication twice with advertising slightly larger than half-page within the space of eight days. Ad copy played up that \$3,500 in cash was to be given away free, mentioning at three prizes, details of drawing and explaining two ways in which the coin could be won. The circuit listed 55 theatres in Brooklyn, Queens, Manhattan and the Bronx where cash could be won.

Latest advertisement, appeared in News yesterday (Tues.) was topped off with line: 'It pays to go to Loew's Today and Tomorrow.' Proclaimed the fact that there was to be 'no hold-over—money will positively be given away.' Plugged the idea of seeing a good show and participating in \$3,500 contest at extra cost and 'drawing takes place Wed. at Loew's Metropolitan, Brooklyn.'

## Augmenting Aussie Fight Vs. Gift Gag

Sydney, Feb. 26. Film of Trade III take stern measures shortly to stop the free racket in the field. Warning was issued in the name of the year that gifts had to stop, but reported that some exhibs have not taken notice of the warning. F. B. T. now states exhibs must stop, or else.

For the last two weeks of 'rphan of the Wilderness' here ads carried notices that free games would be given away to the kids. Unknown whether this kind of gift comes under the F. B. T. ruling. Last year exhibs were giving away everything from a suite of furniture to a set of femme undi.

## Chi Indie Exchanges' Boom Year

Estimate Up to 400% Improvement—Shortage of Product the Cause

## Conn.'s Test on Banko

Hartford, A superior court 'test case' will be conducted here soon to determine the legality of bank night. Connecticut. At Windsor Locks last week three men found guilty in police court of operating a lottery during bank night at the Rialto announced they will appeal to the higher court.

State police officers made the arrests. Manager Davi Magleora, Domi C. Alfano, part owner, and Howard S. Pease, estate executor, and announced it as a test.

Fines of \$25 and costs were imposed on Magleora and \$50 and costs on Alfano and Pease. Bonds of \$350 were furnished by each of the three men pending a superior court hearing.

The arrests followed complaint by the father of 15-year-old boy whose name was drawn one night and who, assertedly, was refused payment because he was a minor. The Rialto has been conducting banko for about a year.

## 482,000 PAID ADMISH AT N. Y. SCIENCE MUSEE

New York Museum of Science and Industry, located in Radio City's RCA building, grabbed the honor of being the most popular visual education exhibition in the U. S. in its first year of existence. Wound up the year on Lincoln's birthday (12) with a record of more than 482,000 paid admissions for the initial 12-month period.

Possessing more than \$1,000,000 worth of displays and some of the most novel scientific exhibits in country, the museum is rated by educators as one of the world's finest examples of visual education. It boasts 12 permanent divisions besides six shows or special exhibitions that are brought in during a year's time. Newest things in scientific world are installed in the museum so that the average layman can understand them.

Housed in what was generally regarded by the Rockefeller interests as an unprofitable spot in its Radio City development, it now draws from every part of the world.

The museum is located on three different floor levels and covers 65,000 square feet of floor space. It is the current mecca of students and the center of latest developments in the world of science. Advertising agency copy and lay-out artists visit the spot for ideas on ad work.

## Daring WB Stickup in Pittsburgh; \$326 Taken

Pittsburgh, Feb. 16. Lone bandit stuck up Warner Bros. South Hills theatre at height of rush hour Saturday night (13) and got away with \$326. Robbery was one of most daring of its kind ever pulled around here.

Thug stood in line with score of other ticket-buyers, concealing gun under newspaper held in his hand, and arriving at booth, commanded Myrtle Miltzer, cashier, to hand over the dough. At least 15 people stood behind him at the time, and he warned them not to make an outcry or he would shoot into their midst. Miss Miltzer passed out the cash and stick-up bird dashed around the corner to a waiting auto and made clean getaway.

## 20th's Shorts in N. Y.

With 20th Century-Fox set on making its own short features in the forthcoming season, the company's interest now centers upon possibility that all shorts will be filmed in the East. Company is reported to have sufficient facilities in its 10th-avenue (N. Y.) studios for a limited number of one and two-reel productions, but might build additional studios if demand for short product should pick up.

Yauville, radio and band talent available in N. Y. figure importantly in the belief that all short features will be produced in the East.

Chicago, Feb. After several lean years, di states-right exchanges cago are getting plenty fat, the return of double features season. Scarcity of product to fill up the double-bill demands has the Indies in the big coin again, especially such standard states righters here as Capitol Film Exchange (Henri Elman), N. Judell, riever, Abe Teitel, and Security.

Grand National is getting off on its right foot not only through James Cagney ('Great Guy') flicker, which got first run in the loop, but due also to the double demand the nabes, which are, admittedly, the backbone of the film biz. Republic is having a banner year; besides its regular week-day bookings into the State-Lake, it has been corral flock of nabe dates for turns.

Probably the best of the town on the upbeat is Elman's Capitol exchange, which is turn in the big season in its history. Not only on issues, inch have, in themselves, become an important product item for both Indies and major distributors, but also on strictly independent product. Judell is now on the Coast, in the production business on his own; due to the demand for product. Most of the major distributors are not turning out their contract. ses on time, and the hi turning to the indie exchanges to fill in the gaps.

It is estimated that the income of the Chicago states right exchanges has jumped almost 400% over the past season.

## ZELKO'S 'MOVIE BONERS' AS BANKO SUBSTITUTE

William Zelko, Baltimore indie, is producing a series of 'Movie Boners' shorts. Plans it as a substitute for bank night in localities where latter has been nixed on legal grounds as a lottery.

First of series of 'Movie Boners' has already been filmed in Baltimore. Each short contains dozens unrelated, speedy sequences in which there is a 'boner' that audiences are supposed to catch. Award, cash or otherwise goes to patrons who sight each error in the different scenes. Theatres are supposed to have special nights for the brain-wrackers. plug the cash award idea in manner bank nights are plugged.

Zelko now dickering for distribution of the series.

Hollywood, Feb. Pete Smith, for Metro, is working on a 'movie boners' short.

### Philadelphia, Feb. 16.

Dave Molliver, who merchandizes a 'bango' game, is marketing 'favorite brands' new contest for houses, with a commercial tieup, embracing nationally known products. Intended to combine both the national ballyhoo with the coi

### Detroit, Feb. 16.

Restraining order, obtal United Detroit Theatres against 'sereeno' device at the Colonial was lifted last week by Circuit Judge Henry G. Nichol after the Colonial had secured from circuit Judge Adolph F. Marschner temporary injunction restraining prosecutor and police officers from interfering with of the game in the house.

In the complaint Detroit termed the device unfair competition and a lottery. Both sides have requested an early date for hearing of the case.

## Don't Burden Citizens Unduly, Salt Lake Idea

Salt Lake City, Feb. 16. At the request of local Red Cross officials, vaudeville show for benefit of flood victims, unexpectedly was called off Friday noon (12). Show was to be held Saturday midnight (13) the Capitol theatre stage.

Reason for cancellation was given that since city made its quota in the relief drive, citizens shouldn't be burdened additionally.

"When you hear the  
ROAR it will be  
Leo of M-G-M bring-  
ing you his grand new  
hit 'THE LAST OF MRS.  
CHEYNEY'."



M-G-M TOPS "LIBELED LADY" WITH  
NEW STAR-STUDDED SENSATION! WHAT A CAST!

*Joan*  
**CRAWFORD-POWELL**  
*Robert*  
**MONTGOMERY-MORGAN**  
*William*  
*Frank*  
**The Last of Mrs. Cheyney**

**Note:** If Leo's roar should be extra loud please remember he's just a bit puffed up about "Camille", "After The Thin Man" and other hits, topped off by the sensational success of his newest roadshow "The Good Earth" in Los Angeles and New York.



with  
**JESSIE RALPH • NIGEL BRUCE**  
A Metro-Goldwyn-Mayer Picture  
From the play by Frederick Lonsdale • Directed by  
Richard Boleslawski • Produced by Lawrence Weinsarten

## Foreign Release Calendar

(Continued from page 18)

rel. Blauz Jungs (Ger) (Casino). Nazi naval life. 90 mins. Rel. Dec. 15. Rev. Jan. 13.

Edes Mostoha (Hung) (Danubia). 1d's yarn. Balogh. 95 mins. Rel. Dec. 15. Rev. Jan. 13.

Ein Auto und kein Geld (Ger) (Germania). Musical farce. Fleck. 85 mins. Rel. Aug. 1. Rev. Aug. 12.

Ein Adl. Ed. und ein Adl. (Ger) (Germania). Cinderella again, with music. Gustav Froelich, Martha Eggerth. Dir. Geza von Bolvary. 98 mins. Rel. Dec. 1. Rev. Dec. 15.

Einmal um die Erde (Ger) (Casino). Costume film. Karl Hoffman. 93 mins. Rel. Jan. 1. Rev. Jan. 6.

Eine Frau die Welt Was Sie Will (Ger) (Casino). From Oscar Strauss' operetta. Lil Dagover. Dir. Viktor Jansen. 82 mins. Rel. July 15. Rev. July 22.

Ember a Hied Aladt (Hung) (Danubia). Heavy drama. Laszlo Vajda. 75 mins. Rel. Nov. 1. Rev. Nov. 15.

Ist Nur Eine Liebe (Ger) (Casino). Musical comedy. Louis Graveure. Jenny Jugo. Dir. Johannes Mayer. 98 mins. Rel. Jan. 15. Rev. Feb. 3.

Etern. Mask (Swiss) (Mayer-Bursztyn). Psychological drama. Dir. Walter Hochbaum. 74 mins. Rel. Jan. 1. Rev. Jan. 15.

Fahrt in die Jugend, Die (Ger) (Casino). Farce comedy. Carl Friesenrot. 80 mins. Rel. Sept. 1.

Friesenrot (Ger) (Casino). Propaganda. Werner 102 mins. Rel. Oct. 15. Rev. Oct. 22.

Ganze Welt Dreht Sich um Liebe. (Ger) Mystery-romance. Charlotte Susa. 80 mins. Rel. Nov. 15.

Gezussa La Sposa Garibaldi (It) Italian Joan of Arc. Dir. A. Blassetti. 75 mins. Rel. Oct. 15. Rev. Oct. 22.

Glueckspilze (Ger) (Casino). Drama of adolescence. Robert A. temmie. 80 mins. Rel. Oct. 15.

Grenzfuehrer (Ger) (Zwickler). Intrigue in the Alps. Hans Beck-Gaden. 85 mins. Rel. Oct. 15. Rev. Oct. 22.

Grynets (Russ) (Amkino). Saga of collective farms. Dir. Evgeni Schneider. M. Goldblatt. 65 mins. Rel. July 15. Rev. Aug. 5.

Harom Sarkany (Hung) (Danubia). Romance of collegiates. 80 mins. Rel. Dec. 15. Rev. Dec. 30.

Heisser Blut (U.S.) (Casino). Romantic drama. Marikka Roekk. Georg Jacoby. 60 mins. Rel. Sept. 15.

eroes del Barrio, Les (Sp). Kids do some acting. Armando Vidal. 80 mins. Rel. Dec. 15.

Seine Mich Nach Dir (Ger) (Casino). Backstage operatics. Louis Graveure. Camilla Horn. Rel. Dec. 15. Rev. Sept. 16.

Idealer Gatte, Eine (Ger) Domestic drama. rigitte Helm. Herbert Selim. 82 mins. Rel. Dec. 15. Rev. Jan. 1.

Irma, La Mala (Sp). Marital mixups. Rafael Sevilla. 100 mins. Rel. Oct. 1.

Ist Mala Mann Nicht Fabelhaft (Ger). Domestic comic complications. Dir. Georg Jarno. 76 mins. Rel. Dec. 15. Rev. Dec. 22.

Jadzia (Pol). Romantic musical. M. Cwiklinska. 82 mins. Jan. Rev. Feb. 3.

Junge Graf, Der (Ger) (Ufa). Light comedy with music. Anny Ondra. Karl Lamm. 90 mins. Rel. Dec. 15. Rev. Dec. 16.

Kakos Broszok O (Ger). Heavy drama. 77 mins. Rel. Oct. 22. Rev. Oct. 28.

Kampf, Der (Russ) (Amkino). German-language story of Hitler cruelties. Dir. Gustav Wangelheim. 88 mins. Rel. Sept. 1. Rev. Sept. 18.

Kermesse Heroloue, La (Fr) (Tobis). Comedy spec. Jacques Feyder. 85 mins. Rel. Sept. 15. Rev. Sept. 30.

Koestlwitzer (Ger) (Ufa). Operatic. Willi Forst. Herbert Matsch. 80 mins. Rel. Oct. 15. Rev. Nov. 11.

Lacrimae e Sorrisi (It) (DuWorl). Martial mixups. Dir. Raffaello Matarazzo. 57 mins. Rel. Dec. 15. Rev. Dec. 30.

La Paloma (Ger) (Casino). Musical. Kullman, Leo Slezak. Dir. Karl Heinz Martin. 85 mins. Rel. Oct. 1. Rev. Oct. 22.

Legy Jo Mindhalad (Hung) (Danubia). Life in a children's school. Dir. Istvan Szekely. 75 mins. Rel. Oct. 15. Rev. Oct. 22.

Letzte Rose (Ger) (Casino). Operetta based on 'Martha'. Dir. Anton. 80 mins. Rel. Oct. 15. Rev. Oct. 22.

Liebesleute (Ger) (Tobis). Drama of modern life. Renate Mueller, Gustav Froelich. Dir. Eric Waschneck. 95 mins. Rel. Oct. 1. Rev. Oct. 7.

Liebesroman im Hause Hapsburg (Ger) (Casino). Historical item. Willi Forst. 80 mins. Rel. Oct. 1. Rev. Oct. 7.

Lied Gcht um Die Welt (Ger) (Tobis). Musical. Joseph Schmidt, ar Oswald. 60 mins. Rel. Sept. 15. Rev. Sept. 30.

Madres del Mundo (Sp). Romance, made in Mexico. Dir. Rinaldo Aguilar. 80 mins. Rel. Aug. 1.

Manayra Milosny (Polish). Operetta. Nowinska-Przybylski. 70 mins. Rel. Nov. 1. Rev. Nov. 15.

Maskerade (Aust) (DuWorl). Musical. Paul Weesely. Willy Forst. 90 mins. Rel. Jan. 1. Rev. Jan. 15.

Mein Nostra (Sp) (Mexican drama). Dir. Gabriel Sora. 70 mins. Rel. Sept. 1.

Maler Liebest ist Ein Jaegermann (Ger) (Casino). Old-fashioned farce. Leo Slezak. Dir. Walter Kolm. 85 mins. Rel. Sept. 1. Rev. Sept. 18.

Meseauto (Hung) (Danubia). Cinderella in Budapest. Dir. Bela Gaal. 90 mins. Rel. Nov. 1. Rev. Nov. 15.

Miserables, Les (Fr) (Franco-American). Hugo's classic. Harry Baur. Dir. Raymond Bernard. 102 mins. Rel. Oct. 15. Rev. Nov. 4.

Nueber Theodor, Der (Ger). Backstage farce. Welas Ferd. Dir. Har. 80 mins. Rel. Oct. 15. Rev. Oct. 22.

Mujer del Puerto, La (Sp) Life in Mexico. Arcady Boytler. 70 mins. Rel. Aug. 15.

Mujeres de Hoy (Sp). Melodramatic love story. Ramon Peon. 90 mins. Rel. Dec. 1.

Mutiger Seefahrer, Der (Ger) (Casino). Heavy farce. Hans Deppe. 90 mins. Rel. Nov. 15. Rev. Nov. 22.

Mysteres de Paris, Les (Fr) (Franco). Eugene Sola's novel. Dir. Felix Gandera. 80 mins. Rel. Nov. 15. Rev. Nov. 22.

Mysteres de Notre Dame (Fr) (DuWorl). Probably best described as travelogue. 65 mins. Rel. Oct. 15. Rev. Nov. 4.

Natalia Poltavna (U.S.) (Amkino). Ukrainian musical. E. Kavalieridze. 75 mins. Rel. Dec. 15. Rev. Dec. 30.

Siri Edesanyam (Hung) (Danubia). Faith-healing at the Lourdes Shrine. Dir. Bela Gaal. 85 mins. Rel. Nov. 15. Rev. Nov. 22.

Nightingale (Russ) (Amkino). First Moscow color-film. Dir. Nikolai Ekk. 85 mins. Rel. Nov. 1. Rev. Nov. 11.

Onora Della Fiamma (It) (Ufa). Old-time silent fixed up. 71 mins. Rel. Jan. 1. Rev. Jan. 15.

Pa Soldado Rosso (Scandinavian). Romance. Lars Hanson. Gustaf Moander. 90 mins. Rel. Dec. 15. Rev. Dec. 22.

Passaporto Soso (It) (New World). It's a hard life. Isa Miranda. Guide Brignone. 90 mins. Rel. Aug. 15. Rev. Sept. 8.

Petite Les (Fr) (Franco). Simple tale of child's love. red Machard. 80 mins. Rel. Dec. 15. Rev. Jan. 6.

Pofon (Hung) (Danubia). Farce. Paul Javor. 85 mins. Rel. Jan. 1. Rev. Jan. 15.

Prince Jean, Le (Fr) (20th). Royal intrigue. Natalie Paley. Dir. Jean de Marguenot. 90 mins. Rel. Dec. 1. Rev. Dec. 16.

Privatsekretarin Helmut (Ger) (Zwickler). Romance in farce time. Dolly Radlo Bar (Sp) (Parl). Argentine-made musical. R. Manuel Romero. 82 mins. Rel. Jan. 15. Rev. Jan. 27.

Rakozed March (Hung) (Danubia). Military drama. 82 mins. Rel. Oct. 15. Rev. Oct. 22.

Raub der Sabrierinnen (Ger) (Casino). Comedy. Dir. R. A. Stammle. 90 mins. Rel. Nov. 1. Rev. Nov. 15.

Revolutionists (Russ) (Amkino). History of early communist regime. 100 mins. Dir. Vera Stroyeva. Rel. Dec. 15. Rev. Dec. 30.

Sarga (Calko) (Hung) (Danubia). Sob story. ir. 80 mins. Rel. Jan. 15. Rev. Feb. 3.

Schlussakkord (Ger) (Ufa). rama. mins. Rel. Rel. Sept. 16.

Schuesterne Casanova, Der (Ger) Romantic comedy. Carl Lamac. 80 mins. Rel. Aug. 15.

Serpente a Sonagli (It) (Nuovo Mondo). Murder in a girl's school. 85 mins. Rel. Aug. 15. Rev. Aug. 18.

She-Devil Island (Sp) (FD). Mexican-made drama. Dir. mins. Rel. Aug. 15. Rev. Aug. 16.

Silence Sublime (Sp). Mexican drama. Ramon mins. Rel. Jan. 15.

Slalom (Aust) (DuWorl). Life and love in the Alps. Arnold Fancik. 67 mins. Rel. Dec. 15. Rev. Dec. 22.

Soderkarlar (Sw) (Scandinavian). Musical. Edward Person. brand. 80 mins. Rel. Dec. 15. Rev. Dec. 23.

Soldaten Karenaden (Ger) (Zwickler). Teutonic propaganda. peritz. 80 mins. Rel. Oct. 1. Rev. Oct. 7.

Song of China (Chinese) (MacLean). Drama in the Orient. ir. Lo Ming-son. 90 mins. Rel. Dec. 15. Rev. Nov. 11.

Son of Mongolia (Russ) (Amkino). Propaganda of the Mongolian soldier. I. Trauberg. 105 mins. Rel. Nov. 15. Rev. Nov. 23.

Spain in Flames (Russ) (Amkino). Travelogue. English lecture. Rel. Jan. 15. Rev. Feb. 3.

Stutzen der Gesellschaft (Ger) (Ufa). Ibsen's oldie in a new version. ir. 80 mins. Rel. Dec. 15. Rev. Dec. 22.

Szerelmi Almok (Hung) (Danubia). Franz Liszt's life. Dir. Heinz Hille. 87 mins. Rel. Jan. 1. Rev. Jan. 13.

## Ray Cleveland Suing

To Acquire 30-Acres

Medford, Mass., Feb. 16. Raymond L. Cleveland, founder of the Filmland City Corp., organized 18 has instituted suit to compel the city of Medford to deed to him the approximately 30-acre plot known as Wrights Pond park, and orally leased by city to Mastercraft Photoplay Corp., with the proviso that the property could be purchased at the expiration of a 20-year period, did the corporation so desire. The period expired Feb. 7, 1937.

The lease was made to Mastercraft on unusually favorable terms in a day when cities the country over were angling for the establishment of picture ventures. Mastercraft erected a studio and administration building on the property held by the Medford Water Board. The Filmland City corporation took over the property in 1919.

Production languished and the then isolated section became built up. Some 45 homes were built on the Filmland City site. It is to perfect title to these holdings that suit is now being brought. The case will be thrown into the courts.

## B&amp;K'S DUALING SYSTEM BURNS CHINDIES

Chicago, Feb. 16. Though they have gone along with Balaban & Katz in the circuit's switch to double features, the indie exhibitors in the neighborhoods are beginning to burn at what they claim to be an unfair manipulation of picture releases by B. & K. Exhibitors are yelling that B. & K. is arranging its double bills in the big ace nabe houses at 55c. and 40c. in such a manner that the exhibitors in the subsequent weeks of release cannot twin-bill the same two pictures.

Exhibitors state that B. & K. is taking the cream right off the top of the bottle by manipulating its own picture schedules so that the circuit is in a position to use up the two chief pictures of the week on one bill, while the protection and clearance system makes it impossible for the subsequent houses to double up on these two sock pictures, but are forced by the rules of the Chicago system of releases to use a weak flicker (which had been passed up by B. & K.) in connection with one pretty strong picture.

These exhibitors have gone a-running to the exchanges to yell about this 'trick,' but the distributors have backed away from the argument quick, passing the whole affair by with the statement that it's strictly an exhibitor problem and must be worked out by the exhibitors and B. & K.

## Elson's K.C. Pooling

Minneapolis, Feb. 16. Bill Elson, who operates the 7th St. theatre here and who is chief banker of the Twin Cities Variety Club, will participate in the pool of the RKO Main Street and Fox Newman, Kansas City downtown theatres, and will supervise their operation.

He will continue to make this city his headquarters.

Traumulus (Ger) (Tobis). Heavy drama. Emil Jannings. Carl Froelich. 105 mins. Rel. Sept. 15. Rev. Sept. 23.

Tras Lea Bela (Sp). Mexican drama. Dir. Jorge Dada. 70 mins. Rel. Jan. 1. Redwooda (Pol). Heavy drama. Dir. Julius Gardan. 91 mins. Rel. Dec. 15. Rev. Jan. 6.

Udude Parola (Sw) (Scandinavian). rama with music. Tutta Rolf. Dir. Gustav Wangelheim. 75 mins. Rel. Jan. 15. Rev. Feb. 3.

Varan Polke (Sw) (Scandinavian). Romance. Edward Person. Arne 1. Rev. Oct. 22. Rev. Nov. 15.

Verraetter (Ger) (Ufa). Propaganda. ir. Karl Ritter. 90 mins. Rel. Jan. 27.

Visage de France, Les (Fr) rance). 34 mins. Rel. Jan. 15. Rev. Feb. 3.

Waldwinter (Ger) (Ufa). Love in the Silesian. 90 mins. Rel. Jan. 15. Rev. Feb. 3.

Walzer fuer Dich Ein (Ger) (Casino). Musical fantasy. Louis Graveure, Camilla Horn. Dir. Georg Zoch. 90 mins. Rel. Sept. 15. Rev. Oct. 7.

Weiberkrieg (Ger) (Ufa). Military comedy. Dir. Karl Ritter. 90 mins. Rel. Sept. 15. Rev. Sept. 16.

Wenn Der Mann Kraecht (Ger) (Casino). 90 mins. Rel. Nov. 15.

Yellow Cruise (Fr) (Tapernoux). Travelogue, partly in Poireur. 90 mins. Rel. Nov. 15. Rev. Nov. 25.

Yiddle (Aust) (Ufa). Musical. Molly Picon. ir. Jos. Green. 92 mins. Rel. Jan. 1. Rev. Jan. 6.

Harold Auten, 1540 Broadway. Amkino. 723 Seventh Ave. Bavaria Film, 480 Fifth Ave. Casino, 240 E. 80th St. Danubia, 723 Seventh Ave. DuWorl, 723 Seventh Ave. Emerson, 154 W. 55th St. InterContinental, 350 W. 42nd St. Garrison Films, 723 Seventh Ave. Franco-American, 66 Fifth Ave.

Must-Wait-Out-on-the-Sidewalk  
Edict Costing Chi Pix 50G a Week

icago, Feb. 16. Theatre managers are patiently biding their time until Health Commissioner Dr. Randerson can see his way clear to repeal the order which forces standees to wait on the sidewalk rather than in the theatre lobby. Cost of the standing-room-

PHILLY SECTOR TALKS  
UPPING ADMISSIONS

Philadelphia, Feb. 16. Considerable talk about upping admission prices in the city is being around town, but trade execs indicate prices at present point are okay and hurry.

Some action on this line was taken recently on Sunday fees, but few changes in week-day prices lately. All houses now are getting evening admish from opening at 2 p.m. until closing on Sabbath.

Posish of most top men is reflected in statement by Ted Schlanger, Warner Bros. zone manager here.

'Warners contemplates no general increase in prices,' he declared. 'Each house in each locality must be taken as a unit, and studied as to neighborhood conditions and competition. In some houses we may raise prices, but in others we may lower them.'

The Warner exec said admissions to company houses are higher than those of the depression, but not yet up to 1929-31. He declared he didn't expect general business conditions to warrant increases to that point for some time. He indicated that any elevations in prices will be felt in nabe last.

Bottom adult evening admish here is a dime-plus 1c tax. A few other houses are hippping out 16c. Usual nabe prices run from 28c to 42c, with downtown 'initial-runners' getting 68c.

3d Luxer in the Fall,  
2 More in N. Y., Later

A new Trans-Lux theatre, 600 capacity, to be opened at 12th street and Fifth avenue, New York, this Fall, will be the first to play features along with selected shorts and newsreels.

This makes three Trans-Luxers in New York. Two more are planned, one at 85th street and Madison. A new out-of-town TX, in Washington, will open next month.

Mardi Gras Shots Didn't  
Pan Out; N. O.'s Weather

New Orleans, Feb. 16. A Universal camera crew's trek here to get Mardi Gras shots for pix now in production turned out to be a floppo. After having perfect weather for several days preceding the revel and crew having high hopes of some swell footage, sun did turn about and refused to shine on 'big day. Cameras set up on main stem and ready for action but no go. Sun refused to come from behind the clouds, so cameramen folded tripods and called it a day.

Unit has had better luck with other shooting, however, the film tentatively entitled 'New Orleans.'

General Foreign Sales, 729 7th Ave. Germania, 22-33 19th St., Astoria, L. J. H. Hoffberg, 723 Seventh Ave. InterContinental, 350 E. 42nd St. Kinematrade, 723 Seventh Ave. Jean Lenauer, 202 W. 86th St. Mayer-Bursztyn, 1501 Broadway. Martin Nossek, 326 Audubon Metropolis, 260 Fifth Ave. Seamus, 154 W. 55th St. John Tapernoux, 126 W. Uta, 723 Seventh Ave.

on-sidewalk-only order is estimated at \$50,000 a week to theatre owners, with some of the loop houses going in the hole for \$1,000 a day.

Order was originally passed during the flu epidemic, and since then snow, rain, cold, and other element disturbances notwithstanding, patrons must wait outside the theatre for seats, and are, under no circumstances, allowed to wait or congregate in the lobby. As further move to prevent loitering, houses were asked to rope off any lobby chairs or seats so that customers could not sit on them.

Managers co-operated to the letter, wanting to help put down the epidemic, but now that it is over, they are anxious to have the order discarded, especially in view of the fact that the cold has come, and only the hardy boys and girls care to do any sidewalk waiting.

Order also cuts directly into business from a psychological point of view; a couple hundred people being crowded into a lobby seem good deal nearer the inside than do the same number on the sidewalk, and customers pass up a sidewalk line when they would go into a lobby to wait.

JAMES  
McCALLION

IN THE  
THEATRE GUILD'S  
'BUT FOR THE  
GRACE OF GOD'

GUILD THEATRE  
NEW YORK

The Critics said:

JOHN MAXON BROWN, N. Y. Eve Post:

'EXCELLENT'

ROBERT COLEMAN, N. Y. Daily Mirror:

'OUTSTANDING'

DOUGLAS GILBERT, N. Y. Work Telegram:

'A TALENTED YOUTH'

BROOKS ATKINSON, N. Y. Times:

'PUNGENT ACTING'

ROBERT BENCHLEY, New Yorker:

'ESPECIALLY GOOD'

JOHN ANDERSON, N. Y. Eve Journal:

'AFFECTING, SHARP, IMAGINATIVE'

BURNS MANTLE, Daily News:

'REALIZES PART AS COMPLETELY AS AUTHOR COULD DEMAND'

'VARIETY':

'SPLENDID JOB, ASSIGNMENT; CARRIER KEEN THROUGHOUT EVERY PAGE OF THE ACTING BOOK—HE TAKES EVERYTHING IN STRIDE'

WILLIAM MORRIS AGENCY

## RKO Drops Own Lab Plan; Signs 3-Yr. Con. Deal

Hollywood, Feb. 16.—RKO is dropping a plan to erect a new \$500,000 studio in the Hollywood district, and has signed a three-year contract with Consolidated Film Laboratories, Inc. The old five-year contract with Consol expired Jan. 31. Latter part of the time Consol loaned around \$1,200,000 to RKO. Notes on this obligation were liquidated with a bank by Consol and RKO has paid off most of them. New covenant was drawn by Leo Spitz, RKO prez, and contains a cancellation clause which may be

exercised by either party upon reasonable notice. A. J. Miller, manager of the Consolidated Film Laboratories plant in Fort Lee, N. J., has succeeded C. R. Hunter as head of the Hollywood plants. Hunter has joined Republic studio in an exec post. A. J. Saxe, in charge of the commercial department of Consolidated Film Industries, has arrived on the Coast from New York in interests of the outfit's photogelatins process. He plans to open offices here and in other Coast cities.

### U'S SINGING SERIAL

George Shelley Will Cowboy Laments for 'Wild West Days'—Hollywood, Feb. 16.—Singing serial has made its appearance at Universal. George Shelley, from musical comedy and radio, will sing one or two songs in each episode of 'Wild West Days.' Lynn Gilbert and Johnny Mack Brown head cast. Ford Beebe and Cliff Smith will co-direct.

## IA TO MAKE BID FOR COM'L LAB WORKERS

Hollywood, Feb. 16.—Inclusion of all commercial laboratory and service engineers' in the major studio basic wage agreement probably will be proposed by union leaders of the International Alliance of Theatrical Stage Employees when pact comes up in New York in March. At present commercial workers and engineers are working on an open shop basis doing practically the same type of work as those in the studios. Will Morrissey Scripting—Hollywood, Feb. 16.—Will Morrissey goes under contract as a writer at Universal. He draws his first assignment in the Buddy DeSylva unit.

## 1st Lond. Strip

(Continued from page 1)

of them set by Dick Henry of the William Morris office, in N. Y. American contingent will comprise one-half of the show built around Hylton, with the other half containing English acts. U. talent is going over on minimum six-week contracts, with General Theatres, operators of the Palladium, holding options for its other theatres in the British Isles. Besides Miss Ray, Americans going over include The Slate Bros. (3), Frank Libuse, Joan Andrews, Moore, dance team, Dick Rogers, hoofer, George Lyons, harpist, Fay Carroll, Helene Grant and Gloria Day. Latter girls are three stooges who recently worked with the Slate Bros. in a Nils T. Granlund (N. T. G.) unit. Entire American group sails March 13.

## HOW A PIX STAND-IN KEEPS IN TRAINING

Hollywood, Feb. 16.—Layoff stand-ins are finding source of income while resting between pictures. Wherever there's a long line they move in and have a shillabear picket latecomers in the hope of selling a spot nearer the box office. Last days to get 1937 automobile license plates without heavy tax penalty proved a cleanup for creepers. More layoff stand-ins than legit taxpayers. Shills contacted latecomers who would otherwise have to stand in line for hours, and offered them spots only 15 minutes from the till for \$3. Due to length of lines stand-ins could not figure in making more than four trips in an eight-hour day, but dough was so much velvet, even with a kickback to the shill, pared to hanging around in a bureau waiting for nothing.

### S. DONRUE LEIGHTON

Hollywood, Feb. 16.—Donrue Leighton, daughter of R. Victor Leighton, one-time booker for Klaw & Erlanger, has been given a term at Universal and the lead opposite E. E. Horton in 'Oh, Doctor.'

## So. Amer. Resents

(Continued from page 1)

ered negligible. Hi of radios down below forces majority of listeners to the cheaper sets which do not have short wave gadgets. Those that do are of such poor quality as to make their use for reception from U. S. or elsewhere (other than local) usually impossible. A comparison with the U. S. further illustrates lack of facilities. Living standards of Americans demand that nearly every family possess a radio. In S. A. the situation is entirely different. Radio is still a luxury and the percentage of short wavers capable of picking up American broadcasts is confined to upper strata who can afford the better sets.

### Academic

Reception to Spanish, as first employed by NBC, is hardly cordial. Castilian Spanish is little sort of an insult. Both have been used on the S. short wavers to the regret of all. Nets are now remedying this error by employing authentic native versions of Spanish.

Both nets are increasing their transmission power in an attempt to get through. NBC transmitter W2XAL at Bound Brook, N. J., an CBS apparatus, W2XE at Wayne, N. J., are both being replaced for new 10 k.w. apparatus within the next month. What effect this can have is yet to be seen. Those already interfering can follow suit of Yanks with net result of first broadcasts.

Recent release of the radio division of the Department of Commerce in Washington takes note of the interference situation. Report adds: 'The lack of adequate enforcement of the regulations regarding frequencies and the proper maintenance of broadcasting equipment proves a serious deterrent in short-wave reception and highly selective sets are advisable, especially in the 9,400 to 9,800 kilocycle range.'

Same short wave broadcasts have taken on a slightly commercial hue. Film companies have been known to supply one net with 'Hollywood chatter' which subtly boosts its own product while calling attention new films and doings of its own stars. Mother company of same net (electrical manufacturer) is not infrequently mentioned as making programs possible. Two Spanish film fan mags have also supplied commentary material for the broadcasts. There is no exchange of cash, certainly a few nods passed around for the mutual services.

### TITLE CHANGES

Hollywood, Feb. 16.—That's What Gals Are Made Of, is the release title for B. P. Schulberg's Paramount picture, 'You and Me.' E. J. Derr has pitched Louisiana Purchase at Louisiana. 'Danger, Men Working.' 'The Crime Nobody Saw.' 'B. F. Zeidman has retagged 'Shall Meet' to 'Boy Loves Girl.' Grand National release. 'Serving Swinging.' Metro mix musical, becomes 'Bars Stripes.'

# Barbara Stanwyck says: "Luckies make a hit with my throat"



"When talking pictures arrived, my stage experience on Broadway gave me my chance on the screen. Taking care of my throat became serious business with me, so I changed to Luckies—a light smoke. Of course I smoke other cigarettes now and then but sooner or later I come back to Luckies. They make a hit with my throat and also with my taste."

*Barbara Stanwyck*

RKO RADIO PICTURES STAR  
NOW APPEARING IN  
"THE PLOUGH AND THE STARS"

An independent survey was made recently among professional men and women—lawyers, doctors, lecturers, scientists, etc. Of those who said they smoke cigarettes, more than 87% stated they personally prefer a light smoke.

Miss Stanwyck verifies the wisdom of this preference, and so do other leading artists of the radio, stage, screen and opera. Their voices are their fortunes. That's why so many of them smoke Luckies. You, too, can have the throat protection of Luckies—a light smoke, free of certain harsh irritants removed by the exclusive process "It's Toasted". Luckies are gentle on the throat.



THE FINEST TOBACCOS—  
"THE CREAM OF THE CROP"

## A Light Smoke "It's Toasted"—Your Throat Protection

AGAINST IRRITATION—AGAINST COUGH

Copyright 1937, The American Tobacco Company

# Legislation

## S. C. Ban on Screen Ads

Greenville, S. C., Feb. 16. A bill referred to the judicial committee of the South Carolina house of representatives was introduced last week by Rep. Richard Foster of Greenville to prohibit commercial advertising on S. C. motion picture screens.

Long a practice in S. C. picture houses such films cause much fidgeting by cash customers who see same film week after week. Witnesses are wondering whether bill includes showing of trailers of coming pictures which are nothing short of advertising for the house.

## Ohio's Sure

Columbus, O., Feb. 16. With a 3% gross admission tax already in effect a bill has been introduced in the Ohio House of Representatives providing for a 7% tax on amusement admissions over 25c. Another tax measure aimed at the industry, would boost the censorship fee from the present \$3 to \$5 per reel. Both revenue bills will be stiffly opposed by exhibitor and other film interests.

## Two Mass. Bills K. O.

Boston, Feb. 16. The Massachusetts Legislature has booted two bills that would have given more than one theatre manager a headache had they been approved and enacted into law. One is the 'Johnny Bill', so-called, which would have required individual toilet facilities on the auditorium floor and each gallery for every 150 seats for both men and women.

The second measure, a more worrisome legislative proposal, would have demanded the installation of heating and ventilating systems in theatres to insure a continuous uniform temperature of 65 degrees and four complete air changes per hour.

Both measures came before the Legislative Committee on Public Health last week and were flatly turned down. Without the flicker of an argument the committee recommendations were accepted by both the House of Representatives and the Senate.

## Fight Daylight Saving

Northwest Allisconsin, Feb. 16. A bill in the legislature providing for daylight saving in Minnesota. Independent exhibitors in this territory are on record in opposition to daylight saving, claiming it will injure their business.

## No Sunday Pix in Del.

Wilmington, Feb. 16. Sunday pix were nixed here this week, in a resolution by congregations of Methodist Episcopal churches at quarterly conference. Copies of the resolution were sent to Governor Richard C. McMullen and the legislature.

## Tom Baily Adds Two

Hollywood, Feb. 16. Tom Baily, new studio manager for National Screen Service, has appointed two assistants. Im Majorelle, formerly with Warner's theatres in Washington, D. C., and Gene Fox, former advertising director for the Metropolitan in Boston, have been added to the staff.

## STORY BUYS

Hollywood, Feb. 16. 'This Is My Affair', long by Leona Kinel, recently published, purchased by 20th-Fox. Republic has taken 'State Li' original by Huston Branch. Jack Andrews' original, 'Armored Taxi', goes to 20th-Fox.

# SUR LA CUFF

Par Miami Conventionees All Guests of the Co.

The approximate 125 who will attend the Paramount theatre convention in Miami on March 18 will be guests of Par, company paying all expenses out of home office funds for the three days' convale, while the cost of transportation will be charged back to respective theatre partnership or operating units represented. Invitations from Par to home-office executives, field partners, operators and associates includes the wives of all.

About 25 executives will attend from the home office under plans. These will embrace all the topflight personalities in the company, among them Barney Balaban, tanton L. Griffith, Y. Frank Freeman, Austin C. Keough, Neil F. Agnew, Walter B. Cokell, Leon Netter, Bob Gilliam, Louis Notarius and Jack Knight.

Two banquets will figure for the Paramount men going to Miami, the Motion Picture Theatre Owners of America fest Thursday night (18) and a dinner-dance for Par's own people Saturday (20).

Harry Royster, who is attached to the Par theatre division at the home office, is leaving before the end of the week for Miami to make arrangements for the three-day convention.

# Baynes' Setup

Capt. George McLeod Baynes who has set up the Golgotha Corp. to handle the American and Canadian distribution of 'Golgotha', is planning to present the picture himself on a twice-daily basis in New York, but so far no theatre or auditorium has been set. Picture, a French-made dubbed into English here by Capt. Baynes, played the Academy of Music, Brooklyn, on a four-day engagement last week following a test showing at Duke University, Durham, N. C.

'Golgotha' was made in France in 1934 and released over there a little more than a year ago.

# CONTRACTS

Hollywood, Feb. 16. Metro handed term contracts to Cora Witherspoon and Cliff Ukelele (K). Dorothy Moore, little theatre actress, termed at RKO.

Sidney Salkow, Universal director, tagged for another year. Helen Logan and Robert Ellis given new 20th-Fox writer deals. Jack Layne, Jr., and Kay Tunberg, resigned on a week-to-week basis.

Bernard Herzbrun picked up year's contract as 20th-Fox art director. Marvin Hatley, head of Hal Roach's music department, dotted-lined for term.

Bert Hanlon given writer-director pact at RKO.

Marion Parsonnet received writing term at Metro.

Helen Burgess and Olympe Bradna optioned at Paramount.

B. P. Schuberg signed Charles Vidor to term directorial writ.

Universal optioned Michael Fitzmaurice, radio announcer; who turned actor.

Universal tagged Frank Skinner musical arrange; to term and lifted acting options on Robert Dalton and Dorothea Kent.

Jack Scholl and M. K. Jerome, Warner tunesmiths, has their options plucked.

Spanky McFarland tied for another year by Hal Roach.

Mordaunt Sharp, writer, and John Seitz, cameraman, received contracts at Metro. Studio also optioned Robert Pirosh, writer, for a year.

Jose Lopez Rubio tagged to writing ticket at 20th-Fox; who also picked up acting options on Anthony Martin and Thomas Beck.

# STUDIO DAUBERS ASK \$2 PER DAY WAGE TILT

Hollywood, Feb. 16. Studio Painters union, local 644, has filed a demand for \$2 daily increase in pay for each member with the Motion Picture Producers' Association which it hopes will be included in the studio basic wage agreement when it comes up for revision in New York next month. Those painters not under the basic agreement now receive \$7 for a six-hour day. Decorators and brushmen get \$8, with the foremen pulling down \$9.

# Lipscomb's Double Deal

London, W. P. Lipscomb is leaving shortly for Hollywood to mult a former with Paramount and negotiate the sale of film rights in his current stage production, 'Ninety Sails'. Play will be brought to London for the coronation and thence to New York or Hollywood.

Hollywood, Feb. 16. Edmund Gwenn, British actor, is en route to England where he is under contract to appear in 'The Sporting Peer' for Associated.

Before returning to Hollywood, Gwenn ill appear in W. P. Lipscomb's play, 'Ninety Sails', to be done in London during the coronation.

# Studio Placements

(Continued from page 18)

Hal Le Seur, Neil Craig, Errol Simon, Steve Carr, Henry S. Webster, Harry Semoles, Buck Russell, Edward Peil, Arthur Millette, Ferris Taylor, King Baggot, Desmond Gallagher, Donald Mason, Edward Sturges, Baldwin Cook, Harold Craig, Thomas Carr, Scotty Matthew, Edward Hearn, 'Skidding' MG.

Eddie ribbon, Frank Melton, Wesley Hopper, Jim Dundee, Don Farley, 'Satisfaction Guaranteed', RKO.

Constance Worth, Gordon Jones, Pat O'Leary, Willy Pepper, William Best, Victor Haworth, Frank M. Thomas, Richard Lane, William Corson, George Irving, Patsy Lee Parsons, Dudley Clements, 'Borrowed Time', RKO.

Margaret Watson, Gay in, Birdie Orek, Eleanor Weyman, Arthur S. Hull, Ann Schoemacher, Helena Grant, Guinniss Davis, Maurice Merits, Ray Cooper, Robert Kerwood, Matty Rupert, Constance Franke, 'Stepping Toes', RKO.

Tiny Sanford, Ethel Wales, Frances Sayles, Monte Blue, 'Outcasts of Poker Flat', RKO.

James Finlayson, Frankie Livaies, Clem Bevans, Ben Hall, Frank Hammond, Maxine Elliott Hicks, Nelson McDowell, Tony van Dolson, Lin Poff, 'The Toast of New York', RKO.

Gertrude Purcell, Franklin Coen, treatment 'Tom and Jerry', RKO.

Charles Condon, screenplay, 'Fighting from Glory', RKO.

Roy Webb, music, 'New Faces of 1937', and 'The Woman I Love', RKO.

Joseph Anthony, scripting 'Super Sleuth', RKO.

David Silverstein, screen play 'You Can't Beat Love', RKO.

Bert Hanlon, director, 'ity Revels', RKO.

'A Star Is Born', S-I.

John Balderston, treatment, 'Prisoner of Zenda', S-I.

Robert Liveley, Betty Laidlaw, screenplay, 'Thief of Tams', Rowland-GN.

Douglas Walton, Clarence Wilson, Gretchen Thomas, 'Damaged Goods', Criterion.

James Knox Millen, screenplay, 'The Case of the Four-Handed Man', Gen.

Gladys Gale, Suzanne Kaaren, Hal C. Bradley, 'Sing While You're Able', Coni.

Milli Monti, 'The Man in the Ring', Clothes' Maj.

Richard Flournoy, scripting next Joe E. Brown pic, Loew.

# PORTLAND

(Continued from page 10)

(GB) and General Spanky' (MG), got above par \$2,800.

Orpheum (Hamrick - Evergreen) (2,000; 30-40) - 'Winterset' (RKO) and 'More Than a Secretary' (Col) (2d wk. Fair \$3,700. First-week went great guns and mopped up strong \$8,000.

Paramount (Evergreen) (3,000; 30-40) - 'One in Million' (Fox) and 'Winterfeit Lady' (Col) (2d wk.). Still hitting terrific pace at \$8,000. First week wowed 'em for biggest biz in this house in several months; great \$13,000.

United Artists (Parker) (1,000; 30-40) - 'Luckiest Girl' (U). Average \$4,000. Last week 'Stolen Holiday' (FN) closed good enough second week at \$3,000. First \$4,200.

# Inside Stuff—Pictures

(Continued from page 6)

unreleased and has a seventh on the way, thus leaving only three on which prints are yet to be received by UA. At the present time, not counting the short that's on the way, UA has six completed Disneys awaiting release.

Gypsy Rose Lee, erstwhile stripper now in the 'Follies' on the road, will receive \$10,000 for her five weeks work in her initial picture for 20th Century-Fox. Her pact with the film company stipulates that she have no personal press agent as that has been her modus operandi for prelim buildup.

William Harrigan and his wife trained in from Broadway for Hollywood picture assignment and ran into their first stickup. Town so full with peasants in for races that trouperes are being tapped 16 bucks for a night at any of the first-run Hollywood flop-houses. Last year \$2 for same accommodations was big money.

Whether sponsors of RKO's reorganization plan shall determine to ask for further delay on hearings on the reorganization plan may be decided tomorrow (Thursday), when the matter comes before Federal Judge William Bondy. Indications are that there may not be opposition from other sources to have the hearings on the plan forthwith.

Michael Fessier, Metro producer, made a canvas of theatre owners throughout the nation to get a reaction on the brand of pictures preferred. He asked for opinions on stories concerning aviators, cops, G-men, race drivers, newspapermen, radio announcers, etc. Fessier's count shows a majority in favor of pictures constructed around reporter characters.

Fanni Hurst's latest novel, 'Sister Act', the March issue of Cosmopolitan, will be filmed by Warners. Deals with a family of quadruplet sisters with identical features who wear the same type of clothes but yet develop different characteristics and personalities. To the public, however, they are always known as the quadruplets.

icago Tribune photographers followed Marlene Dietrich around all day last Thursday, trying to get her to pose for color photograph. Even offered to open studios on Sunday, if more convenient for her, something never done to date by Trib. Refusal to pose was based on excuse that the star had to wear special make-up for color pictures.

Cooperation among theatres has become most touching in Chicago, and reached some kind of a high point last week when the Ritz Bros., personal-appearing on the RKO Palace stage, plugged their picture 'On the Avenue' (20th-Fox), coming to the Balaban & Katz Roosevelt.

Several French journalists and newspapermen have written to Warners studio on the Coast, applying for the job as technical advisor on 'The Story of Emile Zola.' Applications feature as main qualification for the spot that they knew Zola personally.

Paramount has been granted a permit to operate a short wave mobile radio unit, which will be used by studio to contact pictures on location. Unit was first used in keeping studio in touch with 'Souls at Sea' troupe far out in the ocean.

Ira Greene, former radio exec and pioneer in that biz, has swung over to films and opened an office for film financing in New York.

Metro has changed title of 'April Blossoms' to 'April Romance' for the U. S. market. This is the British-made (Alliance) film which stars Richard Tauber, German tenor.

# New York Theatres

There's a Better Show at the RKO THEATRES

STATE THEATRE  
MERLE OBERON  
"BELOVED WOMAN"  
VAUDEVILLE  
Col. Jay C. FLIPPEN

PARAMOUNT TIMES SQUARE  
"JOHN MEADE'S WOMAN"  
—ON THE STAGE—  
GUY LOMBARDO and HIS ORCHESTRA

CAPITOL THEATRE  
4th. GARBO-TAYLOR  
"CAMILLE"  
Starts Feb. 18 (Thurs.)  
"LAST OF MRS. CHERNET"

START FEB.  
"THE MAN WHO WORKED MIRACLES"  
By H. G. WELLS  
with ROLAND YOUNG  
RIVOLI 49th St.

STARTS FRIDAY.  
GEORGE ARLISS  
IN HIS GREATEST TRIUMPH  
"MAN OF AFFAIRS"  
New Criterion • Continuous  
Broadway at 16th Show Nightly

RADIO CITY MUSIC HALL  
"WHEN YOU'RE IN LOVE"  
with GRACE MOORE  
Spectacular Stage Production

GN 'Shadow' Flickers.  
Hollywood, Feb. 16. Alexander Bros. will produce four melodramas based on 'The Shadow', character created by Maxwell Grant in Street & Smith publications. Release will be through Grand National.

HELD OVER  
"HEAD OVER HEELS IN LOVE"  
—On the Stage—  
Herman Timberg and Jr.  
Pat Rooney and Jr.  
ROXY  
ALL 25¢ F.O.  
SEATS 1 P.M.

# PATRICIA BOWMAN

AMERICA'S PRIMA BALLERINA

Just Completed Film Version of LONDON PALADIUM'S

# "O'KAY FOR SOUND"

For GAUMONT-BRITISH  
At Gainsborough Studios, London



*Watch the Big National Release Date!*

# HE TOWN



*It's a Date with the New Universal!*

## Special Showmanship Citations

Last week VARIETY published its community showmanship ratings for 1936. This week, and for the first time, is added a supplement to the annual survey in the form of special honorary citations made under 12 different categories.

Although supplemental to, and largely extracted from data provided for the community showmanship survey, the special citations are not limited to stations included in the survey itself. For example, an award is made for Canadian station although Canadian cities have not been included in the showmanship tabulations proper. Stations, small or large, in cities or towns not numbered in the showmanship survey because of lack of competitive situations or for any other reason, will not be disbarred from receiving citations. A special category for social service stations also makes possible recognition of non-commercial stations.

Citations are expressed in the shape of specially designed plaques. These will be forwarded within the next week.

Categories included and the stations cited are as follows:

### PROGRAM ORIGINATING STATION

WLW, CINCINNATI

### PRESTIGE SUBSIDIARY STATION

(Duplicate Awards)

WHAM, ROCHESTER

WHAS, LOUISVILLE

### FARM SERVICE STATION

(Duplicate Awards)

WHO, DES MOINES

WLS, CHICAGO

### NETWORK-OWNED STATION

KMOX, ST. LOUIS

### NEWSPAPER-OWNED STATION

WKY, OKLAHOMA CITY

### PART-TIME STATION

WEB, KANSAS CITY

### FOREIGN LANGUAGE STATION

WBXZ, NEW YORK CITY

### SOCIAL SERVICE STATION

WEVD, NEW YORK CITY

### SPORTS STATION

WIND, CHICAGO

### NATIONALLY EXPLOITED STATION

WKCY, CINCINNATI

### COMMUNITY EXPLOITED STATION

KFPY, SPOKANE

### CANADIAN STATION

CFRB, TORONTO

## Catchings-Hummert Seek Experimental OK For Film Transcriptions

Group behind the Miller process of sound recording on film (possible substitute for transcriptions via wax) has taken up with the Music Publishers' Protective Association the proposition of obtaining an experimental license. What the group wants is the right to record copyrighted musical numbers while it is trying to determine in which fields the process might have commercial value.

Heading the financial backers of the Miller method of recording is Waddill Catchings, utility investment banker and former member of the Warner Bros. board. Allied with him in the venture are several officials of the North American Co., utilities combine, and Frank Hummert, of Blackett-Sample-Hummert, Inc., radio's top time buyer among the ad agencies. The major objective of this group is the program recording business.

North American owns the Associated Music Publishers' program library, but no steps have been taken to introduce the film process in the operations of the latter organization.

## Davis, Moore in N. Y.

Don Davis, of WHB, Kansas City, and Capt. W. G. Moore, author of 'Jimmy Allen' series, are doing the New York agency rounds this week ballyhooing 'Howie Wing,' new aviation serial for kids written by Moore.

They're pouring 'em at the Waldorf in between.

## Academic Admen

### Benton Now Collegiate Press Agent Turn Out a 300-Page 'Presentation'

#### BOB COLWELL'S NEW JOB

Radio Exec Now Concerned With Other Amusement Branch

Robert Colwell, chief scriptist in J. Walter Thompson's radio department for the past several years, has been assigned to work on advertising and exploitation Universal Pictures, which account was recently acquired by the agency.

No move is being made to fill Colwell's ex-post. Savington Cramp-ton, assistant account executive on Lux, will devote part of his time in supervising the scripting situation in the agency's radio department.

Dwight Cook, who was formerly on the production staff of Columbia, is slated to join Thompson's radio department March 1.

#### E. Katz Adds Two

Katz Special Agency, newspaper and radio station reps, adding two newcomers to the selling staff, one for New York and the other for Chicago.

David Decker, previously with the Edward Petry rep outfit, joining the Detroit office. Is currently in New York for a month's break-in. Will sell newspaper as well as ether space.

Manhattan office addition is Jack Laucks, previously with a trade paper. Is work on radio exclusively.

William B. Benton, erstwhile press of Benton & Bowles until the partnership split, several months ago has completed a 300-page 'presentation' for the University of Chicago on public relations. Tome follows Benton's new appointment as vice president and public relations overseer for the U. of C. Benton now takes trip to China, returning in fall to resume his academic press agent duties.

Ex-adman's scholastic post coupled with a close friendship between himself and the university youthful chief, Robert Maynard Hutchins, dating back to their college days. Both, likewise, come from families intimately connected with the clergy.

Benton is the second well known agency exec gobbled up by Chicago in the past few years, and these appointments, together with exits from the U. of C. into biz fields, give the school one of the tightest relationships with agencies-sponsors of an in the Midwest. Also on the Chicago roster is James W. Young, J. Walter Thompson v.p., and author of the report on agency compensation. Your conduct courses and research in advertising.

Meantime, J. L. McKinsey, of the Business School, has recently exited from that post to become head chairman for Marshall Field. A sister him is James L. Palmer, professor of marketing. Palmer additionally has for several years been counselor to Kroger Grocery Baking.

Miniature Replica of Showmanship Plaques (3/5th Original Size)

# VARIETY

## SHOWMANSHIP AWARDS

Special Citations, Survey Supplement, RECOGNITION IN Showmanship's Meaning and Relation  
Made Under 12 Different Categories SPECIAL GROUPS To the Problems of Station Operation

## BACHER DOCTORING RUTHRAUFF & RYAN

Hollywood, Feb.

Bill Bacher, who calls himself a free lance radio producer despite fact he's been holding rein on 'Hollywood Hotel' for F. Wallis Armstrong for over two years, is branching out as a doctor of ailing shows. Last week he was called in by Ruthrauff & Ryan to hypo the 'Al Jolson air opus.

His deal with R & R calls for production of six shows starting with tonight's (Tues.) broadcast. After the patient is back on his feet and the bugs are ironed out he'll stand on the sidelines and act as consultant to Cecil Underwood, who has been piloting the soap suds.

Bacher's diagnosis of the triple-theater (Jolson-Martha Raye-Sid Silvers) will result in an immediate operation that calls for a more cohesive script. Loose threads will be gathered up and woven into a pattern of smooth continuity. Jolson will sing one number on a program and act the rest of the way. Arthur Caesar has been overruled to concoct the drama bits.

New alliance doesn't affect Bacher's status with Hollywood Hotel. He will continue to boss the works and also act in a supervisory capacity on the new Armstrong show featuring Ken Murray, which pitches on the Coast in April to replace the defuncting Burns and Allen gigler to Grape Nuts. Diana Bourbon remains as producer on the B & A-vehicle.

Bacher combined 'Black Legion' and 'Champagne Wa' on Friday's

## HOUSTON'S RADIO THEATRE

Already Set for Barn Dance—Old Vaude Stand Seals 2,000

Houston, Feb. 16.

Workmen started this week remodeling the old Palace theatre here, dark these many moons, to make it into this city's first radio theatre. Spot will be known as the KTRH Radio Theatre. Seats 2,000.

Salesmen have been turning on the heat and already have lined up sponsors for a weekly barn dance program and a weekly variety show. Station hopes to have at least four big shows a week to keep its new playhouse busy.

The theatre is an addition to present facilities and entails no changes in present studio location or set-up. It is a downtown location, half a block from the present studio.

Theatre is owned by Jesse H. Jones, who also owns controlling interest in KTRH.

### Nuisance Angle

Lincoln, Feb. 16.

Taking a swat at amateur broadcasters, the unicameral legislature this week introduced a bill to allow small village boards and city councils to pass regulations ruling out amateur broadcasters who interfere with local radio reception.

Am sets have been raising Cain with sets in many small towns in the past year.

(19) show. Latter, being Emcee Fred MacMurphy's big picture, will turn basis of musical section with the waltz theme dominating the orchid room cavortings.

Statistics: Station Strength

ALL STATIONS ARE ELIGIBLE

ECCETRICITY IS DISCOUNTED

SURVEY CROSS-CHECKED THROUGH TIME BUYERS

AFFIRMATIVE REMY TO ARE 'WE IN SHOW BIZ'

Special Citation for 1936 AWARD

# GUEST IDEA GETTING BLAH

## Talent Got \$22,321,660 in 1936

Washington, Feb. 16. With advertisers coughing up 22.9% more money for radio ballyhoo, live talent profited handsomely from bull market in 1936, according to just tabulated figures of National Association of Broadcasters.

Following are sponsors' outlay for talent and transcription in the non-web field during the past three years:

	DISCS
1934.....	\$14,155,399
1935.....	17,679,530
1936.....	22,321,660

## A.P. Must Set Radio Policy

### Inroads of United Press, Income and Prestige, All Bringing Issue to a Head

Manner in which the United Press has gone out and garnered radio station business with its special radio leased wire causing reverberations with the Association.

While the International and Universal News Service (latter to some 18 radio stations) is not operating a leased wire service strictly for broadcasters, the company now is placing special radio bulletin news on the wire two or three times daily for use of radio clients.

There is no imitator opinion in A.P. ranks with all signs pointing to a three-cornered fight. But there seems little question but that it will be the warmest issue to come up for consideration at the annual confab.

#### Income and Prestige

Central office of the Associated Press in N.Y. is credited with being in favor of a special radio wire, if only because it realizes the potentialities from a monetary standpoint and that of maintaining the association's prestige. Vast strides taken by the U.P. in getting the added gravy from radio stations naturally chief contributing factor.

But there are two other factions expected to figure in settling the issue. One comprises certain newspaper members who are opposed to the plan because they view the radio as a menace to their advertising columns. Other group is made up of publishers who own or operate radio stations. They are for the leased wire plan but in degrees of enthusiasm.

For instance, some in the newspaper-radio station group say they will not under any circumstances permit the A.P. news to be sponsored. They contend that this competition with their newspaper enterprise and that local advertising should be reserved for their dailies exclusively. So far Associated Press news supplied them and put on the air has been the usual news report to the publication. Whether these editor broadcasters will be willing to pay any expense involved in a special leased wire set-up is another matter that will have to be settled at the forthcoming gathering.

#### Visiting

##### In New

Clarence Cosby, KWK, t. Louis.  
Leonard Kapner, WCAE, Pittsburgh.  
John Doyle, Don Lee network.  
Don Davis, WHB, Kansas City.  
W. G. Moore, WHB, Kansas City.  
Mortimer Watters, W. Va. casting System.  
George E. Holley, KMBC, Kansas City.  
Fran Heyser, KMBC, Kansas City.

##### In Washington

Fred Willis, CBS, New York.  
Frank Wozencraft, RCA, Dallas.  
Herb Pettey, WHN, New York.  
Gilbert Freeman, WTAL, Tallahassee, Fla.  
H. E. Carpenter, WHK, Cleveland.  
Edgar Bill, WMBD, Peoria, Ill.

## SUPPLY THINS: MANY REPEATS

Agencies Now Reduced to Borrowing One Another's Regular Stars to Augment Insufficient Numbers of Unattached Guests

### REACTION DUE

Freelance guest names have become so scarce and overused in the New York area that agency bookers have been compelled to turn to performers who hold star rating on their own regular programs for filling-in purposes. Ad agency men say that the increase of guest names shows this season has created a name dearth situation which will in a short time allow for but one solution and that is a return to the stock company idea for ratty shows.

Within the space of the past three months, the agency men aver, the available name material in the various fields around New York has been pretty well pumped dry. It has become common for the same name to do a guestie on two different programs at intervals of but a few days. Good case in point, which occurred only the past week, is that of George Jessel. On Thursday (11) it was Maxwell House Showboat and on Sunday (14) Jessel served as m.c. for Woodbury.

If the current list of guest shows do not soon diminish, the setup which marked the Nash program last Saturday night (13), predict the agency bookers, will become no uncommon thing. Nash show brought in its guesties for the occasion Kate Smith and Stoppage and Budd, each of whom has a weekly starring iche.

Stiff competition and scarcity of name material to draw from has resulted in weekly headaches no minor proportion for more than one of the major New York agencies. It isn't unusual for an outfit such as J. Walter Thompson to have its guest bills for at least two Saturday night wide open after the midweek mark had been passed.

## DETROIT SNAPS BACK PRONTO

Detroit, Feb. 16. With the biz paralysis ended by settlement of the 44-day auto strike last week, biz started pouring in last Friday, just a day after peace was reached, and is gaining momentum this week.

Cancellations, which started shortly after strike was called Dec. 28, was as high as 33% at some outlets, which depend mainly on local biz. Network stations, through the less flexible web contracts, were able to keep heads above water but suffered plenty on local end.

While few layoffs were recorded at Detroit six stations, ad agency staffs were lopped off a good 25%, in some cases more. Especially was this true in agency whose chief revenue is from car makers' accounts. Rehiring began immediately with spurt in General Motors advertising at close of strike.

Due to more than \$40,000,000 wage increases put in effect by local auto firms last week, either biz is expected to hypo greatly, more making up for loss over 44-day period. Figured by local stations that all biz lost during strike will be back on books within 30 days.

Ita Johnson, playing ingenue role in legit 'Fulton of Oak Falls,' doubling onto air five times weekly as femme lead in 'Girl Interne,' serial on WHN, N.

## Radiovoter—As Described—Would Revolutionize Popularity Checking

### Guest List

**AMERICAN CAN**  
(Tu. 9—WJZ)  
Feb. 23—Mary Boland.  
A. & P.  
(Th. 8—WABC)  
Feb. 18—Pauline Frederick, Henry Hull, Margo, Dudley Di Henry Youngman.

(Spuds)  
(Su. 8—WJZ)  
Feb. 20—Alexander Ray.  
**BRISTOL-MYERS**  
(Wed. 9—WEAF)  
17—Mona Roberts.  
**CAMPBELL'S**  
(Fri. 9—WABC)  
19—Humphrey Bogart, Anne Sherman.

Feb. 26—Barbara Stanwyck, Joel McCrea.

**FIRESTONE**  
(Mon. 10—WEAF)  
Feb. 22—Margaret Speaks, ard Bonelli.

**FORD**  
(Su. 9—WABC)  
Feb. 21—Giovanni Marti  
Feb. 28—Yehudi Menuhin and sister, Hepzibah.

**FORD DEALERS**  
(Tu. 9 p.m.—WABC)  
23—Mary Small, George Stone.

**GENERAL MOTORS**  
(Su. 10—WEAF)  
21—Grace Moore.

**GROUP OF BANKS**  
(Fri. 10 p.m.—WABC)  
Feb. 19—A. M. Robertson.  
Feb. 26—Raymond Moley.

**HEINZ**  
(M-W-F. 11 a.m.—WABC)  
Feb. 17—Sigmund Spaeth.  
Feb. 18—Sidney Lenx.  
Feb. 22—Dr. William Lyon Phelps.

**JELLO**  
(Su. 7 p.m.—WEAF)  
**KRAFT**  
(Th. 10—WEAF)  
Feb. 18—Marion Claire, Tucker, Abbey children.

**KOLYNOS**  
(Tu. 8—WABC)  
Feb. 23—Christie MacDonald.  
**LOCAL BEST STORE**  
(Th. 9 a.m.—WOR)  
18—Ozzie Nelson, Trux, Diana Gaylen.  
Feb. 25—Al Goodman and orchestra, Betty Lawford.

**LUX**  
(Mon. 9—WABC)  
Feb. 22—Errol Haviland.

**MAXWELL HOUSE**  
(Th. 9—WEAF)  
Feb. 18—Mitzi Green, Jackie Coogan, East and Dumke.

**NAT'L DAIRY**  
(Sat. 8—WEAF)  
Feb. 20—James Melton, Sheila Barrett.

**NASH**  
(Sat. 9—WABC)  
Feb. 20—Helen Jepson, Buck and Bubbles.

**ROYAL GELATINE**  
(Th. 8—WEAF)  
18—Jean Arthur.

**RCA**  
(Su. 2—WJZ)  
Feb. 21—George M. Cohan, Albert Spaldi, Frederick Jagel, Eddie Duchin's orchestra.

**SHELL**  
(Sat. 9:30—WEAF)  
20—Benny Leonard, Stepin Fetchit, Susanne Fisher, The Cabi Kids.

**SHERWIN-WILLIAMS**  
(Su. 3—WEAF)  
Feb. 21—Lilly Pons, Pauline Pierce, Robert Shanley, Lausina D'Angelo.

**U. S. TOBACCO**  
(Dill's Best, Model)  
(Mon. 8:30 p.m.—WABC)  
Feb. 26—Tito Guizar.

**Passion Show Sponsored**  
Two-hour session this Sunday (21) on Station WHN, New York, will be devoted to a Passion Play from Union City, N. Father Joseph Grifet has lifted a previous radio ban. Adm. Hat Stores ill sponsor the broadcast.

A recording device, which possibly might send into the discard all of the present methods of polling the popularity of radio programs, is claimed as perfected and ready for use by the National Electric Ballots, Inc. of New York. Latter calls its apparatus the Radiovoter, a small unit to be fixed into radio receiver sets and making it possible for graph in power plants to be able to estimate with 'almost perfect accuracy' the number of sets tuned in on a particular program.

According to its sponsors and inventor, Dr. Nevil Monroe Hopki the Radiovoter will also permit the listeners' audiences to vote 'yes' or 'no' in forums, debates and on political questions.

Device has been studied and at least partially approved by several radio and electrical engineers. One, J. R. Poppole, chief engineer of WOR, stated that the Radiovoter is a simple and accurate and far more perfect now than it was about three years ago, when he made a rather crude test of Dr. Hopkins' invention. Test at that time took place in a New Jersey town, with the residents simultaneously turning on an extra light in their homes for about one second and recording the load on the substitution power plant.

#### The Problem

Workability of the Radiovoter depends upon the number of sets equipped with the device and also the cooperation of the electric companies. Inasmuch as the latter will bear no extra expense, no trouble is expected from that source. Chief problem is to get the Radiovoter into the home receiving sets.

According to Arthur M. Acheson, vice-president and treasurer of the National Electric Ballots, the Radiovoter can be fixed into old as well as new sets. Device will cost from \$3 up to \$12.50, depending upon how elaborate a unit the buyer demands. It is the hope of the NEB that radio set manufacturers will eventually include at least the cheapest Radiovoter in all of their new sets, for the device on a royalty.

Operation of the Radiovoter is described as follows: Immediately after the commencement of a program, the announcer pushes a button, which causes an audible signal to be broadcast. Reception of this impulse trips a relay in a resonant circuit in all sets equipped with the Radiovoter, causing a reactance load to be imposed upon the substitution power line, which will chart within two to four percent the number of sets tuned in on that particular broadcast. Another vote can be taken in the middle of the broadcast and again at its conclusion to determine whether it building or losing in number of listeners. A dial on the Radiovoter permits the listeners to vote 'yes' or 'no' on all questions under the same conditions as the popularity poll.

In these communities, such as N. Y. for instance, that are serviced by more than one electric company, each power plant will be equipped with a telemeter and the results from each probably phoned into the studio to give the sponsor immediate knowledge of the popularity of broadcast, or an immediate vote on an important question. In its efficiency being able to record votes, it appears that the Radiovoter will be invaluable to politicians.

which the Dr. Hopki president, does not intend to manufacture the Radiovoter itself, instead enfranchising radio set manufacturers. Just when the Radiovoter will become an important factor in radio, however, depends upon how long it will take for sufficient sets to be equipped to enable at least a partial poll.

**Carter Top Spiel at WMCA**  
wb Carter new chief annou at WMCA, N. Y.  
Fills vacancy created when Lee Cronican suddenly resigned last Sat. (13).



# LAWYERS' AIR ADVERTISING

## Motoring 18% of Webs' Coin

Automobile and allied industries last year accounted for two records in their own section of network broadcast. Not only was the amount they jointly spent away over any previous year, but the number of individual customers from this source reached a new high. Still another peak attained by this group: the total amount it spent compared to the networks' gross bill.

The \$9,524,779 that came from the car, tires, accessories and petroleum classes represented 18% of NBC and CBS's joint gross for 1936. In 1935 this segment of the whole figured 16%, while for 1934 it was 15%.

Following is the first comparative tabulation which takes in the industries related to the automobile business:

### (For Year 1936)

GROUP	NBC	NO. OF CLIENTS	CBS	NO. OF CLIENTS	TOTAL
Passenger Cars	\$2,096,372	(5)	\$2,527,371	(6)	\$4,623,743
Tires	647,254	(2)	...	...	647,254
Accessories	161,905	(2)	...	(1)	168,505
<b>Total Autos.</b>	<b>\$2,905,531</b>	<b>(9)</b>	<b>\$2,533,971</b>	<b>(7)</b>	<b>\$5,439,502</b>
Gas and Oil	2,560,850	(10)	1,524,427	(10)	4,085,277
<b>Grand Total</b>	<b>\$5,466,381</b>	<b>(19)</b>	<b>\$4,058,398</b>	<b>(17)</b>	<b>\$9,524,779</b>

### (For Year 1935)

Passenger Cars	\$971,439	(4)	\$2,492,374	(7)	\$3,463,813
Tires	696,801	(2)	...	...	696,801
Accessories	66,432	(1)	...	...	66,432
<b>Total Autos.</b>	<b>\$1,734,672</b>	<b>(7)</b>	<b>\$2,492,374</b>	<b>(7)</b>	<b>\$4,227,046</b>
Gas and Oil	2,437,710	(9)	1,130,333	(7)	3,568,043
<b>Grand Total</b>	<b>\$4,172,382</b>	<b>(16)</b>	<b>\$3,622,707</b>	<b>(14)</b>	<b>\$7,795,089</b>

### (For Year 1934)

Passenger Cars	\$1,071,190	(5)	\$1,714,495	(6)	\$2,785,685
Tires	702,406	(3)	...	...	702,406
Accessories	273,245	(3)	...	(1)	284,395
<b>Total Autos.</b>	<b>\$2,046,841</b>	<b>(10)</b>	<b>\$1,725,645</b>	<b>(7)</b>	<b>\$3,772,486</b>
Gas and Oil	2,409,790	(13)	430,566	(6)	2,840,356
<b>Grand Total</b>	<b>\$4,456,631</b>	<b>(23)</b>	<b>\$2,156,211</b>	<b>(13)</b>	<b>\$6,612,842</b>

## ERIE BAR ASSN. READY FOR RADIO

Loss of Prestige Felt—  
Rivalry of Banks With  
Active Advertising Policy,  
Behind Decision

### G-MAN CRACKS

Feb. 15—The Erie County Bar Association will buy radio time here starting next month. Expect to launch a series of dramatized sketches revealing the good that lawyers' do. Thereby hope to offset notion that attorneys are merely obstructionists and buddies to gangsters.

Idea is to present a series of 15-minute broadcasts, each presenting a dramatized incident of ordinary family life showing a case in which an attorney was or should have been used to iron out legal problems.

No stations or time contracts signed early this week.

Lawyers admittedly feel an adverse reaction from a variety of sources. Protracted debate among laymen about the Supreme Court issue with much publicity has focused attention upon the question of justice and the men who follow the bill goddess. Part played by lawyers in N.R.A. and Liberty League matters.

(Continued on page 56)

## Air Freelancers Taxed by All Sources of Employment Under Present Security Tax Red Tape

working than an actor receiving same amount but from only one source. Thus, when a player gets \$4,000 from one engagement, \$5,000 more from another show or agency and \$2,000 from a third sponsor or agency, he must pay 1% of \$9,000 while the artist paid \$11,000 from one agency or source pays only 1% on the first \$3,000 received.

### Requires Amendment

Rather apparent reason for such an alignment is that the act makes it compulsory for the employer to deduct on the first \$3,000 paid out to an employee. All four agencies in the instances cited are simply following the letter of the law as it now exists. Until some means of re-checking on different firms paying the same actor or employee is found via an amendment to the existing law, the free lance player will continue to pay more into the federal fund than the artists obtaining all his salary from one single source.

Attitude of some postal officials, as expressed in N.Y., was that it placed that much more in an individual's account for payment when he reaches the age of 65 and begins receiving his social security pension.

What the average artist begrudges under the current line-up is that he is forced to pay \$80 into the government fund annually if his salary is split upon \$5,000, \$4,000 and \$2,000 basis whereas the individual getting his wages from one single source only pays \$30 in a year's time.

Way it works out is that those artists who, during a year's time, obtain their salaries from two or more firms, agencies or producers actually pay more into the government fund

# "MORE THAN YOUR SHARE"...

Those advertisers who are accustomed to getting "more than their share" of the business in their industry will almost invariably be found among the regular advertisers of WLW, the Nation's Station.



# CANADA'S HEADACHE ZONE

## N.A.B.'s 1936 Recapitulation

Washington, Feb. 16. National Assn. of Broadcasters figures show that the year 1936 was marked by the following developments:

- (1) Jump of nearly \$4,000,000 in cost of talent programs in the n-web field.
  - (2) A gain of more than 50% in expenditure for transcrip-tion-network advertising.
  - (3) Increases in the volume of all classes of advertising except drug and confectionery propaganda.
  - (4) Rise of nearly \$6,000 from miscellaneous business, reflect-ing amount of revenue for political campaigning over the air.
- N.A.B. report shows the following grosses for the past three years in different branches of the industry:

	1934	1935	1936
NATIONAL WEBS	\$42,647,081	\$50,067,686	\$59,671,244
REGIONAL WEBS	717,117	1,110,739	1,367,812
NATIONAL NON-WEB .....	13,541,770	17,063,688	24,141,360
LOCAL	15,981,201	19,281,735	22,370,470
	\$72,887,169	\$87,523,848	\$107,550,886

## WONDERS MAY MOVE TO PICTURE COLONY

Wonders moved out of his job as manager of the CBS Artists bureau last week after an argument with Lawrence Lowman, who is in charge of operations and has authority over talent sales. An attempt will be made to put Wonders in the post for at least a couple of months. One requisite for a successor is that he have no managerial obligations or other commitments.

Wonders, who had been head of the CBS artists bureau for over five years, has at various times during the past two years given thought to sitting and going into business for himself, with Hollywood the ob-

## WSYR Imports Talent

Syracuse, Feb. 16. WSYR is branching out into a policy of live talent. To this purpose is bringing to Syracuse experienced radio performers. Which is pretty revolutionary for Syracuse. 'Big Freddie' Miller comes in. He's had roster of commercials on CBS and over Detroit stations. Does piano-patter turn. Norcross Sisters from Buffalo also join WSYR. Unusual to bring in commercial talent for sustenance in these woods. Naturally expect to sell them.

**McLaughlin With Ponce.** Johnny McLaughlin has quit the music publishing business to join Phil Ponce's talent booking office. McLaughlin was in the publishing field for over 15 years, with the Witmark and Sam Fox firms among his connections.

## MARITIME RADIO IS TROUBLESOME

Incidents Bob Up Frequently—Mostly Petty Stuff But Involve Actual Attempted Censorship

### INSULARITY

John, N. B., Northeastern Canada. The Maritime provinces seem likely to get reputation as breeding ground for the most troublesome assortment of racial, religious and petty political inculties confronting the management of any radio broadcasting system anywhere in the world. New controversies bob up with a regularity said to be distressing to the Ottawa radio authorities.

Among the roots of the difficulties are the insular characteristics of many of the racial groups. Mingling little with the outside world, the 19th century bigotries have not always been softened by modern influences. Radio with its power to cover large sections of the map has intensified some of the acute angles that traditionally have been soft-pedaled. When one race clashes with another, one religious body steps on another's toes, or when opposed economic camps break into mutual grimaces somebody is pretty certain to run to the Dominion government with a (Continued on page 51)

## Panelmen Look Ahead to Second Code; Say Last One Dominated by N.A.B.

### NBC's January

NBC's daytime biz showed a 93.9% increase over January, 1936. Income from this source this January came to \$961,866. NBC did \$3,541,999 last month in the sale of time, or 32.1% better than the total which prevailed for January, 1936. Breakdown of the past month's NBC gross gives the red (WEAF) link \$2,374,663 and the blue (WJZ), \$1,167,368. The red tally has it starting off the current year with a lead over Columbia, which grossed \$2,360,740 for last month. Jump for the red amounted to 37.8%, while the blue's increase over the parallel month of '36 was 22%. NBC's gross in January, 1936, was \$681,815. Year before it came to \$2,895,037 and in '34, \$2,391,667.

### Acct. Drops McClatchy

San Francisco, Feb. 16. Duart Sales Co., Ltd. (Creme of Milk lipstick and face cream), drops three of the McClatchy outlets in California, KFBK, Sacramento; KWG, Stockton, and KMJ, Fresno, April 4 from its Sunday night 'Passing Parade' broadcasts by John Nesbitt over the coast NBC-Red network. Account is handled by Howard Williams agency, San Francisco.

Because of expected efforts to revive the defunct N.R.A. or some similar system of regulation by Washington, the American Association of Radio Telegraphists has organized a central council to front for radio technicians in event of future hearings regarding a code. Council is comprised of representatives of ARTA associated stations and also qualified reps of various 'company unions.' For example, stations WFAF, WABC, WOR and WHN in New York have all signed their assent.

It's an attempt to organize engineers and broadcast technicians in a common group. ARTA attitude is that during the hearings on the previous code affecting radio, technicians were left out entirely, with the National Association of Broadcasters, stations owners, running most of the show at the capital.

At meeting of ARTA last week, Mervyn Rathborne was elected president, succeeding Charles Haddock. New prez. is a west coastite brought east to further the organization now being conducted under Ralph Katan.

### KFWB Unveils

Hollywood, Feb. 16. Guest list restricted to the town's biggies sat in on the unveiling ceremonies at new flashy KFWB combination radio studio-theatre last night (Mon.). Two-hour program dedicated the spot, with Jack Warner, film exec, Al Jolson and Dick Powell holding rein on the cavalcade of talent from the broadcasting and picture studios. Gala show was produced by Bill Ray and his aides.

IF You LIVED IN

Philadelphia

You'd know  
all about the  
popularity  
and power of

**WCAU Philadelphia 50,000 WATTS**

ROBERT A. STREET • Commercial Manager

(Continued from page 38)

own. Old series was decidedly over par. New series sizes up as potentially good. Morgan's actual playing is so-so on rhythm appeal. Ditto Phil Dwyer's singing, and the support from rest of the troupe.

In Martin's 'Circumstantial Evidence' episodes, cases of conviction or non-conviction on superficial legal data are dramatized. With the court emphasis at its peak in radio, the idea seems to have merit. Dramatizations are good, and the cases are numbered to get that authentic tag. Participants also brought on as guests. First one had Johnny McGuire, accused of a robbery and a murder he never committed. Someone else happened to look like him. McGuire made a brief spiel saying that the facts were on the up-and-up. Also much to do over the evils of circumstantial evidence in court procedure.

Pacing of the old Philip Morris program was adept, and with the same type of elements in the new one, there should be no trouble now that the blow-off is over with Johnny Roventini. The Philip Morris page boy, opens and closes the stanza, and does a little m.c. work. Edga.

**COLUMBIA WORKSHOP**  
"The Signal Man" (Sketch)  
30 Mins.  
Sustaining  
Sat., 8:30 p.m. EST  
WABC, New York

Charles Dickens' sketch, "The Signal Man," as presented by the Columbia Workshop, lends itself happily and effectively to the experiments that are being made on the air by this group. Irving Reis, who is in charge of the show, each week varies the presentation as a means of emphasizing radio technique as applied to drama. Program, Reis' own, is highly entertaining for the followers of dramatic material through careful selection of what is offered but also it has singular importance in that it represents constant testing for the handling of radio material differently.

Reis picks the scripts and casts as well as directs them. He also supervises the very special type of adaptation made for the air which, with "Signal Man," is highlighted by variation of sound effects and dramatic application. Effort to inject crispness into the sketch, as done by the CBS Workshop, was also very successful in the presentation of this Dickens favorite. Sketch deals with a signal man who is being driven nuts by his job. The persons playing the signal man and the reporter, both men, acquitted themselves creditably in difficult roles. Chas.

Rosa Di Giulio, coloratura soprano of the Chicago Opera Co., signed as staff artist by WXYZ. Carl Gensel, formerly with KUJ, Walla Walla, also joined WXYZ's announcing staff.

**BILLY GLASON'S FUN FEST**  
With Carl Fenton's Orchestra, Jerry Barker, Dick Lorraine Barnett, Dick Porter.  
Music, Singing, Comedy  
30 Mins.  
Sustaining  
Sunday, 7 p.m.  
WMCA, New York

Billy Glason's first try with this 'fun fest' series in which he does an act and strives to tickle the risibilities is not lacking in promise. But he either needs stronger comedy material or better foils with which to work. It's a tough job making a half-way acceptable actor out of a station announcer and singers. Especially when timing and intonations are essential. As is, Glason's breezy style and informal sure-footed delivery is trimmed markedly in effectiveness.

Lorraine Barnett, Jerry Barker, Dick Porter and the announcer work with Glason in the duos and skits. Only in the opening scene, when Miss Barnett goes through a typical ether banter routine, does the versatile master of ceremonies obtain the requisite support. In a subsequent skit she was blab along with the others in reading lines. Baker, who possesses a clear singing voice, is indifferent at talk. Not his forte. Howard Doyle, announcer, isn't actor enough, either. "May I Have the Next Romance?" and "One Rose Left in My Heart" were the two tunes which enabled Jerry Barker to register a click with his vocalizing. Dick Porter combines ivory tickling with some warbling a la Felix Walker. He can play. Lorraine Barnett, who has one ballad by injecting into it one of those tongue-twisting talking intonations. Carl Fenton's music forms a trim background for the 30 minutes.

Glason's scrap book idea, wherein he reads an oldie or original poem each week and urges listeners to send in their old ones and ask for a copy of the latest, is a nice idea that should build. Wear.

**LESSES AN' HONEY**  
With LeRoy White and Lee Davis  
15 Mins.  
Sustaining  
Daily, 7 p.m.  
KBEH, Los Angeles

Not a bad burnt cork combo but burdened down with dated gags. Such pseudo laugh lines as 'catfish and cheaters' minstrel show and 'my stomach thinks my throat's cut' may get a rise in the backwoods, but out here on the pavement they'll die bornin'.

Situation comedy rather than straight characterization is their cry. Like most indie station acts out of this way there's no coin for scripts. Performers bat out their own material and evidently that's what's happening here. It doesn't register like a paid job.

Team has a stiff schedule, doing their regular script show five nights a week and repeating on Wednesday nights with a half hour minstrel show. Program goes out on the six Hearst stations in the state. Helm.

**BILLY GRANTHAM'S ORCHESTRA**  
30 Mins.  
Sustaining  
Daily, 7 p.m.  
WHKC, Columbus

Billy Grantham, co-composer of "Leven-Thirty Saturday Night," hit the air last week with a daily series of dinner broadcasts from the Cavalier Room of the Virginia Hotel, where he is in his second season.

Band is six-piece or at with girl vocalist, setting up as trumpet, violin, saxophone doubling clarinet and flute, bass viol, piano and guitar. Grantham handling the latter himself. Airings suffer from small instrumentation, which isn't so apparent to dancers on the floor.

Sweet swing is the style with frequent swing versions of old favorites like "Pagan Love Song" and "Tea for Two." Linda Lynn delivers vocals in pretty ordinary style and with not too much sell and an unnamed male singer takes the scat choruses. Leo.

**'LISTEN TO THIS'**  
With Lou Diamond's Orchestra  
Johnnie and Dottie, Rowena Williams  
Music and Talk  
30 Mins.  
MURINE  
Tuesday, 7:30 p.m.  
WGN, Chicago

(Vanderbille & Ruebens)

Half-hour show on Mutual's coast-to-coast net which gets the most out of good talent, and packs plenty of music that sparkles. Only let-down comes near the middle with the Burlington Liars' Club, which could give considerable revamping both in production and material. This spot awards wrist watches to the tellers of the three best lies of the week. Done in character, supposedly at a meeting of the Liars' Club, but build-up and effects sound phony. Of the three lies which won, one is in Joe Miller's and the other two weren't clever either. Evidently need a better class of liars in this country.

Team of Johnnie and Dottie combine with Lou Diamond's orchestra to get the most and best out of popular songs, all working together on some, the boy and girl each doing one solo, and the orchestra doing several numbers alone. Boy and girl introduce the numbers with dialog, and don't overdo, as most teams are wont to do. Everything in the way of music on the show clicks because the performers seem to enjoy doing it, and consequently carry their audience right into their mood. Special arrangements on all numbers, and good ones.

Rowena Williams, who, from the build-up, is to be considered a guest star, let's go a nice soprano with "Got You Under My Skin."

Show is built right. Starts with a bright theme, and climbs right from there to the half-hour mark. Comment is held at a minimum, with only a bare mention at the beginning, a character plug in the middle, and a holler at the end by Ken Griffin, the announcer. All plugs were short and to the point.

**VOCAL VARIETIES**  
Ensemble Singing  
15 Mins.  
TUES.  
Tues., Thurs., 7:15 p.m.  
WEAF, N. Y.

This blending of 14 voices furnishes 15 minutes of almost straight-away variety. It will touch the fancy of listeners who are weary of orchestras and guest appearances and like their music strictly vocal. Only trouble that follows too closely the pattern employed by vocal groups with better known orchestras on other programs, excepting that it doesn't boast the contrasting effect of these other ensembles. Even with this apparent weakness, a little quickening of pace and better judgment in picking tunes will make it measure up on other early evening quickies on the networks.

With instrumental accompaniment of piano, organ, string bass and guitar heavily subordinated, the mixed vocal combos including the Smoothies (trio), the Dore Sisters (2) and a male octet get under way with a nice arrangement of "Anchors Aweigh." But proceedings bog down as "Pennies From Heaven" is heavily accented and dragged to the point of exasperation. Snaps back slightly with "De Lovely" and breezes to a trim climax with "San Francisco."

There seems to be little question but that the framers of broadcast have the ingredients for much better results. Babs and others who have been with name bands strive valiantly against unworried DeVore femmes are too good to be dwarfed or not specifically singled out as done here.

Program originates in WLW, Cincinnati, where it formerly was heard only locally. It is one of the numerous days which this community has been experiencing and the natural reaction on studio affairs may have been partially responsible for the loose manner in which this seems to have been put together.

Commercial blather is on three times, not counting the final credit only locally. Lewis-Howe Medicine Co. is extolling merits of its "Tums" for stomach acidity, so may be they think all listeners will rush to a drug store after the evening meal. Wear.

**CHARLIE DAMERON**  
With Tom Slater, Mary Alcott  
Sustaining  
15 Mins.  
Daily, 1:30 p.m.  
WLW, Cincinnati

A smart luncheon capper. Charlie Dameron, for long a stand-by handy man of the nation's station, is the cog. Working with him regularly on the series is Tom Alcott, a former member of the League in cross-fire niceties. Piano and guitar are the main instrumental support. Acts from the big Crosey staff take turns in guesting.

Mary Alcott, not on blues, was the visitor on the stanza caught. A recent returner to the 500,000 watter, she filled a solo spot and doubled with Dameron, later baritone, on a pair of tunes. Team is sweet on patter and harmonizing.

An all-around songster, Dameron's dash of Dixie dialect enriches his delivery of sentimental poems, which he injects occasionally on this strip. General air of intimacy gives impression that it's an impromptu stanza, quite refreshing for afternoon radioing. Koil.

**BURGESS MEREDITH**  
With Phyllis Welch, Harold Moffett, Thomas Ross  
"High Top"  
12 Mins.  
ROYAL GELATINE  
Thursday, 8 P. M.  
WEAF, New York  
(J. Walter Thompson)

Classy end of the Vallee show on program caught (11). Adaptation accorded this Maxwell Anderson legit piece was a pip, and as rendered turned out A-1.

Credit for the way things functioned is largely due to Burgess Meredith, leaving aside the matter of excellent adapting and boiling down the play to thumbnail size. Meredith's speech was beautifully timed for the ether, ably by nice support from Phyllis Welch, Harold Moffett and Thomas Ross. Segment chosen characterized Van Dorn's (Meredith's) belief that his mountaintop property on the Hudson was guarded by supernatural powers. "Unique, and as effective."

Maxwell Anderson, author, got a plenty long hug when the thing was finished, and the audience harangued about going to see his three plays "High Top," "Wings," "Victory," "Masque of Ki." Edga.

Lambdin Kay, WSB's mgr., will be master of ceremonies at a program sponsored by his station for the Atlanta Advertising Club at its weekly luncheon Wednesday (17). George C. Biggers, business mgr. of The Atlanta Journal, which owns station, will discuss radio in its relation to advertising.

**GLADYS SWARTHOUT**  
With Frank Chapman, Robert Armstrong, Orchestra  
Musical  
30 Mins.  
NATIONAL ICE ADVERTISING  
Wednesday, 10:30 a.m.  
WEAF, New York  
(Donahue & Coe)

Sponsor is the same bunch that last year lined up a flock of dealers, distributors, ice companies, etc., and set out to build the mechanical refrigerator with a revamped version of the ice box. Show at that time was "Parties at Pickfair," with Mary Pickford as guests. This was not without plenty of toil, trouble and headaches. But the idea was said to be good for the morale of the natural ice fraternity, so the same sponsor set an agency on the web with a different stanza.

Fewer headaches seem to be in store this year. With Gladys Swarthout as chief performer, the program hits a standard musical formula in which the chief element is the quality of the singing. Not unlike Grace Moore's series for Vick's in some respects, but more pappy.

Opening stanza was a bit dimmed, in that Miss Swarthout was on the verge of illness, but did a trouper's job, anyhow. Some allowances have to be made for that, especially in the slightly dulled edge of her voice. Selections chosen, and their order, okay. Miss Swarthout's speaking lines ditto.

Frank Chapman (husband of Miss Swarthout) in for some solos and duets, is a good partner. Hasn't got the radio punch that Miss Swarthout can deliver, but does good pacing work. An orchestra is mainly for background, and its.

Novel twist to the commercial come-on is that Miss Swarthout asks the armchair crowd to haul old sheet music out of the attic and send same to her. She'll autograph it, and, if possible, sing it.

Sales spiel tries to sell the listeners an "air conditioned" ice refrigerator. More sock than last year. Frankly grabbing the bull by the horns, the commercials plow into mechanical refrigeration as a mere second step in keeping the milk and victuals cool. Step three, says the script, is the aforementioned natural ice gadget. Last year all this palaver was too nondescript and mild.

Current release of Miss Swarthout's "Champagne Waltz" is a natural for starting off the radio stanza. Series hasn't got much to go wrong with it. It's that standard. Slightly askew note, however, was Armand's introduction of Miss Swarthout, in which he went into a spiel on her willow appearance and her gray chiffon dress. Somebody, of course, handed the orchestra leader that spiel, but it ought to be cut out hereafter. Or get a gal to read it. Edga.

**RESULTS!  
COUNT MOST**

Let us acquaint you  
with our work

**RADIO STATION REPRESENTATIVES**  
NEW YORK  
CHICAGO  
**WEED & COMPANY**

**Sulphur and Molasses**  
have  
**NEWS AND SPORTS**

Spring tonics dished up by Doc KXBY in form of News and Sports put zip and pep in spring and summer months. KXBY, 15 U. P. newscasts daily. Wire for available spots.

The Sports Station  
**KXBY**  
Kansas City, Mo.

**WSOC**  
CHARLOTTE, N. C.

Located in the heart of the Carolinas and covering one of the richest, most responsive, and—short—one of the best markets in the world.

An NBC Affiliate

**THE ONLY Radio Station IN KALAMAZOO**

**WHAT IS THE M-R-N?**

Group of Eight Stations Operating Simultaneously from Morning to Midnight Si-off.

WBGM  
Dominates BAY CITY and SAGINAW Markets.  
WFDF  
First Choice in the ig FLINT Market area.  
WJIM  
Supreme in LANSI  
WIBM  
Domi JACKSON area.  
WELL  
1st i BATTLE CREEK  
WKZO  
Southwest Michigan  
WOOD-WASH  
Leads in GRAND RAPIDS.  
WXYZ  
Detroit (Key Station).

**-WKZO-**

The only station in Kalamazoo, the city where retail sales, per person average higher than any city in Michigan. WKZO's primary coverage reaches into all and parts of 16 counti

ONE OF THE EIGHT BASIC STATIONS OF THE  
**MICHIGAN RADIO NETWORK**  
EFFECTIVELY COVERS A TERRITORY OF OVER  
FOUR MILLION POPULATION  
OPERATED  
**KING-TRENDEL BROADCASTING CORPORATION**  
DETROIT, MICHIGAN

# Lester Cox Is Lining Up New Missouri Web

Kansas City, Feb. 16. Lester E. Cox is trying to set up a regional station which would include all his stations and be known as the Missouri Triangle. Nucleus of the network would be the four-station Cox controls, namely, KCMO, Kansas City, KGBX and KWTG, Springfield, and WTMV, St. Louis, and it is Cox's idea to offer membership in the regional to stations in eastern Kansas, and northern Arkansas and Oklahoma. Also to bring in KFRU, Columbi Mo., local outlet for the St. Louis Star-Times, and the new KWOS, owned by the Jefferson City Post-Tribune.

Cox has a problem in Springfield which he would like to solve before swinging the network project. KWTG operates at 5,000 watts, but KGBX, a 500-watt, makes a tough competitor for national spot business, principally because of its NBC alliance. Cox thinks that one way out of this dilemma is to shift one of the sister stations elsewhere, with the solution expected to play an important part in the development of the network idea.

One other outlet that Cox is considering for the proposed web is KOAM, Pittsburg, Kans., which doesn't take to the air until late in March. Only indie hookup now in operation in this immediate sector is WIBW, Topeka, and KCKN, Kansas City, Kan., both Capper Publications-owned.

## Lowman Due West

Lawrence Lowman, v. p. in charge of network operations, will join the parade of CBS executives to and from the Coast in a couple weeks.

Lowman will spend several weeks looking over the situation in Los Angeles and San Francisco.



Mary had a little lamb  
His fleece was white as snow.  
She wished to adverti the  
lamb.  
Upon the radi

She bo't some ti plug the  
lamb  
On stations near and far  
But sad to state she di ink  
Of WSYR.

Now that's where Mary lai an

Her lamb she couldn't sell.  
So Mary bag well-known  
And the snow white lamb as well.

P.S.—Don't pull the wool over  
your eyes. You can't cover the  
upstate New York State Market  
thoroughly without WSYR,  
Syracuse.

P.P.S.—ince  
WSYR's four-  
crease.



## No Infringement Seen in Radio Scripts on WHAS

Louisville, Feb. 16. Copyright of Mrs. Cordia Greer Petrie's 'Angeline' stories was not infringed upon by a script of Mrs. Katherine Horner Eastin and Melissy' scripts, it was ruled by Special Judge W. T. Beckham in Federal Court here Saturday (13).

Opinion stated 'Many expressions used by both the plaintiff and defendant are in common the mountains Kentucky, and many expressions used by them are in common use in all parts of the State.' 'Situations and locale' both scripts were very similar, but Judge Beckham wrote 'Using the same expressions or group of words is not sufficient to constitute infringement. There must be something more than that. A literal, slavish, copying appears to be necessary (from previous court cases cited) cases of this kind before an infringement can be maintained. Similar ideas and expressions are not sufficient.'

Squabble started when Mrs. Petrie took exception to sketches being aired by Mrs. Eastin WHAS. Alleged that because of protest her programs were cancelled, and she asked for a declaration of rights. Mrs. Petrie filed counter petition against Mrs. Eastin and WHAS, asking an injunction.

## INVENTOR ENTITLED TO JURY PRIVILEGE

Federal Judge Knox Saturday (13) denied the request of RCA and its affiliates and E. T. Cunningham Tubes, Inc., to dismiss the \$25,000 breach of contract suit brought by Abraham J. Engelman, inventor. Court decided the facts warrant a jury trial.

Engelman claims he invented transmission and receipt improvements, voice, photos and radio telegraphy. Defendants controlled the patent rights but the plaintiff alleges he entered an agreement with RCA under which each was to utilize on the new methods. He was to receive two and one-half percent of all sales. Engelman claims that since the agreement was entered into RCA and Cunningham have made upwards of \$10,000,000 in sales involving his inventions.

## Network Chart

### NBC NEW PROGRAMS

Procter & Gamble (Ivory Soap): 'The Story of Mary Marli', dramatic serial with organ music, Mondays through Fridays, 12:15 to 12:30 p.m., beginning March 29; for 13 weeks. Basic Red (except WSAI, WIRE), WLW, Red Mountain and Red Coast.

### NBC RENEWALS

Tastyest: 'The Original (Tast-yeast) Jesters', beginning March 2; for 39 weeks. Basic Blue (except WICC, WEAN, WTCN), WSAI, WABY.

General Motors: 'General Motors Concerts', beginning March 14; for 13 weeks. Basic Red, WCKY, WOOD, WCOL, Canadian, SE, WSOC, WWNC, SC, WDX, SW, KTB, NC, NW, WJIM, WCEM, WFDE, Red Mountain, Red Coast, North Mountain, KTAR.

Humphrey's Homeopathic Medicine: 'Sweethearts of the Air', beginning March 2; on a week-to-week basis, with cancellation privilege on 30 days' notice. WJZ, WBZ-A, WFIL, WBAL, WSYR, WHAM (WEER on Sunday only).

NOTE—New programs or renewals for more than 13 weeks are generally cancellable in cycles of 13 weeks on 30 days' notice.

### Fast Fix for Eddy Show

Chicago, Feb. 16. Complete revision of the Nelson Eddy show on Columbia had to be made between noon and seven o'clock Sunday (14), when it was found the star could not appear due to a minor operation which had been made on his nose several days previous.

Nadine Conner, protegee of Eddy's, who normally sings one solo, and works on duet, stepped in to handle the show, and Kathryn Meisle, Metropolitan opera contralto, who happened to be passing through town, was thrown in to guest.

Earnshaw Loves East  
Earnshaw Radio Productions, disc serial producing outfit located in Hollywood, has opened a New York office.

Charles Michelson in charge as the firm's eastern rep.

## Showmanship Hits Col.

Columbus, Feb.

Novel stunt to get sales staff hepped up to sell a new mystery program was tried here last week by WBNS. Salesmen attended audition of mystery play, presented in studio which was dark except for a circle of light at each of two mikes. Special organ score composed by Lowell Riley set the scene and when the play reached the climax, studio went completely dark and baby spot was turned on Tom DeVore.

He was made up risen from the grave.

# Cowles to Tie In Other Iowa Outlets In Move to Meet WHO, DesM., Power

Des Moines

Battle is readying for the state of Iowa, as the Cowles' Des Moines Register and Tribune group's Iowa network plan an increased hook-up to buck the WHO. Craig Lawrence, of the Iowa web (KRNT-KSO-WMT), is reported to have made a careful survey of the radio coverage of the state, and has spoken to practically every station owner, with the idea of addi two, three

or four more transmitters for created other spraying of the state. Particularly it is understood that the Iowa network figuring on knitting KMA, Shenandoah, and the new KGLO, Mason City, into its hook-up. KMA is especially sought after, it is understood, because of its booming popularity the south-western portion of the state. Earl May, who owns the station, has per-

(Continued on page 43)

# Thank you VARIETY!

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"WHN is deemed worthy of an old unclouded title to first place on a basis of the sweeping transforma- tion in enterprise and policies."

"In 1936 certain trends became sharply marked. Something ap- proximating a revolution had time so to materialize at Station WHN. This was already under way by the printed late in 1935, but had not been in effect long enough to be re- flected in the ratings at that time. That were retroactive through a year and largely under the previous regime. Now WHN which was last year in place of showmanship on a basis of the distance covered and the program made during 1936.

"G. Katz, for example, is now selli WHN in Chicago, Kansas, City, and its

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WHN advertisers are showing results and increased sales in the complete metropolitan area, because of . .

## METRO-GOLDWYN-MAYER

The vast talent resources of this star-studded studio are at the disposal of WHN clients.

## LOEW'S THEATRES

The showmanship experience of this great chain of theatres is another "plus" at the command of WHN clients.

# WHN

1540 BROADWAY  
NEW YORK CITY

Station of the Stars

## Forgive 'Outlaw' Station; Taken Into CBC Fold

Sask., Feb.

Treated for years as an outlaw, the Moose Jaw community-owned CHAB has received the blessing of the Canadian Broadcasting Commission and been granted the right to use all the latter's programs. Murray Gladstone, CBC head, yielded to the 100-watt following a recent trip to the western part of the Dominion.

Station had been ordered off the air not so long ago. It appealed to its fan-letter writers and the support it got encouraged the station to defy the CBC's edict. Outlet also paid scant attention to the commission's demand that it curtail the use of phonograph records and improve its equipment. Government apparently decided that the only way out of the dilemma was to bring the station into the fold.

## Sues Haven MacQuarrie

Hollywood, Feb.

Suit for half of salary earned by Haven MacQuarrie on current contract with Channel 5 and Sanborn for broadcasting 'Do you want to be actor' was filed yesterday (15) by George Lyon. Alleges he has partnership agreement with MacQuarrie.

Deal is down the middle split, according to Lyon, who said he engineered sponsorship.

## F.C.C.'S WASHINGTON DOCKET

### Decisions

Washington, Feb. 16.

**California:** Metro broadcasting Co., Los Angeles, denied new station to be operated on 620 kc with 250 watts. Commission sustaining Examiner P. W. Seward.

**Michigan:** Saginaw Broadcasting Co., Saginaw, granted new station to be operated on 1220 with 500 watts, Commish upholding Examiner George H. Hill.

**Georgia:** W. T. Knight, Jr., Savannah, denied new station to be operated on 1310 kc with 100 watts, sustaining Examiner M. H. Dalberg; Jack E. Brantley, Mrs. Jack E. Brantley and Jack E. Brantley, Jr., Savannah, denied new station to be operated on 1310 kc with 100 watts, Examiner Dalberg sustained.

**Michigan:** Saginaw Broadcasting Co., Saginaw, denied new station to be operated on 1200 kc with 100 watts nights, 250 watts days, specified hours, Commish reversing Examiner Dalberg; Harold F. Gross and Edmund C. Shields, Saginaw, granted new station to be operated on 950 kc with 500 watt daytimes only, Examiner Dalberg reversed.

**Minnesota:** Wise Broadcasting Co., Paul, application for new station to be operated on 630 kc with 250 watts (facilities of KGDE, Fergus Falls), dismissed at request of applicant.

**New Mexico:** KICA, Clovis, granted change in hours of operation from specified to unlimited days, specified nights, on 1370 kc with 100 watts.

**New York:** Niagara Falls Gazette Publishing Co., Niagara Falls, denied new station to be operated on 630 kc with 250 watts, days, Examiner Dalberg sustained. Power City Broadcasting Corp., Niagara Falls, denied new station to be operated days on 630 with 250 watts, Examiner Dalberg reversed.

**Oregon:** KSLM, Salem, application for frequency change from 1370 to 1240 kc, and power boost from 100 to 250 watts, dismissed at request of applicants.

**South Dakota:** Aberdeen News Co., Aberdeen, application for new station to be operated on 1390 kc with 1 kw unlimited, dismissed at request of applicant.

**Washington:** Vancouver Broadcasting Co., Vancouver, new station application for 1500 kc with 100 watts days, denied as in cases of default for failure to file an appearance and statement of facts in accordance with Commish rules.

### Set for Hearing

**Alabama:** James R. Doss, Mobile, new station to be operated on 1500 kc with 100 watts days only.

**California:** KJBS, Julius Brunton & Sons, San Francisco, change frequency from 1070 to 1080 kc; KYOS, Merced Star Publishing Co., Inc., Merced, change frequency from 1040 to 1260 kc.

**Florida:** WIOD-WMBE, Isle of Creams broadcasting Co., Miami, change frequency from 1300 kc to 610 kc.

**Idaho:** KIDO, Boise Broadcast Station, Boise, power jump from 1 kw nights, 2 1/2 kw days, to 5 kw all times, and changes in equipment.

**Illinois:** Abraham Plotkin, Chicago, new station to be operated on 1570 kc with 1 kw.

**Missouri:** WMBH, Joplin Broadcasting Co., Joplin, change frequency from 1420 to 1380 kc, increase power from 100 watts nights, 250 watts days, to 500 watts; KFEQ, KFEQ, Inc., St. Joseph, increase hours of operation from daytime only to unlimited (present authority 680 kc, 2 1/2 kw days).

**New Mexico:** Earle Yates, Las Cruces, new station to be operated on 930 kc with 500 watts days only.

**Oklahoma:** WKY, Oklahoma City, boost night power from 1 to 5 kw. KGFF, Shawnee, change frequency from 1420 to 1430 kc and jump night power from 100 to 250 watts.

**Virginia:** Staunton Broadcasting Co., Inc., Staunton, new daytime station to be operated on 1500 kc with 250 watts.

**Washington:** KHQ, Spokane, jump night juice from 1 to 5 kw.

### New Petitions

**Arkansas:** KGHI, Little Rock, change power from 100 watts nights, 250 days, to 250 watts, night and day.

**Indiana:** Gerald A. Travis, La Porte, new station to

be operated on 1500 kc with 100 watts nights, 250 watts days.

**Nebraska:** L. L. Coryell & Son, Lincoln, new station to be operated on 1450 kc with 250 watts nights, 500 watts days.

**New York:** WHDL, Olean Broadcasting Co., Inc., Olean, change name to WHDL, Inc.; WMCA, boost auxiliary transmitter power from 500 watts to 1 kw.

**Ohio:** WHK, Cleveland, night power boost from 1 to 5 kw.

**Oregon:** KSLM, Salem, change frequency from 1370 to 1110 kc and boost power from 100 to 500 watts.

**Virginia:** Petersburg Newspaper Corp., Petersburg, new station to be operated on 1210 kc with 100 watts nights, 250 watts days, hours of operation from daytime to specified hours (requesting facilities WMBG, Richmond).

**West Virginia:** West Virginia Newspaper Publishing Co., Clarksburg, new station to be operated on 1250 kc with 100 watts days only.

### Examiners' Reports

Okays for two new transmitters at Owensboro, Ky., and Lawrence, Mass., were proposed last week by Federal Communications Commission examiners, but new station applicants from Fresno, Cal., and rockton, Mass., were left out in the rain.

Small for the Owensboro Broadcasting Co. was smiled on by Examiner R. H. Hyde, who found a need for additional service in the area. Nearest broadcast station to the Kentucky town is located in Evansville, Ind., Hyde pointed out, and does not provide primary

Organization—which is formed of a group of businessmen controlling the town's two newspapers, the Owensboro Messenger and Owensboro Inquirer—proposes to use community talent and its programs of particular value to the locality.

Operation of the station on 1500 kc, unlimited hours, would not cause interference to other transmitters assigned to the same frequency or adjacent frequencies, examiner said.

In recommending granting of the plea, Hyde specified that applicants present blueprints concerning transmitter location and antenna to the Commish.

Tug-of-war between Hildreth & Rogers Co., a publishing firm located in Lawrence, Mass., and the Old Colony Broadcasting Corporation of Brockton, Mass., for a new transmitter on 680 kc, was temporarily decided in favor of the Lawrence group.

With both applicants described as 'quali' in all respects to construct and operate a broadcast station, task of choosing between them was a hard one. Examiner Ralph L. Walker based his decision on the respective needs of the communities concerned, declaring that the 'City of Lawrence is without consistently satisfactory daytime service from existing stations, whereas several stations afford a signal of sufficient strength to render satisfactory service to residential sections of Brockton.'

Publishing concern, which prints two rags in the city of Lawrence, asked 1 kw, days only, on the 680 kc ribbon. Broadcasting Corp. wanted the same assignment with 250 watts.

Adequate service by an existing transmitter in the same locality, was cited by Examiner Hyde as a reason for the Commish to turn down the application of George Harm for a smallie at Fresno, Cal.

Harm, wealthy truck line operator and auto dealer, was told that his plea for a 100-watt on 1310 kc was in order, except that 'no facts were presented to indicate that station KMJ, Fresno, has not or cannot adequately supply the needs of the area proposed to be served.' In his recommendation for denial of the application, Hyde quoted from a similar finding concerning the application of Julius Brunton & Sons Co., which was tossed out by the Commish in December for the same reason. KMJ, Columbia Broadcasting System associate, operates on 580 kc with 500 watts nights, 1 kw days.

### \$5 Price on Promotional Brochure Keeps Rivals From Deriving Benefit

A promotion piece has been issued by the E. Katz Specialty Agency, and newspaper reps, with a price of five bucks on its head to those not on Katz's mailing list. Spirally-bound booklet is entitled '983 Cities and Counties' on the U. S. Census of Retail Sales in 1935, and sizing up as one of the hottest and most costly promotional shots ever issued by a rep house. Katz has no blurb in it save the firm name.

Census of Retail Sales for 1935 was not finished by the government until middle of December, 1936, at which time Katz sent a flock of stenos, etc. to Washington to comb the government documents into new combinations. Neither the government, nor any other commercial firm, has complete tabulations of this type, which makes the Katz brochure leader in this field.

Booklet gives the following: population, 1930; total retail sales; food store sales; automotive group sales (including second hand cars, filling station sales, etc.); drug store sales; plus percentages of these categories

figured into state and national totals. Material is given for cities, counties, states and the entire U. S. Object of these combinations is to enable stations and papers with coverage over several counties, broken areas, to compute the economic calibre of their territory. Radio homes are listed.

Shot goes to agencies, account execs, sponsors and various other types of prospects. Price of five bucks is principally to keep competitors from getting 'em free.

Kenneth Roberts to produce and write 'The Fourth Clue,' new whodunit series of KSL, San Francisco, University of California. Players in cast of show bankrolled by Granat Bros., jewelers.

## Claims Newscast Ridiculed Him; \$50,000 Damage?

Knickerbocker Co., which operates WMCA, is named defendant in N. Y. Supreme Court in an action brought by T. ex-U. Navy ensign, and writer, for libel. He asks \$50,000 damages.

Hoys claims that his reputation was injured Aug. 18, 1935, when he was depicted in a sketch of the program 'Five Star Final,' sponsored at the time by a coke company (Koppers). He alleges that a character 'depicted a certain event in my life in violation of the Civil Practice Law' and was done for the purposes of advertising and without his consent. He asserts that the sketch presented him in 'a foolish and undignified manner and tended to hold me up to ri cule and contempt among my business and social acquaintances.' Besides damages he asks that all writ and script be turned over to him.

### Ken Ellington Leaves WFMB

Indianapolis, Feb.

Ken Ellington, of WFMB here, leaves next Saturday after his evening newscast, and will begin a new assignment at WFMB, Chicago CBS key station, on following Monday (22).

WFMB will set Frederick G. Winter, local lad, who has been with Federal Players here, in the newscasting spot. Winter, with no previous radio experience, has been with Ellington week giving everything the o.

**phil baker**

THE GREAT AMERICAN EDITOR  
GULF REFINING COMPANY  
SUNDAYS 10-5 P.M. EST  
WABC CBS

**MYRT AND MARGE**

Colgate-Palmolive-Peet  
2:45 P.M.—Mon., Tues., Wed.  
Thurs., Fri.  
WABC - CBS

"The Musical Toast of the Southland"  
—WICK KERRY  
N.Y. Daily Mirror  
**FRANCIS CRAIG**  
AND HIS ORCHESTRA  
NBC RED NETWORK WSM  
Mondays, 11:30 p.m., CST

**'THE O'NEILLS'**

By JANE WEST

NOW RADIO'S MOST POPULAR FAMILY BRINGS YOU MORE LAUGHTER TEARS AND HEART-THROBS

Presented by Ivory Soap - 99% pure

LISTEN TWICE DAILY

NBC Blue Network, Mon. 11 a.m. EST  
IN NBC Red Network, Mon. to 4:45 p.m. EST

COAST TO COAST

DR. BLACKMAN ADVERTISING, INC.  
MGT., ED WOLF—RKO BLDG., NEW YORK CITY

MUNCHHAUSEN  
**JACK PEARL**  
RALEIGH and KOOL CIGARETTES  
WJZ-9:30 P.M. EST—Mondays  
NBC Network  
\* S. LYONS,

**Fred Allen**  
AND  
**Portland Hoffa**  
in "Town Hall Tonight"  
SAL HEPATICA-IPANA  
WEAF—Wednesdays 9-10 P.M. EST  
WALTER BATCHELOR

**LEON LEONARDI**  
And His Warner Bros. KFWB Orchestra  
CHASE and SANBORN Coffee our

**JOHN McLAUGHLIN**  
NOW ASSOCIATED WITH  
**PHIL PONCE**  
ARTISTS REPRESENTATIVES  
17 East 49th St., New York PL. 3-8884

## Inside Stuff—Radio

Eddie Peabody, in becoming at once a station exec and entertainer on KFWB, Hollywood, finally gets on the payroll of Warner Bros., after just missing 10 years ago due to coincidence.

Decade ago the late Sam Warner propositioned Peabody when sound was first hit market. Deal was set, but before could be squiggled, Warner died. Banjoist then continued his way.

Back on Coast exactly 10 years after first WB propositioned by Harry Maizlish, g.m. of KFWB.

Although there was some criticism levelled at last week's Red Cross show in New York by radio men, P. K. Wrigley, who contributed \$25,000 toward its sponsorship, expressed himself as satisfied with the results. He did everyone concerned did a bangup job considering that it was all done without the benefit of rehearsal. Airmen thought the production was shot through with too many waits and bad spotting of talent.

In addition to WPAR, Parkersburg, and WCHS, Charleston, of the John A. Kennedy chain, Columbia has affiliated with it in West Virginia the two George Storer outlets, WYVA, Wheeling, and WYVA, Parkersburg, and Clarksburg. Wording of previous story tended to give impression that WPAR and WCHS were alone in State.

Symbolic of changed times, Carnegie Hall, New York, is out in the open market soliciting broadcasts to be aired in its auditorium before visual audiences. Wants chain sponsored programs especially, and to abet the drive being made for 'em, the Hall has installed modern lighting layout, new fly-loft, and a p.a. system.

NBC's press release of Feb. 15 on new program, 'King of the Hill', with Bobby Breen, demonstrates extremes in 'no mention of rival network' rule. Brief resume of Breen's career lists him as appearing on the Ben Bernie and Jack Benny programs for NBC. His build-up by and for Eddie Cantor on CBS is conspicuously unmentioned.

## 'ACTOR' OPTION UP THIS WEEK

Standard contracts had not up to yesterday (Tuesday) decided whether it will continue the 'Do You Want to Be an Actor?' series in Chase & Sanborn's Sunday night spot on NBC after the expiration of the current 13-week cycle. Under the terms of the contract with KFWB, Los Angeles, owner of the show, notice either way is due by Friday (20).

K. Spencer, of J. Walter Thompson's radio department, has been in Hollywood the past week wrestling with a dual task. It's up to him and Danny Danker, in charge of the agency's west coast branch, to see what they can do with 'Actor' in the way of increasing its air audience or finding a substitute program.

Among the sub ideas being considered is a variety show.

### Patterson Leaves WCAE

WCAE publicity director for last two years, Pat Patterson is quitting post this week-end to join news staff of Washington Herald. He takes up his new job Monday (22).

Succeeding him here is Jimmy Murray, one-time sports writer on Post but for the last few years in radio as globe-trotter on WCAE for Hearst's Sun-Telegraph.

### PHILADELPHIA

1. WCAU
2. WIP



## WIP AGAIN COMES THROUGH!

"One-two sequence is same as last year but recognition should be made of WIP's consistently snappy, independent job... station is resourceful and thinks 'em up and carries 'em out profitably... has substantial sustaining budget and goes after remotes, novelties, community attention-getters. Has barn-dance, community sing, reciprocal publicity deals with dailies vox-pop and an array of tie-ups."

"From 'Variety' Showmanship Survey—February 10, 1937.

## A Radio Nightmare

Terror of the sidewalk interview impresarios struck last week when WMCA, New York, ran about an outspoken critic. Before Bill Stern could halt him one peevish citizen got on the air in a comment about the N.Y. State License Bureau.

Commissioner Charles A. Harnett was incensed at the crack which concerned passing drivers' tests. While accepting station's apology in the matter Commissioner asked its help in trying to apprehend the citizen who had made the flip remark. 'Prove it,' he said.

## NEGRO AMATEURS DRAW SPONSOR AFTER 2 YEARS

'Amateur Night in Harlem,' weekly show broadcast from Apollo Negro theatre, over WMCA, N.Y., and fed out to stations linked in the Inter-City system, goes under commercial sponsorship starting tonight (17). Program has been sustaining for more than two years, having debuted shortly after the amateur craze swept the country.

Golden Peacock Cosmetics is the sponsor. Ruthrauff & Ryan set accept. Beside New York origination, commercial will also be pumped out to WIP, Philly, WCBM, Baltimore, and WOL, Washington, sister stations in the Inter-City chain.

### WBBM RATE BOOST

Chicago, Feb. 16.—WBBM, local Columbia outlet, will boost rates to high mark for city at \$750 an hour as against previous \$610 per hour. Entire increase on the card will average 25%. Rates effective March 1.

## Drastic Radio Station Tax Alarms Ohio Broadcasters; Move to Head Off Passage

Columbus, Feb. 16.—Alarmed Ohio broadcasters are turning the pressure on the 13 Legislature to defeat a tax bill introduced by Rep. Joseph R. Duffy of Cleveland, which, station owners say, would soon tax most of the stations in the state out of existence. Bill, which has had a second reading, would require broadcasting companies to organize under the laws of the state and pay a monthly franchise tax of 10% of their gross sales. Revenues would be used for flood relief purposes for the first year, and after Feb. 1, 1938, be diverted to the old age pension fund.

Stations would be compelled to file in writing before the 10th of each month a report including a statement of their total number of hours of commercial broadcasting. Penalties for failure to file reports and pay the tax would be 15% of the tax due after five days, and cancellation of the franchise if, plus penalty, is not paid in 60 days after it is due.

### WFL's New Studios

Philadelphia.—WFL's new studios were asked from contractors this week for construction of new WFL studios here. Remodeling floor will begin March 10. Plans were drawn by Horace Trumbauer. Studio has been located in Strawbridge and Clothier department store since a merger two years ago. There will be four studios in new spot, one with own control room and three working from central.

Bill also carries a fine of from \$10 to \$1,000 for each day of without a franchise.

'Ideas' Worries 'Em'—Radio men here feel certain that the bill will be killed in committee. Governor Martin L. Davey in any event is expected to veto the bill if it should be passed by the legislature. Nevertheless, there is a fear that the Wuffy bill is just the forerunner of a flock of similar proposals aimed at broadcasting. So broadcasters are making a strong effort to get a hearing before the tax committee of the legislature to explain their operations and head off discriminatory legislation.

## CBS LEGAL DEPT. OKAYS M'MURTRIE PROGRAM

—sales dept. is working with a sponsor for a program called 'Warning Signals,' written by Burt McMurtrie and Pauline Garrick. expects to close in next couple of days. McMurtrie got okay from National Better Business Bureau to use its name, files and slogan. There are 55 B.B.B.'s in U.S.A. and another 80-odd Chambers of Commerce that tie in. Huge losses annually due to swindlers, etc.

Matter has been on fire some time, but CBS legal dept. only gave the go ahead signal last week after scrutinizing the proposed program from all angles.

## Asks to Quiz Goldstein Before Commish Trial

Superior Radio Artists, with Milton Gross, the cartoonist, and Charles Sherman, writer, were sued in N.Y. Supreme Court yesterday (Tuesday) by Norman Miller, agent, for \$7,000 he claims as commission. Miller will ask Judge Levy today (Wednesday) to be allowed to examine Robert Goldstein, president of Superior, before trial of the action.

Plaintiff claims that as personal rep for Sherman he persuaded Superior to dispose of Sherman's and Gross' script, 'But It's My Town.' He avers he was to receive 50% of Superior's net profits and 10% of the amount Gross and Sherman received. Claims he never received a cent for his work. Defendants put in general denial of allegations.

### Cowles Tie-Ins

(Continued from page 41)

manent lines into Des Moines, and the Iowa network, at present for a twice-weekly paid-for broadcast in the interests of the Earl May Seed Co. Iowa web has fed KMA a couple of programs, also, but it has been on a more or less if and when basis.

### Sold As a Unit

Plan, it is reported, is for a completely knitted hookup with KMA, making it an integral part of the network, and sold with the rest of the station on the Iowa web as a unit. In addition, KMA has a number of programs at present which are sought after by the Iowa web for state-wide broadcast.

Up in Mason City, which is up in the northern central edge of the state, Station KGLO, owned and operated by the Globe-Gazette, is a new transmitter. Both the Iowa web and the station are interested in getting together as quickly as possible, it is reported, the Iowa web in order to obtain additional wattage up along its boundaries of the state, and get more call letters on the web, with KGLO figuring on the Iowa web for a quick build-up on account of the network's established rep throughout the states, and its recognized programs.

### Borden's S. F. News Deal

San Francisco, Feb. 16.—Three news broadcasts daily for 13 weeks, involving a cost of more than \$10,000, will be inaugurated over KFRC here by the Borden Milk next Monday (22). Deal is biggest of its kind handled by a local station in a long time. Contract, signed through McCann-Erickson, calls for three ten-minute spots daily, at 8:30 a.m., 12 noon and 4:45 p.m., PST. News casts may be extended to the Don Lee network after the first 13 weeks.

John B. Hughes of the KFRC staff will do the broadcasts. Assisting him in writing the material, which will be gathered from I.N.S. and Universal, will be Al Hunter and Hal Bratsberg, KFRC announcer-producer. Hughes will continue his Don Lee sustainer, Legislative Keyhole

# Thanks, NBC!

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

## WESTERN UNION

RECEIVED AT MEMPHIS, TENN.

H 1019A

H W SLAVICE

RADIO STATION WMC MFS

WE OF THE NATIONAL BROADCASTING COMPANY TAKE OFF OUR HATS TO YOUR STAFF FOR THEIR WONDERFUL WORK DURING THE FLOOD.

IT IS SUCH EXCELLENT COOPERATION ON THE PART OF THE ASSOCIATED STATIONS THAT REALLY MAKES THE NATIONAL BROADCASTING COMPANY THE GREAT ORGANIZATION THAT IT IS IN THE EYES OF THE PUBLIC.

ROYAL NBC NEW YORK.

# WMC

THE COMMERCIAL APPEAL STATION

★ Memphis, Tennessee ★

OPERATING IN THE PUBLIC INTEREST

780 KILOCYCLES • 5000 WATTS DAY • 1000 WATTS NIGHT

# RADIO SHOWMANSHIP

Attention-Getters, Tie-Ups, Ideas

## Outstanding Stunts:

CONTEST  
IDEAS.  
WMCA, NEW YORK

New York City.  
WMCA is conducting a contest for contest ideas, with Lucidin sponsoring the programs.

Listeners are asked to submit ideas of what they may consider the epitome of contests. Winning thought will be eventually conducted as contest for program.

## Job-Find Programs

Rochester, N.

WHEC is co-operating with Monroe County American Legion in a job-hunting program for veterans. Station provides evening time and legion speller lists qualifications of picked group of ex-soldiers. Would-be employers then can get in touch with the station or the veterans bureau. Music and entertainment fills out the program.

Los Angeles station currently is ballyhooing an employment-finding program of similar character.

Johnson Sisters, Harriott and Alice Ruth, in their first broadcast from a hometown station, KFOR, Lincoln, Neb., last week, though they've been on the air for NBC by way of KDKA, Pittsburgh, and the Don Bestor and Smith Ballou bands.

## HERE AND THERE

Bernice Judis, manager of station WNEW, N. Y., back from vacation on the Coast.

Bob Taplinger returned from Hollywood this week.

Neal W. Hopkins has joined Kass-Townler Radio Productions as script director. Hopkins was formerly on the production. Unseen Friend, and 'Omar' Mystic.

Ruth Bennett, formerly with Free & Peters, Inc., is now with the New York office of Joseph Hershey McGilvra, station rep.

Truman Brizee, former manager of the Capitol theatre, has joined WHAM, Rochester, as salesman.

Buddy, a onetime WMCA, N. Y., film commentator, back after stay on the Coast.

Charles Stark, WMCA, N. Y., daylight schedule announcer, now residing in Philly and commuting daily.

Flaky Lee is headliner on a coming Valentine out over the weekend by NBC station service.

Blacky, who has been a long-time commentator, will select from his scripts of the past four years material to be incorporated into a book titled 'This Is Life'.

Arthur Jarrett, Sr., and Marcy Klauber, writing team on Educational's Astoria lot, framing radio program for Publicity Associates. Jarrett is father-in-law of Eleanor Holm, champ swimmer.

## Cabs on Air

Pittsburgh, Feb. 16.  
Yellow Cab Company hitting the air waves for the first time around here, aside from occasional spot announcements, to get across recent rate slash of 30%. Cab people have programs running now on two stations, and understood they're dicker-ing for still a third.

On WCAE, Charlie Danver, daily columnist of Post-Gazette, hitting the ether twice weekly with 10 minutes of chatter, gossip and human interest stuff, while on WWSW, Allan Trench, former announcer at WCAE, is cabb-ing it with 'Yes and No' question forum.

There are cash giveaways on the latter, with Danver awarding free book of taxi tickets to someone he picks out personally each session.

## Illness Out Joins Blaine

Chicago, Feb. 16.  
Due to illness, Joan Blaine is out of the NBC 'Mary Marlin' serial. Place has been taken by June Meredith, who originally held the title role.

June Meredith also stars in Mutual's 'Behind the Camera Lines', and the WGN five-a-week 'Wife vs. Secretary'.

## Negro Sunday Night

Philadelphia, Feb.  
WDAS, which has never catered to any particular type of program or advertiser, is booked solid with programs designed for colored listeners from 7 to 11:30 Sunday nights. Also has a Negro appeal commercial on Sunday afternoon.

In one program dramatic colored poetry is read. Others are religious or musical. Are presented by both white and sepia sponsors.

## AFTER 10 YR. VACATION RESINOL EYES RADIO

After quarant self from radio as advertising medium for ten years, Resinol Soap is again on the air. Has spotted a \$6,000 spread on WBAL, Baltimore, in form of daily five-min. spots over a year.

A. L. Carter, prez and active boss of Resinol, is currently cruising West Indies, but when he returns in three weeks will expand air campaign over national scope. Will buy on Hearst stations to \$30,000 or so extent. Plans to invest \$100,000 this year in toto over ozone.

No agency handling campaign itself.

## Baseball Pact Set in St. L.

St. Louis,

Sam Bredon, pres. St. Cardinals, has concluded negotiations with KMOX and KWV for broadcasting baseball at Sportsman's Park during coming season but deal between the two stations and St. Louis Browns is still hanging fire. Stations will pay \$7,500 each to Card management, same as last year, and will have exclusive privileges. Sunday and holiday games are barred, as in previous years. Stations and Browns are pretty far apart on figure to be paid for airing games but deal is expected to be closed before season begins.

WIL which retired from baseball broadcasting last year is not likely to return to this form of entertainment feeling that there are plenty of dialers who want something besides baseball during afternoons. KSD, owned and operated by St. Louis Post-Dispatch, afternoon rag, has never aired baseball here and won't this year. General Mills is sponsoring KWV which will use John O'Hara at games while Kellogg is bankrolling KMOX with France Laux at the mike.

## Angelo Patri Back Again

Maxon agency has signed Angelo Patri, New York school principal, to do a daytime series for Heinz Baby Foods. Patri was on the air several ago for Cream o' Wheat.

Florida Citrus Growers is extending its disc campaign, with Ruthrauff & Ryan the agency.

## Agencies—Sponsors

Batten, Barton, Durstine & Osborne have spotted 15 minute transcription for Oneida Ltd. (Tudor Silverware) on WGN, to run once weekly for 13 weeks. Series is a musical, and features Peggy Tudor.

Illinois Bottled Gas has taken three, two-minute participations per week on the WLS Homemaker's Hour, for 13 weeks. Wade Advertiser Agency has the account.

General Mills has signed with WHN, New York, for baseball play-by-play this season for Wheaties. To use the International League games over in Jersey. Cliff Samuelson was in for the inking of the official papers.

McManus, John & Adams is the agency for Pontiac's John Held Varsity Show over the NBC red (WEAF). Wrongly ascribed to D. P. Brothers.

Walter Johnson of Young & Rubicam, waxing Buck Jones' 'Hooft-beats' in Hollywood for Grape Nut Flakes.

Log Cabin Syrup show optioned Jackie Coogan for another five weeks on the 'Billy the Kid' serial.

W. E. Long Co. has added 'Adventures of Ace Williams' transcription series to WRVA, Richmond, for Nolde Bros. Bread; KOA, Denver, for Old Homestead Bread; WCBM, Baltimore; WJAC, Johnstown; WTBO, Cumberland; WJEL, Hagerstown; WFEA, Manchester, for Schmidt

Baking Co.; KSL, St. Lake, for Paramount Baking Co.

Town Talk Bread and Hathway Bakers, spot announcements, been placed in Eastern and far Western stations by W. E. Long Co.

Gallenkamp Stores (shoes) have signed through Long Advertiser Agency for a series of half-hour whodunits, 'True Detective Mysteries', starting Friday, March 5, 7 to 7:30 p.m., PST, over six NBC-Blue outlets in California: KGO, San Francisco; KECA, Los Angeles; KFBK, Sacramento; KWG, Stockton; KMJ, Fresno, and KERN, Bakersfield. Live talent will be used for the shows, which will originate in San Francisco.

Seven accounts were landed by WNEW, N.Y., in the last 10 days besides an increase in spot announcement biz. Coleman-Halloran, Inc., Serutan, Lander Co., Kay Rineli Perfumes, Elin, Inc., Fairbanks-Morse, and Finlay-Straus, Inc., were the accounts which will have programs of 15 minutes or longer three to times per week. Spot announcement contracts were with General Supply and Cosmopolitan Hotel.

Lucky Strike will go from 30 45 minutes on NBC also if that network can arrange for the expansion. NBC has sold the half hour following the big Wednesday night period to the United Ice Dealers. Increase to 45 minutes became effective CBS last Saturday night (13).

Ford & Son, of Wyandotte, Mich., maker of Wyandotte Cleanser, starts a matinee series CBS March 2. It will be a quarter-hour or inating from New York Tuesday, Thursday and Saturday. N. W. Ayer is the agency.

## SCRIPPS-HOWARD SUES TO UPSET FCC RULING

Washington, Feb.

Counsel for Continental Radio, Scripps-Howard subsidiary, yesterday (Monday) asked the Circuit Court of Appeals, District of Columbia, to set aside the decision of the Federal Communications Commission, which turned down C-R's plea for a franchise on 1200 k., but granted a similar petition by WOL, Washington. Request in either case was for 1,000 watts day and night. Continental proposed to put up its transmitter just outside of Washington. In the case of WOL it was a transfer of wavelengths. Court action ties up the shift for WOL.

## Myrt and Marge Habit?

Philadelphia, Feb. 16.

Poll on dialer-inners on WCAU Women's Club caused station to change time of program from 1:30 p.m. to 3 p.m., when 95% of women favored the later hour. Reason frequently given was return of Myrt and Marge to 2-4.

Women's Club listeners almost all follow this series and say new hour allows hearing both without interruption.

## SHOWMANSHIP CALENDAR

(March, 1937)

(Showmanship being largely dependent on stunts, tie-ups, etc., in connection with established holidays and events, VARIETY herewith presents a calendar for the month of March. This calendar is published monthly from material copyrighted by the National Retail Dry Goods Assn.)

**SPECIAL WEEKS DURING MARCH**  
National Sportsman's Show in Hartford, March 6-13; sponsored by Campbell-Fairbanks Expositions, Park Square, Boston, Mass.

Girl Scout Anniversary Week, March 12-18; sponsored by Girl Scouts, Inc., 570 Lexington avenue, New York City.

National Business Women's Week, March 14-20; sponsored by the National Federation of Business and Professional Women's Clubs, 1819 Broadway, New York City.

International Flower Show, March 14-20; sponsored by the Horticultural Society and New York Flower Clubs, 598 Madison avenue, New York City.

Northwestern Sportsmen's Show, Minneapolis, March 27 to April 4; staged by General Shows, Inc., 805 La Salle avenue, Minneapolis.

National Foot Health Week, March 29 to April sponsored by the Boot and Shoe Recorder, 239 W. street, New York City.

Women's Exposition of Arts and Industries, March 29 to April 8; sponsored by Women's Exposition of Arts and Industries, 411 Fifth avenue, New York City.

## SPECIAL DAYS DURING MARCH

(1) Nebraska entered Union, 1867.

(2) Texas Independence Day.

(3) Florida entered Union, 1845; Bell, inventor of the telephone, born, 1847; first U. S. postage stamps, 1847.

(4) Pennsylvania Day (charter granted), Vermont joined Union, 1791; Bank Holiday, 1933.

(7) Luther Burbank, horticulturist, born, 1849.

(10) Telephone first used, 1876.

(12) Girl Scout Birthday; great blizzard, 1799.

(14) Passion Day; li Whitney patented cotton gin, 1794; Albert Einstein born, 1879.

(15) Maine admitted to Union, 1820.

(16) Federal Trade Commission organized, 1914.

(17) St. Patrick's Day.

(20) Spring begi

(21) Bach, composer, born, 1685; Palm Sunday.

(23) Maundy or Holy Thursday; Maryland Day (state holiday).

(26) Good Friday.

(27) Jewish Passover—first day Nisan (begins sunset previous day; Lent ends at noon.

(28) Easter Sunday; Jewish Passover, day isan (begins sunset previous day).

(30) Alaska made part of the U. S., 1867.

Sales Promotion Note: With Easter to stimulate sales, March this year goes into fourth place among all months in department store volume (when Easter occurs otherwise March ranks eighth). Sales should be roughly 9% of the year's total. Best sellers: patterns, millinery, shoes, gloves, neckwear, junior and misses' and women's coats, boys' wear, appliances.



MARIO BRAGGIOTTI  
WITH HIS ORCHESTRA

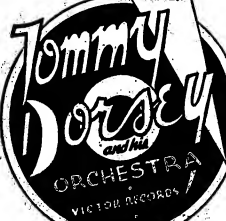
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Every  
Wed.  
9:30-10  
P.M.  
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HOTEL COMMODORE, NEW YORK  
Per. Rep.—ARTHUR T. MICHAUD  
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KRUEGER BEER  
Mondays at 10:30 P.M.  
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WEAF - NBC  
Thursdays at 7:  
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**AL GOODMAN**  
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**ORCHESTRA**

Palmer on  
**PALMOLIVE**  
BEAUTY BOX THEATRE  
EVERY WEDNESDAY  
CBS  
9:30 P.M.

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FOUR COMBINATION!

## CARL HOFF

LUCKY STRIKE

"Your Hit Parade"

WABC - CBS

## THE THREE MARSHALLS

MONDAYS  
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Exclusive Management  
NBC ARTIST SERVICE  
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# Court Ruling Favors Copyright Piracy, Already Common, in Japan

Looks like there's going to be a new freedom for Jap publishers, producers and recorders who make their living pirating books, tunes and whatnot from works copyrighted in other countries. In the past those gentry have been considerably harassed by the activities of Dr. Wilhelm Plag, German legalite, who has, at frequent intervals, haled them into court for copyright infringement. In most cases compromises were made before the cases came to trial.

From now on it's going to be a horse of another color. Judge Toshio Fujishima of the Tokyo Local Court having decided Friday (22) that only the 'victims' of an infringement are entitled to bring action under Japanese law, and as Dr. Plag was clearly not the 'victim' in his thirty

or more cases pendi, no relief could be expected or would be forthcoming.

While Dr. Plag has a number of times appeared for various foreign interests, the case which upset his well-laid plans to force payment of royalties to his clients was against the Shochiku Theatrical Co. and its managing director, Shiro Kido, for having produced Japanese versions of Meyerferster's 'Al' Heidelberg at the Tokyo Shochiku theatre and portions of Puccini's 'Madame Butterfly' at the Osaka Kabuki theatre.

Reversal.

Lower court decided in favor of Dr. Plag and assessed a fine of fifty yen against Kido. On appeal, the higher court reversed the decision, and in doing so makes it extremely difficult for foreign copyright owners to protect themselves in this country.

In arguing his case Dr. Plag cited the Berne Copyright Treaty to which Japan is a signatory, but the Judge declared no dice as the Berne Convention did not provide for transfer of copyright. Hizonner cited article 15 of the Japanese copyright law, which states that copyrights, like immovables, must be registered when transferred. Such being the case, Dr. Plag was informed that he could consider that he had only sustained damages in free competition. As a parting shot Hizonner pointed out that article 44 of the Japanese law requires that suit be brought in the name of the 'victim.'

## SEE LOUCKS AS STEP TOWARD PEACE

Washington, Feb. 16.

Early agreement on terms of a stipulation in the antitrust suit between the U. S. Government and American Society of Composers, Authors and Publishers was seen last week following appointment of Philip G. Loucks, former managing director of National Association of Broadcasters, to represent the radio industry's interests in the alleged monopoly proceeding.

While no date has been fixed, the case has been restored to the docket in the New York Federal Court and the attorneys for the two parties are understood to have made substantial progress in preparation for another hearing. Case has been in the ice box since the summer of 1934, when trial was recessed by consent of the opposite factions. Counsel have been working intermittently for past 20 months on the stipulation.

Broadcasting industry group action was interpreted as definite proof that matters are coming to a head. Although NAB has no official position in the court proceedings, the association bosses felt things have reached a stage now where it is desirable to have a legal expert sit in with the Government and look over all papers from the industry viewpoint. Desire is to prevent omission of any pertinent facts affecting music-user and make certain that non-controversial features of the pact are in harmony with radio's interests.

Loucks will consult with Andrew Bennett, special Federal prosecutor, and other attorneys working on the agreement. While he will have no formal connection with the Government staff, he will serve as a medium by which broadcasters will transmit their opinions to the Justice Department.

## Most Played on Air

To familiarize the trade with the tunes most on the air around New York, the following songs were most played on the networks last week. Combined plugs: WEAF, WJZ and WABC are computed for the week from Sunday through Saturday night, Feb. 7-13.

- \*This Year's Kisses
  - \*There's Something in the Air
  - \*With Plenty Money and You
  - \*On a Little Bamboo Bridge
  - \*Night Is Young
  - \*Good Night, My Love
  - \*May I Have Next Romance?
  - \*Love and Learn
  - \*Gee, but You're Sweet
  - \*You're Laughing at Me
  - \*When My Dreamboat Comes
  - \*Trust in Me
  - \*Serenade in the Night
  - \*If My Heart Could Only Talk
  - \*I've Love to Keep You Warm
  - \*I'm in a Dancing Mood
  - \*Boo Hoo
  - \*I Can't Lose That Longing
  - \*Mood That I'm In
  - \*When Poppies Bloom Again
  - \*Slumming on Park Ave.
  - \*Pennies From Heaven
  - \*Twinkle, Twinkle Little Star
  - \*One in a Million
  - \*Rainbow on the River
- \*Indicates film musical song.  
†Indicates stage production song. The others are pops.

## OLD FAV TUNES IN NEW GUISE

Shapiro, Bernstein & Co. proposes to put out its own publication of 'Meet Me Tonight in Dreamland' when the renewal of copyright it has obtained from the mother of the late Leo Friedman, one of the tune's writers, becomes effective Mar. 2.

Will Rosseter, who controls the renewal rights to the lyrics, authored by Beth Slater Whitman, will also have an edition of the song on the market.

Reprint rights to another tune by the same pair, 'Let Me Call You Sweetheart,' is still the center of a controversy between Shapiro-Bernstein and May Mayer, of the Famous Music Co. Mayer claims that the copyright renewal which S-B got from Mrs. Friedman is invalid because her son just before his death assigned the renewal rights of all his works to Will Rosseter, from whom Mayer bought the rights to Sweetheart.

Shapiro-Bernstein counters Mayer's contentions with a court decision which holds that the author has no right to interfere with the property of his heirs by disposing of a copyright renewal which might not become effective until after his death.

## A Musical Month

Washington, Feb. 16.

Plot to dedicate the month of February—ordinarily held sacred to galoshes and pneumonia—to the muse of Music was aired last Wednesday (10) by Senator Copeland of New York.

Introducing a bill to designate the month of February in each year as the Month of American Music, Senate medics requested annual Presidential proclamation setting aside the month in honor of American composers and to 'stimulate popular interest in American music and enrich the cultural life' of the people of the U.

Tuneful programs would be featured in all schools, colleges and patriotic, civic and cultural organizations, under the terms of the measure.

## Red Norvo in Jam

Chicago, Feb.

Red Norvo Orchestra at the Blackhawk Cafe got into a jam with the American Federation of Musicians local last week because of the guesting of Roy Eldridge, colored trumpeter, on the Norvo weekly Swing Concert.

Ruling bars guest stars of AFM members without express permission. Threatened to lose Norvo out of union at first, but net result was a two-hour delay in getting to work next night.

# U.S. Pix Firms Seek Protection On Foreign Music Contingencies

Counsel for motion picture producers want the publishers to change their license forms so that the producers won't have to worry about performing rights in foreign countries in the event a publisher should break off relations with some foreign rights society. Committee of film company lawyers, chaired by James Polk, of Paramount, is slated to discuss this with John G. Paine, chairman of the Music Publishers Protective Association, during the current week.

As the licenses are now given to producers the use is subject to the jurisdiction which a performing rights society holds in a particular territory. The right is so long as the copyright owner has a performing rights affiliation in that country either directly or through the American Society of Composers, Authors and Publishers.

What the producers' lawyers don't like is the jeopardy into which the exhibitors can be placed in case the copyright owner is not represented by a performing rights society in that country, or he suddenly withdraws the right of representation from the society. The modification of the license form these lawyers now ask would make the right to perform worldwide but at the same time make this right subservient to the authority of the society affiliation.

Present agreement form, say the film company lawyers, does not protect the producer and the exhibitor from exposure to infringement suits whenever control of the right is not held by a performing rights society. If, for instance, an ASCAP member had no connection with a performing rights group in Norway, the way would be open for the copyright owner's local agent or assignee to sue for infringement. The film lawyers figure that a worldwide or blanket license would avoid any such dilemmas.

## Song Plug Boys No Exception to Benefit Rule

Chicago, Feb. 16.

Music Publishers Representatives organization has called off its original plans for a benefit show here, due to the Musicians Union thumbs-down ruling on benefit appearances of its members. Immy Petrillo, prexy of the union, insists on following the letter of this ruling, feeling that should the union permit the guests showings of its members for the song-pluggers' benefit, the same permission would have to be granted to other show business organizations seeking union members as guests.

Particularly, this guest angle refers to the local band-leaders such as Kay Kayser, Freddie Martin, Red Norvo, Dick Jurgens, Roger Pryor, etc., whose names were depended on by the song-pluggers as box-office draw for the benefit show.

### BROADWAY CLEFFERS

Hollywood, Feb. 16.

Jimmy McHugh and Harold Adamson are cleffing tunes for 'Mr. Broadway' at Universal.

This will be Buddy De Sylva's initial production on the lot.

Della Carroll has been put in front of the Bon John Girls band by Joe Glaser, of the Rockwell-O'Keefe office.

## DEBROY SOMERS HAS HARRIS' LONDON SPOT

London, Feb.

Jack Harris, American bandleader and one of the biggest names here, finishes at Clifford C. Fischer's London Casino, where he has been leading his own band ever since opening, with Debroy Somers, local batonist, replacing some time in March.

Somers will stay till the end of the run of the current show, then probably be replaced by Bert Firman. Harris, who has an interest with Ambrose, another bandleader, in Ciro's, will alternate at this niter with his partner.

**Witmark Presents**  
The Sensational Ballad  
**When My Dream Boat Comes Home**  
From "CHEERFUL STRIP"  
Starring Dick Foran, "The Singing Cowboy"  
The Greatest Western Ballad in Years

**MY LITTLE BUCKAROO**  
M. WITMARK & SONS  
1290 Sixth Ave., RCA Bldg., N. Y.  
CHARLIE WARREN, Prof. Mgr.

**HOLLYWOOD SONGS**  
Songs for the Millions from the 50th Century-Fox  
**"ONE IN A MILLION"**  
**"WHO'S AFRAID OF LOVE"**  
And Sonja Heule's Waltz Favorite  
**"THE MOONLIT WALTZ"**

**HOLLYWOOD SONGS**  
RCA BUILDING-RADIO CITY-NEW YORK  
PHIL KORNHEUER, Gen. Mgr.

**TWO TOP TEMPO TUNES**  
Written and Arranged by WILL HUDSON  
**MR. GHOST GOES TO TOWN**  
Now a World Wide Swingation  
**ORGAN GRINDER'S SWING**  
EXCLUSIVE PUBLICATIONS INC.  
1419 BROADWAY NEW YORK, N. Y.

Gordon & Revel's Greatest Score . . . From 'Head Over Heels In Love' . . . A Gaumont-British Picture

**'May I Have the Next Romance With You'**  
**'Lookin' Around Corners for You'**  
**'There's That Look In Your Eyes Again'**  
**'Head Over Heels In Love'**

LEO FEIST, Inc. 1629 BROADWAY NEW YORK

Europe's No. 1 Song Sensation!  
**SERENADE IN THE NIGHT**  
Just Released—England's Latest!  
**SUPPOSING**  
From Will Hudson—  
The Supremacy of Britain  
**I'LL NEVER TELL YOU I LOVE YOU**  
**THE MOON IS ORIGINATING AT ME**  
From "With Love and Kisses"  
**THE TROUBLE WITH ME IS YOU**

**Remick**  
Warren and Debbie at Their Best  
In These Two  
**SUMMER NIGHT**  
**HOW COULD YOU?**  
A New, Terrific Hit!  
**GEE! BUT YOU'RE SWEET**  
From "SING ME A LOVE SONG"  
A Compendious Production  
**THE LITTLE HOUSE THAT LOVE BUILT**  
**YOUR EYES HAVE TOLD ME SO**

**REMICK MUSIC CORP.**  
1250 Sixth Ave., RCA Bldg., N. Y.  
CHARLIE WARREN, Prof. Mgr.

**MOVIETONE TOPICS**  
Announcing New **KALMAR-RUBY SONG HIT**  
**"THE MOON IS IN THE SKY"**  
ESTABLISHED FAVORITES:  
**"UNDER YOUR SPELL"**  
**"YOU DO THE DARN-DEST THINGS, BABY"**

**MOVIETONE MUSIC CORPORATION**  
SANG FOR PUBLISHERS CO. INC.  
1250 SIXTH AVENUE  
NEW YORK

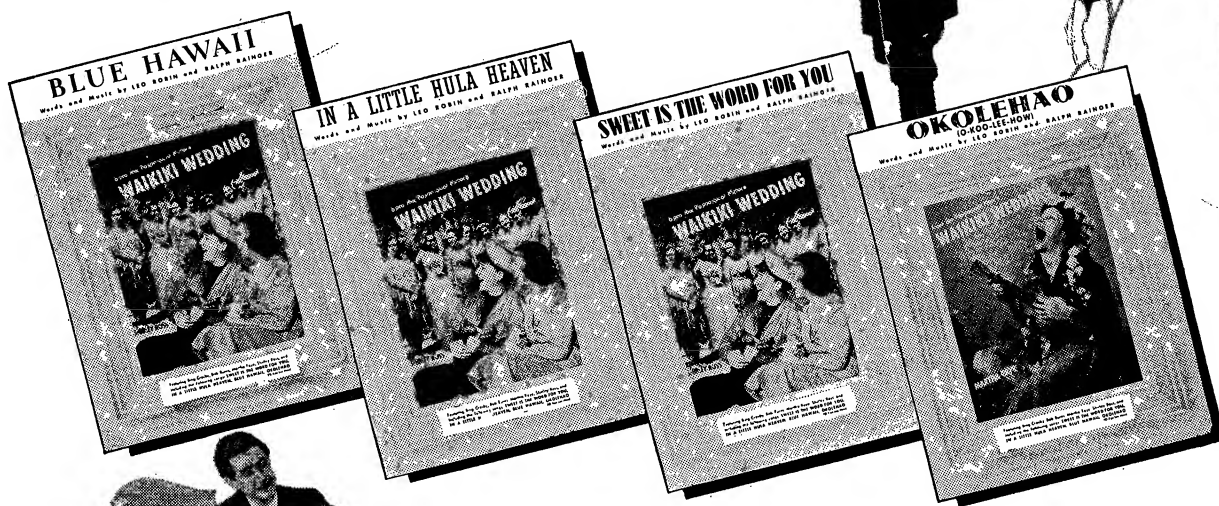
To paraphrase the saying—"Good Things Come in 4s"  
For example, here are 4 big songs from 4 big pictures:

**A THOUSAND DREAMS OF YOU**  
From the Walter Wanger production, "You Only Live Once"  
**SMOKE DREAMS**  
From the Metro-Goldwyn-Mayer production "After The Thin Man"  
**GOODNIGHT MY LOVE**  
From the 20th Century-Fox production, "Stowaway"  
**THERE'S SOMETHING IN THE AIR**  
From the 20th Century-Fox production, "Banjo On My Knee"  
**ROBBINS MUSIC CORP. • 799 7th AVE. NEW YORK**

# FOLKS

I've just wrote my Aunt Bessie down in Buchanan, Ark. and told her she'd better turn on the radio this Thursday night at Ten O'clock E.S.T. and listen to Bing Crosby sing the new songs from our picture "WAIKIKI WEDDING." For I honestly believe they're as fine a set of songs as Bing ever had the pleasure of singing to the old mike."

## WHAT A SET OF HITS!



The lads at the piano are RALPH RAINGER and LEO ROBIN, Paramount's ace hit makers, who in "Waikiki Wedding" have even topped their former Crosby successes . . . such as "Love in Bloom," "June in January," and "Please".

## AND WHAT A PICTURE!

"WAIKIKI WEDDING", besides having the grandest bunch of song hits of any picture in months, gives you the whole pack of favorites who made "Rhythm on the Range" the big hit of last Spring... BING CROSBY, SHIRLEY ROSS, MARTHA RAYE, BOB BURNS... Nuff said!

Orchestra Leaders . . . Radio Artists . . . Program Directors can get these hits now at  
**FAMOUS MUSIC CORP....1619 BROADWAY...NEW YORK**

# Mass Meeting Tonight (Wed.)

Meeting of the music industry has been called for tonight (Wednesday) at the Hotel Astor, N. Y., to discuss indorsement of the code of fair trade practices as proposed by the Federal Trade Commission. Directorate of the Music Publishers Protective Association is anxious to get this angle out of the way so that action on the covenant can be expedited in Washington.

FTC is understood to be amenable to the MPPA's suggestion that the proposed code include no provision involving the Robinson-Patman anti-chainstore bill. The commission had inserted such provisions in its original draft of the code but MPPA counsel urged against their acceptance on the ground that the law's interpretations as implied in the code might be contrary to future decisions of the courts.

## Disc Reviews

By Abel Green

Victor's 12-inch of Ray Noble's Medley, played by Noble and his London (the original) orchestra, is

**VISIT OR WRITE**  
**MARKS MUSIC**  
GAZING AT A BLAZI FIRE  
LONESOME GUITAR  
IT'S STILL BEING DONE  
YOU'RE JUST A LITTLE DIFFERENT  
NIGHT  
OH, SAY, CAN YOU SWING?  
IN YOUR EMBRACE  
RUMBAS  
SPIC AND SPANISH  
MY SOMBRERO  
Orchestrations 50c each  
EDDIE LAMBERT—Gen. Prof. Mar.  
**RADIO CITY, N. Y.**

**FOX**  
FLASHES  
THE BALLAD SENSATION  
**THE WORLD IS MINE**  
(TONIGHT)  
NOW THRILLING THE WORLD  
**SAM FOX PUBLISHING COMPANY**  
1350 SIXTH AVENUE  
RCA BUILDING, RADIO CITY  
NEW YORK

**IRWIN DASH**  
Who Gave America  
"SWEETHEART LET'S GROW OLD TOGETHER"  
"WHEN THE POPPIES BLOOM AGAIN"  
Wants Songs Suitable for England  
Arrives February 18th  
ESSEX HOUSE  
NEW YORK

a gem. As the trade and many of the sophisticated disk fans fully know, Noble never has had a band or, rather, he is regarded as well on His Master's Voice releases in England. Actually the HMV combo was a 'house' organization, strictly pick-up, although with the same nucleus, the main, but there was something in the rehiring process of the London-made waxings which first impressed him into the American consciousness. He's never achieved the same thing in America although highly commercial generally speaking. This 12-inch disk medleys Noble's own compositions which, like the songs, carried his rep around the world. The Very Thought of You, 'Touch of Your Lips' and 'Love Is the Sweetest Thing' is the A-side. 'Love Looked Out' 'What More Can I Ask?' 'It's All Forgotten Now' and 'Goodnight Sweetheart' is the B-side. Al Bowlly (now, back in England) vocalizes.

Noble, with his current (American) dance ten has a 10-inch on Victor 25504, 'To Love You and to Lose You' (Edward Heyman-Kurt Weill) out of 'Johnny Johnson' and 'Long As You Got Your Health' from 'The Show Is On'. Both are legit excerpts but no wows as tunes and, under the suave Noble batonearing, lust polite dance music. Howard Barrie is the maestro's new vocalist, succeeding Bowlly.

Lotsa zip and steam on Bluebird 6788-70 by Tempo King and 'his Kings of Tempo' (a swell billing) with Kid Tempo scatting the vocals and the 'his Kings of Tempo' on the ivories. Numbers are 'Moonlight on the Prairie, Mary' and 'There's a Ranch in the Sky', perforce more moderated in the swing, by the nature of the 'Billy' tunes. King really cuts up with 'My Last Affair' and 'Gee! But You're Swell', that latter incidentally a swell tune.

Benny Goodman himself on Victor 25510 recurs to another Vincent Youmans tune. 'I Want to Be Happy' and 'Rosetta' (Earl Hines-Henri Woods) for a sample of how he can send 'em. With the maestro standing out per usual on his musical cheroot, he has crack tinpannus personnae in H. James, Gerald Griffen and H. Finkelman are on the horns; M. McEachen, S. Ballard, slip-slides; H. Schacter, W. Depew, Adrian Rollini, Vido Musso, reeds; Allen Reuss, guitar; H. Goodman, doghouse; Jess Stacey, pianer; and Gene Krupa, taps. Victor 25510. Big league swingology is found on Brunswick 7816 by Teddy Wilson and his own ideas of 'Tea for Two' (Continued on page 48)

## Music Notes

Glenn Gray is replacing Mel Jensen as stick-wielder for the Casa Loma band. Though the unit has been billed as 'Glenn Gray and his Casa Loma band' throughout the six years of its existence this will be the first time that Gray, saxophonist, has done the front-standing.

Don Bestor has settled his personal management contract with Sol Kushner and joined the list of Consolidated Radio Artists, Inc. Bestor was formerly with the Music 'Corp. of America. He opens at the Netherlands Plaza, Cincinnati, this Friday (19).

Julie Cruze, daughter of James Cruze, film director, has sold an original tune, 'I'd Like to Be the Buttons on Your Vest', to George Hirshman. It will be sung by Eleanor Hunt and Fuzzy Knight in 'Gold' for Condor Pictures.

Dick Powell cut four songs from 'On the Avenue' for Decca, Grace Moore recorded numbers from her latest Columbia picture, 'When Love Is Young'.

Al J. Nelberg and Jerry Levinson have been signed for pictures by Rockwell-O'Keefe and are slated to leave soon for their first studio songwriting assignment on the Coast.

Allie Wrubel and Nathaniel Shilkret have completed a tune, 'The First Time I Love You', for 'The Toast of New York', at RKO.

Bonnie Lake, author of 'Love Has Not Been Very Kind to Me', plugged by Fred Astaire on the Eackard airshow, is a sister of Ann Sothern, actress.

Burton Lane and Ralph Freed are doing the tunes for Jesse L. Lasky's production of 'Radio City Revels' at RKO.

Dusty Roades ork following Leonard Keller combo at Muehlebach Grill, Kansas City, for a two week stay. Roades opens Friday (19).

Jan Rubini and 17-piece ork have been signed to appear in 'Cafe Metropole' at 20th-Fox.

Carl Ravell orchestra opens in the Blue Room of the Roosevelt, New Orleans, Thursday (18), following Will Osborne's crew.

Franz Waxman will do the musical treatment for 'Once There Was a Lady', Luise Rainer starrer at Metro studio.

Arthur Wright leaves the Kay Kayser Band to join WGN as staff vocalist Feb. 17.

Sam Wigler back with Crawford Music Corp. professional staff.

Leon Belasco moves into the Hotel New Yorker, New York, Mar. 4.

Louis Pinjco, onetime MCA band, now Consolidated.

## Last Week's 25 Best Sellers

[The trade will be interested in comparing the selling relativity to the most-played-on-the-air tabulations, shown elsewhere in this department. Song title and publisher of the best selling 25 are included; only the title of the song is recorded in the air plugs.]

When My Dreamboat Comes Home.....	Witmark
*Goodnight My Love.....	Robbins
*With Plenty Money and You.....	Harms
Chapel in the Moonlight.....	Shapiro
*Pennies From Heaven.....	Select
*Rainbow on the River.....	Feist
*Moonlight and Shadows.....	Popular
Trust in Me.....	Ager
Serenade in the Night.....	Mills
*There's Something in the Air.....	Robbins
On a Little Bamboo Bridge.....	Morris
*One, Two, Button Your Shoe.....	Select
*May I Have the Next Romance?.....	Feist
†Night Is Young.....	Words & Music
†I Can't Lose That Longing.....	Donaldson
†Little Old Lady.....	Chappell
*Who's Afraid of Love.....	Hollywood
Love and Learn.....	Chappell
*This Year's Kisses.....	Berlin
*Slumming on Park Ave.....	Berlin
Love Marches On.....	Schuster
*You're Laughing at Me.....	Berlin
What Will I Tell My Heart.....	Crawford
†It's De-Lovely.....	Chappell
Gee, But You're Swell.....	Remick

\* Indicates film musical song. † Indicates stage production song. The others are pops.

# Prez of Philadelphia Union Outspoken Against Anti-Recording Resolutions

Philadelphia, Feb. 16. Americo A. Tomei, prez of Musicians' Local here, says he'll have nothing to do with plan of New York and Chicago locals to ask ban on Union members' recording in any form of musical recording. New York group has drafted a proposal which will not only prohibit platterizing, but will mean complete withdrawal of Union musicians from Hollywood and other picture studios. The Chi local is allied with it. They intend to present proposal to executive board of American Federation of Musicians, meeting in Miami next Monday (22).

'The Union, in passing such an edict,' Tomei said, 'would be slitting its own throat.'

'In the present state of the motion picture industry it would be impossible to keep music from being used. What would happen is merely that the men now playing in Hollywood would chuck the Union and go right on playing. Studios would probably offer them long-term contracts at \$15,000 or \$20,000 a year. At the end of 10 years they'd have \$150,000 or more. What good would the Union do them?'

Tomei also disagrees with attempts of James Petrillo, prexy of the Chi local, to outlaw discing in his territory. 'If recording is to be banned at all, Tomei feels, it must be in a concerted national move, not by action in a single territory.'

'Such action,' Tomei said, 'just drives the recording companies out of the big cities and into smaller towns where locals which never got a chance to platterize before will greet the opportunity with open arms.'

Tomei agrees with Petrillo and Jack Rosenberg, prez of the New York local, that problem of musician unemployment won't be solved until Union is able to exercise control over recordings. But he feels that complete control will come only with Utopia.

He plans to present a resolution at the National AFM convention in June asking for a country-wide campaign of publicity to increase audience demand for in-the-flesh music and vaude.

Problem of discing in this territory is virtually non-existent.

## Jesse Owens' Orchestra

Newly formed band of Jesse Owens, Olympic sprinter champ, lately turned maestro for Consolidated, will open its first engagement at the Savoy theatre, Harrisburg, Pa., Feb. 19, on a one-nighter tour. Band totes Midge Williams, gal singer, and Conroy and Park, dance team.

Owens has been studying vocalizing for past three weeks to torch with crew.

## Japan Censors Disc

Tokyo, Jan. 29. Songs with naughty words have recently come under the scrutiny of the ever watchful Jap minions of the law, with the result that the Jap version of 'Love Me, Please' has been banned. In explaining the ban to the officials of the Showa Sound Recording Co., makers of the offensive platter, the cops said that it wasn't so much the words that they objected to as it was the tonal quality of the vocalist, she having accented certain words in a manner calculated to be damaging to public morals. Some 1,200 records of the objectionable tune were pressed and later destroyed.

## Harms Presents

From "READY, WILLING AND ABLE"

**Too Marvelous For Words**

**Just a Quiet Evening**

**Sentimental and Melancholy**

**Cafe Continental**

European Hit

**Vienna Dreams**

**When Old Friends Meet Again**

**Trouble Don't Like Music**

Greatest "Gold Diggers" Score

**With Plenty of Money and You**

(Gold Diggers Lullaby)

All's Fair in Love and War  
Let's Put Our Heads Together  
Speaking of the Weather  
From "Gold Diggers of 1937"

HARMS, INC., RCA Bldg., N. Y.  
MACK GOLDMAN, Prof. Mar.

IRVING BERLIN'S GREATEST SCORE  
**"ON THE AVENUE"**  
(20th Century-Fox Release)  
**THIS YEAR'S KISSES**  
**YOU'RE LAUGHING AT ME**  
**I'VE GOT MY LOVE TO KEEP ME WARM**  
**THE GIRL ON THE POLICE GAZETTE**  
**SLUMMING ON PARK AVENUE**  
**HE AIN'T GOT RHYTHM**  
3 CURRENT POPULAR HITS  
**I Love You From Coast to Coast**  
**There's Frost on the Moon**  
**There's a Silver Moon on the Golden Gate**  
**IRVING BERLIN, Inc.**  
799 Seventh Ave., N. Y. C. HARRY LINK, Gen. Prof. Mgr.

# NORMAN HARRIS SYLVIA SHORE

## RADIO CITY MUSIC HALL,

Nov. 6, 1936

"Satirical dancers of class proportions. Audience laughed heartily and applauded lustily."

Sidney Harris.  
ILLBOARD, Nov. 14, 1936

## MUSIC HALL

"In a very burlesque of ballroom dancing... deserve a better show background."

Kauf, VARIETY, Nov. 11, 1936

## PALACE, CHICAGO

"With their satirical dance impressions, were a hit... unusual comedy dance interpretations kept the customers in a hilarious mood."

F. L. Morgan.  
BILLBOARD, Nov. 28, 1936

## PALACE, ICAGO

"A genuinely entertaining and surefire act, building steadily from a good start to a bang-up finish."

Gold, VARIETY, Nov. 25, 1936

## CONGRESS HOTEL CASINO, CHICAGO

2 WEEKS, DEC. 4TH to 18TH  
"Harris Shore, added to the Congress Casino Show Friday night, seem to me to be the most entertaining we've seen in the room of the revolving stage."

J. L. CHICAGO DAILY NEWS

## DIRECT TO CHEZ PAREE, CHICAGO

7 WEEKS

"...provoked laughter by their slightest antics when in an ambitious burlesque of the reigning modern dance teams they scored point after point with stylish caricatures of the town's favorites, Veloz and Yolanda."

J. M. CHICAGO TIMES.  
Dec. 27, 1936

## CHEZ PAREE

"...their caricatures had the folks in stitches."

P. Carmichael.  
CHICAGO DAILY NEWS.  
Dec. 26, 1936

## CHEZ PAREE

burlesque 'Moonlight boleros, etc., of the more serious dance teams. Miss Shore is a miniature Beatrice Little turned dancer."

L. CHICAGO DAILY NEWS.  
Jan. 23, 1937

## CHEZ PAREE

growing funnier every day."

Dorothy Day.  
EXAMINER, Jan. 25, 1937

## NOW

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CHICAGO

## Nitery Reviews

### EL CHICO, N. Y.

Again Benito C. Collada has a bright, light little show at his Spanish oasis in Greenwich Village. It's authentic Flamenco and Andalusian plus all the other native Spanish touches to produce the native trade which augments the casual tourist dropper-inners. For the El Chico has become something of a showplace in its smart decor and authentic kitchen and cellar productions. Not to mention the daquiris and Sazarcos in the Havana and New Orleans manner.

Show itself comprises six acts plus Don Alberto and Los Picadores, who dish out the U. S. dansapation with the same gusto as the Latin tempos. Senorita Chita opens with a dance specialty. Los Rancheros (3) are Mexican guitar-singers, not unknown on the air and looking picturesque in their cucarachas motifs. Senorita Adelina Duran is a Flamenco and castanet terper, likewise clikky. Rosita Rios is a Flamenco songstress who's been here before, making a return and registering.

Maclovia and Candido, ballroom team, specialize in zambras, jotas, boleros and kindred native dance routines. The piece-de-resistance is Carlos Montoya, 'native' guitarist from Madrid, just arrived in America with the Ballet Espagnol. Latter sailed back a fortnight ago, but Montoya was held at the Chico by Collada. He's more or less known in the world's Latin communities as an interpreter of authentic Flamenco music, and he's a pretty good one.

Feature of El Chico is that the 8:30, 11:30 and 1:30 shows are clocked like a time table, so that the attendance is paced accordingly. The turnover, though excellent, which is an asset, considering the limited capacity of this room, which seats about 100. American table d'hôte \$1.50, and cover \$2; couvert \$0.60, and \$1 after 9:30.

### ROYALE FROLICS

(CHICAGO)

Fourth edition of the Royale Frolics Revue, which opened Friday (12), is a notable show both in its production and performance, and its quality. In the three editions which preceded it, it spells the reason for the consistent good business at this cafe.

Held over, and her 35th week at the cafe, is Dolly Kay. The showmanship of this songstress is such that she keeps the audience right in the beam of her hand every minute, and even on her sex songs, all in different moods, give the feeling that the singer is the absolute master of the tune.

Another top-notch spot in the revue is the 'Coronation' number, in which the line of 22 girls and Jack Hilliard, tenor, do an abdication-from-throne pageant. Hilliard's singing here is better than in the third edition, and the costumes and accessories worn by the girls would do credit to a 'Follies' or 'Scandals'.

Dancing plays an important part in the show. Adair and Richards doing ballroom and adagio. Control and acrobatic departments are taken care of by Frances Wells, with Edwards and Farney doing the same for the tap department. All are youthful, fresh, and clean cut.

Aggie Moore, the soubrette, is another holdover. M.C.'ing is done by Clarence Stroud, and his tired, bored style is a relief from the usual. He is joined by his brother, Claude, later on in the show to fill a hoofing spot of their own.

Henri Lishon's band does an okay job for both the show and the dancing with Phil Phillips, Dolly Kay's accompanist, doubling-as the royale hoop.

### NIXON CAFE

(PITTSBURGH)

Pittsburgh, Feb. 12.  
Gals and flash: the important items for this downstairs (beneath legit) Nixon Cafe spot and current show, which goes in more for production than past revues here, have those abundance. Talent may not be exceptional, but it's good enough to get by and on the budget. Tony Conforti sets aside weekly for entertainment, it's top-notch.

That budget item, by the way, is something Conforti could afford to make a little more flexible these days. Biz at the Nixon is booming, better than it ever was even before depression, with a big dinner trade, a swell play at supper and always a rush on the bar, particularly during intermissions upstairs, when the gang floes down for a quickie.

For what management's willing to shell out, the set-up must necessarily be pretty routine—a line of eight girls, a dance team and a couple of specialists, no more, no less. With the coin rolling in—Nixon, by the way, is the only night in town to get a cover—Conforti might expand a bit on entertainment and find it altogether profitable.

Eddie Dunn m.c.'s the show, sticking to straight announcements and contributing for his own bit of a valuable section of scat-singing. Choruses are well-trained and nicely-costumed, and dancing isn't an effort.

for the kids, as it is for some of the cluck lines plucked in the east for the hinterlands. They're on four times, led by Edna Vasey, a rubbery, acrobatic lass who hoofs, spins and dances in bright fashion.

Best of the turns is Joan Zeppo (New Acts), a cute little toe-dancing trick, and team of Don and Wanda, who come in chiefly for fast, straight hoofing, alright, too, but gal should chuck that male get-up she uses for the first number, it's so unbecoming.

Also still around and a fixture by this time is Angelo Di Palma, operatic tenor rounding out a full year at this spot. They come and go here, but Mi Mi, as she's come to be known, goes on forever. Husky vocalist dishes out one aria after another from the operas and mob never lets him get away without at least half a dozen numbers. It's always, no matter what the attractions, the next-to-closing spot for Di Palma, because acts coming in haven't been around a nig before, they realize it would be too tough to follow him.

Musics by Herman Middleman and his boys, and they're no longer just promising, they've arrived. The members of this outfit last few months has been phenomenal, and proof is on the dance floor. It's always successful, and these Lard, the veteran head-waiter.

## Disc Reviews

(Continued from page 47)

and 'I'll See You My Dreams.' When a chart salesman and Nathan Jones first conceived these new classic American fox trot ballads, they probably never dreamed of the musical mayhem which the Wares and their associates would one day commit on their creations. Well, here 'tis notes on wax. With Wilson maestro from the music box, John Kline, Allan Reuss, Gene Colvin, Handoff, Aldo Musso and Ben Webster do valid by themselves. Powell, who plays with Benny Goodman and is one of the top Hammond organists in the world at the Hotel Pennsylvania, N. Y., utilizes some of Goodman's crack men.

Deanna Durbin who waxed 'Someone to Watch Me' and 'El Baclo', which she features in '3 Smart Girls' (U); circulated them as novelty New York's greetings to the film trade. Disk, and thus, and Decca has subsequently marketed them. Should prove strong sellers.

Latin music has its innings more and more these days. Cubans and Argentinians no longer are astonished at the growing vogue in America of conga and tango tempos, having learned that since the advent of the rhumba vogue in the U. S. some five years ago, it's been more and more avidly welcomed as something new in tempo and temp style with the yearling Oregonians. Decca 1102 shows how with 'Piruli' (Armando Viespi) and 'Quimbamba' (Rafael Hernandez), latter one of the current crop of rhumba faves.

Brunswick's 'Songo Songo', a dancetone, and 'Spic and Spanish' (El Marquiere, by Eleseo Grenet, but recaptured 'S. and S.' by Al Tillman), a conga tempo, are the more advanced Cuban tempos. Former is hybrid French Marti ique rhythm crossed with the Cuban, and the conga is the more advanced Afro-Cuban. Both are of the rhumba hasn't its foundations in the voodoo atmosphere. Johnny Rodriguez and Chiquito Bullo do the vocals.

Al Kavelin, chiefly a modern dance exponent, has essayed a pair of tangos on Decca 113 and handily. 'Tangos are Tango Oriental,' by Paul Shubin and Gus Lazard, and 'It's You' (Shahin), neatly waxed on Decca 113.

In the heated brackets: Louis Armstrong's 'High Society' and 'Gotta Right to Sing the Blues' with the troublous Louie on the horn and doing the vocal nonsense. Bluebird 6771. Chick (Stompin'-at-the-Savory) Webb gives out 'Love You Just a Laugh' and 'Frost on the Moon' on Decca 1114 expert swing. Ella Fitzgerald and a trio vocalize. Webb again on Decca 1115 with 'Love Marched On—' 'Gee! You're Swell, a bit smoother albeit as snappy. Charles Linton and Louis Jordan split the vocals.

Also imported, on Columbia 5271, is a single disc sent in by Charles Laughon of Lincoln's Gettysburg Address. The same deliberate and distinguished diction which highlighted the film actor's interpretation of the immortal address in 'Rugles of Red Gap' has been captured on the wax. It's certainly a different item for the disc collector.

Tommy Dorsey also gives out neatly in intricate dancetone technique on Victor 25509 with 'Mr. Ghost Goes to Town' and 'Looki Around Corners.'

## Inside Stuff—Vaudeville

Lou Lipstone, booking manager of Balaban & Katz in Chicago, put himself in considerable hot water with the local Musicians' Union and especially with President James C. Petrillo when he tried to get out of a booking deal by putting the onus on Petrillo.

Trouble began when Ramona, booked into Chicago, was nixed on date due to her legal tangle with Paul Whiteman, who holds a contract for her services she is now trying to sever. Until this mix-up is straightened out, the American Federation of Musicians will not permit the vaude date. When the union stepped in, Lipstone wrote to Ramona's agent and told him that Petrillo won't let the girl work. Petrillo is burning at what he calls Lipstone's method of trying to make it a personal ruling, though the Ramona regulation is general contract regulation on the part of the AFM.

Plenty of temperament sizzled among the performers in the new show at the Chez Paree, Chicago, over the weekend, with three of the leading names on the floor burning up over their spotting in the show. Performers involved are Gertrude Niesen, Bert Frohman and Edgar Bergen.

Miss Niesen and Frohman refused to follow each other in the show, since both are singers. In the original spotting, Frohman went Miss Niesen then hitting the roof. Bergen, who has the longest contract at the Chez Paree has ever handed out, wasn't happy about the date in the first place, since he wanted to stay in New York. He tried to get out of his deal here but nitery refused. Doing same act as last year and then apologizes to the repetition.

Following a number of injuries, more or less important, to performers working in cafes throughout the Midwest, some of the nitery operators have begun to insert new clauses in their contracts which state that the performer releases the cafe of all responsibility in case of accidental injury. Some of the bi acts have been insisting, however, that the clause be eliminated from the contracts before they would ink the dotted li. These acts feel that they are putting themselves in personal jeopardy by okaying such a reservation.

It is generally considered, though, that the clause would not hold water in a civil court. It's impossible, according to law, for a person away certain basic rights which are guaranteed to everybody.

Lou Wolfson goes over as associate to Earl Bailey in the management of the London office of Music Corp. of America and not in sole charge as previously reported. Bailey continues managing director of that MCA branch, with Wolfson in charge of what MCA calls its European theatrical department.

## Nitery Placements

New show at the Chez Paree, Chicago, has Gertrude Niesen, Edgar Bergen, Bert Frohman, Paul Sybell, Santschi and Buckley, and Edna Sedgwick.

June St. Clair, stripper, opens at Colisimo's, Chicago, March 19. Toni Lane to Tower theatre, K.C., this week following Oriental, Chicago, and then back to the 885 Club, Feb. 20, for eight weeks.

Edith Griffin opens at the Hi-Hat, Chicago, Saturday (13).

Alec Templeton, blind pianist, heads the show opening at the Rain-bow Room, N. Y., tonight (Wed.) Sue Hastings', marionettes and Ariel Perry, singer-harpist, also in show. Jerry Goff and Jack Kerr, comic

songsters, engaged for new show Rainbow Grill opening same time.

Charles Nary, operatic singer, added to show at Maisomette Room, N. Y.

Nellie Paley and Rosa Burnett, singers, in Frank Beccaro's Round Room, N. Y.

Farrell a Savoy-Plaza, N. Y. Stays until Dwight Fiske's return March 5.

Mike Riley's new band opens at the Hickory House, N. Y., tonight (Wed.).

Bob King vocalizing with Jerry Blaine's band at Park Central, N. Y.

William Axt and Gui Kahn have completed 'Tonight Will Never Come Again,' and 'Your Love Will Keep You Near to Me' for Metro's 'Song of the City.'

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## REX WEBER

METROPOLITAN, BOSTON

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irection—AL BORDE

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"THE DANCE TRIO, IN FOR TWO SPOTS, DOES A BANG-UP JOB OF THEIR TWO ROUTINES. THEY CAN ALWAYS BE COUNTED ON FOR THE BEST IN APPEARANCE AND WARDROBE."

irection—HENRY WIESE, New York

Gold, VARIETY (Feb. 10, 1937)  
Chicago

## Red Cross Benefit at Music Hall, N.Y., a Smoothly Run Variety Show

Red Cross benefit for the relief of the flood sufferers, at Radio City Music Hall, N. Y., last Thursday night (11), wound up with a gross, and consequently net, of \$51,828. Theatre, services of the artists, musicians, stagehands and operators were all contributed to the Red Cross via the Theatre Authority.

This, as distinguished from the concert entertainment scheduled for Carnegie Hall Saturday night (20), was probably the topper of all benefits held in New York in the past 10 years, and may hold the distinction record variety entertainment for years to come. Carnegie show, however, ill ring up a much higher gross through selling the radio rights alone for \$100,000 to Ford, with the ticket sale expected to bring another \$40,000. Carnegie will be scaled from \$1 to as high as \$250 for boxes.

M. H. was scaled at \$1 to \$10, with the payees for the latter berths hardly able to complain that they didn't get their money's worth. Layout started into action around 12:30 and continued till the small hours of the morning without a letup in pace or excellence of entertainment. Tickets sold accounted for \$21,828; program and flower sales, \$5,000; plus \$25,000 from Wrigley for the radio rights.

Show was routed by Leon Leonidoff, Music Hall's production head, Billy Rose and Leonard Sillman. Leonidoff was in the wings and on the stage throughout the show, seeing to it that things went smoothly. He was principally responsible for the actual untrailing of the proceedings.

The Acts  
Ineup of acts and personalities included practically every big name orchestra in N. Y., at the time. A few of those who performed included:

Noel Coward, Gertrude Lawrence, Evelyn Laye, Beatrice Lillie, Milton Berle, Bert Lahr, Hope, Ethel Merman, Kitty Carlisle, Loretta Bay, Reginald Gardiner, Helen Hayes, Ruth Gordon, George Jessel, James Barton, Deems Taylor, Erno Rapee, Walter Damrosch, Leo Reisman, Fred Waring's glee club, the Lombardo and Calloway bands, Ernest Truex, Clifford Webb, Borrah Mineevitch's harmonica band, and far into the night. Proceedings were run off in very smooth fashion, considering the many handicaps involved in the taping of a show of this kind.

British artists stood out prominently that contingent being led by Noel Coward, who remained from the start until the show rang down at 4:10 a.m. Coward was one of the m. c.'s. Deems Taylor, teed off as a confederate, followed by George Bob Hope, Milton Berle and Coward as the main speakers.

Coward spoke for his compatriots graciously, indicating that America had been so kind and generous to English players that they, by participating in aid of sufferers in the national disaster, were responding in a small measure as a gesture of their gratitude.

Head of the performers sat around at tables in niterie fashion in front of the M. H. symph orchestra in the stage and along the sides of the house. A dais was also mounted at the back the stage behind the symph. Sandwiches and coffee were served to the artists while the show was in progress.

Show's gross of \$51,828 includes the \$25,000 paid for the broadcasting privileges by Wrigley's, NBC, CBS, Mutual and other radio networks aired the entertainment. Balance of the take came from ticket (it was a sell-out), program and flower sales. There was no audience collection or collection boxes.

### PRATT'S BOOKING TRIP

New Orleans, Feb. 16.  
Miles Pratt, collector of customs and operator of the St. Charles theatre, will leave for Chicago Wednesday to book a number of stage shows for the house.

Sally Rand's roadshow is one of its prospects.

### Six-Day Hartford Stand

Hartford, Feb. 16.  
After four-day shutdown, the Cameo theatre reopened Sunday (14) with vaude on a six-day basis. Theatre previously played stage shows only the last four days of each week. Competition with State theatre caused the change.

## Va. County Closes Niteries On Sun., But Pix Spot OK

Lynchburg, Feb. 16.  
While other Virginia are giving okay ix, Campbell County, just outside Lynchburg, has announced, at once, on niterie and cafe dancing on the Sabbath.

ite spots have been: ing, all-day on Sunday, depending for patronage on Lynchburgers who find little Sunday amusement outside the picture houses in their home town. Half a dozen spots have been notified they must close from Saturday midnight to Sunday midnight.

## CBS' \$7,500 MUSIC BILL FOR R.C. BENEFIT

CBS had to guarantee payment of a \$7,500 musicians' charge before the various networks could broadcast the flood relief benefit show from Radio City Music Hall last Friday morning (12). Frederic A. Willis, assistant to the CBS prez, was of the hope yesterday (Tuesday) that the jam might yet be straightened out with the musicians' union and he has called for next Tuesday: (23) a meeting of the amusement fields committee which handled the benefit for a discussion of the situation.

Jack Rosenberg, president of the New York musicians' designated the broadcast commercial one, on the ground that it was being sponsored by Wrigley gum. Position that Rosenberg took was even though the \$25,000 which Wrigley had put up for the connection was to go into the flood relief funds; in fact his organization could not establish precedent by waiving the charge on a commercial broadcast. The musical, like stagehands, had contributed gratis their to the stage end of the benefit show and would not have asked for a fee if the broadcast had no commercial affiliation.

Willis described the tangle with the union as an honest mistake. Local 802 was not contacted for permission to clear the program because someone on the network staff had informed CBS higher-ups that it would be okay. Rosenberg's intercession occurred several hours before the show was to go on. Willis got in touch with representatives of the other networks, outlined the situation to them, and declared that CBS, which had sold the sponsorship idea to Wrigley, would guarantee to pay the \$7,500 asked by the union.

## RKO's Now 'n' Then Vaude Policy in K. C.

Kansas City,  
RKO's Mainstreet, until this week members in the Fox pooling set-up that has been in operation since early last summer, will return to a stage policy. Fresh will be used only periodically and will depend on availability of units. First in under new policy will be the Ethel Waters 'Swing, Harlem, Swi' which opens Friday (19).

Since Mainstreet has been in pool it has had straight picture policy, and the partially Fox-owned Tower boasted the only stage policy in town.

Shows on WBAL.  
Baltimore, Feb. 15.

Ted Routson. Hippodrome, local combo house, completed a tie-up with Radio station WBAL to present a weekly vaude program. No commercial tie-up except for theatre plug.

First program went on last night from studio featuring interview with Ina Ray Hutton by Rex Reynolds of WBAL staff.

## T. A. Waives 15%

The Theatre Authority which collects 15% of the gross taken in at benefits not given for theatrical charity, waives its share of the flood sufferers show at Radio City Music Hall show in entirety. Stage houses for other flood relief affairs.

TA does not participate in night Sunday performances in aid of the Stage Relief Fund, cause that is strictly theatrical charity. The collections from other benefits are turned over to the Actors' Fund and the three stage guilds.

## CRA ENTERING UNIT FIELD

Con-soli spent last week town arranging with Leo Salki head of his Chi office, to go ahead with plans whereby CRA will deal not only with bands, but be able to supply unit shows to all fields of show business.

are to enlarge both New York and Chicago headquarters, and open an office on the Coast, adding men to handle the selling of vaudeville, nite club, hotel, and concert units. Deal was made with Fanchon & Marco last December, whereby that organization will build, units, and handle all production for CRA. CRA will confine itself to selling, and allow F&M the produc-

## Post-Mardi Gras Period No Bugaboo to Orleans Niteries; Bigger Shows

New Orleans, Feb. 16.  
Dullness which follows Mardi Gras and the coming of Lent has failed to materialize this year. Instead, the niteries are more active than ever. New bands and augmented floor shows are in evidence.

'Wingy' Manone opened (16) in the Chez Paree. In floor show with band are Lulu Bates, singer, and Margaret Lewis, fan dancer. Joe Capraro's band opened at Cotton Club (15) with Johnny Saba as vocalist and m.c. Show includes Rita Eagan, singer; Wilson, and Quai, acrobatic duo. New show at Prima's Shim Sham has Tony Almerico's band, Jean Lanier, singer from WLW, Cincinnati; Kolya and Berte, dance team, and Ora Monte, dancer.

Club Plantation's new show features Margaret Reed, vocalist; Al and Francis Ray, dance team, and Lee Fox, rumba specialist.

Two conventions will bring over 30,000 persons here latter part of month and early in March, and boys are out to attract some of the spenders.

## Floor Shows Spread in Balto Niteries, With Trend Away From Name Orks.

Baltimore, Feb. 16.  
A decided trend to floor shows rather than stress on bands has been noted this town during past month. Opening of season found most of the dine and dance palaces featuring dancipation over the floor shows, but from all indications this policy is n.s.g.

Taking their cues early in season from the swanky Bubble Room in the Lord Baltimore hotel and the Penthouse atop the Stanley theatre; which opened with Johnni Johnson and Frank Britton bands, respectively, most of the other spots gave their bandmen top billing and held down the nut on the floor diversitement.

Only Max Cohen, operator of the Oasis, now in its tenth year, persisted in his policy of floor shows. First to change to same policy was Lou Harris, of the Penthouse, who started off recently with four acts and li of girls and is getting more ambitious as the weeks pass.

## Loew's Century, Balto, Drops Vaude Again; Leaves Cham Only 2 Weeks

## La. State U. Studes Okay 'Dry' Niterie for Campus

students voted (12) to establish a campus. Soft drinks, dance music and entertainment are planned. Plan was offered in Feb.

veille, student publication, solve the problem faced by students with no and limited amount of money.

The Reveille backed up its front page story and ballot with an editorial captioned, L.S.U. Needs a Night Club!

## STANLEY, PITT, MAY GO BACK TO VAUDEFILM

itsburgh.  
Stanley's policy for next couple of months expected to be determined this week when Harry Kalmine, zone manager for Warners, arrives in New York from 18-day cruise and goes into a huddle with home-office officials. WB's de luxe for last month has been playing strai ix, but early return of flesh has been hinted at.

House had been going along profitably since last November with combo attractions, but claimed inability to land suitable stage material at reasonable prices was reason for switching over. Insiders, however, id more than that fact that ig flickers were pling up on Penn and Stanley under Loew-WB pool. Kalmine expected to make an announcement upon his return although some quarters it's believed site will hold off flesh until after Lent at least.

## ONYX, N.Y., MOVING TO LARGER QUARTERS

All Stars Club, operating the now defunct Clover Club on West 52d street, N. Y., becomes the new Onyx, adding 100 to the capacity, which is the main reason why Joe Helbeck moved from the next-door site presently housing the Onyx. New capacity will be 250.

Clover Club was Willie Wagner's short-lived itery attempt with Jackson, Irving and Reeve as the major attractions. As for the new Onyx, it will have no dance floor, but Stuff Smith will give out the swingo per usual.

Helbeck returned last week from a Hollywood o.o.

Stage shows go out of Loew's Century, Baltimore, Friday (19), probably for all time. House resumed vaude only a couple of weeks ago, after five-month holiday due to musician differences, but biz has been very poor.

Balto house has always been the one spot where Loew's admittedly needed stage shows because of the stage competition from Izzy Rappaport's indie Hippodrome. But competition or no, the circuit has decided that, in view of biz the last couple of weeks, first it Lupe Velez and Johnny Weissmuller headlining and currently with Fats Waller's band, it can lose less with strai with vaude.

What settlement will be made with the Balto musicians' local on the new contract signed early in January has not been determined. Deal is understood to guarantee the tooters minimum of 20 weeks a year, coming after the musicians had striking for some sort of guarantee for nearly five months. House originally went straight pictures for a run of 'Great Ziegfeld' (Metro); and then wanted to resume vaude week-to-week basis, but the union balked.

Dropout of Balto house gives Loew's only two weeks of vaude, Capitol, Washington and State, N. Y., plus the Stanley, Pittsburgh, which Sid Piermont, Loew's booking manager, hooks in conjunction with Harry Meyer of Warners, on a theatre-pooling deal, however it plays stage shows. Biz in Washington has been holding up, vaude there looks safe, for the time being at least. In New York, the State, as the only full-week vaude house in the metropolis, has been ringing up steady profits for the past 18 months.

Vaude going out of Balto, also means the exit of Harvey Hammond from the Century. Union won't permit organist to play unless there's also a pit crew in the house.

## JOE PHILLIPS' MENTAL AILMENT; IN H'WOOD

Hollywood, Feb. 16.  
Standard vaude comedienne whose last picture assignment was in 'After the Thin Man' (Metro), is seriously ill in Cedars of Lebanon hospital here. Medicos have diagnosed his ailment as mental.

His brother, Johnny, New York restaurateur, came here last week on a hurry call.

## Niteries, Philly Musicians Now Tiffing on Benefits

Philadelphia, Feb. 16.  
More trouble here last week between A. A. Tomei, president of Musicians' Local, and niterie owners, through Tomei's refusal to let bands play benefits.

Latest difficulty was at Benny the Bum's. Benny contributed 10% of gross to flood relief last Tuesday (9). Red Nichols' band, appearing Nixon-Grand, offered to come down to boost gross. Sam Stiefel, operator of Grand, okayed arrangement. Ben Lemisch, the Bum's partner, then called Tomei, to get the green light from the end. But union prexy balked, demanding cut for the local, it is reported. Words ensued. The band didn't appear.

## Essaness Chicago Houses May Go for Stage Shows

Chicago, Feb. 16.  
Attempt is being made by the Billy Diamond office to open the Essaness house to flesh attract, and breaking the ice with units from the WLS radio station. One unit played the Sheridan, a 2,600-seater, last week. Other Essaness houses are to follow with similar attractions, chafing at operating about 20 theatres in this vicinity.

## Ted Claire's 3-Act

Ted Claire has new three-act, his two girl partners being billed as the Rhythm Redheads. Former m. trots out his new act for inspection at the indie Hippodrome, Baltimore, week of Feb. 26.

## Cleve. Musicians' New Wage Scale Drawing Reprisals from Nitery Ops

Cleveland, Feb. 16. New wage scale set up by local musicians' union for dance bandsters working in nightclubs affects nearly 70 spots here. Although agreeing to pay tuneesters a minimum of \$1 per hour, majority of proprietors are trying to retaliate by cutting down size of orchestras. Battle has thrown a number out of work temporarily. Milton W. Krasny, recently elected prez of local, is fighting for complete unionization of nitery stands, confident that unemployed will be absorbed when that happens. While this is one of the strongest union towns country, nitery tooters would, until now, take any salary they could get, often as low as \$15 a week per head.

Krasny, just and youngest union head in American Federation of Labor, is first one to work out a definite scale for bandmen according to four classifications. Class A includes nine downtown hotels and Mayfair Casino, which must now pay musicians \$2 per hour for the first 12 hours of work in a week, then \$1.50 for each succeeding hour. (Around 100 dance and wine places, while not yet unionized, have been cataloged by Krasny and board of directors as future spots of employment.)

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ment with scale already First and only serious opposition to date came when Frank Burns, manager of Paddock Club, refused to recognize demands a week or so ago. Regular musicians were immediately yanked out and Paddock was minus a band for several days, until Burns changed his mind.

Owners of a dozen clubs, complaining that hiked wages meant the difference between a reasonable profit and being in the red, have shaved their nine-10-piece bands down to four and five pieces. Hours have also been regulated. Former hours of 9 p.m. to 4 a.m. in some of the joints, with rests few and not so long, were ended recently by city's dance hall inspectors, who established 2:30 a.m. curfew for dance music. Ukase is now strictly enforced, inspectors dishing out court fines (revoking licenses of a couple of tough spots).

It all adds up to a lot of headaches for the all-night hangouts that used to get away with plenty as far as pay, hours and low overheads were concerned.

Besides Krasny, local union recently elected Ed Rupp as assistant to prez Henry Pizenmayer as vice prez; Elmer H. Wahl, secretary and treasurer with Krasny, Pizenmayer, Wahl, B. W. Costello, F. J. Crandall, Ed A. Haug, Ralph Villone and Horace C. Yokoun as board of directors.

### Saranac Lake

By Happy Benway

Jeanne Bernhardt, who met with an accident while being shot out of a cannon, is doing extra well in a Toronto hospital.

Ford Raymond just mastered the third stage of the 'rib' operation. Dorothy Kruse is penciled in for the rib op.

Doris Schrage is much bedding it at the lodge.

Marion Cannon has joined the pneumo-thorax gang and showing improvement.

Dr. Albert Cornell, medico at the lodge, leaves for a N. J. berth. He formerly was an actor.

Lester Sheehan, who has been up here for so long, is doing well.

Alice Carman, who saw 10 years of this ozoning, is now airing at 10243 Samoa ave., Tujunga, Cal.

Write to these that you know in Saranac and elsewhere who are sick.

### Nitery Op Stitched

Baltimore, Feb. 15. Sam Lampe, proprietor of the Two o'Clock Club, located in local Bowery section, had his hair combed by an empty beer bottle in the hands of John Adams, a wrestler, last week. Lampe was rushed to the Johns Hopkins hospital for some quick embroidery, and had twelve stitches put in his dome. Adams was fined \$50 and costs.

## B&K Sets Veloz & Yolanda For Next Year at \$8,500

Chicago, Feb. 16. Veloz and Yolanda, who just closed a two-week booking at the Balaban & Katz Chicago theatre, were signed immediately for next year at the house. Salary is to be \$8,500, an increase of \$1,000 over this year. New contract is for one week, with an option for an additional week.

## Japan Tougher

(Continued from page 13)

other side offering more attractive rentals' better percentages. So far both sides have stuck to the agreement and have made no effort to meddle with each other's playmates.

### Metro's Try to Break It

Because the representatives of the American producers here never seem to be able to get together when their interests are threatened, there is little likelihood that they will be able to do anything to break the present combo against them. Metro didn't like the idea when it developed and apparently made an effort to do something by building a house in the downtown district. This was put on the shelf by the police, who refused to issue a permit. With the cards stacked as they are, none of the distributors will be able to send much coin home, even in face of the fact that attendance figures are showing increases. When grosses begin to go, the percentages will begin to drop.

Toho outfit is looking a long way into the future as regards the distribution of foreign films in Japan and, unless the American producers stick together, Toho may accomplish its purpose in the course of a couple of years. What it has in mind is distribution of all foreign product through one or two all-Jap companies. First step in the procedure was made when Toho organized the Toho Eiga Kaikyu Kaishiki Kaisha (Toho Film Distributing Co., Ltd.). There are also several other outfits which are thinking along the same lines, among them being Empire Film Distributing Co. and the Obel Eiga Kaisha (U. Ono & Co.).

Most of the local managers of foreign companies are inclined to scoff at the idea and Del Goodman, Far Eastern manager of 20th-Fox, is credited with having recently stated that his company would not think of making an arrangement to distribute through a Japanese co. at any price.

Fact remains, however, that the Japs are in control of their own country and can make it exceedingly difficult for foreigners to do business here if they set their minds to it. They have been able to run the foreigners out of most of their industrial companies, such as Nipponophone, Victor, Westinghouse Electric, General Electric, Trucon and many others of considerable size. Only last year the Diet passed a law limiting the output of Ford and General Motors, in order to build up the local auto industry. If it can be done in those lines, perhaps it can be done with pix, too.

Quota Movement. Most of the Japs who have given the matter any attention believe that the first move will be in the form of a quota. Some say it will come in a year, while the more conservative think three years, or perhaps five. All them seem to feel that a quota is on the way. All that staves it off at present is the uncertain condition of the production end of the business here.

This may be helped along a little in the near future, as the government has been eyeing the biz with the idea of extending help in a substantial form. Fast has proven that when an industry needs a helping hand the government here usually comes through with sizable subsidy.

Mental attitude of the nation is ripe just now for a clamping on of the lid as far as foreign things go and it's a cinch that pix will come in for more than their share of the clamping because of their far-reaching effect on the morals of the public.

American companies are not entirely ignorant of the trend of thought among the Jap pix companies. RKO last year was approached by one of the smaller Jap distributing companies, which at that time was favored with the backing of a Jap millionaire. Nothing ever came of the matter, because RKO didn't show any interest, but it does show that there's a definite idea in the air. When the Japs hit on an idea they usually stay with it.

## 15 YEARS AGO (From VARIETY and Clipper)

Equity had a motion picture branch, but was losing out to newer Film Players Club. That wasn't so hot, either, in the long run.

Lynn, Mass., led the way by forcing a Mary Miles Minter pix off the screen. Flareback of the Taylor murder.

Pauline Frederick married again. This time to Charles A. Rutherford.

Rudolph Valentino ordered to pay Jean Ackerman, his divorced wife, \$175 monthly on showing that his own salary was \$200 a week.

Janet of France had a vaude act with Charles W. Hamp. Then she went nitery.

George Jessel modestly billed himself as 'America's Foremost Young Comedian, Author and Composer' at the N. Y. Riverside. Had dropped his revue and working with a girl interrupter.

Belle Baker out of the N. Y. Palace show through illness. And the bill rendered her badly.

Orpheum circuit decided to remove from N. Y. to Chi. Regarded as more advantageous for bookings. Also gave Marcus Heiman a better grip on the concern.

Cops in N. Y. after stag shows. Reported a growing evil. Girls gave the regular show and then took up a collection. Size of the latter determined what else they did.

Loew's two Cleveland houses dark. Unemployment situation too tough to fight.

Loew agents asked for lower rentals. Took space in the Annex when rents were at peak. Could not meet them now.

William A. Brady and Rev. John Roach Stratton in a joint debate at the latter's church. Dominie took wide swabs at theatre, with Brady on the defense end.

Managers-admitted prices should be lowered, but explained house rentals were too heavy to permit cuts.

Shuberts planning unit shows for the coming season. Six acts and a boiled down musical.

Vaudeville acts told by Albee to cut down expenses so they could accept smaller salaries. Spending too much for scenery, etc.

Misai-Mayfair into the Versailles, N. Y., handing new show with Ben Yon's band and Raphael, accordionist.

FOR - THEATRES  
CLUBS and PICTURES

# DON CUMMINGS

"THE COWBOY IN TAILS"

DON CUMMINGS  
Rope Comedian  
5 Mins.  
Radio Room, N. Y.

Don Cummings is only new on a nit club floor. The roping comedian was booked in at a vaudeville. Cummings is a young and personable gent. Nothing Willingness or homey about his humor. He's in tails and with an engaging front that's half his battle. The small talk is cute and gets over. He does rope while and jumps through the lariat rather amazingly, considering the slipperiness of the floor and his starched-shirt costume.

He's a bit of a novelty, all right on a cafe floor, and seems that the

more fashionable the environment the better the effect. He'll fit in anywhere, however.  
(reprinted from Abel, 20, '36)

### MICHIGAN, DETROIT

Topnotcher of the show, although not billed that way, is Don Cummings. On new short, lanky fella gets more life out of audience than rest of turns combined. His appearance in tails, whirling rope, is enough to start him off necker. To this he adds wash of droll humor, plus couple nifty lariat tricks, and it spells a big-oh.  
(Reprinted from Variety, Jan. 27, '37)

### RETURN ENGAGEMENT

This Week (February 12)—CHICAGO, CHICAGO

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## PAUL WHITEMAN WINS RAMONA DAVIES SUIT

Ramona Davies, pianist-songstress, must live up to her contract with Paul Whiteman, the Artists' Management Bureau and Jack Lavi, N. Y. Supreme Court Justice Callahan decided yesterday (Tuesday).

Ramona, under contract with Whiteman as piano soloist with his orch., had sought temporary injunction to restrain the plaintiff from interfering with her outside stage work. The temporary stay was asked pending trial of suit to have the contract voided by the Court.

### F&M-CRA Nitery Show

Fanchon & Marco's first show booking out of town on its co-operative deal with Consolidated Radio Artists is the New Kenmore Hotel Albany, N. Y., opening Saturday (20). Those already set for the show are Stuart and Lee, dancers, and Na Nazarro, Jr., m.c.-singer. Jerry Johnson's band remains.

Gunnar Wllg. of WHE went to New York for the Bowles salute to Roch ester program. Local amateurs in the lineup were Charles Schults, tenor and Eleanor Mitchell, flutist, the Eastman School of Music.

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# ROAD SHOWS PLAY REPEATS

## 'Lutchinushka' Puzzles Equity; Russ-American Casting Problem

The problem of split jurisdiction in connection with a legit attraction faces Equity for the first time since the actors' association was formed. The show will have an all-Russian cast which is being imported and the revue-type presentation will be in the native tongue, but the chorus will be American in the event that Equity okay the idea, as at present indicated.

Because the show will be foreign tongue and performed by aliens, Equity rates the attraction outside its jurisdiction, but affiliate, Chorus Equity, has been asked to okay the engaging of its members for the ensemble and dancing includes. Harry D. Goldberg, associated with an artists' bureau in New York, is sponsoring the import which is called 'Lutchinushka'.

Under the Chorus Equity rules, no members are permitted to appear in shows unless all the cast are Equityites. Goldberg's offer to furnish a bond guaranteeing chorine salaries being considered, but since the cast will not be members of Equity, it is probable that either the qualifying clause will be scratched from the contracts or special contracts used.

Equity officers are disposed to clear the matter either way on the grounds that 'Lutchinushka' will provide added employment for its chorus branch. It was stated that the manager could assemble a chorus of non-Equity people, but that the plan to use trained American girls was justification for conceding the split jurisdiction.

The cast will not come under Equity's alien rules, nor will the producer be required to file bond cash guaranteeing at least two weeks' salaries. Rules on aliens provide that such players must pay 5% of their salaries to Equity, the minimum being \$10 weekly. No such requirement will apply to the Muscovites, however. Matters of transportation and salary will be between the manager and the players only.

## 'GLORY FOR ALL' FOLDS; HEADACHES FOR MANY

The venture of the comics into legit production has come to a halt for the present at least. 'Glory for All,' the George Jessel, Jack Benny, George Burns, Bert Wheeler, Kalmar and Ruby, et al., presentation, opened and closed in Philadelphia last week. After Saturdays performance the production was brought back to N. Y. and placed in storage.

Not only did the script need revision, but the cast was not up to expectations. Show may reappear, but not until next season. Jessel scooted for Florida, but is due on the Coast early next month, having two broadcasts scheduled. He starts a supervisory job with Warners early in April.

Philadelphia, Feb.

inal performance of 'Glory for All' at the Exchange Saturday night (13) was disrupted by several hundred U. of P. students, who attended show in a body. During first and part of subsequent acts they cheered entrances and exits, applauded or booed speeches and offered loud advice and wisecracks at actors. After few minutes, rest of audience left house and demanded refunds. More than \$100 was paid back in excess.

While incident has occurred previously here, it is first time it happened at closing performance. Already discouraged at show's flop, cast went through motions of playing comedy, ut it was audible only to themselves. didn't take a single curtain call.

Donald MacBri, who played lead in comedy, reported signed by Warner Bros. Understood he's never appeared in legit on Broadway.

Last time Penn studies wrecked performance here was during run of 'Merriely We Roll Along,' at Chestnut two seasons ago.

## Losing Faith?

Miami Beach, Feb. 16. Lee Shubert is off the ponies and for a good enough reason. It seems he put 50 bucks on a nag which galloped across the line in front of the pack, mutual odds being 22 to one. But couple of jockeys claimed interference and the horse was disqualified. Showman was among those who suffered extreme agony.

## AUTHORS CLAIM PLAY BADLY 'DOCTORED'

Everyone concerned with the production of late 'Point of Honor' by Jo Eisinger and Stephen Van Gluck are at odds over alleged close dealing of Luther Greene, producer, with the authors. Since play tried out in Philly, the authors have not spoken and one of them, Van Gluck, did not even see the play on stage.

Trouble started, says Allied Authors, agents for play, when Luther Greene presented the authors with a new contract (contrary to Dramatist Guild regulations) the night notice for continuance for Broadway premiere was hung up in Philly.

Original contracts stipulated that authors did not have to accept revisions in their script and provided (an extra concession) that they could demand a new director if results were not satisfactory to them. Luther Greene directed himself.

The second contract, signed in Philadelphia at the last minute, stated that Van Gluck, writer on the N. Y. Times, was to be given a free hand in rewriting the play, revisions of which were not to be seen by the authors, and that he was to receive 25 percent of the authors' royalties for this service. In addition he received an advance royalty of \$250. Authors received only \$100 to split as their advance.

Allied claims that play was so altered as to make the authors' peculiar. Scenes were changed, lines rewritten and some deleted to the satisfaction of the new writer and the producer. Newness of the authors (their first) is blamed by Allied for their gullibility. Van Gluck refused to see the play on grounds that it was not his and therefore he was not interested.

## Kid Actors in D. C. Must Be Abed by 10 P. M. So 'Dead End' Rings Up at 8

Pittsburgh, Feb. 16. Couple of kids from New York company of 'Dead End' sent on last week as replacements for youngsters under 18 in the No. 2 troupe. Management taking no chances on stiff child labor law regulations in Washington, where show is current this week.

As it is, 'End' must ring up in capital at 8 p.m. on the dot in order to bring down curtain by 10 p.m. That's the hour all performers under 18 must be off the stage in D.C.

rama Criticism on WFIL Philadelphia, Feb. 16. Lee Frank, assistant legit crick on several Philly sheets until marriage to Vic Frank, ill new series of theatre reviews interviews, beginning today. Skipped for 15 minutes, Tuesdays, Thursdays and Fridays over WFIL. Lit Bros. department's sorry

## TOO FEW PLAYS TO GO AROUND

Three Follow-Up Dates in a Row Pittsburgh—Two Theatres Now for Washington—Detroit Booming

### TWO-WEEK STANDS

Pittsburgh, Shortage of legit shows for the road is forcing the Nixon to play a couple of return engagements. A low rate is month. First of the two to come will be Tobacco Road, which moves in the week of Feb. 22. This one played here for three weeks last season, doing record biz for the run.

Other is the Max Gordon musical, 'Great Waltz,' which likewise was an early 1936 entry at the Nixon. Still a third repeat booked in 'Boy Meets Girl,' which makes the quickest return trip to Pittsburgh in the history of the town. Due in March 8 for one week. Spewack comedy was seen here less than two months ago. Company which played 'Boy-Girl' here last time has since been disbanded, with the Coast company stopping off en route back east this time. Attraction chewed off approximately \$13,000 in January, for good profit both ways.

### Detroit Holdovers

Detroit, 16. 'On Your Toes,' musical, is being held over here for the second week currently. It's the second show of the season to get a two-week run, 'Scandals' having tried it previously, a few months ago.

Marks the first season since the w. k. depress that Detroit has been considered good enough to handle any show for two weeks and b. o. results prove it a correct analysis. Lack of available shows in the face of rising b. o. returns is another factor, of course.

### Washington Outlook

Washington. With the Belasco theatre open once again for legit, in opposition to the National, it means that the nation's capital has two legit houses for the first time in several years.

Business has been exceptionally good for legit here this season, and the town saw several two-week runs for the first time in years at the National. Good b. o. on all such occasions, with second week building over the first, indicates that the money is around if the shows can be found.

Whether there are enough shows on the road for two houses, however, is considered problematical.

### Louis Blues

St. Louis. 'Boy Meets Girl' returns to the American here next Sunday (28) for the second time this season and its third date in town. St. Louis for a number of years has been considered merely a split-week for legit, but biz is way up these days.

### UNDERSTUDY ALIBI

Claims for Three-eighths of Week on 'Swing Your Lady'

Claims for three-eighths a week's salary by players in 'Swing Your Lady,' which opened at the Booth, N. Y., and moved to the 46th Street where closed, will be arbitrated this week. Three performances were missed during the final week because of the illness of John Alexander, one of the leads. Cast was paid five-eighths, Milton Shubert, claiming the illness of a featured player permitted the deduction.

Management contended the performances could not be played because there was no understudy. Players, however, claim that there had been an understudy for the part but that he was dismissed several weeks after the opening.

## Blanche Yurka's Idea on 'Wild Duck' Revival May Encounter Trouble

### A New 'Worst' Town

Cleveland, Feb. The road may be hotcha and all excited about legit, but you wouldn't know it from reading the Cleveland totals. This town is rapidly getting itself the rep of being the worst legit city in the U. S. About the only show which can do business here is one with Kathari Her 'Wingless Victory' early this season id okay here, but just about every other date played at the Hanna was to a loss.

## ETERNAL ROAD' NUT CUT TO 23G WEEKLY

With the operating costs revised downward and attendance somewhat better last week, 'The Eternal Road,' Manhattan O. H., N. Y., assumed a more favorable financial status. If the spectacle is to ever recapture an appreciable percentage of its huge cost, however, the grosses must advance to much bigger figures than drawn to date. Indications are the 'Road' will never win back the \$500,000 involved.

The cast, which has 29 people in speaking parts whose salaries are above the Equity minimum, finally agreed to accept a 25% salary cut. The management thereupon rescinded notices of dismissal given 14 of the cast. Salary reduction agreed is for four weeks after which time full contracted salaries will be payable if the spec is operating at a profit.

There were reductions in other departments including the stage crew. Working sheet showed 73 men employed backstage and in the operators booths. Deckhand outfit was reduced by 14 men. Weekly operating nut has been cut to \$23,000 as against \$30,000 when the show opened. Management figures on slicing the royalties, which amount to 14% of the gross. Advertising budget also cut; now down to \$2,000 weekly. Opening week the ad bill totalled \$8,000.

Reported that that item is among the unpaid obligations. About 10 weeks' rent is said to be owed the theatre. It is known that some of the executives have not received salarying those of the management.

## Claudia Morgan Switches Into Guild's 'Storm' Play

Claudia Morgan deserts the cast of 'Masque of Kings' Feb. 27 to take the femme lead in Guild's fifth production of this season, 'Storm Over Patsy.' Latest switch makes third 'Storm' in Wasserglass, which was also known as 'Storm Over Baki,' prior to last alteration. Guild will have to seek several players to fill roles 'Masque' in addition to Miss Morgan's. Although not decided yet on selections, several of the 'Masque' company will be conscripted for 'Storm.'

### N. C. Legit Landmark Passes

Charlotte, N. C., Feb. 16. Academy of Music, more than 80 years the lead Charleston theatre, is no more. Interior has been gutted, hand-wrought ornaments taken down carefully, and the plush seats offered for sale. Most of the distinguished English-speaking players and singers were seen, heard and enjoyed in the Academy of Music during road show era.

Blanche Yurka proposes reviving Ibsen's 'The Wild Duck,' but her plans may go awry if she name of the defunct Actors Theatre. The latter organization was in the red for about \$500,000 when it quit around 1927, and Miss Yurka stands the chance of being showered with legal actions of recovery if the Actors Theatre label is used for presentation purposes.

Just how much the Actors Theatre venture actually lost has long been shrouded in mystery. Group seemed to have little trouble in borrowing money from people socially financially prominent. The list of sponsors invariably printed in the programs, miniature, who's who. One of the few shows the group presented, the 48th St. theatre which may not have lost cost was 'The Wild Duck,' in which Miss Yurka appeared.

Actors Theatre started out as the Equity Players, which had the sponsorship of Equity, although the association's funds were never involved, it was claimed. The Equity group sprung into existence shortly after the actors won the 1919 strike.

Equity leaders finally came to realize that its name used in connection with the presentation had become somewhat embarrassing. Those heading the movement managed to hold it together when there was a merger with the Greenwich Village Players, the new label of Actors Theatre being chosen. It seemed that any number of sponsors came through with renewed subscriptions and loans with the expectation that a hit might bring some of the money back. There were several successes, but the profits hardly denied debts against the organization.

## Ban Threat Publicity In Lynchburg, Va., Ups Tobacco Rd.' Biz

Lynchburg, Va., Feb. 16. City officials' threat to ban 'Tobacco Road' helped the show's biz at pair of performances here. Flurry arose when a group of unidentified citizens complained to City Manager R. W. B. Hart that the show was 'filthy.'

Hart burned up the wires communicating with officials of other Virginia towns where show had played. Argument culminated in Police Chief Virgil B. Grow going to Charlottesville to catch the show the night before it played here. Chief secretly sat in audience and counted 32 high-power oaths which he announced next day would have to be dry-cleaned.

Taylor Holmes, star, finally agreed to curb the strong language and show went on. Chief, in the matinee crowd to check up, counted only half-dozen blank-blanks, and said he wouldn't demand a further cut. Newspaper publicity didn't ticket sales.

## TOVARICH' OPENING ON COAST FRIDAY

Hollywood, Feb. Eugene Leonovich, Osgood Perkins and Bela Lugosi have leads in Homer Curran's Coast production of 'Tovarich.' Play opens in Santa Barbara on Friday (19) and moves to San Francisco before Los Angeles run.

### 'Hamlet' Bowling Out

ieldjud, who drew record business in Boston last week as 'Hamlet,' developed a heavy cold there. He rested in New York Sunday and was well enough to appear in Philadelphia Monday (15). Current date is the English star's final week. He returning to London.

## Inside Stuff—Legit

The cooperation with which the committees worked is a major reason for the success of the flood benefit show at Radio City Music Hall last Thursday (11). The preparatory meetings were called by Alan Corelli of the Theatre Authority and Leonard Sillman, young producer, who were the most active in the affair. Gilbert Miller was the most active among the managers at those sessions. Johnny Shubert worked on production, and in addition sold \$25,000 worth of tickets. Acting as managers, Ben Boyar of the Max Gordon staff, G. S. Eysell of the Music Hall, and F. A. Cruise, disposed of around \$5,000 worth of tickets, to film offices in New York.

When the date of the show was fixed, it was necessary to speed all preparations. W. G. Van Schmus of the Music Hall turned over the entire staff to the committees. Leon Leonidoff was most active in the production end, while Richard Rogers, Erno Rapee and Arthur Schwartz handled the music. On the radio publicity end were red Willis Phillips, Charles and Dick Fishell. On publicity were Nat Dorfman, Hazel Flynn, Elias Sugarmann and Mollie Steiner.

Ralph Lund of RKO handled trailers, which were displayed in 58 theatres in N. Y., the films being donated by National Screen Service. On the theatre publicity end, too, were Robert Weitman, Harry Charnas, D. F. Moore and John Wright. Heading the box offices was Arthur Clary, while Louis Lottio of the Center theatre, handled the ticket agencies. Music Hall's 61-piece orchestra and the stage crew worked gratis.

Corelli is in Florida to handle three flood benefits to be held at Palm Beach and Miami Beach. His assistant, Mack, is in charge while he is away.

Success of Federal Theatre Project in N. Y. is indicated by report released Sunday (14).

Claim that more than 5,500,000 in the five borough attended performances of WPA players was fronted in the report, which contained illustrated history project. Survey included plays presented at permanent houses, along with vaude, marionette, circus and outdoor performances.

According to breakdown, which starts with the opening of 'Walk Together, Chillun' in Harlem at the playhouse, a year ago 5,000,000 persons attended WPA dramas; 722,000 of these were shows; 418,000 dropped on the circus and 1,468,000 attended marionette performances.

Biggest WPA hit was 'It Can't Happen Here', Sinclair Lewis drama, according to advance announcements of the annual report. T. S. Eliot's 'Murder in the Cathedral' was tagged most artistic achievement of the year, playing 38 performances in six weeks to an aggregate house of 40,424. Report points out that 'Murder' could have run much longer, except for an agreement with the author permitting the Government theatre group to present the play for a limited time only. 'Dr. Faustus', a newcomer to the WPA stage, is showing promise, survey declares.

Maxwell Anderson's 'The Masque of Kings', which opened at the Shubert, N. Y., last week, is at least the second tragedy based on the mysterious death of Crown Prince Rudolph of Austria. First was written by Ernest Vajda and Zoe Atkins, called 'The Crown Prince', and presented at the Forrest, N. Y., in 1927.

In the earlier play the death of Rudolph was caused by poisoned wine, his mistress then quaffing the lethal cup. In the Anderson drama, the baroness suicides with a pistol and the prince dies in the same manner. It is believed that the latter is the more authentic disclosure and it is understood that the author obtained the facts from the archives at Vienna.

Amy, wife of Matty Zimmerman of Leblang's, who died in New York last Friday (12), had survived several operations during a year's illness. Her son, Harvey, a patient at the Jersey City Medical Center, suffering with a broken neck, was enabled to visit his mother, but she was in a coma.

Younger Zimmerman was formerly head of Mackay's ticket agency. A daughter, Dorothy, is the wife of Griffith Thompson, connected with a N. Y. radio agency.

Mark Reed, who wrote 'Yes, My Darling Daughter', which opened at the Playhouse, N. Y., last week and clicked, authored four plays of which his newest ('All About Love') is by far the best. Immediately after returning from the war his first play, 'She Would and She Did', was presented at the Vanderbilt where it was a quick flop. About 10 years later his 'Sky-Rocket' also failed, but he registered a fair success with 'Petticoat Fever', presented at the its several seasons ago.

Reed was an architect but has worked at various other occupations, including a suffrage magazine and a brass factory.

William Faversham, former legit star, is a guest at the Percy Williams home at Islip, L. I., having entered several weeks ago. He was accompanied to the train by friends who smiled when he absent-mindedly inquired for a drawing room, such accommodation always being accorded him when on tour.

Star laughed at the query, too.

Katharine Cornell will appear in 'The Wingless Victory', Empire, N. Y., next Monday (22) afternoon but not that evening. It is figured that attendance at the Washington Birthday matinee will exceed the evening draw.

The night show will be dropped because the star does not wish to play more than eight performances during any week.

Alexander Woolcott, formerly a drama critic himself, observed at a Lotus Club, N. Y., dinner Sunday (14) that 'it is not the theatre that is decaying but the theatre critics'. He added: 'The theatre has been in the state of decay, according to its critics, for the past 3,000 years.'

Woolcott was reviewer on the defunct N. Y. (Morning) World and N. Y. Times.

## Herb Gellendres Budget Demands Eases Him Out

Pittsburgh, Feb. 16. Herbert V. Gellendres, for the past two years director of the Pittsburgh Playhouse, understood that board of directors' refusal to meet Gellendres' demands for higher budget during 1937-38 resulted in the split.

Playhouse directors, however, announced that they have no idea of retrenching but will continue operating next year under Equity setup.

## 'FIRST LADY' FOR CURRAN

San Francisco, Feb. 16. Jane Cowell in 'First Lady' is set for a limited run at the Curran here starting March 1.

John Montague, representing Sam H. Harris, is here making arrangements. Montague was last here as the advance man for 'Doddsworth'.

## Salt Lake Wants FTP Director Moved From L.A.

Salt Lake City, Feb. 16. Word battle has been raging the last two weeks among WPA officials demanding removal of the regional office of the Federal Theatre Project from Los Angeles to Salt Lake City.

Claire Triggs, of L. A., assistant regional director of the women's and professional advocate of the project, is the leading advocate for the projected change, suggesting that J. Howard Miller, regional director, move project files to this town.

Ellen Love Joins 'Assurance'

Hartford, Feb. 16. Ellen Love, who had the femme lead in the FTP 'Cellini', stepped out of the cast in the middle of the engagement last week to take a part in 'London Assurance', scheduled to open Thursday (18) at the Vanderbilt.

Maxine Arnold took Miss Love's place in 'Cellini', which played here for a week at the Palace.

## 5 SHOWS DROP OUT OF RUNNING

Three fast flops which opened on Broadway last week stopped Saturday (13) and two others are off the card, all five being losers. 'But for the Grace of God' will end at the Guild this evening after five and one-half weeks. Attraction was limited to subscriptions but played three added performances this week because of theatre parties.

### BUT FOR GRACE OF GOD

With a sole exception, the New York drama critics were disappointed with the Theatre Guild's third try of the season, though all of them were respectful towards it. 'Lack in vitality' Brooks Atkinson (Times) felt, most of his co-workers agreeing. But Gilbert (World-Telegram) called it good show.

Variety (Big) said its 'sincerity fails to atone for a lack of popular elements.'

'Thirsty Soil' closed at the 48th Street, where it tarried only for one week and a half. Trouble-drama got very little oil.

### THIRSTY SOIL

roadway critics knocked down 'Thirsty Soil', Gilbert (World-Telegram) being the only one to see any merit in it. Watts (Herald-Tribune) called it an 'unhappy little misfit', which opinion all the other critics subscribed.

Variety (Ibex) said 'not impress'.

'Call Me Ziggy' opened at the Longacre and folded the next night after being panned. Three performances.

### CALL ME ZIGGY

There was no disposition here; all the critics said 'not quite distasteful'. Mantie (News), kindest critics, felt that 'it is funny only to professional people' and Coleman (Mirror) thought it 'preposterous charade'.

Atkinson (Times) said 'every bit as witless as the quick theatre it pretends to satirize.'

'A Point of Honor' opened at the Fulton last Thursday and dropped out Saturday night. House was guaranteed but no fresh coin was provided for this week. Fanned and had little chance.

### A POINT OF HONOR

None of the first-stringers could see much merit in this one. 'An of inaudibility flying snuff', Gabriel (American) called it, while Lockridge (Sun) opined that 'we all rate word stupides on this one'.

Mantie (News) said 'it is not for the Broadway theatre.'

'Be So Kindly' stopped at the 'it' after one week. Gross was less than \$1,500 and although the management wanted continue, the backers took a walk.

### BE SO KINDLY

First-stringers on the dailies passed this one, but their assistants weren't much impressed by the antics in the upper West End of New York. Variety (Kant) said show 'isn't likely to be competition to anything for any length of time.'

## Shows in Rehearsal

'His Excellency'—Bushar & Tuerk.  
'Sun Kissed'—Bonifis & Sommes.  
'Pillows of Society' (Now You've Done It, 'Me Third')—Brook Pemberton.  
'Storm'—Fatsy.  
'Over Bai'—form in a Teacup—Theatre Guild.  
'Excursion'—John C. Wilson.  
'The Amazing Dr. Clitterhouse'—Gilbert Miller.  
'Driftwood'—Eugene Kerry.

## PROF. EATON RECALLS PLAY BUREAU EXIT

The supposed storm over the picture-backed Bureau of New Plays quickly quieted down and Yale's Walter Prichard Eaton, who withdrew from the bureau, is back in the fold. He is one of an advisory board of three, named at the suggestion of Theresa Helburn, the others being Frederick Kook, of the University of North Carolina, and Kenneth Rowe, of the University of Michigan.

Eaton came around after the bureau made several changes in its rules and provisions which mollified objectors, probably not including the Dramatists Guild. Changes are retroactive and, incidentally, the awards recently announced, several being declined by the winners. Understood they so acted after the Guild claimed the awards were not what they seemed to be because of qualifying conditions.

## Hedgerow Actors Plan Invasion of New England

Philadelphia, Feb. 16. Hedgerow Company will leave their Rose Valley playhouse again this spring, but not for an extended western tour such as they took two years in succession. Instead, they're going to Boston during the week of March 29, taking with them the full-time company of 22 people and 15 part-time members. Engagement is under auspices of the Boston Repertory Theatre. Group will present five plays during week, including 'Getting Married', 'Twelfth Night', 'American Tragedy', 'Mask and the Face' and 'The Inheritors'. Couple of baggage cars figured necessary for the five productions.

Trip to New England and metropolis may mean a slight postponement of Hedgerow's first Shakespearean Festival, but Director J. M. Deeter promises it by end of April.

## Current Road Shows

(WEEK OF FEB. 15)  
Ballet Russe, Auditorium, Denver, 16; Memorial Hall, Salina, Kans., 16; Mosque, Springfield, Mo., 18; Avaret, Kansas City, 19-20.  
'Boy Meets Girl', Majestic, Houston, 14-15; Melba, Dallas, 16-17; Majestic, Ft. Worth, 18; Majestic, Wichita Falls, 19; Paramount, Amarillo, 20.  
'Brother Rat', Plymouth, 20.  
'Dead End', National, Washington, 17.  
'D'Oyley Carte Repertory', larger, Chicago.  
'First Lady' (Jane Cowell), Paramount, Salt Lake City, 17; Biltmore, Los Angeles, 17-20.  
'Follies', Grand, Chicago, 17.  
'Great Waltz', Davidson, Milwaukee, 17.  
'Hamlet', (Gielgud) 17.  
'Hamlet', (Leslie Howard) 17.  
'The Delight', (Lunt and Fontaine) Ford's, Baltimore, 15-18; Shubert, New Haven, 19-20.  
'In a Nutshell', Hanna, Cleveland, 17.  
'Jane Eyre', (K. Hepburn) Municipal, Aude, Kansas City, 15-17; Shrine Aude, Des Moines, 18; Metropolitan, Minneapolis, 19.  
'Letty', (Post Road), Selwyn, Chicago, 17.  
'Meat Ticket', Erlanger, Philadelphia, 17.  
'Nazimova', Repertory, Alexandria, Toronto, 17.  
'On Your Toes', Cass, 17.  
'Pride and Prejudice', 17.  
'Reflected Glory', (Tallulah Bankhead) Nixon, Pittsburgh, 17.  
'Ruth Draper', Auditorium, Paul, 15; Aude, Sioux City, Ia., 16; Jocelyn Aude, Omaha, 17; Aude, Denver, 18; Aude, Salt Lake City, 20.  
'San Carlo Opera', ilharmonic, Los Angeles.  
'Tobacco Road', Belasco, Washington, 17.  
'You Can't Take It With You', Harris,icago, 17.

'When the Cat's Away', musical by Arthur Swannston, to be done by Albert Bannister and J. Edmund Byrne. Music by Michael H. Cleary.  
'Midsummer Night', comedy by Allan Scott set for production by Krinsky Bros.

## B'DWAY P.A.'S TO TALK ASSOC.

roadway's theatrical press agents plan the formation of a new association. That will be definitely decided Sunday (21) when they will meet at the Algonquin.

who has handled a show with the past two seasons will be eligible. Figured there are 35 such play publicists.

At Sunday's session, it will be decided whether road p.a.'s will be eligible, with indications that they too can be members. Idea of for a new association is favored over that of reviving the Theatrical Press Representatives Association.

The Advertising Guild, largely made up of commercial exploitation and ad space buyers, which asked stage, radio and picture p.a.'s to join, held two sessions last week. Understood that few theatrical publicists attended and it is definite that the working p.a.' roadway are opposed trying with the ad guilders.

## EQUITY NIXES A CUT FOR DROPPED MATINEE

Equity has adopted new rule concerning salaries to casts of plays which open on Broadway after Monday of any week. In some instances show debuting, midweek eliminated the first matinee, first pay being one-eighth less than it would have been had the afternoon performance been given.

That has been deemed an evasion of Equity's eight performance rule. New rule calls for the manager to pay for any such dropped matinees. Any differences over an interpretation of the rule is at the sole discretion of the council. Equity cites a possibility, that of a show opening Friday and dropping the Saturday matinee. Pay would be three-eighths and not two. Such instances have rarely, if ever, occurred.

Equity has also adopted a revised contract covering stock companies, but there is but one pertinent change in the old form. Stock managers must pay for the transfer of baggage in N. Y. at the start and upon the closing of the stock. Old contract did not contain that provision.

Rules on closings are the same as in production contracts, with the management paying return transportation.

## Ethel Norris Sued Over Detroit Housewarming

Detroit, Feb. 16. Damages of \$5,700 is being sought by Carl Fisher, dance hall owner, from Ethel Norris and Ethel Norris McKinney, former actress, for damage to furnishings in his home during what Fisher describes as a 'brawl' and attended by Fannie Brice, Eugene and Willie Howard and a show chorus, in November, 1934.

Mrs. McKinney, who as Ethel Norris was a comedienne in Joe Cook's 'Rain or Shine', denied there was any singing or dancing at the housewarming party, shortly after the McKinneys had leased the home furnished from Fisher. The pi she testified in court last week, was out of tune and Miss Brice couldn't play.

Answered Fisher's charges that lighted cigarettes wet drink glasses caused some of the damage. Mrs. McKinney said she doesn't smoke and drinks very sparingly. As for the party, she said it was so quiet that the guests spent most of the time down. Fisher declared several statues and antiques were broken and that several valuable paintings were found missing. He said the party lasted from 9 p.m. to 1 a.m. Hearing resumes this week on the suit.

## Cincy Returns to Legit

Cincinnati, Feb. 16. Cox reopens next week with Tallulah Bankhead in 'Reflected Glory' at \$2.75 top. It's the burg's first legit since the flood, which altered the theatre's schedule.

Nelson G. Trowbr last received cancellation from the D'Oyley Carte Opera company, set for week of March 8, and in definite postponement of engagement of 'Pride and Prejudice', which had been slated for March 1-6.

## Make Plans to Restore Warm Weather Stock in Midwest Area

Boston, Feb. 25.—George Holland, Boston American columnist, will be a fourth itz 'brother' in the stage show opening at Keith's, Boston, Feb. 25, which the Ritz boys are headlining. Holland's appearance will be the first. 'Don't Tell the Wife' based on his original story.

Not divulged whether he will work straight or ritzy.



# Still Four Shows, All Okay at B. O.

## In Loop; No. 2 'Can't Take' \$14,000

Chicago, Feb. 16. Four legit shows in town, of which two are newcomers, and both box-office. One of the two new plays is 'You Can't Take It With You,' 2nd company, at the Harris, and repeating here the strong click of the Broadway. Final, Rave notices, and into immediate capacity.

Other one is D'Oyly Carte Gilbert and Sullivan repertory, back for four weeks and also doing well at the turnstiles.

Two holdovers, 'ing on Letty' and 'ieffed Follies,' are conti ing to excellent trade, especially the Charlotte Greenwood comedy, which is getti ing out-of-town play at present.

### Estimates for Last Week

'Leaning on Letty,' Selwyn (1,000; \$2.75) (13th week). Holding up remarkably, with steady trade coming in from surrounding towns. Again near \$11,000, and doing well.

'You Can't Take It With You,' Harris (1,000; \$2.75) (2nd week). Hit here, as in New York. Notices and comment riding high. Better than \$14,000 last week.

'Ziegfeld Follies,' Grand (1,300; \$3.85) (7th week). Up around the \$22,000 mark again last week. Especially strong on weekends, with only Monday and Tuesday showing any weakness.

### Other Attractions

D'Oyly Carte Gilbert and Sullivan Rep., Erlanger (1,400; \$2.75) (2nd week). In for four weeks and a cinch. Touched \$12,000, splendid for starter.

### WPA

'O Say, Can You Sing?' Great Northern. Musical is building on comment; now running to good four figures weekly.

'The Great Old Summertime,' Blackstone. Replacing 'Within These Walls,' which had a two-week stay.

# TOES \$19,500 AND H.O., DET.

Detroit, Feb. 16. After salting away a hefty \$19,500 on its first show last stanza, 'On Your Toes' sticks at the Cass for a second session currently. Although the top price is \$3.30, highest this season, gross represents one of the best of the 14-week season. Business has been. Probably the best, in view of the costly auto strike which just ended.

In a Nutshell, penciled in for next week, has been cancelled, and, unless it can be arranged to holdover 'Toes' again, Manager Harry McKee will be forced to keep his Cass deck for the first time this season, which to date has been the most prosperous since boom days.

### Estimate for Last Week

'On Your Toes' (Cass; 400; \$3.30). Plenty of buildup and nicked off bumper \$19,500, one of best grosses here this season. Sticks at a second session, and maybe a third.

# NOT EVEN NAZIMOVA ROUSES CLEVE, \$6,000

Cleveland, Feb. 16. Even if Ibsen's ghost had walked out on stage with Nazimova, at the Hanna last week, it's dubious whether it would have helped boost the gross of her 'Ghosts.' Business was about as cheerful as a wake, and the disappointing \$6,000 left Manager William Blair with a funeral look.

Flooded out of Cincinnati, Nazimova got plenty of front-page publicity out of it, but no crowds. Fact that it was the star's second visit this season in a revival, her last being 'Hedda Gabler,' took the edge off her return trek.

Coming after 'On Your Toes,' which didn't click, critics and house manager are up a creek as to what the natives want. Conductor's tastes and failure of the natives to support attractions that were okay every other place, is giving Cleveland the rep of the country's toughest legit town.

Hanna's current is Lulu Vollmer's 'In a Nutshell.'

Estimate for Last Week hosts, Hanna (1,435; \$5-\$2.20)—Ibsen revival too gloomy and show-out to arouse much interest. Eight performances rated \$6,000, mild for a straight drama.

# L.A. DOLES OUT \$12,500 FOR HOWARD'S HAMLET

Los Angeles, Feb. 16. Leslie Howard wound up a nine-day run in 'Hamlet' at the Biltmore (13) for a hefty \$12,500 take on the engagement. House is dark until tomorrow (17), when Jane Cowmover in for 10 days in 'First Lady.' Ruth Draper comes in March 8 for a week of her impressions and 'The Follies' is set for two weeks starting April 5.

San Carlo Opera Co. is currently at the Philharmonic for two weeks, ending just fair. Henry Dufy is reading 'Boy Meets Girl' for an early March debut at the El Capitan.

### Estimates for Last Week

'Hamlet,' Biltmore (S-1,656; \$2.75) (2d. wk. Sunday)—Trade held strong and final six days drew net \$12,500.

### WPA

'Lars Killed His Son,' Musart. Tragedy-drama of Norway featured debut Thursday (19). Robert Noble directed. Cast includes Frank Brownlee, Joan Storm, Arthur Gardner, Sheldon Lewis, Henry Hall.

'Singing Girl,' Mayan. Now in its closing week. John Moffit's newspaper drama failed to catch on for substantial returns.

'Habit,' Mason. Murder mystery play for Sunday (21) after customary two weeks.

'Review of Reviews,' Hollywood Playhouse. Still playing to good returns, but close is set for Sunday (21) after a healthy engagement.

# HEPBURN SOCK \$21,000, ST. LOU

St. Louis, Feb. 16. Katharine Hepburn in 'Jane Eyre' finished one week's run at the American theatre Saturday (13) with a take of approximately \$21,000 for sock biz. In fact this was the best week this house, only legit theatre in town, has enjoyed during the current season.

Hundreds were turned away during the last two days of the run due to the house being sold out. Manager Paul Beisman and Elmer Kenney and Theda Bara advance p.a.'s of the show, combined in a well-spread campaign that netted lots of newspaper space before and during the run. House is dark until Sunday (20), when 'Boy Meets Girl' returns for a one-week stand for the second time this season.

'Nutshell' (1,800; \$3.00) (1st week). Local reviewers hailed into 'In a Nutshell,' premiered by Laurence Rivers at Ford's last week and, as a result, the new comedy Lulu Vollmer had a very rough time, coming out with a weekly gross under \$2,000. Play needs plenty of work before hitting Broadway.

'Maryland,' town's other legit playhouse, dark with no bookings for the present.

### Estimate for Last Week

In a Nutshell, Ford's (1,988; \$2.22). Very sad \$1,800. Bad panning by critic for this premiere.

# Hampden's 'Enemy' Oke \$3,500, Split Wk., N'wark

Newark, Feb. 16. Walter Hampden in 'An Enemy of the People' at the Shubert Theatre was in for three days, four performances, last half of last week and garnered a nice \$3,500, with local notices stressing the educational value of the show. Current attraction starting Sunday (14) with two performances daily. The M-G pic, 'Romeo and Juliet,' with Norma Shearer and Leslie Howard.

### Estimate for Last Week

'An Enemy of the People' Shubert (1,970; \$5-\$2). With a raise in prices and good notices, the Hampden folio show was today turning out for a split-week, four performances, to a good \$3,500.

# PITTS. INDIFFERENT TO 'DEAD END,' \$10,500

Pittsburgh, Feb. 16. Not much interest here last week in 'Dead End,' and the Broadway smash wound up the Nixon with an indifferent \$10,500. Attraction got an even break at that figure, but had anticipated several grand above on strength of showings else where. Coming to city in a Washington and scheduled to wind up its tour in Baltimore next week, although Philadelphia wants it back for a return engagement.

Tallulah Bankhead, in 'Reflected Glory,' is current at the Nixon, actress' first visit to Pittsburgh, and in on a big wave of ballyhoo. Town's only legit site still has a couple of months to go and right now is in its 22nd consecutive week without a dark session, a record since before the depression.

### Estimate for Last Week

'Dead End,' Nixon (2,100; \$2.85). Not even Broadway rep and first-rate critical reception could get more than \$10,500 for this one. Show looked up to come, but not so much, but expectations were for considerably more.

# LUNT-FONTANNE BIG \$24,000, PHILLY

Philadelphia, Feb. 16. John Gielgud's 'Hamlet' is not grabbing most of the legit spotlight here this week. Production no sellout at the premiere, which is a great disappointment; locally, however, 50% opening night and no balcony overflow as was expected. Advance sale O.K., however, especially matinees. The Forrest management was going on to attendance after two weeks of 'Idiot's Delight.' 'On Your Toes' in next, and has good prospects for a two-week stay.

Erlanger has another new show this week, but it doesn't open until tomorrow (Wednesday), staying a week and a half. It's 'The Meal Ticket' and the third try-out in a row the house has had.

Chestnut is holding 'Pride and Prejudice' for a second and final week at a \$1.50 scale. Biz is just fair.

Locust, which didn't get 'Malotto' after last week, is not set to Maye Wilson, goes roadshow p.i., starting Sunday, when 'The Good Earth' (MG) bows in for a run.

### Estimates for Last Week

'Idiot's Delight' (Forrest, 2d week)—Philly Ford's house first two nights, which held down gross some but \$24,000 a week is terrific. Gielgud's 'Hamlet' now.

'Glory for All' (Erlanger)—Try-out which proved to be very tough, but showed possibilities. Possible hit at \$1,800. 'Meal Ticket' in Wednesday (tomorrow).

'Pride and Prejudice' (Chestnut, 1st week)—Return engagement for last year's hit; \$1.50 top now. Gross under \$6,000.

# BANKHEAD 16G, HEY \$5,000; WASH. BIZ OKE

Washington, Feb. 16. Relighting of the Belasco last week with Hey Diddle Diddle marked the first time in three years that the capital has had two legit in the same week and the footlight-minded names in a local fashion. Even the fact that critics were lukewarm to the new Anne Nichols piece did not deter the curious and legit-hungry from sending the week to a profit.

'Reflected Glory' at the National, although the latter got the best of it, with Tallulah Bankhead cracking the papers daily.

Belasco, operated by Jules Leventhal, plans to maintain a \$2.20 top, figured enough under the usual \$2.75-\$3.30 top at the National to compensate for being unable to compete in name prices.

Jack Garrison, with L. Stoddard Taylor, vet manager under the Shubert regime, on hand as the Shubert rep.

Current at the National is 'Dead End,' certain rising at 8 sharp to get the kids off by 10 and comply with a local law.

### Estimates for Last Week

'Reflected Glory' (National; \$2.75). Tallulah Bankhead's big absence, plus a bad among carriage trade, earned \$16,000, hurt some by reopening of the Belasco after three years.

'Hey Diddle Diddle' (Belasco; \$2). Critics yet-and-not-and news that the show was folding for changes at the close of the run here unable to push this one below a fair \$5,000.

# Two New Money Plays on B'way; 'Richard' \$18,000, 'Daughter' \$16,000

At least two new money plays have joined Broadway's legit list. 'King Richard II' furnished a surprise by getting \$18,000 on its first full week at the St. James. Rarely-played Shakespearean work was acquired, many columns in last Sunday's press and may make a run of it. 'Yes, My Darling Daughter,' which also won high critical praise, jumped to capacity at the Playhouse, with an indicated weekly pace of \$16,000.

First full week of 'The Masque of Kings' was fairly high at the Shubert at \$13,000, but on the strength of its week-end until it got a better move. 'Fulton of Oak Falls' (George M. Cohan) opened last mid-week with an indicated pace of around \$9,000; 'Frederick' was rated around \$14,000 at the Imperial. 'Me Ziggy, Longacre' (A Point of Honor), 'Fulton,' and 'Be So Kindly,' Little, opened during the week and closed Saturday night.

Business was off somewhat, especially in the earlier half. Nor did Lincoln's Birthday, Friday (12), provide the volume of expected attendance. It was figured that visitors held off coming to town until this week-end, which will be climaxed by Washington's birthday Monday (22). Brokers are loaded with tickets in that expectation and have their fingers crossed that the weather will be okay.

There were exceptions last week: 'The Women' going to a new high of \$23,200 by virtue of its added holiday matinee. New high for 'You Can't Take It With You' also, quoted close to \$17,000. 'Tovarich' grossed \$23,000 and 'Tonight at 8:30,' \$24,000. 'The Eternal Road' moved up to \$22,000 and 'The Show Is On' is tops with \$39,000, having improved slightly.

'But For The Grace of God' closes at the Guild tonight, house going dark for a couple of weeks. 'The Sun and I,' a WPA affair long in preparation, is due at the Adelphi.

### Estimates for Last Week

'And Now Goodbye,' Golden (3d week) (C-789-\$3.30). Chances only fair so far, with pace estimated around \$5,500 last week.

'Be So Kindly,' Little (2d week). Failed to light up Monday; panned; one week to small money (65th week) (C-1,059-\$3.30). Holding to profitable, though moderate, business; with takings around \$7,500 last week.

'But For The Grace of God,' Guild (21st week) (C-124-\$3.30). Closes after tonight's performance; five weeks and three times (theatre parties); just a subscription show.

'Rebels and Light,' Mansfield (6th week) (D-1,097-\$3.30). Heavy box-office sales continue and gross went up another \$1,000; around \$10,000, which is satisfactory.

'Call Me Ziggy Longacre,' Yanked Saturday after three performances; uniformly panned.

'Dead End,' Belasco (69th week) (CD-1,060-\$3.30). Run drama going along to moderate success, but still operating to profit; last week around \$7,000.

'Frederick,' Imperial (3d week) (C-1,468-\$3.30). Little beyond agency buy and disappointing thus far; first full week estimated around \$14,000.

'Fulton of Oak Falls,' Morosco (2d week) (CD-561-\$3.30). Opened last midweek, with notice excellent for George M. Cohan, but mild on play; indicated pace about \$9,000.

'Having Wonderful Time,' Hudson (1st week) (C-1,094-\$3.30). Panned by critics; Connelly, who wrote Arthur Kober, multi-scened play postponed until Friday (19).

'High Tor,' Beck (6th week) (D-1,214-\$3.30). Appears to have cooled the experts, but continues much better than first indicated; off last week, but okay at \$13,500.

'Howdy Stranger,' 46th St. (6th week) (C-775-\$3.30). Mostly cut rated; claimed better than even break, with pace around \$5,000.

'Masque of Kings,' Shubert (2d week) (D-1,382-\$3.30). Critics gave high praise, but attendance under expectations; first week around \$15,000, which includes subscription coin.

'Point of Honor,' Fulton. Withdrawn Saturday; panned; four performances.

'Red, Hot and Blue,' Alvin (17th week) (M-1,355-\$4.40). Eased 1th field, but profitable, gross got to \$17,000.

'Show Is On,' Winter Garden (9th week) (R-1,671-\$4.40). Record standees for house on Saturday and climbed to around \$39,000; best gross on list.

'Stage Door,' Music Box (16th week) (C-1,012-\$3.30). Eased somewhat, but still a consistent money-

maker, with last week's gross about \$14,500.

'The Eternal Road,' Manhattan (O. H. 7th week) (M-2,780-\$4.40). Somewhat better last week, when several parties attended; gross around \$28,000, which, with reduced operating expense, showed some profit.

'The Wingless Victory,' Empire (9th week) (D-1,099-\$3.30). Around \$15,000 last week, indications are for continuance well into spring, along with alternating 'Candida' (starts early in March).

'The Women,' Barrymore (8th week) (C-1,048-\$3.30). One of best draws on the list, with capacity plus standees at most performances; nine performances last week, its gross over \$22,000.

'Tide Rising,' 44th St. (4th week) (D-1,325-\$2.75). Moved here from Lyceum last week and scale reduced, but little change in pace; \$4,000.

'The Show Is On,' withdrawn Saturday, after week and a half.

'Tobacco Road,' Forrest (16th week) (D-1,017-\$1.65). Still making money, with average weekly pace around \$2,000; slated through the season and possibly, next summer.

'Tonight at 8:30,' National (13th week) (C-1,132-\$4.40). Ticket sale extends to \$18,000, and engagement may last longer; big at \$24,000 last week.

'Tovarich,' Plymouth (19th week) (C-1,036-\$3.30). Another fine gross for standard comedy, with an extra performance takings topped \$23,000.

'Victoria Regina,' Broadhurst (resumed eng.) (51st week) (D-1,110-\$3.30). Indications are that holdover hit could go into the summer, expected to end around May 1, however; around \$18,000 last week.

'White Horse Inn,' Center (21st week) (C-1,321-\$3.85). Held up fairly well, but slightly under recent pace; last week's takings approximated \$32,000.

'Yes, My Darling Daughter,' Playhouse (2d week) (C-878-\$3.30). Greeted warmly by first-nighters and likely new laugh hit; quickly climbed to capacity, with indicated weekly gross \$16,000.

'You Can't Take It With You,' Booth (10th week) (C-704-\$3.30). Seat sale extends into July, with all sorts of records for advance disposal of tickets; last week an added matinee, takings nearly \$17,000.

'Marching Song,' Bayes; presented by Theatre Union; non-profit venture, with \$10 top; opens tonight (Wednesday).

'Naughty, Naughty,' American Music Hall; melodrama along old lines; re-illy a cabaret show.

'An Enemy of the People,' Hudson; house back to legit; Walter Hampden attraction for limited date, opening Monday. 'The Amazing Dr. Clitterhouse' slated next.

'King Richard II,' St. James; excellent business, with first full week quoted at \$18,000.

'London Assurance,' Vanderbilt; old English meller opens Thursday (18).

### WPA

Faust, easily best of relief shows this season.

'Bassa Moona,' Daly's 63d St.; moved down from Harlem.

'Sweet Land,' Lafayette, Harlem.

# GIELGUD WOW \$32,000, BOSTON

Boston, Feb. 16. John Gielgud and his 'Hamlet' mopped up last week at the Shubert, with the town all to itself. Ducat demand was so strong that the matinee was played Friday (12).

'Brother Rat' will do a solo this week at the Plymouth. Opened last night, 'Idiot's Delight' opens next Monday (22) at the Colonial for two weeks.

### Estimate for Last Week

'Hamlet' (Shubert; \$3.30). Welcomed by a large weekly draw a pack of students and regular playgoers who wanted to compare Gielgud's interpretation with Leslie Howard's, which opened here last fall. Result was a socko \$32,000.

### \$18,000 IN DENVER

'Lady,' Four Shows, \$10,500; 'Hamlet,' Two Shows, \$7,500—Both Big

Denver, Feb. 16. 'First Lady,' starring Jane Cowd, did approximately \$10,500 here four performances, one a mati which was a sellout, last week.

In two performance matinee and night, Leslie Howard in 'Hamlet' got an estimated \$7,500, with the biggest matinee gross A. M. Oberfelder, who brought him here, has had since bringing legit to Denver. All performances were in the Municipal Auditorium.



## Plays Abroad

### HOME AND BEAUTY

London.

Charles B. Cochran presents revue, book, A. P. Herbert, music, Nicholas Brooke. Additional music, Henry Sullivan; production devised and staged by John Murray Anderson, Ralph Rusk, and John Murray. Alper, Nelson Keys, Leslie French, Mary Anderson, Iris March, North Howard, Sylvia Frick, Gerald Dixon, Norman Williams, Buntly Palm, Conway Dixon, Ian Jarvis, Leonard Morris. At Adelphi, London, Feb. 2, '37.

In producing "Home and Beauty" Charles Cochran evidently wanted to do something representative of English as timely entertainment for the Coronation. He has provided a gorgeous, artistic, colorful show of vast quantity that may prove a little too qualitative. There is much spectacle, and it moves slowly, never furiously. Throughout there are beautiful pictures, all of them elegant, with effective transparencies, scenery and lighting effects.

Contrary to Cochran's usual revue productions, he has omitted all tap dancing, and the whole thing is confined to clever and subtle satire, with only an occasional resort to the broader brand of humor.

It is all very high-class and polite, and the question to be determined by box-office figures whether it isn't too genteel.

Most impressive thing in the production is the gorgeous pageantry, of a kind never before presented on any stage here, eclipsing even the brilliant scenes of Cochran's "As You Were" revue, staged at the Pavilion in the last year of the war.

Throughout, the book was definitely designed to be satirical in a polite manner, only occasionally aiming at low comedy, upon which the average revue depends for its laughs. Generally speaking, raucous risibility is conspicuously absent.

Bulk of the low comedy is in the hands of Nelson Keys and Binnie Hale, a pair of standard revue artists who are popular in the West End. Both are excellent mimics. The comedy depended upon to score with their impersonations of w.k. theatrical celebrities. For years Keys has been popular in addition to his mimicry, with character skits and clever make-ups. It is a pity, however, he does not take the trouble to change his voice throughout, his skits are stunted he does so admirably with his imitations.

Binnie Hale is one of the prima donnas in opposition to Rita Alper and to all intents and purposes seems to sing as well as the continental operatic star, but much more acceptably in that her enunciation is clear. Miss Alper sings too much which tends to slow down the procedure. Her acting, designed to be gay, is wholly ineffectual.

There are a number of other players and all of them of a calibre to entitle them to individual praise. Music is catchy throughout, and some of it should prove popular.

Visitors to the Coronation will see in the latest Cochran show the most representative British musical entertainment ever produced in the West End. Jolo.

### NIGHT ALONE

London, Feb. 3.

Comedy in three acts by Jeffrey Dell, produced by Henry Cass at Embassy theatre, London, Feb. 2, '37.

Barber..... Basil Conrad  
Tommy Haines..... Alexander Archdale  
Charles Beaton..... Charles Beaton  
Customer..... Julian Somers  
Barbara Seaton..... Helen Horne  
Walter..... Beryl Measor  
Celia..... Anna Konstam  
Gloria..... Gloria  
Walter..... Julian Somers  
Detective-Sergeant..... Dan Tabin  
Detective Stayer..... Basil Conrad  
Superintendent..... John Turnbull

Amusing comedy, chief merit of which is its interpretation by a talented company in general, and Richard Bird in particular. Doubtful if the play itself, less skillfully cast, would be half as entertaining. As a prospect for Broadway it is not so hot, but as a film vehicle, for an Edward Everett Horton type, it might have possibilities.

Main trouble is that most of the plot is obvious from the rise of the curtain. Young couple from the provinces is paying London a week's visit. After a very short time, their companionship they face their first night's separation since marriage. She is to stay with a sister, he presumably to mope, read, relax early and miss her terribly. Her cloying affectionate fussing and remorse at leaving him alone nearly change her plans, but she is saved by her sophisticated, suspicious and bantering man, who kids him about his nocturnal plans.

Finding his wife has forgotten to change his library book, he is fuming restlessly following an earlier encounter with a hometown friend who has twitted him about being such a devoted stay-at-home man, who invites him to a night club. Place is dull, he bores his companions through not drinking and fretting, get home, till one of the two girls starts fussing to live him up. He passes out and they take him to the nearby apartment of the other girl. She manages to get him into the house and sheds her gown. Enter boy

friend, complete with suitcase, who orders her to pack and come away at once, as he has been followed from the customs. They escape through the window, he exchanges overcoats with the other man and leaves the bag in case they are caught. Police break in, rouse the innocent sleeper, and before he knows where he is, he is in jail facing a charge of dope-smuggling. Case is full of it, the overcoat is lined with it, and all attempts at explanation are laughed at.

Ignoring his serious position, the agitated husband's only desire is to get back to the hotel before his wife returns. His overnight companions are brought in, plus the guilty couple, and he is finally cleared. He rushes back and just bolts himself into his bedroom as his better half returns.

Certainly points a moral for would-be straying husbands—and splendid characterizations by Richard Bird, who, he is to say, laughs, makes good entertainment, but show would improve with cutting in the early scenes.

### Racconti d'Autunno

(Tales of Autumn)

Rome.

Play in three acts by Giovanni Forattini. Produced by Dina Galli Co. at the Signora Francesca. Cast: Dina Galli, Elisabetta, Lello Sannagelo, Tom, Giulio Silvani, Signor Morrison, Enzo Gaiotto, Signor Paimoni, Lello Sannagelo, Francesca.

This is not a conventional play at all, but rather a chronicle of historic events. Autumn, winter and spring-time stand for three periods in very recent Italian history—the period of diplomatic wrangling and uncertainty before sanctions; the period of sanctions and the war in Abyssinia; and the moment of diplomatic and military triumph, the proclamation of the new Rome.

Scene is laid in a house which faces on the Piazza Venezia, historic square of Fascist Italy that is flanked by one side by the National Monument and on the other by the palace from whose balcony Mussolini is wont to read his proclamations. Through the open window of the house audience is able to hear the words of the Duce and the acclamations of the crowd.

Thus audience is witness to three historic occasions—day of the popular vote, just before the outbreak of hostilities in East Africa; day of sacrifice when the women of Italy, led by their queen, laid their wedding rings on the Altar of the Mother; and the day when the gold to carry on the war with; day on which Mussolini proclaimed the empire.

With such stirring scenes to be glimpsed through the window, action inside the house is reduced to insignificance. Signora Francesca, owner of the house, is a patriotic Italian widow whose faith in her country keeps her from closing her shop at the outset of sanctions, even though the English father of her English son-in-law tries to persuade her that her business will be ruined. He also tries to persuade her to leave Italy with her young nephew and join her daughter in England, where they will all be safe.

But Mrs. Morrison's arguments fail, and instead of seeing Signora Francesca depart from England, he sees Elisabetta return to Italy, where she insists she wants her first baby to be born in Italy. She is followed by her husband, Tom. And the two Morrisons, father and son, stay to admire Italy, and conclude that Italy is right about this war and sanctions business, and that the baby of Elisabetta and Tom must have an Italian name.

If one wants to be thrilled by Fascist history, fine; if one wants to see a play, nothing doing. Hein.

### BEHIND YOUR BACK

London, Feb.

Comedy by Charles Landstone. Presented by Jack Eggar, Ltd., at Strand, London. Cast: Arthur Hambling, Mrs. Coward, Dorothy Dewhurst, Archie Bentley, Jack Alford, Mrs. Coward, Dorothy Dewhurst, Gwen Bingham, Marjorie Mars, Dugie Dent, Dan Tabin, Vivian Hooker, Jonathan Field, bory Woodford, Dan Tabin, Member of the, Martin Walker, Albert Clifton, Kenneth Buckley, Adam Adams, Eme Percy.

First-rate stage entertainment, full of laughs. Especially laughable for people in or connected with the theatre. It is questionable if those associated with the spoken stage are capable of judging how these amusing situations will be received by the general public, which has so limited a knowledge of happenings backstage. With so many backstage pictures being made these days, the play would seem to be readily adaptable to filming.

Piece was tried out at the Arts Theatre Club a few weeks ago under the title "Front of House," where a satirical audience appreciated the atmosphere and at the public premiere the house was more than

sprinkled with people connected with the big plus the usual first-nighters, who know pretty nearly as much about things in the amusement world as those associated with it.

There is plenty of drama, in addition to the stage atmosphere. Entire first acts are laid in the dress circle (third balcony) bar, and the characters include the house manager, box-office girl, author of the play in progress, hard-boiled usherette, sharp-witted actor-manager, and so on.

Most remarkable thing about the show is the way it is played. Every bit is handled expertly. Martin Walker, for instance, has only a couple of scenes, as a drunk who has to be persuaded to leave the theatre so as not to create a disturbance; Esme Percy has only one bit of about five minutes as the actor-manager; even the usherettes score with unmistakable touches of histrionic ability. Jolo.

### SAISON IN SALZBURG

(Season in Salzburg)

Vienna.

Comedy in five acts by Fred Heller and Adolf Schütz. Deutsche Volkstheater, Vienna, Feb. 1, '37. Cast: Margit Weiter, Von Hochried, Margit Weiter, Countess Arthor, Johanna Terwin, Heide, Ludwig Donath, Film Manager, Ludwig Donath, Channonette, Mimi Shop.

Heller and Schütz, of more than local fame, had written this Salzburg comedy under the auspices of the foreign tourist trade bureau. Governor of Salzburg sends a man to the dress rehearsals to give the scenery, set by Alfred Kunz, under the direction of Heinrich Schnitzler. Very, very funny, and should do business.

Marita, who loved von Hochried, returned from America to Salzburg after the death of her husband, whom she was forced to marry. Von Hochried encounters great difficulties in really winning her back. First, she wants to test him. That makes the plot. Maass.

### UNA NOTTE

(One Night)

Rome.

Play in three acts by G. Romaldi; produced by the theatre by Giulio Donadio's company; featuring Donadio.

Romaldi, besides being a playwright is also a lawyer and an orator of some standing. He gives all his talents full sway in "Una Notte," which culminates in an eloquent lawyer's plea that serves to turn the tide toward the happy ending.

Play is laid in one of those imaginary small countries: at the time of a nationalist revolution, Herzig, leader of the Nationalists, has killed his wife, leaving a young girl, a venturesome who deserved being killed, but Herzig, nevertheless, feels himself a criminal and confides to his friend, lawyer Nagy, that he cannot go on as the leader of an idealistic revolution with this crime on his conscience. Nagy persuades him that his first duty is toward the people who depend on him for leadership; he cannot desert them at this crucial moment; once the revolution has triumphed, the leader can atone for his crime.

After having delivered himself of this eloquent plea for patriotism versus personal considerations and persuaded Herzig to his way of thinking, the lawyer goes to find his own house full of police, and his own son suspected of the crime, with a mass of circumstantial evidence pointing at him. Nagy must decide between his duties as a citizen and his feelings as a father. All hope that the son will be cleared of suspicion by Herzig's confession is crushed when the news comes that Herzig has been killed.

Nagy, not wanting to blacken the name of Herzig, whose death has made him a popular hero, and at the same time wanting at all costs to save his son, then does a neat lawyer's trick. Saying that he knows the criminal and that the criminal has confessed to him, he reconstructs the killing in such detail and with such logic that the police are convinced they have heard the true story. When he still refuses to give the name of the murderer, they jump to the conclusion that it was the lawyer himself.

This conclusion Nagy does not attempt to contradict, knowing that the judges will be swayed by the able lawyer that he is, he has already thought of water-tight arguments for justifying the murder. Hein.

### Kit vs Ann

(Continued from page 1)

The Globe in a revival. Bernard Shaw's "Candida." Performance was warmly greeted and is likely to stick for a while. Play is preceded by a curtain-raiser, "Love and How to Cure it" by Thornton W. Wilder. "The Road to Ruin" opened at Ambassador's Thursday (11). It is a revival of an English comedy melodrama and unlikely to stick. "Strange Barrier" opened at the Little Friday (12). It is a melodrama with an unsatisfactory plot and unlikely.

### JAP FEMME TROUPE TALKS PARIS DATES

D. de la Chevallier,

prominent Yokohama merchant, has an idea that Paris theatregoers would get a kick out of seeing the Takarazuka Girls Opera go through their paces and has opened negotiations with several theatrical agencies of Paris to book that troupe for a short engagement in April.

Proposed deal calls for a company of 25, entire expense of which is to be guaranteed by the French.

### ITALIAN CRUX ON THE SPOT

Rome,

After the recent lation of theatrical criticism many, here figured that now is the time to do away with critics in Italy, too. recent meet in San Remo of the directors of the authors, writers, directors, and scene technici syndicates many cracks at Italian dramatic criticism, and critics were made.

As the representatives of the organization of theatrical critics wrote to the secretaries of the various syndicates asking them to prepare a documentation of the errors, failings, and sins of which they accused critics. At the same time they proposed that, if the documentation showed the faults of the critics to have been really grave, they would submit to the decision of 'higher authorities' on what should be done about it.

Pending the collection of evidence against them, the critics contend that they have always collaborated with the Italian theatre and generously appraised and supported its successes.

### FOSTER AGENCY CASE MAY BE A TEST SUIT

London, Feb. 16.

Foster's Agency sued Evelyn Dall for \$500 limited damages under a sole agency agreement. Case was dismissed by the court, with costs against Foster, on the ground Miss Dall had signed an exclusive agency contract, putting her under obligation, but with the agent in no way obligated.

Court figured that such a contract makes the plaintiff not liable for anything and results in no benefit to the defendant.

It may mean nullification of all exclusive agency contracts in this country, thus having considerable effect on all show biz.

### Reel Costs

(Continued from page 7)

event entailing extra detail, ment and coverage.

Aside from extra wages to cameramen and crews, and the enormous cost of raw stock and shipments, the newsreels were confronted with daily expense bills, on the food stamps, where the cameramen, at bookkeepers. These came from many sections and in vast quantities since each company had 10 to 15 camera grinders on the job.

One cameraman, for instance, sent in an expense bill of \$381 for four days. Multiply this by 50, a figure representing the number of cameramen who actually were active in the field, and the newswreel expense item alone for four days totals \$19,050. Since the lensmen were at work for an average of 12 to 14 days, some newsreel execs figure that the expense bills submitted by cameramen alone amounted to around \$60,000. While other expense accounts amounted to little more than \$100 for two days, there were many instances where the expense item exceeded the bill of \$381 for four days. The newsreels, selling their service on a flat annual rental, are unable to grab an extra cent to make up this huge outlay.

## Jap Star's Tour Of Europe Off; Not Enough Com

Much face is being lost around here these days because of the inability of the Japs to conclude arrangements for sending Kikugoro Onoe and his Kabuki troupe to Europe, as widely advertised. This proposition has been on and off for over a year.

Yesterday (26) the Society for International Cultural Relations, which was acting as sponsors of the tour, failed to sign a contract with the Shochiku Theatrical Co., which controls the actor's services. No nouncements were made by the parties immediately interested, but gossip in theatrical circles indicates that the Society was unable to wrangle enough coin out of the big industrial concerns which usually called upon to finance such enterprises. According to original plans, the Society was to furnish \$70,000 and the balance of the required \$120,000 was to have been raised by subscription among the capitalists.

Kikugoro Onoe seems to be rather happy that he isn't to take the long trip, explaining that he didn't want to go anyway, because his 95-year-old mother is in failing health.

## GRACIE FIELDS-COCHRAN MUSICAL ABANDONED

London, Feb. 16.

That proposed fancy big musical starring Gracie Fields and produced by C. B. Cochran has been abandoned. Was to go into the Lyceum the latter half of March and intended to be a big show, with much international talent and Miss Fields to get \$5,000 weekly, a new high salary for Cochran to pay.

Miss Fields, however, has turned down the book as unsuitable and won't budge on this decision. Piece was originally intended as a musical comedy, but changed to a revue, with three different authors assigned to it, all of whom are understood to have failed to develop it satisfactorily.

Hollywood, Feb. 16.

Twentieth Century-Fox expects Gracie Fields shortly to start her American film production.

### What GBS Charges

London, Feb. 7.

George Bernard Shaw still a 'take it or leave it' playwright. His schedule of charges are more strictly adhered to than ever.

They are 5% lowest, if done by charity or an amateur organization; 7½% below the \$5,000 mark; 10% above \$5,000 up to \$12,000 with anything over that 15%.

### Charlot's New Revue

London, Feb. 16.

Andre Charlot, who has a lease of the Vaudeville theatre, is planning to stage a continuous revue show there about the end of March. Getting ready to cast the show pronto.

### New Rome Theatre

Rome, Feb. 7.

New Arts theatre, which is to be directed by Anton Giulio Bragaglia, will open March 15 for a two-month season.

Reperiole consists of 10 plays, each of which is to be staged by a different director. Plays to be given are all new, as the theatre is to make a specialty of encouraging contemporary authors, without, however, catering to novelties that are entirely experimental.

Theatre will have its own nucleus of actors, but will also invite other companies to play on its stage.

### Gonsalez Opera in India

Calcutta, 28.

Following a successful season in Bombay, the Gonsalez Opera Co. will open a season here at the Globe theatre.

Troupe comprises 16 principals and 56 in the chorus. Vera Poglioli is prima donna.

## Farrell Book Cleared

Complaint brought by John S. Sumner of the New York Society for the Suppression of Vice against James T. Farrell's novel, 'A World I Never Made,' on the charge that the book was 'obscene, lewd and lascivious' was dismissed by Magistrate Henry H. Curran on Feb. 11 in N. Y. Home Circuit. Judge ruled that a whole novel should not be condemned because of objection to parts of it.

Ruling was similar to the decision three years ago of Federal Judge John L. Woolsey considering 'Ulysses' by James Joyce, who declared that single passages could not be isolated in determining whether a work as a whole was phonographic. Similarly, also, Magistrate Curran based his decision on his reaction to the book, rather than on submitted evidence.

Judge expanded his opinion by an informal 30-minute discussion on the subject of art and morals, declaring that if the whole of literature were to be condemned because of isolated expressions, the works of Homer, Chaucer, Shakespeare, Fielding and even the Bible would be banned. He also expressed strong objections to one word, which was not spelled out in the book, but which was expressed with the first and last letters and a dash between them. 'These words should be spelled out or kept out,' he said.

**Baltimore Guild Seeks Hearst**  
Baltimore chapter of the News-Paper Guild, one of the slowest to get into gear in any of the key towns, has finally drafted a contract which Hearst's News-Post will be asked to take.

Three months ago the News-Post voluntarily established a \$30 per week minimum for all editorial employees. Oddly, the Guild contract asks for only a \$25 minimum—but that is for "beginners" who have not yet been on any paper one year. And there is only one under-yearling now on the News-Post, he being David Hearst, 21-year-old son of the publisher.

Guild asks \$30 for those in the paper's service longer than a year; \$35 for three-year men; \$50 for all inside employees; \$60 for general reporters; \$75 for copy-deskmen. The Guild also asks for membership on the News-Post be almost 100% on the union's rolls. Majority joined up after the minimum pay scale was into effect. Baltimore's other pair of dailies, the Morning and Evening Sun, do not recognize the Guild, and less than 50% of their staffs are members. Effort will be made to get the Hearst paper lined up before the two Indies will be tackled.

## George M. Wallace Dies

George M. Wallace, 67, editor and publisher of the Windsor Locks Journal, and a member of the Connecticut legislature, died on Feb. 12, in Hartford, Conn. He was the son of Finton and Mary Wallace. In 1887 he entered the employ of the Journal and would have closed 50 years association there this month. He became the owner of the Journal in 1923.

Surviving are three sons and five daughters.

## Aaron Bernd

Bernd, widely known in American literary circles, died Thursday (11) in Macon, Ga., of pneumonia. At the time of his death he was literary editor of The Macon Telegraph, which paper he began his newspaper career. He fought in France during the World War, after which he went to the Coast as publicity agent for Fox Pictures, Inc.

He returned to Macon after his father's death to take charge of its business interests and had been associated with The Telegraph since that time.

## N. Y. Herald Trib Prizes

N. Y. Herald Tribune is offering two awards of \$250 each—one for the best book for small children and one for the best book for older children published this spring. May Lamberton Becker will be chairman of a committee five judges to select the winners. The awards will be made the first week in May. Idea is to encourage publication of spring and summer juvenile books for moppets, most of which now come out in the fall.

**N. Y. Authors' Weekly Meets**  
Council of the Authors' Guild is initiating a series of weekly afternoon get-togethers in New York by charge of Margaret Widdemer, Helen Christine Bennett, and Ben Lucien Burman.

First will be tomorrow (18), with Dorothea Brande as guest of honor. Affairs are strictly special.

## Reporter Immunity

Georgia Senate Committee has favorably reported a bill granting immunity from reporter's immunity from reveal sources of information.

Measure stands a good chance for passage in both houses.

**Sup. Court Studies Watson Case**  
Controversy between Associated Press and Newspaper Guild over the discharge of Morris Watson, former rewrite man in the New York A.P. bureau, was taken under advisement last week by the U.S. Supreme Court as one of the five cases challenging the Constitutionality of the Wagner Labor Disputes act.

Complaint that the Wagner law would destroy guaranty press freedom, supplemented by the contention that the A. P. is not engaged in interstate commerce and thus is beyond Federal jurisdiction, was made by John W. Davis, former Democratic Presidential nominee and news service attorney. Government, through Charles Wyzanski, special Justice Department attorney, and Stanley Reed, Solicitor General, resisted the transmission of news is definitely an interstate transaction and argued that fair labor practice requirements do not infringe on freedom of the press.

Newspaper Guild was shuddered, although the case was precipitated by its complaint that the A.P. was discriminating against union members in firing Watson. Morris Ernst, Guild counsel, sought to participate in the arguments, but was rebuffed of the lecture by the two government lawyers.

## Hurn's Reformation

Chalk up another miracle for Hollywood, the land of quick-change: this time it's an actor turned scribe, chucking show biz and giving his art for science and adventure. Scribbler is Arthur Hurni, who has just authored a Swiss book, 'Autour d'Hollywood' ('Around Hollywood'), that tells his decade of tribulations in and out of the industry, without bitterness or carping.

Up from extra membership in the silent days, laid was hitting good parts when talkers quered his chances. He returned to Geneva after a fling at Paris and Berlin studios, and gave up films for anthropology, ethnology and archeology.

Hurni returned here last year, after trail-blazing stay among Cuna Indians on Panama. Transcribed folders now while man never captured and turned (like skaters who learn ice art in summer time), having perfected his English while back in Switzerland.

Wash his French literary aspirations with 'Autour d'Hollywood,' had has taken to writing in English.

## Those Brown Shows

Moscow-minded among the Hollywood media are beginning to tire of Stalin pic formula and look for the day when a couple of Sovietized Spewacks will make 'Boy Meets Girl' of the steppes.

Formula of forward-lookers is as bad as the formula of Hollywood, best the Brown Derby Bernard Shaws.

Setup always Boy Meets Collective. Boy Leaves Collective. Collective Gets Boy.

And welcome, say the comrades exiled to the upper income brackets.

## Rochester Moves

Joe Torbett, news editor of the Rochester Times-Union, goes to the Uchita Press as man ging editor, succeeding Paul Williams, who moves up to the editor's chair. Frank Bonn, Telegraph ed on the T-U, replaces Torbett, and Walt Green moves into the telegraph slot. Both papers are Gannett-owned.

Torbett was formerly with the Scripps-Howard chain.

## Lifar's Book Yen

Serge Lifar has a sideline—writing books.

Ballet dancer and Maitre de Ballet at the Paris Opera will soon publish a book on his former instructor, Diaghlev. Besides this, Lifar is also busy with preparations for an exhibition dealing with the books of Pushki at the bibliotheque Nationale.

## The Hard Way

Although Hollywood studios are only a few miles away the L.A. Times is taking the long route to grab foto pictures. Sheet takes the Des Moines Register syndicate stuff to avoid taint of press agency which might cling to the studio art.

## New Book on Hammerstein

New book on the life of the late Oscar Hammerstein will shortly be published and is expected to be the most thorough biography of the showman. Ori script of some 175,000 words was prepared by Lee Kugler for Arthur Hammerstein, facts and incidents being culled from newspaper files and those associated with Hammerstein. Yarn now being revised into book form by Parker Morrell, who novelized the life of Diamond Jim Brady.

Picture rights to the original script were purchased last year by Warners for \$30,000. Deal, however, has been hanging fire and the money held in escrow because of a claim set up by the impresario's widow, who was his second wife: Mrs. Hammerstein, through an attorney, advised all film companies that she would seek a share of the col.

Understood that Theodor Hammerstein nephew, also made a claim.

Claims resulted in Warners postponing the filming after Oscar Hammerstein, II, had agreed to supply a score. Book publishers, however, are understood not worried.

Pending, too, is a radi NBC. Studiog planned a series of 39 broadcasts and needed sample program which cost around \$7,000. Trial broadcast was okayed by NBC, which proposed submitting it on disc to the.

## Guild Contract Forces Chase Out

Tom Chase, assistant dramatic and film critic for the Boston Herald, was let out last weekend by the management and will be succeeded by Mark Dalton, from light side of the city staff. Successor will carry the title of 'editorial assistant' to Eleanor Huxford, film critic. When the Newspaper Guild signed with the Herald-Traveler last December, Chase's rating under the contract boosted his salary to within \$5 of Miss Hughes'. Seeking an adjustment, the management found it had the alternative of keeping Chase at the price or discharging him. Chase, not a Guild member, was in the middle after six years with the sheet. He has also served as music critic for the Traveler, and it is understood he may continue this on a part-time basis.

Moses Smith, recently demoted to assistant music critic of the Boston Evening Transcript, under Redfern Mason, who succeeded him, has been transferred to the city room on general news.

## Hearst's Chicago Mystery

Considerable curiosity among employees of Chicago American, evening Hearst paper here, as to who are the real execs of the paper at present. Former publisher Flo McCarthy went off on an extended leave of absence when Bill Curley came in from New York to run the paper. Curley appointed Ed Reick as managing editor and Harry Reittinger as city ed.

Last week, when William Linton Wells passed through Chi on his way to the Coast, he picked up Curley and took him along. Left the American in full charge of Reticker, telling him it was his baby. McCarthy is due back any day, meanwhile, and the box of the paper are holding tight to await developments.

## Paris Merger

Reshuffling the lineup among major dailies in Paris is imminent, with announcement of sale of L'Intransigent, evening paper, to the textile interests who own the competitive Paris-Sol. Along with the Intrant, also goes its evening weekly fan mag, Pour Vous.

What disposition Paris-Sol will make of the new holdings is still a mystery, but one thing seems certain: Leon Bailly, longtime publisher of the Intrant, comes back into the picture, perhaps as director of the new joint enterprise.

## Philly Inquirer Contest

Philadelphia Inquirer is offering \$50,000 in cash for a name for its Sunday mag section. Contest is believed to be the biggest of the kind since that sponsored by Liberty mag for a name. First prize will be \$20,000 for best name and slogan of 10 words or less.

It's frankly circulated stunt, with all entries having to take a six months' subscription.

## F &amp; R's New Toller Play

Ernst Toller's new play, 'No More Peace,' will be published by Farrar & Rinehart.

Will be presented by the Federal theatre and at the Vassar Experimental theatre.

Play contains lyrics by W. H. Auden and songs by Herbert Murray.

## Best Sellers

Best Sellers for the week ending Feb. 13, as reported by the American News Co. Inc.

'Gone With the Wind' (\$3.00).....By Margaret Mitchell  
'Drums Along the Mohawk' (\$2.50).....By W. D. Edwards  
'Late George Apley' (\$2.50).....By John Marquand  
'Street of Fishing Cat' (\$2.50).....By Jolan Foldes  
'Sound of Running Feet' (\$2.50).....By Josephine Lawrence  
'Yang and Yi' (\$2.50).....By Alice T. Hobart

'How to Win Friends' (\$2.00).....By Dale Carnegie  
'An American Doctor's Odyssey' (\$3.50).....By Dr. Victor G. Heiser  
'Live Alone and Like It' (\$1.50).....By Marjorie Hilli  
'Nine Old Men' (\$2.50).....By Drew Pearson and Robert S. Allen  
'The Hundred Years' (\$3.00).....By Philip Guedella  
'Lancer at Large' (\$2.75).....By Francis Yeats Brown

## James Dever Dead

James E. Dever, 73, a newspaperman for more than 40 years, died as the result of a heart attack on Feb. 13 at his home in Staten Island, N. Y. Born in St. John, New Brunswick, he came to New York in the 1890's after being the editor of the Syracuse Standard. His first job in New York was as manager of the Lafen News Bureau, owned by Charles A. Dana of the Sun. Later he switched to the old morning Sun, where he served as assistant night city editor, and remained nine years. He transferred to The World in 1899.

On the World, where he remained for 32 years, he served as night city editor, sports editor, relief telegraph editor, cable editor, head of the copy desk, make-up editor and news editor. When that paper was sold in 1931, he became assignment editor of Fox Movietone News. He met with accident five years ago which made him an invalid until his death.

## Colorado Authors Elect

Nelly Graf, Denver novelist and short story writer, was elected president of the Colorado Authors League at its annual banquet and election officers.

Other officers elected include Judge J. R. Montgomery, first v.p.; Mrs. Grace Evans, 2d v.p.; Marguerite Hearnberger, secretary and treasurer. On the board this year will be Mrs. Marion McDonough, John Bartlett, Mrs. Olga Gunkle Board, Harry Adler, Leo Carrigan and Herbert White.

## Anzo Anti-Censorship

Strong protest is being made to the government against the methods currently adopted in book censorship.

Local authors of repute have held meetings to form a committee to approach the Minister for Customs with a request that censorship on literature be amended. Authors feel that the present censorship is making Australia a laughing stock in the literary world.

## Another 'Blood On Moon'

Linton Wells will have his autobiography published under the title of 'Blood On the Moon' despite the earlier issuance of a tome of that title by Jim Tully. Wells is a foreign press correspond, now in Hollywood.

Duplication of titles is blamed by Wells on his publishers, Houghton-Mifflin. [It is a frequent occurrence in the book biz.]

## Conn. Newsmen Elect

Laurel Club, organization of Connecticut legislative correspondents, organized Thursday (11) and elected Frank Quinlan, of the Bridgeport Times-Star, president.

New members admitted include John Colton, Hartford Times; Jeremiah Hallas, International News Service; Bertman Krus, Hartford Courant; Fred Smith, Middletown Press; and Jack Zaiman, United Press.

## Short Play Contest

New York City division of the League vs. War and Fascism running a short play contest closing April 1. Judges are John Howard Lawson, Alfred Kreymborg, Joseph Pass and Mordecai Gorelik.

## Johnston M. E. Fawcett

Johnny Johnston has been named managing editor of the Fawcett group of fan mags in Hollywood. Takes over from Harry Hammond Beall, who moves up as assistant to the publisher.

## Denver Newsmen Name Burns

George V. Burns was elected president of the Denver Newspaper Guild No. 74 at its annual meeting. Robert L. Chase was named 1st v.p.; Barron B. Beshora, 2d v.p.; Ben Blumberg, treasurer, and John C. Polly, secretary.

**Sauvage for Reuter's in H'wood**  
Lucien Sauvage, Hollywood attorney, and correspondent for a number of French Canadian publications, has been appointed Reuters' tentative Hollywood.

Sauvage and his wife, use Gilbert, Montreal author, have represented Canada pubs for the past year and will have a book in collaboration ready for publishers early Spring, they hope.

## CHATTER

Paul Engle on a lecture tour.

H. L. Mencken in Baltimore hospital for an operation.

Rita Weiman and Esther Kaufman holding a mutual birthday party.

Somerset Maugham's new novel, 'Theatre,' postponed until March 3.

V. C. Buckley, British author, on a lecture tour in the Middle West.

William Albert Robinson reading a brig for sail to the Galapagos Islands.

Ernest Thompson Seton back from a lecture tour in England and on the Continent.

Philip Guedella cancelled his projected trip here due his mother's illness.

Doubleday will publish Kipling's autobiography, parts of which ran in the N. Y. Times.

Sam Mickey MacDougal, card expert, is preparing an expose series for King Features.

Bob and Rose Brown collating material for a literati cook book; all the recipes by scribblers.

Publication date of Leon Trotsky's new book 'The Revolution Betrayed' moved up to March 28.

Ernest Hemingway, son of Ann Watkins, literary agency on a part-time basis.

Harold Matson and Pat Duggan have left the Ann Watkins office to establish their own literary agency.

Dr. Isaac Goldberg has written a biography of Major Mordecai Manuel Noah, 'American Jewish Pioneer,' to be published March 1.

Brian Bell, Court head of the Associated Press, his wife and child, were injured slightly in an auto accident in Los Angeles.

Cecil Lewis, author of 'Sagittarius Rising' and vice-president of the British Broadcasting Co., has gone to Hollywood for Paramount.

Constance Dodge's new novel 'Graham of Claverhouse' has the same title as another novel written about 30 years ago by Ian Gordon.

Walter Dunsany has revised 'I Write As I Please' and book will be reissued with a prolog, epilog and illustrations, bringing it up to date.

Dan Wickenden, formerly of Stage mag and now in the trade news department of Columbia Broadcasting, has a pi in the current Story.

Hildegard Hawthorne, granddaughter of Nathaniel Hawthorne, making final revisions on her book titled 'Phantom King: The Story of Napoleon's Son.'

George Blaisdell has been appointed editor of the American Society of Cinematographers mag, Hollywood. He succeeds C. J. Ver-Halen, resigned.

V. F. Calverton will do a new section in the Current History magazine called 'The Barometer,' dealing with art developments in Europe and America.

Richard Rowan's 'Story of Secret Service' based on the thesis that governments are good or bad in inverse proportion to the strength of their S. S. departments.

Scribner's has bought 30 rare pictures of social celebrities of the period 1870-1890 from Harold Seton, to serve as illustrations of Dixon Weeter's 'Saga of American Society.'

Baltimore Sun this week takes on three weekly column by Dorothy Thompson. First time the paper has ever subscribed to any syndicated stuff, other than features for sport pages and the women's page.

Lawrence Stallings will be married to Louisa St. Leger-Vance next month. Second try for the divorced Dec. 1.

# Broadway

Larry Urbach back to the Coast. Steve Cochran, recovered, up from Washington. Robert M. Weitman's mom shoved off for Miami. Al. Burks going to Baltimore for United Artists. Sam H. Harris off for Florida on delayed vacash. George Jessel for Florida, thence to Coast. Milton Roemer back in town after a session at Miami. Joan Miller, legit actress, in hospital for an appendectomy. Marsha Hunt to the Coast after two weeks' rest in Manhattan. Al. Duffy, of Columbia Pictures press department, lost mother. Louis Lissner will handle Frisco road show of film "Lost Horizon." Milton Hirsch, of Leblang's, had lenty of trouble with infected tooth. L. W. Conrow, g.m. of Erpi, back after an extensive visit on the Coast. Rowland Stebbins back from South because of wife's appendicitis operation. Father of Jimmy Ellard, former mob quite ill and trying to locate him. Horace McMahon says he is having a good time in California—between cloudbursts. Charles Washburn has special assignment to publicize "Lost Horizon" in New York. Donald Friede of Zeppo Marx's Hollywood office in N. Y. for talent and writer hunt. Benito C. Collada, managing director of El Chico, to Mexico City on vacash next week. Fabien Sevitzky, guest conductor for several years at the Met, Boston, here mulling some offers. Vincent Hart, who covers plays for the Hays office, will meet Mildred Feely of Merlon. Equilly's Jimmy O'Neill got too friendly with a bulldog at the Garden dog show last week. Jean Hersholt landed in N. Y. from Coast Saturday (13) for a rest and sort of legit shows. Monte Prosercuping from flu in Miami. Dorothy Egan, his aide, back from Mexico City trip. Lou Randell, theatrical attorney, appointed treasurer and attorney for Syracuse Baseball Club. Tracy Barham, Paramount's Ohio operator, was in town for a few days talking things over with the exes in the h.o. George Price in and out of N. Y. on a quickie to settle tax affairs, etc., and back to Miami until April, conducting his brokerage biz from there. Joe Holton, assistant to Joe Pincus, head of 20th-Fox's eastern talent department, to Chicago on an exhaustive search for musical and dramatic talent. Barney Balaban and Mrs. Balaban will entertain all members of the Paramount Pep Club at cocktails Feb. 19 prior to annual Pep Club affair that night. Charles E. Buckner, branch manager of Consolidated Radio Artists in Dallas, is recuperating at his home in N. Y. Was stricken with pneumonia while visiting the home office about a month ago. Bill (Gay 80's) Hardy to Nassau for vacash. Arthur Behim, inadvertently omitted from Bill's Gay Nineties review last week, is the vet songwriter-music publisher, now with the regular floor show here. Lou Smith, who may settle permanently on the Coast, is leaving tomorrow the end of the week for Hollywood under plans to handle special publicity on certain forthcoming pictures, including the Dietrich starlet. Vince Hart, of eastern production and administration, has left his office, went to Philadelphia to announce his engagement to Mildred I. Feely, non-pro of Merion, Pa., daughter of Mr. and Mrs. Joseph A. Feely. Because of ill health of Hart's mother, no wedding plans have been made.

# Minneapolis

By Les Rees

Eddie Ruben in Chicago on business. Harry Hirsch vacationing at Hot Springs. "French Polities," unit show, at Lindy's night club. Claude Dickinson, Universal booker, laid low by flu. Mother of Chester LeVior, of National Screen. J. R. McPherson, National Screen Ch. branch manager, a visitor. Jimmy Greeco's band into Minneapolis, replacing Benny Meroff. Son of John Hays elected captain Washburn high football team. Two City Variety club had housewarming in new Nicollet hotel quarters. Larry Kline, assistant RKO booker, called to New York by death of his mother. "Great Waltz" grossed \$25,000 for week at St. Paul Municipal Auditorium. Hotel Radisson abandoning name band policy and engaging local organizations. Irving Marks, Columbia salesman, crashed into truck in North Dakota, but escaped injury. Bill Adams, Universal's South Dakota salesman, followed state highway snow plow from town to town on visits to accounts.

# Paris

Ray Goetz in town. J. W. Shillan in town. Victor Francen to Berlin. Chandra-Kaly to Poland. Henry Fieldon in Brussels. Alice Carlson off to Brussels. Reine Paulet in bed with flu. Derval off for winter sports. Jean Gabin at the Mariuau. Louis Lissner will handle Frisco road show of film "Lost Horizon." Milton Hirsch, of Leblang's, had lenty of trouble with infected tooth. L. W. Conrow, g.m. of Erpi, back after an extensive visit on the Coast. Rowland Stebbins back from South because of wife's appendicitis operation. Father of Jimmy Ellard, former mob quite ill and trying to locate him. Horace McMahon says he is having a good time in California—between cloudbursts. Charles Washburn has special assignment to publicize "Lost Horizon" in New York. Donald Friede of Zeppo Marx's Hollywood office in N. Y. for talent and writer hunt. Benito C. Collada, managing director of El Chico, to Mexico City on vacash next week. Fabien Sevitzky, guest conductor for several years at the Met, Boston, here mulling some offers. Vincent Hart, who covers plays for the Hays office, will meet Mildred Feely of Merlon. Equilly's Jimmy O'Neill got too friendly with a bulldog at the Garden dog show last week. Jean Hersholt landed in N. Y. from Coast Saturday (13) for a rest and sort of legit shows. Monte Prosercuping from flu in Miami. Dorothy Egan, his aide, back from Mexico City trip. Lou Randell, theatrical attorney, appointed treasurer and attorney for Syracuse Baseball Club. Tracy Barham, Paramount's Ohio operator, was in town for a few days talking things over with the exes in the h.o. George Price in and out of N. Y. on a quickie to settle tax affairs, etc., and back to Miami until April, conducting his brokerage biz from there. Joe Holton, assistant to Joe Pincus, head of 20th-Fox's eastern talent department, to Chicago on an exhaustive search for musical and dramatic talent. Barney Balaban and Mrs. Balaban will entertain all members of the Paramount Pep Club at cocktails Feb. 19 prior to annual Pep Club affair that night. Charles E. Buckner, branch manager of Consolidated Radio Artists in Dallas, is recuperating at his home in N. Y. Was stricken with pneumonia while visiting the home office about a month ago. Bill (Gay 80's) Hardy to Nassau for vacash. Arthur Behim, inadvertently omitted from Bill's Gay Nineties review last week, is the vet songwriter-music publisher, now with the regular floor show here. Lou Smith, who may settle permanently on the Coast, is leaving tomorrow the end of the week for Hollywood under plans to handle special publicity on certain forthcoming pictures, including the Dietrich starlet. Vince Hart, of eastern production and administration, has left his office, went to Philadelphia to announce his engagement to Mildred I. Feely, non-pro of Merion, Pa., daughter of Mr. and Mrs. Joseph A. Feely. Because of ill health of Hart's mother, no wedding plans have been made.

# London

Talk of a "Tom Jones" operetta revival here. Wallace Ford off to Paris and South of France. Harry Foster, bride honeymooning in Paris. Vivienne La Fonne has changed her moniker to Dawn Lazarre. Mady and Co. off to Paris to play six months at the Casino de Paris. Gaumont-British carnival ball takes place at Albert Hall, March 12. Max Bacon, comedy drummer in the Ambrose band, out of hospital. Vivian Palmer (Hope & Palmer) going about his business with two broken ribs. Lill Palmer, loaned by Gaumont-British, Herbert Wilcox for a role in "Vienna Sunset." Nervo and Knox in boxing promotion.

# CHATTER

## Berlin

Brigitte Horney to London. Official actors' ball on Feb. 10. Harald Kreuzberg's two recitals here sold out. All-Swiss musical evening held at German Press House. All grind-organs and homeos gathered for a benefit performance. Richard Angst, camera-man, back from nine months in Japan. Herbert Selgin signed to direct for Tobis Rota and Tobis Europa. Charlotte Sosa to Altona to play the lead in Stauch's operetta, "Ekaterina." Kurt Goetz back to legit in "Tovarisch," at the Kurfuerstendamm theatre. Premiere of Rene Clair's "Ghost Goes West" at the Marmorhaus, Jan. 28. Rudolf Platte has reached his 100th performance in "Der Diener Zweier Herren." Ruth Eweler has fat part in Anny Ondra's new pic, "Grounds for Divorce." Thea von Harbou finished new manuscript for Tobis Rota "Bravo Giovanni." Mathias Wieman and Lida Bazarova featured in new Ufa film, "Patrioten." Shooting of Terra's new film "Sherlock Holmes" nearing its end at Tempelhof. Ludwig Wuellner, now over 70, to direct production of "Faust" at the Rose Theatre. Pierandello's "Trevars" to have its German premiere at Frankfort-on-Main, Feb. 13. "The Stork Club" opened Jan. 22, with Lucie Englisch and Georg Alexander featured. Mathias Wieman to play part of reporter in "Togger," a new film about newspaper. Herbert Tjaden, assistant director of Dr. Franck's pic "The Daughter of Samurail," back from Japan. Next premiere at the Schiller theatre, "Rape of the Beautiful Helen," a farce by Toni Impekoven and Karl Mattern. Check-up in the Fatherland shows that only two houses are obliged to show silent. All others are provided with sound apparatus. Erich Ebermayer doing the manuscript for Pola Negri's new film, "Madame Bovary," which Gerhard Lamprecht will direct. Herta von Walther, who has been enjoying a nice season here in the English theatre, is off to London to film and then back for German pic.

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## Pittsburgh

By Hal Cohen

Jackie Heller sailing from England end this month. Trudi Schoop jammed Syria Mosque on first visit to Pitt. Carleton Miles in town, steaming up natives over Tobacco Road. Florence Fisher Parry on leave from Press staff for cruise to south. Mother-in-law of John Maloney, MGM manager, died here last week. Dorothy Gibson off for Florida to cover local assiaty for the Sun-Tel. Philip Barry's "In a Garden" picked for sixth and last Playhouse offering. Angelo Di Palma celebrates first anniversary at Nixon cafe next week. The Charles Pallooses—he's the ork leader—are looking skyward for the stork. Robert Wakefield quitting stage management of "Snatched from Noces." Ruth Miller opening a fur shop in downtown sector in couple of weeks. Harry Seeds have finally located an apartment in the Squirrel Hill district. Gabe Rubin down with flu, but "Cloistered" marathons at his Art Cinema. Frank Butlers, of the Post-Gazette city staff, expect the stork any minute now. Joe Tobin and Charlie Wolfe off for Indianapolis to stage a six-day bike race. Betty Kinsley jumped into Nixon cafe chorus at moment's notice the other night. Harry Kalmnes got back in New York Monday (15) from their three-week cruise. Sonja Henie's going-away presents to six and sports eds were engraved silver pencils. Mary Lange has chucked the flutings and she's going to be a home gal from now on. James Dunn pushed Sally Eilers out of the way. Clarence Budington Kelland arrived on the Coast in his auto trailer to discuss the Grand National production of his yarn, "Face the Facts." When one mug gets tipped another off to a sneak preview he got this reply: "I never cover Whoozis Pictures. In fact, Whoozis and I aren't on pecking terms." Jean Harlow, down with the flu for several days after returning from President's week birthday celebrations in Washington, has returned to work in "Personal Property" at Metro. Arthur Guy Empey back in town, thin as a flag and his time at the not Hollywood Hussars, but just plain old American Legion. He's now against Nazis, as well as Reds, he says.

# Hollywood

Fred Quimby vacationing at Phoenix. Beulah Bondi resting up at Santa Barbara. Ann Sheri in Ensenada. Howard Dietz and bride planed i from Miami. Fred Keating is latest local to bed with flu. Lawrence Grant has returned from pic chores in England. Raymond Hatton erecting message in Brentwood Heights. Pat O'Brien and the missus sunning themselves in Ensenada. Jeannette MacDonald has gone to Sun Valley, Idaho, for a spell. "Fury" started just that between Fritz Lang and Joe Mankiewicz. James Stewart and Henry King planned to Florida to snatch few fish. Harry Van Noy, Indiana exhib, being shown around studios by Maurice Cowart. William Saroyan has kept his name out of the papers for two weeks: record. Upon completion of "Weather or No" at Col. Alfred E. Green will freelance. Slim Talbot, standing for Gary Cooper, traded in his valley home on an airplane. George Hart has rented himself a house in Miami for "vacash" beginning March 1. When Billie Burke completes her part in "Farewell" she'll go to N. Y. to catch some shows. The new publicity line at Fox is: Simone Simon is Hollywood's least temperamental actress. C. B. Maddock, N. Y. vaude and legit producer, arrived to spend remainder of winter. Frank Pope joined Metro's blurb department to collect trades, syndicates and edit news. Louis Samuel, recently in from London, now heads story department of Ann Southern's husband, Roger Pryor, who's conducting a band in the College Inn in Chi. Ed Hatrick trained in from Manhattan agency, now deals for Cosmopolitan Productions. Sol Lesser's scout, Ed Gross, provided ca' uses in northern California for a new "vacash." Joe Egli, C. B. De Mille's casting director, received cuts and bruises when his car overturned. Pete Smith and Dave Miller, MG shorts director, combining work with pleasure at Palm Springs. Norman Manning is handling arrangements for the Academy awards banquet for the fifth year. "Chief Barker," Connel's Agency in London, here confabing with Lyons, McCormick & Lyons. Jules Schermer gets his first screen credit as a writer in "The 23rd Hour's Leave." Glen MacWilliams, Gaumont-British lenseer, back on Coast visiting for first time in nearly five years. Elizabeth Patterson injured slightly on location with Par's High, Wide and Handsome when a reflector fell on her. Lou Heifetz deserted the writing field for agency job in the Kingston-Meyers office, handling screeners, stories, etc. Richard Connell back from N. Y. with the screenplay "Fighting with Fate," the next David Low production starring Joe E. Brown. Louis B. Mayer will be the honor guest again this year at the annual St. Patrick's Day luncheon held by Islam Temple, San Francisco. David Niven and Warren Hymer suffered slight cuts when a chandelier fell on a U set. James Dunn pushed Sally Eilers out of the way. Clarence Budington Kelland arrived on the Coast in his auto trailer to discuss the Grand National production of his yarn, "Face the Facts." When one mug gets tipped another off to a sneak preview he got this reply: "I never cover Whoozis Pictures. In fact, Whoozis and I aren't on pecking terms." Jean Harlow, down with the flu for several days after returning from President's week birthday celebrations in Washington, has returned to work in "Personal Property" at Metro. Arthur Guy Empey back in town, thin as a flag and his time at the not Hollywood Hussars, but just plain old American Legion. He's now against Nazis, as well as Reds, he says.

## Chicago

Quin Ryan to San Bell Island, o Florida. Bob Brillmeyer to the Coast to do new radio show. Harry Minton back from Coast, after directing Elaine Barrie. Milton Schuster and N. S. Barger to N. Y. on talent quest; back with colds. Rene Howard, p.a. for Congress hotel, left to join "tiff of N. Y. newspaper. Bill Johnson to N. Y. for conference with Old Gold on baseball broadcasts, and then to Coast for spring training session.

## Palm Springs

ruce Cabot has returned to Hollywood. Adrienne Ames is taking plenty of tennis lessons. John J. Raskob seeing the desert from his new home. William Hall sunning in an apothecary shop. Vicki Baum and Fritz Bard taking in the desert festivities. Libby Holman doing a rhumba with Lord Beaverbrook. Deanna Durbi taking lessons from the cowboys. John Warburton, central William Chapin of England. Lord Beaverbrook, visiting Britisher, guested Sir James Dunn. Charley Hill and William Collier, Sr. engaged in a billiard game. Sam Wood from Hollywood with his daughter, Gloria, for a visit. Faith Baldwin here to turn out a series of mag yarns the desert resort. Bill Morrow and Ed Beloin, Jack Benny's scripters, knock out their programs here. Allan Jones and his wife, Irene Harvey, deserted their home here in favor of their Hollywood menage. Among those sunning here are Freeman Gosden and Charles Correll ("Amos 'n' Andy"), Mrs. Morris Downing, Mrs. Milton Brown, Mrs. Paul Lukas, Townsend Netcher and Lester Stoefer.

## OBITUARIES

### T. F. THOMAS

Thomas F. Troy, 82, professionally known as T. F. Thomas, died in New York, Feb. 11, of pneumonia. He was well known in minstrel circles when minstrelsy was in the ascendant and in 1877 he took the Red Stocking minstrels on tour to California and back. He was for a time the senior member of the team of Thomas and Heeney, dancers, and later was partnered with George W. Watson.

He made his stage debut at the age of 6 months, being carried on in the play "Rollo." In following years he played child parts in various dramas, then went into minstrelsy and vaudeville, producing as well as performing. His last stage appearance was made in 1927 in Eddie Dowling's "Sidekicks of New York" and in the past year he did some broadcasting, his last air appearance having been Jan. 24.

He is survived by two sons and two daughters.

### EARLE GRIGGS

E. Griggs, 57, veteran newspaperman and former southern representative of two film companies, died of pneumonia in an Atlanta, Ga., hospital, Monday (8). His funeral was held Wednesday.

In 1926 he became associated with Dan Michalove as exploitation man-

### ROBERT J. KIRK

Robert J. Kirk, 66, since 1930 associated with John Golden, most recently as manager for "And Now Good Night," died in a subway train on his way to his home in Bayside, L. I., early Sunday morning, Feb. 14. Previously he had worked for William A. Brady and for six years had managed of the "Abie's Irish Rose" companies.

He is survived by a sister.

### WILLIAM HOFFMAN

William "Billy" Hoffman, known to the vaude and legit artistry for years as proprietor of the Hoffman House, died Feb. 12 in the Delaware County Hospital, Philadelphia.

Hoffman's beaverly is still a meeting spot for theatre people, but not like the days when Keith's was running top vaude and the Garrick stage echoed to John Drew.

### IVAN FRANCISCI

Ivan Francis, 57, Cleveland-born, died in that city Feb. 5, after a brief illness. He was organizer of an ensemble well known in Cleveland territory and which for 10 years played at the Hotel Cleveland.

### IN MEMORY

## Jenie Jacobs

February 21, 1933

Universal, later going with United Artists, which position he kept until about a year ago, when he went back into the newspaper business.

His widow, two daughters and a son survive.

### WILLIAM E. SANDS

William E. Sands, 76, died Feb. 12 in Hagerstown, after a heart attack. Known to the circus world, Sands was one of four brothers all of whom were identified with outdoor show business.

Before his retirement about 10 years ago, Sands worked in advance of Barnum & Bailey, Ringling Brothers and Hagenbeck-Wallace.

A brother, Robert Sands, of Leechburg (Pa.), a sister and two half sisters survive.

### SAMUEL SHINKMAN

Samuel Shinkman, 83, once a prominent figure in the Yiddish theatre, died in New York Feb. 11. Later a restaurateur, he had founded many theatrical companies and had been associated with Kessler, Adler, Thomashefsky, Margolesky and

He also broadcast the old WEAR.

A widow and sister survive. Interment locally.

### WILLIAM CARR

William Carr, 70, silent picture director and husband of Mary Carr, notable for mother roles, died Feb. 13 in Los Angeles General Hospital. Starting as actor with the old Lubin Company in 1907, he turned director and married for eight years.

Besides his widow he leaves three sons and two daughters.

### YORKE STEPHENS

Yorke Stephens, veteran actor of the Victorian era, died Feb. 5 at his home in London, aged 74. He made his debut as a professional actor in 1879 and continued in important roles in the West End until 1923.

Survived by one daughter, Noel Yorke Stephens, an actress, is son who was killed in the war.

### MAUDE CHAMBERS

Maude Chambers, 42, for several years an aerialist with ingling

### LOVING MEMORY OF MY "

## Samuel Shipman

DIED FEBRUARY 9th, 1937

### JACK CURTIS

Blank. He was Paul Muni's first dramatic coach, schooling the latter when a boy of 12.

He is survived by a daughter, two sons, three brothers and two sisters. Interment was in Washington cemetery, Brooklyn.

### AL M. SMITH

Al M. Smith, 51, founder and head of the Al M. Smith Motion Picture Service, Minneapolis, died in that city Jan. 28, following an appendectomy. He had been a resident of Minneapolis for some 15 years.

Originally a magician, turned to theatricals and motion pictures. He was president of the local chapter of the Society of American Magicians, and a member of the International Brotherhood of Magicians.

His widow, two sons and a daughter survive.

en Robins, 49, vice-president of the Robins Amusement Co., died Feb. 11 in Youngstown, after a heart ailment.

A native of Youngstown, he had been active in theatre operation at Warren and Niles for more than 17 years.

His widow, six brothers, two sisters survive.

show, died in Ozone Park, L. I., Feb. 14.

For the past seven years she has conducted a dancing class. She was the widow of Harry Chambers, for 16 years stage manager of Loew's Metropolitan, Brooklyn.

### PRESTON GIBSON

Preston Gibson, 57, died New York Feb. 15.

He was the author of many plays, one of which, "The Turning Point," ran for an entire season in New York.

Interment in Arlington National cemetery.

### SAMUEL W. TARVIN

Samuel W. Tarvin, 92, one of the first tenors of the original Cincinnati May Music festival, once an institution appearing at the first event in 1873, died in Cincinnati Feb. 11.

He was one of the first singers with the Moody and Sankey revivals. Survived by two daughters.

### GEORGE L. ROBERTS

George L. Roberts, 88, treasurer of the Elitch Gardens Amusement company, died at his home in Denver after a siege of influenza. He had been connected with Elitch's since 1907, and was named receiver and later was manager.

### WILLIAM BOOK COWDEN

William Book Cowden, 32, musician and orchestra conductor, died Feb. 11 at his home at Youngstown, O., after suffering a cerebral hemorrhage. Identified with bands there almost all his life.

### BETTY WALLACE

Betty Wallace, 18, cashier at the Fox-West Coast Embassy theatre in L. A., died Feb. 11 from burns received when her dress ignited from a gas heater in the ticket booth. Her mother survives.

### N. SWINDELL MERRITT

N. Swindell Merritt, 32, for the past nine months manager of the Rialto, High Point, N. C., and before that manager of Capital, Raleigh, N. C., died of a heart attack Feb. 1.

### DENIS PHILLIPS

Denis Phillips, 33, 20th-Fox studio hair stylist, died in Hollywood Feb. 9 from pneumonia. Phillips, a native of Wheeling, W. Va., joined the studio four years ago. His widow survives.

### CHARLES GORE

Charles Gore, 63, for many years a Los Angeles theatre operator, died there Feb. 8 after a protracted illness. He leaves his widow, three sons and a daughter.

### ED DAVIDOW

Edward (Ed) Davidow, 67, vaude and legit agent, died of a heart attack in his room at the Edison hotel, N. Y., Feb. 14.

Story appears in legit section.

### RICHARD SMITH

Richard Smith, 50, scenario writer for 25 years, died in Los Angeles Feb. 7. Late he had been freelancing. His widow and a daughter survive.

George A. Montell, 66, father of Doug Montell, San Francisco radio sports announcer, died Feb. 8 in Palo Alto, Calif. Death followed a paralytic stroke. Montell was district manager of the Home Owned Businesses of California.

Wife of Matthew H. Zimmerman, prominently identified with show business through his post at Leblang's ticket agency, died at her home Jackson Heights, N. Y., Friday (12). She had been ill for a year.

Father of Milton Hocky, 75, Paramount shorts writer, died at Sydenham hospital, N. Y., Feb. 13.

Father of Leah Tyler, stage and screen actress, died in Los Angeles, Feb. 10.

## H'wood Turf Outfit Gets Okay to Sell Stock in Its Track

Hollywood, Feb. 18. Permit of the Hollywood Turf Club, headed by Alfred E. Green, film director, to sell stock in the enterprise, has been reinstated by the California State Division of Corporations. Hollywoodites see in the move a clearance of the way for the State Racing Board to grant a license for racing at the Inglewood track during June and August.

Turf Club voluntarily asked for suspension of the permit last November, when the racing board refused to license a second track in Southern California. New course is almost completed. Inglewood is a short distance from Hollywood.

## MARRIAGES

lady Spencer to Joseph A. Griffith, publicity head and commercial writer station WJW, Akron, in Akron, Feb. 9.

Faye Finney to Norman Willis in Los Angeles, Feb. 9. Groom is film actor.

Ruth Katherine Doehrmann to Paul F. Peter, in Westfield, N. J., Feb. 11. Groom is manager editor for the Joint Committee on Radio Research.

## BIRTHS

Mr. and Mrs. James C. Green, Jr., Greenville, S. C. Father is Variety correspondent in Greenville.

Mr. and Mrs. A. Stiel, daughter, in Los Angeles, Feb. 11. Father is cutter trailer department at Columbia.

Mr. and Mrs. W. S. Van Dyke, Feb. 10, in Los Angeles. Father is Metro film director.

## News From the Dailies

This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. VARIETY takes no credit for these news items; each has been rewritten from a daily paper.

## East

Entire house taken for tonight's "Eternal Road" to establish an endowment fund for Yeshiva college.

D. W. Griffith tells N. Y. court his first wife, Linda, has cost him more than \$1,000,000 since their separation in 1911. She is asking \$30,000 back alimony and nullification of his second marriage.

Batavia, N. Y., goes dead to radio. Trouble-shooters busy, but cannot locate cause. Reception good a mile out of town in any direction.

Lotus Club gave a dinner to Alex Woolcott, John Gielgud, Maurice Evans, Lillian Gish, David Warfield, Henry Hull, Philip Merrivale, Gladys Cooper among the guests.

Ann Barrie into "White Horse Inn" to replace Carlotta, who has gone to visit her dad in Hollywood.

Jane Abbott and Sylvia Weld will underwrite "And Now Good Bye." Bob Ball recently had a pyramidal sit-down strike on the part of musical young socialites. Denied it was a press stunt, but nearly lost its license nevertheless. Finally renewed but a repeat would mean darkness. Club was shut for three days.

Mrs. Doris Huber Fox, Jersey City school teacher, obtained divorce from her husband last week on grounds he was a repeat would mean darkness. He is Maurice Fox, brother of the former film tycoon. He is now in an asylum at Ossining, she testified.

George O'Brien, guest of the "Howdy Stranger" management Friday.

Garson Kanin added to the irrefutable staff of American Academy of Dramatic Arts School makes nine productions yearly.

Magistrate Henry Curran refuses to condemn James T. Farrell's "A World I Never Made" at the behest of Sin Snapper Sumner, passes only on the alleged obscenity, avoiding comment on the book's literary merit.

Rose Bampton and Sydney Rayner. Met. op. among the judges of a Girl Scout cook-book contest last Friday. Other judges more practical. Baltimore musicians' union declares a strike against the Symphony.

Also asserted the conductor, Dr. Schelling, made a joke about union restrictions, and it doesn't set well, either.

Times Sq. got a kick when the burglar alarm in the Chemical Bank in the Paramount Building went off Friday night about nine o'clock. Huge crowd gathered. False alarm, night watchman stumbled against the switch.

Four weeks have been added to Katherine Hepburn's road tour in Jane Byrne, Cleveland, Pittsburgh, Washington and Baltimore in that order. One week each.

Pearson & Baruch handed back to Dore Schary his script of "Violence." Studio to "Hit the Yellow Wagon," but casting trouble there.

T. Benson Hoy suing WMCA, alleging a broadcast from that studio made him look "foolish, unnatural and unattractive." Asking \$50,000.

Boston Symphony orchestra discussing acceptance of an estate near Stockbridge, Mass., for the summer home of the orch. Would be the scene of the annual Berkshire festival. Estate, offered by Mrs. Gorman Brooks and her aunt, Miss Tappan, covers 210 acres.

Group Theatre will get together again in June. By then it expects to have Raphaelson's "Old Folks at Home," together with "The Enchanted Maze" for summer study.

Both Moss Hart and George S. Kaufman to appear in the musical they're writing for Sam Harris. Will play themselves. It's Hart's first and Kaufman's second stage appearance.

Crosby Gaige passes up "Eternal Road" for "The Yellow Wagon."

Reported that between 700 and 800 persons were killed in a theatre fire in Antung, Manchukuo, on the Chinese New Year. Part of an audience of 1,500.

James Rutunno and Tony De Saro held in \$1,000 each for the Brooklyn grand jury. Char'ed with having broken into the Star theatre, burlesque house, last Sunday. Watchman caught them.

Sam Byrd going to try another production, but not until fall. Has a play by Paul Green and all summer in which to think up a title for it.

Public theatre, Yiddish house, goes exploitive. Offers \$250 in prizes (\$500 top) for the best letter on "Should a girl give up her career for love?" Can be in Yiddish or English.

Federal Theatre Project announces 240 quit the project last year to take private jobs. Includes actors, stage hands and musicians.

John Gielgud wants to do "Macbeth" with Katharine Cornell next season, but it doesn't look hot. More definite is a return to "Hamlet" and Ibsen's "Sea Gull."

Jim Timoney, Mac West's manager, in from Hollywood with a script

and a yea to produce. Play is "Clean Bed," saga of a flop house. Had a Hollywood first tryout. Guatemala country officially to accept bid to cooperate in N. Y. World's fair. Finland and France have accepted invites, but not formally.

Former Gov. David Sholtz, chief speaker at anniversary dinner of N. Y. Elks. Urged that all picture theatres be required to end the show with a slice of film flag and playing the national anthem.

## Coast

Louis Levine, manager of a L. A. theatre, pleaded guilty to charges of displaying lewd pictures in the lobby of his house. He asked for probation. He bought a five-acre estate at Van Nuys, Cal. He's titled the property the Gag-Manse Ranch.

Ring Lardner, Jr., film writer and Sylvia Schuman, secretary of David O. Selznick, screen producer, filed notice of intention to wed in L. A.

Indefinite postponement of the trial of the contested separate maintenance-divorce action between Mary Jacklyn Cudahy, former pic actress, and Michael Cudahy, member of the Chicago packing family, was ordered in L. A. court when it was learned that a settlement of the controversy was in prospect.

Mrs. Julia L. Kirkland, bride of a few weeks, has arrived in Reno presumably to seek a divorce from Jack Kirkland, playwright. They were married Dec. 13, 1936. He previously was the husband of Jayne Shaddock and Nancy Carroll.

Dorothy Dunes, dancer, and erstwhile wife of Max Baer, has filed charges against an old promoter in L. A. charging he obtained \$3,000 from her under false pretenses.

Technicolor obtained a temporary injunction in L. A. restraining Tricolor from notifying exhibitors that they would be involved in infringement of patents if they showed any Technicolor pictures. The injunction involves, duplicate camera patents. The enjoinder was issued by U. S. Judge William P. James, before whom the patent case comes up for hearing.

Herman E. McCroskey, Hollywood studio exec, was sued for divorce and \$225 a month alimony in L. A. Estate of Wallace Smith, unofficially valued at \$100,000, was willed to the author's widow in L. A. She was named executrix.

Henry Menjou, brother of Adolphe Menjou, received a three-day sentence in L. A. for failing to contribute to the support of his five-year-old daughter. He was sentenced to a road camp and his daily pay of \$1.50 was turned over to the mother, Mrs. Grace Stouff. Film player received a verdict for \$260 as a result of being bitten by a dog.

Legal authority to administer earnings of Deanne Durbin. Universal actress was asked by her parents, James and Ada Durbin, in L. A. Actress is 14 years old.

Sidney Marks, writer, has filed suit for \$100,000 damages against Warner Bros. and Jack L. Warner in L. A. charging the amount due for a synopsis assertedly given the studio at its request. Marks says yarn was turned out to him by studio to allegedly use it as basis for "The Singing Kid."

Paul Stanhope Angeleno, Hollywood makeup artist, has asked L. A. court to revoke the license of Paul Angelo Stanhope.

Nola Luxford, actress, filed suit in L. A. seeking \$500 monthly separate maintenance from William Bauer-schmidt. Suit was cross-complaint to his action for divorce.

Elsi d'Arcy Corrigan received divorce from Thomas d'Arcy Corrigan, actor, in L. A. She also obtained custody of their three children. Under a property settlement she will get a part of his earnings.

Pending trial of her suit for separate maintenance in L. A., Suzanne Lenox, actress, has secured a temporary allowance of \$300 monthly from R. J. Davis, advertising man. Davis previously sued for divorce.

California state board of equalization revoked the licenses of the Brentwood and Bel Air Country clubs, whose membership includes many film names to sell liquor, because they are situated too close to the Soldiers Home at Santa Anita.

Bill in before the legislature which, if adopted, will permit sale of alcoholic without regard to listing laws.

Harold Lloyd and his wife, Mildred Davis, celebrated their 14th wedding anniversary Feb. 10 with their three children in Pasadena.

The U. S. Co. of L. A. filed suit against Universa studio to collect a judgment of \$35,000 awarded the Mayfilm Co. of Germany in 1924 judgment was awarded for violation of a contract entered into with the German outfit which was organized and operated by Joe May, now a director at Warners.

# Burlesque Reviews

## GAYETY, WASH.

Washington, Feb. 13. Following the fact that the city of Washington has been off for past three years, town's only burlesque is augmenting regular independent Assn., until this week with copious septa balladeer, Aunt Hattie. Billy Hagan and Steve are regular headliners, giving equal billing to the comedy and leg angles.

Despite advance publicity, Hattie took boys by surprise when she waddled herself on at show caught. After opening guffaw things were a little strained until she hit double-meaning lyrics in "My Military Man" and crowd got why she was booked. Gag strip at finish, revealing black satin undies, didn't wow 'em, but novelty got enough laughs to provide ice exit.

Hagen, aided by Harry Seymour and George Rose, fill in with skits. Butler bit, which was hung on limburger cheese, was a little over the top and can be considered more than mere fill-ins between strips.

House still shines away from complete nudity, but the stage is crowded to go the limit if she has a spangle in her hand, and uses it discreetly. Miss Steward, easily the best looker in the show, garnered top applause. Getting her first entrance via production number and completing strip before curtain is effective change from usual entire act.

Dolores Leland, who works also in its cracks through in second act with perpetual motion rumba that melts into the alter Vernon makes nice singing juke and entertainer. La Rue Sisters get by with two swift song and acrobatic dance numbers and Diana King disrobes in first act.

Show, as whole, isn't a riot, but it has enough novelty in addition to requisite humor and femme display to send 'em away satisfied. Craig.

## LYRIC, BRIDGEPORT ('CRAZY QUILT')

Bridgeport, Feb. 13. Whatever the future of the current burlesque season in Connecticut industrial capital, the customers have at least seen Linda Wassau. Attempt to re-establish burlesque at Lyric against censorial odds has twice shown signs of belting-jump, and at times one of the craft's few celebs has done the needling. Ann Corio some weeks back, and now Wassau. Yearling strip mania have developed Miss Wassau into one her art's toppers. But other "Crazy Quilt" stands among the cleaner items on Liza. Hirst's Independent roster, with the late Max Fuhrman taking charge while the house is waiting for the star. Fuhrman knows all the answers, is funny without getting muddy, and can make something of even such standard bits as the "Ghost at Midnight" and the girls' pick-out number.

No. 2 underdress, Nona Martin, is a redhead who makes the most of wearing noisy clothes and sticking to a convulsive routine that is over practically when it starts. Miss Martin is also cast in the drunk strip scene, and her impersonation, the appearance counters the effect of her later take-offing.

Harry Lander, does a subdued burn and Eddie Inness and Eddie Aiken share straight assignments. Jimmy Shaw chirps. Specialists include Honey and Tody, clean-cut dancing team, whose presence makes it possible a couple of class ballet items, and Bebe Sherman, who delivers as the Sophie Tucker of burlesque. Line is fair, but showgirls aren't so hot.

Lyric last week tried a split policy, with vaude first half, but decision to stand on all-burlesque was soon made. Elm.

## GAYETY, MINNE.

(WATSON'S BEEF TRUST) Minneapolis, Feb. 12. After a successful season at the roadshow season at this house terminates with current offering. Thanks to the Billy Watson name, "Beef Trust" fame, a bang-up publicity and exploitation job and an impression that the entertainment would be different from the general run here, his has been the season's best, excepting the "Beef Trust" engagement. Harry Hirsch, who has been operating the theatre for the past 15 years, plans to return to stock burlesque policy, reopening in fortnight.

Roadshows on Independent circuit have been getting by nicely in most other spots, where they're boiled down to an hour running time and scaled at 40¢ per act under a continuous policy in conjunction with films. Here, however, at a stiff 99¢ scale twice a day and stretched out to two and a half hours, they don't begin to deliver the extra good goods. For first eight weeks of season grosses hit profitable levels, but they've been sagging ever since, and up to this week plenty of red ink has been used on the box-office ledger.

"Beef Trust" show contrasts present-day burlesque with that of 50

years ago, when Watson and Billy Spencer, also featured and also over their success. In the modern portion on the performers include two comedians, a pair of good-looking strip women, several straight men, a few specialty performers and a line of 12 girls who are neither top nor dancers. There are eight "Beef Trust" women, who work in three's and d's, numbers, with Watson and Spencer in a bit of the old "Krouse-meyer's Alley".

In both parts of the show the comedy is mostly of the slapstick variety, little advance being indicated for the new over the old. Principals slant each other with wet towels in a general rough-house, for one modern burlesque comedy scene. In "Krouse-meyer's Alley" Watson and Spencer hit each other with everything but the kitchen stove, and their enthusiasm and vigor would do credit to youngsters. Unrefinement, of course, is the keynote of all the fun, with gags, lines and business in both the old and new portions ultra blue.

Show follows usual pattern of production numbers sandwiched by comedy sketches or specialties. Every show here has been almost identical, so that, like the circus, if you see one you see 'em all. Even the simple ensemble dance routines are alike and the stripping becomes too common. In the current instance it would take a fine tooth comb to find much talent or laughs. Only one act of merit of attention are Lola Pierce, stripper, who can sing and dance, and Yevo and Doro, a conventional adagio and ballroom dancing team.

## Herk to Complete His Recuperation in West

I. H. Herk, operator of the Gayety, N. Y., with Abe Minsky, leaves N. Y. March 1, for Tucson, Arizona, for his health. Will be gone for several months, with Abe and Harold Minsky, father and son, operating house.

Herk, ill for past two months, has recovered sufficiently to leave his home.

## Spoke Out of Wheel

Minneapolis, Feb. 16. Closing of Gayety here on Thursday (11) will knock the Independent burly circuit off 10 days rather than a week. Shows usually play a week here, then jump to President, Detroit, for three days, then to St. Louis.

Shows will now go from Chi directly to St. Louis.

## Ohio Harness Sked

Canton, Ohio, Feb. 16. Ohio harness racing enthusiasts have in prospect this summer six Buckeye meets of six days each under a tentative program drafted at Cleveland this week. Circuit and dates subject to the state commission's approval are: Toledo—June 28-July 2; Cleveland—July 5-10; Marion—June 12 (night); Canfield—weeks of June 14 and 21 (night); Berea—weeks of July 12 and 19 (night); and Canton—week of July 26.

## MORE MICH. PROPAGANDA

Detroit, Feb. 16. A bill calling for a \$2,500,000 train to advertise Michigan has been introduced in the state legislature by Rep. Charles W. Snow.

Bill provides for a \$1,000,000 air-conditioned 10-car train, with a Diesel-engine locomotive. Remainder of money would be spent to advertise Michigan, from coast to coast, to convince the people that Michigan is supreme as a vacation land and as a place to live.

## Independent Burlesque

Week of Feb. 21  
Lingerie—Gayety, Neapolis.  
"Maid of Manhattan"—Halo, Chicago.  
"Swing Girl"—Cassio, Toronto.  
"Merry Malden"—Open.  
"Trolley"—Lorie, Allentown, Mon.  
Tues., "Majesty, Harrisburg, Wed.: Capitol, Reading, Thurs.-Fri.; Majesty, Williamsport, Sat.  
"Crazy Quilt"—Troc, Philadelphia.  
Nothing But Dames—Hudson, Union City.  
"Bozo Snyder"—Howard, Boston.  
"The Girl"—Adams, New York.  
"Top Hat"—Gayety, Washington.  
"Pardon the Glamour"—Gayety, Baltimore.  
"Monto Carlo Girls"—Capitol, Toledo.  
"Fads & Fancies"—Gayety, Detroit.  
"The Girl"—Adams, New York.  
"Paris by Night"—Casino, Pittsburgh.  
"Pepper Pot"—Lyric, Bridgeport.  
"Crazy Quilt"—Troc, Philadelphia.  
China Dolls—President, Des Moines.

## Shrine Will Plug

Francisco, Feb. 16. Eight-day circus, with 60 acts, opens at the Civic Auditorium March 21, to raise funds to send uniformed Shrine units of Islam Temple throughout the country on behalf of the 1939 Golden Gate International Exposition. Foretaste Don C. Elliott, Henry F. Boyen, and Ben Austin, well known circus man, will handle the affair, which will be operated by the Islam Shrine Circus, Inc., an organization formed for that purpose.

## ROSE GETS HOT ON WATER SHOW

Cleveland, 16. Illy Rose, of New York and Fort Worth, is making this Lake Erie port and particularly the femmes more water-minded with one of the two spectacles he will produce for Cleveland's 1937 edition of its Great Lakes Exposition.

Every gal with a curve or a swim in her system is trying to crash into his "Aquacade," a super-marine show, which will open the centennial fair. When he megaphoned he wanted 100 attractive mermaids between 16 and 26, about 300 of them stonaged, a downtown hotel's pool for auditions.

Nearly that many turned up to fill non-swimming show-girl jobs, although only 36 are wanted. Another troupe of 36 chorines are starting rehearsals although expo won't open until May 23.

Last year's Marine Theatre on lake front is being doubled in size for Rose's flamboyant scheme of having a floating stage for revues and dancing surrounded by two name bands and dining tables for 2,500 rubber-neckers. Novelty will be a curtain of illuminated water, projected 40 feet into air.

Floyd Zimmerman, who staged the first Marine exhibition in '36, was resigned to coach his "aquafemmes." Albert Johnson, who did settings for "Jumbo," is here working out designs for their revue and Rose's other project.

Latter will be a "loner Palace," installed in new building in fair's Streets of World, featuring a replica of a western dance hall with elevated stage.

Site Is Contracted  
Contract for leasing of lakefront fair grounds was finally okayed by city council after some long bickering with Lincoln G. Dickey, expo general manager. City councilman fought for dropping of 25-cent entrance charge to "Streets of World" as being too much on top of 50-cent general admission charge. Dickey defended it by pointing out that section cost \$298,000 to build, requiring weekly operating budget of \$6,000, and that the two-bit tax was necessary.

Only change in contract was in putting expo officials on a pay-in-advance basis for rental of underground exhibition hall, calling for a \$51,000 flat rental up to Sept. 12, and \$400 daily until closing date of Oct. 2.

## Japan Authorizes \$10,000,000 for 1940 World Expo; Work to Start Pronto

Tokyo, Feb. 2. It begins to look as though Japan actually will hold an International Exposition in 1940. Committee in charge of the affair met at the Ministry of Commerce and Industry and voted a budget of \$10,000,000 to cover the cost. Dr. Gotaro Ogawa, Minister of Commerce and Industry, was elected President of the Exposition Assn.

In addition to selecting Tsukijima Island as the site for the show, committee appropriated \$1,050,000 to start construction work during the year 1937. This will be used for constructing roads approaching the site and bridges to the Island of Tsukijima, upon which the main part of the exposition will stand.

According to the plans adopted, main grounds will be occupied by 24 palaces, all of which will be of temporary construction. In addition a National Foundation building of permanent construction will be built in commemoration of the 2,600th year of the founding of the Empire. Directors estimate that a daily

## Frisco Fair Shakeup Due Largely To Comparisons With N. Y. Results

### Suppress Agents

(Continued from page 3)

film is released, can be picked up beforehand through innumerable Hollywood leaks, as checking of individual prints is next to impossible. Only mags completely satisfactory to Hays outfit are fan mags, which submit all material before going to press—yet even they often enough slip one across.

Foreign correspondents have tried through their Foreign Press Society to remedy situation by having their legitimate needs recognized. Success has been not noteworthy. Domestic mugs have only importance of individual sheets to depend on for their defense. Some instances of studio-correspondent fallings-out have been brutal. But in long run studios have always come out on the short end, for any kind of reporter can carry on despite Hays' ban.

Attempt to muzzle Sheila Graham by having Metro back read her copy before it goes out, led to no good. She has been willing to show off, but has never found occasion to make any requested deletions.

Storm over Douglas Churchill's beef in Editor and Publisher went way of all flesh, because the N. Y. Times was too big for the studios to buck.

Tiffs with Sid Skolsky over sundry things, time back, and with various papers over general policies, have all come to nothing as far as studios are concerned. Even attempt to defate Jimmy Fidler (in which case studios and the Screen Actors' Guild and various aroused individuals were more justified than in any others mentioned) has not borne fruit.

On foreign front, is perhaps worse. Film companies' sign offices, which would never think of trying to buck publications over there, make home studio front for them, try to stop a correspondent where the editor is usually to blame. But ed. has power at home, while correspondent is lone sheep at hands of studio press departments.

### OAKLEY'S GATE

Lincoln, Feb. 16. Plans to launch a free gate for the first time in the history of Capitol Beach, local amusement park, was announced this week by Hoyt R. Hawke, park manager. Beach, practically destroyed with exception of the pool and dance pavilion when fire and fire struck with \$75,000 damage late last season, is in process of rebuilding.

New dance spot, twice the size of the old one, will house name bands three nights a week this year and the Beach, ducking the competition from downtown parks and free entry places, will abolish the gate for a trial.

## Japan Authorizes \$10,000,000 for 1940 World Expo; Work to Start Pronto

average attendance of 88,000 can be expected and that, with special days included, total revenue from admissions for the 170 days it will be open should amount to \$3,400,000. Admission price has been tentatively set at 23c. with reduction when buying season books.

Amusements for the Exposition will have to pass the scrutiny of the police and, because of this, it is almost an assured fact that there will be few, if any, along the lines frequently seen in American exhibitions. If the police have their way, the expo will be for educational purposes only.

### Is Town to Get Burley

Lincoln, Feb. 16. Lew Rosenthal, who has the Waterloo, Waterloo, Ia., staged here this week the house would go for burly on weekends, taking from Issy Hirst's indie wheel. House is managed by Dick Hultz, who used to be on the acting side of the foots himself.

San Francisco, Feb. 16. Widely publicized shake-up in the personnel of the 1939 Golden Gate International Exposition has developed into a one-man let-out to date, Waldo T. Tupper, former director of exhi its, being the only exec dropped from the payroll. His secretary also was given notice.

Others who were said to be out have been shifted to different departments or assigned to new duties in a reorganization being directed by Athol McCabe, chairman of the expo's board of directors, and John F. Forbers, treasurer and member of the exec committee.

Real reason for the shake-up said to be dissatisfaction over failure of officials to sign up exhibitors, duplication of effort and general lack of progress.

York's success in getting contracts from exhi itors has been one of the files in the local ointment. So far, Hawaii has come through with an appropriation, the only one signed up as yet. A recent expedition to South America by Howard Freeman and Frank Belcher culminated in reports of "progress" and expressions of "neighborly goodwill," but little that was more concrete. It is claimed.

Brighter side of the picture is presented by General W. R. Gilmore, director of the Government Participation Department, who returned last week from a swing through 21 southern and mid-western states with word that more than half of the 48 states will have displays at the fair. General Gilmore predicted that more than 20 million will attend due to interest in the bridges, California in general and memories of the 1915 expo.

Further efforts to secure cooperation from other states are being made by Howard Freeman and Robert Smith, who are still on tour.

### The Optimist Angle

Even if foreign participation goes chiefly to New York expo, no great harm will be done, believes Colonel Franklin J. Bell, executive vice-presy and active head of the local fair. In spite of the fact that both fairs will be held in 1939, he expresses the opinion that the two cities will have the same amount of success that they would have had were the expos on different times.

Bell points out that New York and San Francisco are more than 3,000 miles apart, that they serve different areas, that people are drawn to different places, and that each will have different exhibitor interests. The Coast expo will rely on beauty as its big lure, he said. Its location on a island in San Francisco Bay is responsible for the proposed entrance of ships for exhibit purposes by three foreign countries.

Bell admits that New York will have the advantage over the Pacific Coast in securing European participation because of its proximity. To make up for this, he declared, the local expo will make its western states displays its piece de resistance.

Junior Chamber of Commerce will hold a banquet at the Commercial Club Thursday (18), just two years to the day before the expo opens, at which officials will introduce the Pirate Girl, theme of the fair's site, now called "Treasure Island." Chaney and Fox, creators of a new dance to be known as "The Dance of the Exposition," will head the entertainment for the evening.

## Va.'s Trailer City

Norfolk, Va., Feb. 16. Princess Anne County's first trailer city is to be opened at Ocean Park, near Norfolk, early in the spring. Several grand will be expended by W. Carl Spencer, who bought the former resort Feb. 10.

Dance pavilion, bath houses already built, and what is facing Chesapeake Bay, assuring those in trailers of having first rate entertainment at night. Big name bands have been promised.

## Air Acts for Fairs

Chicago, Feb. 16. W.L.S. Chi Prairie Farmer station, hopes to play its units at 300 fairs this season, 101 dates being booked in eight states to date; 31 in Wis.; Indiana; 21 Ohio; 16 Illinois; six Minn.; seven Mich., and four in Virginia and Penn. Record last year of 206 fairs played with the barn dance units.

# "Around the World in 24½ days!"

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**"My cigarette meant a world of comfort to me in my dash around the world," says Miss Dorothy Kilgallen, girl reporter**

**"I** was a breathless dash," said Miss Dorothy Kilgallen, back at work (left) after finishing her assignment to fly around the world in record-breaking time. (Right) Her arrival at the Newark Airport. "I snatched meals anywhere," she says, "ate all kinds of food. But Camels helped me keep my digestion tuned up." Yes, smoking Camels speeds up the flow of digestive fluids—increases alkalinity.



## COSTLIER TOBACCOS

Camels are made from finer, MORE EXPENSIVE TOBACCOS—Turkish and Domestic—than any other popular brand.



### TUNE IN EVERY TUESDAY NIGHT

Hear "Jack Oakie's College"—a full-hour gala show with Jack Oakie in person! Benny Goodman's "Swing" Band! Hollywood comedians and singing stars! Special college amateur talent every week! 9:30 p.m. E.S.T., 8:30 p.m. C.S.T., 7:30 p.m. M.S.T., 6:30 p.m. P.S.T., over WABC-CBS.



**WHAT A PHYSICAL TRAINER THINKS** on the subject of smoking: "Sure I smoke," says Bertel Arnberg. "Camels help my digestion—I can feel a sense of ease and well-being after enjoying Camels with my chow."



**ABOUT TO "SHOOT" AN OIL-WELL!** B. C. Simpson says: "I get to feeling tense, working around T.N.T. But I don't let that interfere with my eating. I smoke Camels—they help my digestion, put a heap more joy into eating."



**INFORMATION WANTED QUICK!** Ray Jones answers rapid-fire questions in Grand Central Terminal, New York City. "A tough, nerve-racking job," he says. "Smoking Camels helps keep my digestion on the right track."



**"THE SMART NEW TOUCH** is to have Camels on the table from hors d'oeuvres till dessert," says Dorothy Malone, food editor. "Smoking Camels with my-meals and afterwards contributes a world of extra pleasure to eating."

## FOR DIGESTION'S SAKE—SMOKE CAMELS

# VARIETY

 PRICE  
15¢

 Published Weekly at 154 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$5. Single copies, 15 cents.  
Entered as second-class matter December 22, 1905, at the Post Office at New York, N. Y., under the act of March 3, 1879.  
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Vol. 125 No. 11

NEW YORK, WEDNESDAY, FEBRUARY 24, 1937

72 PAGES

## MEXICAN AIR CLEAN-UP DUE

### Lawyers Chiseling In on Talent % May Be Called Before Bar Assn.

Lawyer-agents are becoming the bane of the New York talent peddlers. Where actor-clients are sold to stage shows, radio or pictures, some of the lawyers are deciding themselves in on the regular agents' commissions. These cut-in attorneys, when representing personalities don't confine selves to a fee for legal advice, but also want to share part of 10% (or better) booking commission.

A group of prominent 10%ers in the east are planning to take matter up with Actors' Equity Fund, if getting that body's formal support, use it as evidence in squawks to the Bar Association charging violation of legal ethics.

This new cut-in is an offshoot of the many Broadway barristers who have become glorified talent agents. They render dual service to clients—protecting them legally on contract terms, and also turning salesman. Not selling directly in most cases, but through a regular 10%er. Later must split with the lawyer who controls and guides the actor. Agents complain that when they recommend somebody to an attorney in a divorce suit, for example, they don't declare themselves in on the lawyers' fees.

#### Understatement

Sydney, Feb. 3.  
Pic exec took a guest home to dinner recently. Called away for a brief time he gave the guest a copy of VARIETY to read. On his return exec asked his friend what he thought of the publication.

'Well, all I can say is that those fellows over in America can't spell for chucks,' the guest replied.

### BIGGEST MET OPERA TOUR IN 5 YEARS

Flushed with its best financial season in some years, the Metropolitan Opera is convinced that there is more coin in its warblers now lurking in the hinterlands than in a long time. Consequently Met's spring tour will be more expensive than has since 'way back.

Cleveland has been added, first time in five years the Met has trouped that far west. Ten performances will be given in city auditorium there, largest number Met has ever vouchsafed the town. Boston will get 12 performances; last year the Hub was accorded only seven. Newark is back on the route, with a one-acter. Rochester, N. Y., will get its annual single, Hartford, Conn., down for two performances. Has already had first with one to go. Brooklyn has witnessed two of the carded five for this year. Philly has likewise seen two of its allotted half-dozen. What remains of the spring tour will commence in Baltimore. (Continued on page 59)

### S.A. Bally to Salvage Cal's Frost-Bitten Orange Crop

San Bernardino, Feb. 23.  
With frost having added a \$60,000,000 nut to their 1937 production. National range show backers figure to get it back with sex appeal. Show which opened Friday (19) and using 'Gay Hollywood' as theme, figures on 250,000 fruit-lovers paying within the week to see an orange unblackened by icy blasts or smudge pots.

Show opened like a Hollywood preview, plastered with searchlights, trapeze acts and strippers throwing snowballs at each other, which turned out to be oranges. Gal in a bathing suit, muffler and skates against a background of skis and a foreground of oranges looked okay except that the oranges weren't frosted.

### ETHICS ARRIVE; QUACKS SCRAM

Mexican Government Now Conscious of Bad Repute of Its Stations—Will Dramatically Reform Entire System in Next Year—Wants Tourists

#### MANY SQUAWKS

Mexican radio, last stand of the quacks, dream-readers and funny merchandise peddlers, is to be cleaned up, like a bedroom farce in Boston. Years of squawking by American and Canadian broadcasters at the interference to signals will also bear fruit. Mexico is due to impose strict rules in all directions—programs, engineering and equipment.

Mexico has gotten hep to the idea that its brand of radio was giving it a bad name and that Mexican radio, old style, impeded rather than aided the country in its wish to attract American and Canadian tourists. Now a reversal is in prospect. As (Continued on page 29)

### TELEVISION HAS ITS RACKETS ALREADY

Washington, Feb. 23.  
Mail-order school holding forth hopes of highly-paid jobs in television ran afoul of the Federal Trade Commission last week.

Declaring representations are exaggerated, misleading and untrue, Commish issued complaint charging unfair competition against American Television Institute, Inc. of Chicago. Firm which advertises that big openings are available in picture broadcasting, claims to own a huge laboratory and operate several television stations, also promises to place postage-stamp graduates in handsome spots in the industry.

Commish says it's all imaginary, except that promoters are engineers for unidentified broadcasting stations.

### PETER ARNO'S THESPIC YEN

Hollywood, Feb. 23.  
Peter Arno may trade his easel for grease-paint. Deal is on for him to turn actor.

Sam Goldwyn studio has a deal set, all but the signatures, with the Zeppo Marx agency handling.

#### Tough Opposish

Des Moines, Feb. 23.  
Local church had to change its choir practice session so that it wouldn't conflict with bank night at the theatres.

### B'way Columns Cuff House Organ For the Cafes,' Says Niterly Mgr.

#### Fancy Biz

Monday (15) last week there were but four single tickets in the Booth, N. Y., rack for the following eight performances of 'You Can't Take It With You.' That is claimed to be unprecedented on Broadway.

Saturday afternoon the box office stopped selling standee admissions, after 63 persons were on the hoof.

'World's greatest free house organ' is the way one fashionable Park avenue niterly owner describes the Broadway columns for the manner in which they constantly mention the names of the so-called 'smart' joints, even augmenting that with candid camera stuff and the like.

'No one ever dreamed that a glorified saloon would ever get so much attention,' he observed. This apropos of the constant stream of news-hounds who, looking for chaff to their journalistic mills, inevitably mention this or that spot, by name, thus constituting an endless succession of free advertisements.

That's why, aver these Bonifaces, it's the cheapest form of exploitation to 'be nice' to the newspaper boys and girls because, once smitten with this or that spot, they ballyhoo it in a manner which no amount of paid advertising could approximate.

This particular host feels safe joshing the newspapers for becoming a gratis 'house organ' for his joint, and the other popular spots, because it's now reached the stage where they couldn't cut down for fear the competitive would scoop 'em on some bit of news or gossip that might break almost any night.

### NO AIR BILLING, EVEN FOR NAME SONGSMITHS

Publishing firm of Irving Berlin, Inc., has entangled itself with NBC and Columbia on a question of prestige. Berlin's associates in the company are demanding that the networks give him personal billing when they play his picture tunes. John Royal, NBC program chief, terms the Berlin concern's idea arbitrary and asserts that once the web yields to the wishes of a songwriter the logical sequence will be an air full of credits.

Harry Link, professional mgr. of the Berlin firm, did the contacting of the networks on the proposition. In presenting his company's position Link declared that he was not trying to establish something new. Credit is given on the air in the instance of Cole Porter and Jerome (Continued on page 27)

### Clare Boothe Donates All 'Women' Royalties

Clare Boothe, author 'The Women,' one of the strongest b.o. clicks in town, is turning all her royalty payments from the show over to charity, dividing the coin up between the Authors' League Fund and other such groups.

Miss Boothe is the wife of Henry R. Luce, editor of Time and Fortune, and figures that keeping the money will only complicate her income tax statements, with little, if any of the coin remaining hers anyway, if she did retain it.

#### PRISONERS' SONGS

'Bob Roller and Bob Wiley have placed song, 'Stop Me If You've Heard This,' with Milton Well, Ch music pub. Roller also free-lances with fiction while partner Wiley is readying another musical work, 'Suite in G-Minor,' for fall.

Both are guests of the California State Prison, Repressa, Cal.

### Drama Critic, Wary Of Lighted Matches, Forces Fire Issue

An ordinance which was aimed to eliminate smoking in the foyers and lobbies of New York legit theatres has been withdrawn, but another protective measure is being considered. After aldermanic hearings, at which the managers protested the proposed law as discriminatory, was stated that the ordinance was not practical nor workable.

Managers pointed out that smoking is permitted in the balconies of picture and vaudeville houses and the proposed stringent measure for legit theatres was unfair. They also contended that fires in legit houses are (Continued on page 70)

### Sit-Down Layoff Goes Pro

San Francisco, Feb. 23.  
A local burly house's offer job suddenly—terminated Harmon's one-man sidewalk stri theatre in Willow Glenn, Jose. Harmon, who said he was an unemployed salesman, made the theatre his home for five days last week after announcing to the management that he intended to stay until he won a bank night prize. He had his meals delivered and slept on a couch in the lobby, covered with blankets sent by friends. Fan mail swamped him.

Without any farewells, disappeared last Thursday, to an abrupt end his sit-down strike.

### Movietone's Idea to Fly the Coronation Newsreels to America

London, Feb. 23.

British Movietone News is figuring on getting the best break in connection with the Coronation, in spite of agreement among newsreels to pool resources for the big story. Latest notion is to have Col. Lindbergh fly prints of the black and white version, and maybe undeveloped negative of the technicolor section, across the Atlantic, reaching New York about a day after shooting here.

Deal with Lindy is at the moment only an idea in the mind of Sir Gordon Craig, local Movietone manager, who talked the plan over with Truman Talley some weeks back. If Lindy won't take the job, Amy Molison and Beryl Markham have both expressed willingness to face the journey with the reels.

Craig says he intends to join the flight, so as to step out of the plane (Continued on page 67)

### Nurse, Bring Me My Mike

Spokane, Feb. 23.

Foster filled his regular spot as m.c. on the Mother Nature Seltzer program over KFPY last week. Two days earlier Foster had his appendix removed.

He also writes the script for George Stout, program comic. This new variety program has replaced KFPY's regular Saturday night community sing, previously unsponsored.

# Sigs Free for the Asking, but It's No Go at \$5,000 for a Ciggie Ad

Hollywood, Feb. 23. There's considerable gnashing of teeth and gnawing at nails among the cinema greats on two major lots since the arrival here of Jack Pegler to line up luminaries for Lucky Strike endorsements and radio appearances. When the Lord & Thomas rep hit the burg and started on the rounds to pass out a few of those \$5,000 checks he was told, but firmly, to detour around Metro and Warners. No apples there, he was given to understand, as the "giggles of those lots have forbidden (by contract) their favored sons and daughters to barter their autographs for a mere mess of currency. That burned the marketing mob and a few of them started to add up their losses. One worthy let go with the lament that around \$30,000 went with the wind because he was forced to pass up that kind of coin for a few testimonials. They squawked to their agents who in turn let go an anguished wail at the studio execs. But it was still no apples, so what to do about it.

**'You Wait and See'**  
Some threats were heard that it'll be a different story when comes the day for contract inking. Producers either must stand down the burg or and some of their pets anchored at other studios. That's how the dirge sounds now, anyway.

Pegler, perforce, passed up the two studios and started the rounds of the others. Players were classed in groups from A to D with the coin starting at \$1,000 and graduating upward to \$5,000. When the word got around that a certain actor grabbed himself off a 5G spot, the gang that had to say 'no' put on a fresh burn. Once more the deeply hurt ones poured their woes into the ears of the tinhats. How, they were asked, could they make the trip abroad for the coronation unless they had the wherewithal to finance the journey in a manner that would reflect credit on their employers? The answer was still no.

It was the easiest pickup that has come their way in years yet they had to pass it up. All right, about the 5G largesse was to allow one's name to be used in the newspaper and magazine ads, and to do three minutes on the radio. And some of them Lucky smokers, too—on the level.

The lads with the Midas-touch, Pegler and Sherwood Silliman, assistant advertising director of American Tobacco Co., have gone back east. But the bitter memory of their visit still lingers on—at Metro and Warners.

And to think they have to give those sigs free to guys who accept them outside the Brown Derby. Where's the justice? they ask.

## EARL BALDWIN'S NEW PRODUCER PACT AT WB

Hollywood, Feb. 23. Serving the second longest period as a producer on the lot, Earl Baldwin has been given a new contract at Warners. He has been on the lot line years. Robert Lard is the studio's Nestor.

Baldwin will supervise the new Marion Davies picture, 'Ever Since Eve', in which Robert Montgomery and Patsy Kelly will appear. Lloyd Bacon will direct, with production slated for March 1.

## Hollywood The Winnah

Mrs. Margaret Mitchell, author of 'Gone With the Wind,' will probably go to Hollywood after all.

Author vowed that not only was she through writing, on the theory she couldn't duplicate her best-seller but that she wasn't interested in doing any Hollywood scripping attendant to Dave Selznick's finalization of the novel. Now she's understood changing her attitude and will probably sit in.

## Connell Orig for Crosby

Hollywood, Feb. 23. Ichnard Connell is writing an original for the next Bing Crosby picture to be made by Emanuel Cohen for Paramount release. Arthur Johnston and John Burke, who clefted 'Pennies From Heaven,' will repeat on the coming opus.

## AGENT CRACK DOWN

Metro Denies 'Mrs. Run of Lot, Classes Them With Yokels'

Hollywood, Feb. 23. in Metro has gone on a rampage inst the sightseeing yokels—but paying particular attention to agents and salesmen.

There are two entrances now inst of one, visitors and employees, respectively. Former practice of an agent going on the lot to see one person and then interviewing several is out. Passes now are for specific destinations. Principals now okay the ducats.

Final whack at tourists is that they can't loiter around all day as previously, only from 2 to 5 p.m.

## Too Many Westerns; Pic Producers Can't Find Cal. Locations

Hollywood, Feb. 23.

They're making so many westerns around Kernville, Cal., that producers can't find sufficient space to light. Currently, Harry Sherman's unit shooting the next Hopalong Cassidy picture has caused postponement of the start of Edward Finney's Grand National mesquiteer, 'Hitti' the Trail.

Town is experiencing a boom. Hotels, cafes and auto camps are crowded to the rafters.

## DESPITE PRESS CHILL, SONJA'S ICE B. O. HOT

Chicago, Feb. 23.

Sonja Henie's appearance at the Stadium Ice Carnival here resulted in a complete sellout for the four days, and an extra matinee had to be added to take care of the demand. Estimated 70,000 people attended for the four days, Thursday to Sunday (18-21), inclusive, establishing a world's attendance record for ice carnivals. Box office gross was estimated at \$100,000.

Olympic champion took a good deal of manhandling from the local newspapers, which pictured her as temperamental, giving the breaks to Bess Erhardt, much-touted Wisconsin acrobatic ice performer and former acrobatic dancer. Claims were made of temperament, egotism and unwillingness on the part of the Henie girl to recognize the other performer, and that she kept manhandling of the troupe up until 3 a. m. arranging the program so that it would suit herself and belittle the others. The champion got \$32,400 for her share of the five performances in four days' receipts.

## Veiller on 'Stage Door'

Hollywood, Feb. 23.

Anthony Veiller will do the screenplay of 'Stage Door' at RKO. Pandro S. Berman will produce the picture from the Edna Ferber-George S. Kaufman stage play.

## Metro's Star Troubles

### Luise Rainer's Money Squawk — Garbo's Stories — Norma Shearer's Indecisions

Hollywood, Feb. 23.

Star-trouble is making Culver City the Madrid of Hollywood these days.

Fouting of Luise Rainer over money troubles and Greta Garbo over story troubles is topped by report that Norma Shearer was ready to go back to work, but not at Metro.

'Studio rushed Garbo into 'Countess Walewska' to cover gap in A-product caused by continued absence of Miss Shearer, though Garbo Jo. n't want to do more than one picture a year.

Rush act has worked out so badly that the story is now in the dry dock for repairs and if and when it comes out, another lead may have to be



## KEN MURRAY

Philadelphia Daily News says:—"Within a few months Ken Murray's comments on daily events and important and interesting people have brought him to the fore as one of America's really good humorists." Column syndicated by McNaughton in over 100 daily papers. Latest to join the fold—San Francisco Chronicle and Savannah, Georgia.

WILLIAM MORRIS AGENCY

## BIG FILMUSICAL DEMAND SEEN

With the prospect that there will be a larger number of filmicals and more elaborately staged ones in the 1937-38 picture season, eastern talent divisions of major companies are scouring the field anew for all sorts of acts. They will be needed to supplement name stars in title roles, much as was done at the tag-end of the current year in musical productions.

Testing, building and giving every possible chance to new quartets, of semi-comical variety, has occupied the attention of several casting departments in recent weeks. Lookers in night clubs, theatres, etc., have been given the once-over.

## N. Y. Theatre Architect Missing in Anzac Plane

Sydney, Feb. 23. William Fountain, New York architect here to design the new Metro theatre in risbane, is missing in an airliner, with a number of other passengers, and has not been heard from since Thursday (18), when the plane left Brisbane for here.

Up to late this afternoon there had been no word from the plane or any of its victims and searching parties hampered by cyclonic conditions.

Mrs. Fountain is here in a state of collapse. She and the two Fountain children had accompanied the architect on his trip from New York.

## ARRIVALS

Thomas A. Martin, Rosemary Derling, Marielle Chantol, ZuSu Pitts, Grisha Gubuloff, Vilma Banky, Rod La Roque, Sam Barton, Mr. and Mrs. J. Cheever Cowdy

## Hollywood Odds and Ends

By Joe Laurie, Jr.

## GHOST GOES WEST

Virginia Verrill in 'Goldwyn' Pic After Voice Proxying

Hollywood, Feb. 23. Formerly a ghost voice for Jean Harlow whenever the Metro star was in a singing spot, Virginia Verrill, of Santa Monica, gets her picture break in Samuel Goldwyn's forthcoming 'Follies.'

Warbling placement was made following her appearance at a New York benefit for flood sufferers. Noel Coward put in a plug for the gal.

Bobby Clark will come west shortly for the film. Comic, spotted in the flicker along with Phil Baker and Helen Jepson, will write most of his own dialog.

## Mary Pickford Quits Hospital Bed; Sailing Soon to Be Married

Hollywood, Feb. 23.

Following a 13-day stay in the St. Vincent's hospital recuperating from a gallstone operation, Mary Pickford is convalescing at Picketfair. She sails for Europe March 10.

She'll probably be accompanied by Mrs. B. H. Rogers, mother of her fiance, Charles (Buddy) Rogers, and her daughter, Gwynne Pickford.

Rogers sailed last week for foreign bookings, stating he'd marry Miss Pickford abroad in the spring.

## SAILINGS

March 18 (New York to London) Irwin Dash and family (Berengaria).  
March 10 (New York to London) Luther Greene, Mary Pickford, London Co. 'Personal Appearance' (Queen Mary).

March 3 (London to New York) Simon Van Lier, Walter Dare Wahl (le de France).

March 3 (London to New York) John Murray Anderson (Queen Mary).

Feb. 27 (New York to Los Angeles), Mr. and Mrs. Charlie Einfeld (Santa Elena).

Feb. 24 (New York to London) Frank Lawton, Evelyn Laye, Harold E. Horowitz, Lili Damita, Errol Flynn, John Gaud, Bobby Gillette, Shirley Richards (Queen Mary).

Feb. 24 (London to New York) Arthur Kelly, Josef Schmidt, Max Schmeling, Otto Kruger, Mrs. Bellocowndes, Diamond Bros. Victor Jory (Berengaria).

Feb. 24 (London to New York) A. W. Kelly, Jr. (Berengaria).

Feb. 20 (New York to London) Josef Lhevinne, Lucienne Radisse, Isidor Achron, Charles (Buddy) Rogers, Max Schol, Stephen Pallos, Frances Wise, Eleanor Brown, Thekla Horn, Petty Lambert, Ruth Doran, June Miller (le de France).

Feb. 20 (New York to Genoa) Col. Frank J. House (Saturnia).

Feb. 20 (Los Angeles to Honolulu) Mr. and Mrs. Adolph Ramish (Lurline).

Feb. 20 (New York to London) Gaspar Cassado (Deutschland).

Feb. 19 (New York to London) Frank C. Dodd (Bremen).

## L. A. to N. Y.

Fay Bainter, J. Edward Bromberg, Jack Brower, George Cave, Bob Collier, Pete de Lima, Glenda Farrell, Errol Flynn, Mack Gray, Will H. Hays, Milton Hodesfield, Lillie Messinger, Polly Moran, Jack Pegler, George Raff, Sylvia Sidney, Sherwood Silliman.

## N. Y. to L. A.

Michael Bartlett, Sally Benson, D. A. Doran, Donald Friede, Monroe Greenhal, Sidney Harmon, Albert Lewin, Herman J. Mankiewicz, George J. Schaefer, John Trent, Joe Weil.

Hollywood, Feb. 23. In Hollywood a compliment before lunch is no compliment; it's a hope.

Even the telephone operators don't trust you. If you leave a call for 8 o'clock, they call you at 8, and then they call you at 8:30. The second time they say, 'Just wanted to make sure you were up.' At least in New York the operator leaves it to your sense of honor.

When you rest on your laurels out here you find out it's poison ivy.

On Sundays everybody dresses up and look worse than ever.

Put in Hollywood needs is a good 5c phone booth...but then one wouldn't be able to hear the important people you speak to from the table phones.

Some of the boys here mean something of whatever they say.

In Hollywood a fellow gets suspicious of a place he can afford.

The girls wear pajamas on the streets in the daytime. What do they wear in bed at night time? That calls for some research work.

The holes in the doughnuts are larger New York doughnuts.

I don't believe that everybody are agents out here—you see I haven't met everybody as yet.

You buy a steak and the neibors come over and look at it.

Every man here has his price; some can be had on installments.

They like to wire instead of writing. Misspelling can be claimed as code.

Many a true word in Hollywood is spoken in gesture.

Some of the boys may act hi hat, but they still have flat feet.

Some of the girls are beautiful. The easier they are on the eyes the harder they are on the ears.

Heard a writer once say a gag man who use files, but sneak looks in the files to find some sneers. Even the panhandlers carry stand-ins.

Directors don't wear puttees any more. Too uncomfortable to sleep in.

Place is lousy with picture stars. More picture stars than common people here. This morning I saw a picture star ask a cab driver for hi autograph.

Hollywood is a beautiful city. If you go there, don't forget to visit the suburbs, especially Los Angeles.

It isn't hard to succeed here. The hard part comes in staying successful—or in not becoming succeeded.

'Knocking' out here either indicates carbon or envy.

They hand out invitations out here like this: 'If you get within a mile of my house I hope you'll stop there all night.'

I asked the elevator boy in my hotel how to get to my room. 'A medium shot to the left,' he said.

You can go from the ridiculous to the sublime much quicker here than in New York. With a turn of the head you can see Lew Carter and the Rocky Mountains.

Everybody at the Brown Derby shook hands with me. There's something mystic about having a contract—somehow it gives you a likeable personality.

A guy told me if I watch my P's and Q's, in a couple of years I'll be making \$4,000 a week. For \$3,000 a week I'll watch the whole damn alphabet and learn how to talk Chinese besides.

Plenty of vaudeville layoffs town. Over at the hotel the acrobats are panhandling in the halls. I saw a two-man balancing act in action with the topmounter worki through the transom.

The valet at my hotel must work for Heywood Brown. This morning he pressed my suit and I had to send it back for retakes.

Most people here don't know which side their bread is buttered until they drop it.

Palm Springs where folks who have beautiful homes in Hollywood and Beverly Hills go to do the things they can do at home much better.

Nearly everybody out here has a hobby. Most of them have a hobby of making money.

The writers go away for a rest to write, the actors go away for a rest to act.

They say if you know the ri people you can get in. Then meet the people that know the ri people and they claim that's put them out.

It's tough to get around without a car or a job.

# ALIEN ACTOR BILL CHILLS

## Hays Frown on Hollywood's Foreign Correspondents Calls Off Shindig

Hollywood, Feb. 23. Though reported in the dailies as having held a luncheon at the Knickerbocker hotel to hand out prizes to Louise Rainer, Paul Muni, Rouben Mamouli, and others for best pic work of year, Foreign Press Society actually called off the get-together. Stymied either by studio publicity men, authentic indisposition of stars, officers of F.P.S. yanked luncheon off social calendar two hours before feed bags were to go on.

Next day trade dailies announced 20 of 50 cards of foreign correspondents would be withdrawn as a result of chiseling charges lodged by studio publicity heads against certain f.c.'s.

Though filing of complaints was supposed to be made at the Hays office Friday (19) Tom Pettit says no charges had been filed by any studio.

Correspondents' claim reprisals are due to fact that they're electing officers they like, not necessarily ones having nod of Hays office. At no time have the correspondents repudiated any previous officers, some of whom were, and still are, in the Hays doghouse.

F.P.'s offered an olive wreath at Christmas time. Studios turned wreath down. F.D.'s went ahead and threw a party without studio co-operation.

Luncheon and prize awards was to be next beau geste from foreign (Continued on page 31)

### Foreign Corrs.' Burn

Hollywood, Feb. 23. Foreign correspondents, who were unperturbed about routine list purge by Hays Office, are doing a serious burn over letters sent to their editors. All accredited corrs. have been informed their editors were polled on who their rep was in Hollywood, etc.—all of which is okay. But questionnaire had one line that galled, "Are you satisfied with present representation?"

Correspondents feel this none of Hays Office's business, and that producers are in into their private affairs.

Boomerang on Hays Office, however, will be that letters sent on official letterhead of Motion Picture Producers and Distributors of America, Inc., will mostly go without answer. Foreign eds never heard of that name, know it only as Hays Office. Several correspondents ink their bosses will believe it's an agency tryin' sell them syndicated copy, and will wastebasket the letter promptly.

## Lost Horizon's Excl. Preview Proves It Pays to Be Unknown

Hollywood, Feb. 23. 'Lost Horizon' preview pulled by Columbia at Four Star theatre is biggest the studio has staged here since 'Mr. Deeds.' On press front, it was even more representative, as for first time foreign critics were included.

Yarn that Harry Cohn kept the show exclusive by holding on to Bill Thomas' arm at door and banning all who were not of the press, lends added weight to fact that in Hollywood it pays to be unknown. While many a famous name was turned away, Cohn didn't know majority of scribes and, for fear of offending them, let in any number of unknowns, kids, obscure actors and others, who somehow got tickets.

Eli Levy of Col forei dept. was responsible for inclusion of foreign writers for first time, worth a (literal) world of publicity to film at very little expense to studio.

## VON STROHEIM SET IN PARIS PIC WORLD

Now that he is here, it seems that Eric von Stroheim is going to stay a time.

'Marthe Richard,' his first local film, is finished and he has been engaged by Jean Renoir to play a top part in 'La Grande Illusi' ('The Great Illusion').

Louis Jouvet was inally cast for the part but, because of prior contracts, was unable to do it. Scenario for the new film, which is by Charles Spaak and Jean Renoir, is wound around the experiences of prisoners of war.

Stroheim has also been approached by another producer to direct film called 'Zigane' ('Gipsy') Scenario for this has not yet been completed but it is understood Stroheim has made a tentative promise.

### Mitchell's Script Chore

Hollywood, Feb. 23. Thomas Mitchell, under a writing-directing-acting ticket at Columbia for a year, will get his first crack at adapting 'Life Begins with Love,' from an orig by Dorothy Bennett. Myles Connolly will produce. Mitchell spent all his time so far at Columbia in a role in 'Lost Horizon.'

## SO FAR ARGUMENT FAVORS OPPOSISH

Idea of Measuring Toscanini Like So Much Macaroni Offsets Complaints of Native Talent Proponents —Pix, Legit, Concerts, Musicians Combine to Oppose 'Embargo on Talent'

### RESUMES TODAY

Washington, Feb. 23. Annual love-feast between Art and Congress, to whether anyone not 100% American should be seen or heard by U. S. audiences, got off to a flying start Wednesday (17) before the House Immigration Committee.

Realizing that there was a better chance this year for Dickstein's so-called 'alien actor bill' to be pushed through Congress—thereby setting up 'artistic' tariff barriers between this country and the homelands of Garbo, Simone Simons, Gambrellis, Lily Ponses and possible future b.o. attractions born outside the U. S.—motion pictures, radi, music and the legitimate theatre pooled their resources and set their jaws for a decisive battle with the Dickstein committee.

Committee, likewise, sharpened its claws. Jolted out of its accustomed calm—induced by what-of-it-attitude of the amusement trades—group showed signs of watching carefully what went on. Witnesses were chased into corners or purged at, according to sides they chose. Committee members, who had become convinced that no foreign actor should set foot in America until an American actor had been transplanted into the spot he left, insisted that American art and music should be left to Americans.

On the other hand, several new committee members, who could not be expected to realize the interrelationship between it and naturalization papers, staved off numerous blows which otherwise might have floored witnesses appearing against the 'artistic reciprocity' bill.

Representatives Kerr of North Carolina, and Poage of Texas— (Continued on page 31)

### Damrosch's Click

Washington, Feb. 23. Walter Damrosch, veteran orchestra conductor, not only grabbed the spotlight from the House Immigration Committee, but drew lusty applause—an unusual spectacle—from crowds the alien-actor hearing last week. His smart-remarks, as well as the spectator reaction, displeased several lawmakers.

Best titter-producer was nifty at the expense of President Roosevelt. Referring to his long career on the podium, Damrosch capitalized on the controversy over F. D. R.'s proposal to retire judges over 70 by observing, "I hesitate to say how old I am in Washington today."

Another mirth-rouser made Lawrence Tibbett red-faced and provided the retort pertinent to a hinterland Congressman who had insisted American artists are not allowed in England and other European countries. Asked if he knew of any U. S. performer received abroad during recent years, Damrosch shot back, "Why, Mr. Tibbett is going to sing this spring at Covent Garden. Isn't that right, Mr. Tibbett?" Tibbett, who earlier demanded restrictions on obscure alien talent, agreed he had such plans.

## Film Biz Switch on Radio Lately; Benefits Seen to Offset Inroads

### Straw-Voting It

Washington, Feb. 23. Death of the Dickstein alien-actor bill was forecast Saturday (20) on the strength of preliminary polls indicating the controversial measure is likely to remain bottled up in the House Immigration Committee. Although the legislation has been approved by the group on three previous occasions during past sessions, changes in the committee, plus intensive missionary work by opponents, are believed to have completely changed the atmosphere.

Informal pulse-taking indicated more than a majority of the 20 members are against the measure, at least in present form. Estimates run from 11 to 14, with known backers of the bill numbering five or six. About a quarter of the group have failed to commit themselves.

## Screen Actors' Guild To Define Action on Alien Ban Bill, Mebbe

Hollywood, Feb. 23. Stand of the Screen Actors' Guild on the Dickstein-Kramer bill in Congress, which would put up barricades against foreign actors on stage, screen and ether, probably will be defined at a meeting of the board of directors March 1. Kenneth Thomson, secretary of the Guild, has confined his activities so far to talking it members concerning their views.

## PAR'S 1ST NBC RADIO SHOW SET; MARCH 14

Paramount's first Sunday morning radio program from its Hollywood studio, over the NBC red network from Coast to Coast, goes on March 14.

The broadcast, in charge of Boris Morros, musical director at the Par plant, will be for 30 minutes' duration and reach the air at 9 a.m. from Hollywood (12 noon, N.-Y. time).

Talent for the first broadcast has not yet been assembled, according to information at the Par h.o.

## Wini Shaw Winding Up in Vaudfilm; Back to WB

Wini Shaw, currently toplining stage show at State, N. Y., heads back to Coast and the Warner lot after two more consecutive weeks of vaude engagements, next week in Chicago and following stanza in Detroit.

She went from the Club Versailles, N. Y., into the State.

### Crosby's 'Stranger'

ing Crosby is expected in New York next week to look at 'Howdy Stranger,' which he may make as a film. Legit play is current at the 46th St., N. Y., with Frank Parker starring.

Not a big business getter, play has been getting by at short grosses on cut-rates. Deals with a radio crooner.

### Author Snubs H'wood

Capetown, Jan. 29. Sarah Gertrude Millin, authoress, has turned down an offer from Hollywood to scanarize her biography of General Smuts, South African politician.

Reason she gave for the refusal was flimdom's alleged distortion of facts in historical films.

Exhibitor attitude towards the appearance of film stars on radio network shows has changed materially with the last two months. That is the opi ion of trade

persons who have made a recent check of the situation. In some communities, attendance

depends largely on farmer trade, exhibs still may remain hostile. But generally, film theatre managers have undergone an almost complete reversal of opinion as to the menace of this practice.

Many of these exhibitors now feel that in some ways, the practice of picture star airings may serve as a useful adjunct to the box office. Some still believe that film satellites on network broadcasts may hurt their attendance, but they are not sure how much it injures. Others aren't decided as to whether such harm may not be completely offset by the benefits derived.

There also is a growing conviction among a certain group of film showmen that these radio network programs employing screen names have not created the interest that was anticipated.

There has been little intimation of late as to just what the Hollywood attitude will be in the matter of changing player contracts when they come up for renewal as to restrictive clauses on radio work. That will depend on individual cases, depending on the merit of the star and the adaptability of his talents to the airwaves. Also the producers are watching the shifting sentiment among exhibitors with more than passing interest to learn which way the wind blows.

With Paramount set on putting its own program on the air each week and other film companies having direct or indirect radio affiliation, at least three major picture companies probably will start the new picture selling season very much air-minded. Trend right now, though, is for more specific control both of stars and any radio broadcasts by the picture companies themselves.

## VARIETY

Trade Mark Registered  
FOUNDED BY SIMS SILVERMAN  
Published Weekly by VARIETY, Inc.  
510 Silverman, President  
154 West 46th Street, New York City

SUBSCRIPTION  
Annual.....\$5 Foreign.....\$7  
Single Copies.....15 Cents

Vol 12 No. 11

### INDEX

Advance Production Chart	21
Bills	59
Burlesque	70
Chatter	78
Concert	67
Exploitation	25
15 Year Ago	62-66
Film Reviews	15-19
House Reviews	60-61
Inside—Legit	64
Inside—Pictures	6
Inside—Radio	42
Inside—Music	54
International	12-13
Legitimate	62-66
Literati	35
Music	53-54
New Acts	57
News from the Dailies	69
Nite Clubs	56
Obituary	70
Outdoors	71
Pictures	2-37
Radi	38-52
Radio Reviews	48
Radio Showmanship	44
Shorts	15
Sports	69
Times	69
Units	56
U. S. Film Book	23
Vaudeville	55-58
Women	27

# Variety's Fifth Annual Radio Showmanship Survey Discloses Beaucoup Theatre-Air Tieups

In connection with Variety's recent publication of its fifth annual survey of radio station showmanship, it was apparent that hundreds of film theatres all over the United States have publicity exchange tie-ups with broadcasters. Deals are of various kinds and degree, running from the state-wide theatre trailering of radio programs by Station WHO, Des Moines, to the simple swapping of Annie Oakleys for radio adverts.

A common example of theatre-radio tie-ins concerns the so-called vox pop programs, or man-in-the-street interviews. By arrangement, many of these are held under the marquee of some local film house. This has several angles. First, it's a central and a partly sheltered location for the radio station, guaranteeing the sidewalk radio quizzer a crowd, and in rainy weather, protection for equipment and mob. Usually the station publicly announces the theatre, sometimes the persons quizzed get tickets to the theatre as courtesy gifts for obliging.

Local contests conducted by radio stations live away theatre tickets as the most common of all radio premiums on purely local and non-commercial programs. In a growing number of instances house managers or press agents do a film gossip session over the air. There are innumerable examples of radio amateur programs, originating in theatres on a three-way tie-up between theatre, broadcaster and advertiser. More recently there has been a variation of this arrangement on community sing or stunt broadcasts from inside the theatres.

Overlapping of radio-pictures is clearly evident in these widespread, many-sided, and varied deals. Whatever the merits of the persistent exhibitor agitation on film stars appearing upon network commercials, etc., there is plenty of evidence that exhibitors do not overlook the publicity and exploitation advantages of alliances with the radio stations in their own communities and upon a community basis.

Among the stations disclosed by Variety's showmanship survey (published Feb. 10 issue) as having theatre tie-ups of some kind were:

- Theatre Tie-Up Program**
- WSGN, Birmingham.
  - WCAU, Baltimore.
  - WPBR, Baltimore.
  - WBAL, Baltimore.
  - WBEN, Buffalo (2).
  - WGR, WKBW, Buffalo.
  - WGOL, Columbus.
  - WBNS, Columbus.
  - WJBK, Detroit.
  - CKLW, Detroit.
  - WKZZ, Detroit.
  - WSMK, Dayton.
  - WVTV, Dayton.
  - WOC, Davenport.
  - KLZ, Denver.
  - WRA, Dallas.
  - WCL, Ft. Wayne.
  - KTAT, Ft. Worth.
  - WJAX, Jacksonville.
  - WREN, Lawrence, Kansas.
  - CKOK, Kansas City.
  - WTBQ, Memphis.
  - WMC, Memphis.
  - WHN, NYC.
  - WINS, NYC.
  - WEAM, Rochester.
  - WTMY, St. Louis.
  - WCAE, Pittsburgh.
  - WWSW, Pittsburgh.
  - WMPG, Richmond.
  - WVVA, Richmond.
  - KALE, Portland.
  - KWG, Stockton.
  - WBRE, Wilkes-Barre.
  - WBRY, Waterbury.
  - WOY, Washington, D. C.
  - WJSV, Washington, D. C.

## Chopin, Beethoven, Strauss

Hollywood, Feb. 23. Local productions on three music masters being readied by as many studios. Columbia is making 'Chopin,' Warner is preparing 'Beethoven' and Metro has 'Johann Strauss.'

Only lead set so far is Francis Lederer in the Chopin role for Columbia.

## 20th Renews Henry King

Hollywood, Feb. 23. Henry King has been re-signed to a five-year directing contract by 20th Century-Fox.

King's latest assignment was 'Lloyds of London.'

## He Said-It

Before Harlan Thompson returned to the Coast, the Paramount a.p. dropped over to the east 50's in N. Y. for lunch. 'Eggs cocotte,' he ordered. 'Cocotte?' mumbled the captain. 'Ah, a little dish. You're telling me,' cooed Thompson.

## 20th and Radio City Music Hall Kiss 'n' Make Up

When the Music Hall, N. Y., has played 'Wings of the Morning,' March, the 1935-36 commitment to 20th Century-Fox over which there was some disagreement last summer, will have been fulfilled and there is every probability the Hall and 20th will negotiate a selective contract.

Last summer when the Hall felt it was not committed to 20th under its 1935-36 contract—30th on the other hand feeling the matter amounted to nearly \$100,000—the film company began offering its pictures elsewhere. The Roxy, N. Y., which got most of them, still has three more from 20th to go, 'Seventh Heaven,' 'Love Is News' and 'Nancy Steele Is Missing.'

Part of the difficulties between the Hall and 20th occurred as result of an additional commitment with 20th by the Radio City interests when the Center was turned into a first run. That policy failed and the Center closed, leaving unplayed product for which R. C. had allegedly contracted. Since then, the Hall has played three 20th-Fox pictures, 'As You Like It,' 'Lloyds of London' and 'On the Avenue.'

## CHINESE EMISSARY TO TIP OFF H'WOOD

Shanghai, Feb. 7. T. Holt, general manager of Nanking and Metropol Theatres (Shanghai Amusement Co.) is leaving Feb. 25 for Hollywood. He has been commissioned by the Chinese Government to explain to studio execs the official reaction to U. S. six employing Chinese players. Holt is also to report on the latest technical and mechanical innovations.

From America, Holt will go to visit British, German and French studios.

## Buffalo Medico Society's Squawk on 'Doctor's Diary'

Buffalo, Feb. 23. 'A Doctor's Diary,' the Hipp last week drew action from the Erie County Medical Society. In a special report of the Board of Censors of the organization the film was scored as 'unfair, untrue and not conformable with the ethics of organized medicine.'

A protest to the Hays organization and the producers as well as the management of the Hipp was voted by the Society.

## Else Argall to 20th

Hollywood, Feb. 23. Else Argall, French stage and screen actress, has been given a term at 20th-Fox. She is the wife of Jacques Deval, French playwright, now working at 20th-Fox.

Actress now is studying English in order to make her first appearance in 'Rings On Her Fingers,' which is being scripted by Deval.

## MG TICKETS M'GOWAN

Hollywood, Feb. 23. Metro handed Jack McGowan a new writer contract.

It's a straight two-year ticket.

## Warners Retie Lord

Hollywood, Feb. 23. Robert Lord, who has been on the Warner lot as a writer and producer for 10 years, has received a new term producer agreement at the studio.

Lord's latest production steering job was 'Prince and the Pauper.'

## Important Decision On a Film's Dramatic Usages of a Pop Song

Low Brown, Henry Akst and Elsa Maxwell, writers of the tune, 'I Hear My Doorbell Ring,' last week obtained a judgment of \$2,000 in an infringement action which they had brought against the Vitaphone Corp. in the N. Y. supreme court. In a lengthy decision Justice Miller held that the short subjects producer had no right to dramatize the song without permission, and that Warners (Vitaphone) had also infringed on the three-songs common-law copyright on a sketch framed around the tune which Brown had included in a Casino de Paree (N. Y. cabaret) revue in 1935.

Court's findings pointed out that Harms, Inc., publisher of 'Doorbell,' had granted Vitaphone permission merely to record two partial usages of the song in a short, 'The Doorman's Opera.' In the opinion of Justice Miller the film producer had not only infringed on a non-extended dramatic right but copied and used 'pretentious and important' parts of the Casino de Paree sketch. The Postman Always Rings Twice, Brown, Akst and Miss Maxwell were also authors of this sketch. Justice Miller said that he found that there was a 'similarity and substantial identity of character, paralleling of incident and sequence of details between the short subject and the sketch, even though the latter ran 15 minutes and the dramatization in the film amounted to only a minute and a half.'

Decision stated that the judgment had been limited to \$2,000 because he felt that the consequential damages to the infringement of the three-songs common-law in the sketch had not been serious.

## JONES' WRITING-PROD. DEAL WITH WANGER

Hollywood, Feb. 23. Grover Jones' new Walter Wanger contract, after washup of his Par pact March 12, is combination production-writing deal.

He will work with Wanger for three months and then return to Par to prepare a yarn for Cecil B. De Mille on a previous commitment. Later he'll go back to Wanger to handle the reins on six productions. Deal calls for flat sum per pic.

## Fred Stone Recuperates Before More RKO Jobs

Hollywood, Feb. 23. Following a two and one-half months' stay in the Cedars of Lebanon hospital, Fred Stone has gone to Palm Springs to convalesce before starting work at RKO.

Studio has three pictures for him in the hopper, 'The House in the Country,' 'By the Dawn's Early Light' and 'Mother Carey's Chickens.'

## Cummings on 'Vogues'

Hollywood, Feb. 23. Irving Cummings, with a new year's directing contract under his belt, has been assigned by Walter Wanger to handle 'Vogues of 1938,' from Sam and Bela Spewack's script.

Wanger is trying to get Leslie Howard for the top male spot.

## Bob Burns' Ozark Tract

Pine Bluff, Ark. Hugh Park, publisher of the Argus at Van Buren, Ark., states that Bob Burns, Arkansas comedian, will build a recreational center on a 20-acre tract in the Ozarks near Mountainburg, which he recently purchased.

The center will be entirely non-commercial and a part of it will probably be given over to the Boy Scouts for camping and to tourists.

# Looks Like Trendle-Skouras Pool For Fox, Detroit; Plunkett Withdraws

## Fun at Home

Hollywood, Feb. 23. Another private print of Leon Schlesinger's color cartoon 'Coo Coo Nut Grove,' caricaturing film names at a frolic, is being made by the producer.

Private show requests from persons in the film have worn out one print.

## Major Prods. Hum, Gary Cooper, West, Crosby Pix Broil

Hollywood, Feb. 23. Major Pictures, helmed by Emanuel Cohen, has lined up a humming skein for the next several months. 'What Ho!' Gary Cooper starrer will go into production April 15. Waldemar Young is scripting from Richard Connell's Pictorial Review yarn. Jo Swerling is pounding out an orig for Mae West. Picture, background in the Gay Nineties, will go in June. Connell also is writing an untitled story for Bing Crosby, tentatively slated for the lenses at the end of July.

## METRO DROPS IDEA TO ROADSHOW 'MAYTIME'

Hollywood, Feb. 23. Plans to roadshow 'Maytime' have been dropped by Metro. Film will be released late in March at key deluxers for unlimited runs. Studio figured it unwise to hold up Eddy-MacDonald musical until summer to trail 'Good Earth' as a two-a-dayer. Estimated that film will get four to six weeks run in key spots before hitting the subsequent.

## Little Theatre Actress Spurns Selznick Pix Bid

New Orleans, Feb. 23. Adele Longmire, 18, local stenographer and Little theatre actress, received a contract from Selznick-International for a role in Margaret Mitchell's 'Gone With the Wind,' but papa and mama nixed it Friday (19) on the grounds that she was too young to venture alone in the film city. The contract stipulated a salary of \$100 a week with optional clauses giving the producer a seven-year clutch on her services.

Katherine Brown, scout for Selznick, itioned Longmire gal and departed deeply impressed with her possibilities. Their came contract.

Parents' feel daughter, oldest of family of six, would profit more by continuing studies under Bernard Szold, Little theatre director. Another angle was the New York stage. She believes Selznick contract would bar her from stage work and she's not quite ready to abandon life-long ambition to act before New York audiences.

## Par Retags Manny Wolfe

Hollywood, Feb. 23. Manny Wolfe, head of the Paramount studio story department, has received a new two-year contract. As many as 75 scribes have been on the lot at one time. Wolfe was in the pilot's seat.

## HILDEGARDE'S WB TEST

Hildegard, Anglo-American comedienne-singer, has been groomed for a Warner Bros. screen test.

U. S.-born songstress, currently under NBC contract, must sail back in April for itz, London, cafe commitments. Hildegard has been renewed at NBC for eight weeks. New contract goes into effect Feb. 27 succeeding the old 13-weeker. Gets \$500 per broadcast making her highest paid sustainer on NBC payroll. Formerly doing two shows weekly, Thursday and Saturday, over WEA and WJZ respectively, she will now do but one.

Detroit, Feb. 23.

Likelihood that National Theatres Corp. (Skouras) will turn the Fox theatre here, if court approves present reorganization plan, over to George Trendle, head of United Detroit theatres for operation, is seen in many quarters here. Reorg plan, submitted by the Colwood Co. and provi for a 15-year leasing of the Fox to Fox Michigan Corp., a new organization to be controlled by National Theatres, comes up for final approval in the near future before Federal Judge Ernest A. O'Brien.

If plan is ok'd, it's considered all most positive that both the Michigan and Fox, town's two vaudeville, would be thrown into one pool, dividing pic product and stage shows between the two houses and in that way put all theatres on profit side of the ledger. Deal with Trendle understood to be all ready for signatures.

Last hitch in the reorganization plan is believed to have been eliminated last week with the withdrawal of a bid of \$150,000 a year, plus percentage, by Joseph Plunkett, former v.p. and general manager of RKO. Bid for theatre was withdrawn after Plunkett, who's now in biz for himself, was unable to tell George Marston, federal bankruptcy referee, just what type of ickers would be shown, etc.

Trendle at present is operating as part of his circuit the 2,000-seat United Artists theatre, which last fall was added to the UA circuit (George Skouras). So reported tieup of the Fox with UD circuit appears all the more convincing.

Under the reorg plan, Skouras would have to guarantee the Fox Michigan setup a flat rental of \$125,000 annually, 12 1/2% of the gross income if vaude is used or 15% if only films are shown. Plan also calls for \$500,000 loan from the RFC, which already has been approved by local officials.

The theatre and offices of Fox building also would be partially divorced, under the reorg plan, with property owned by Kern and Grey really companies being rented from them for one-third of net income of newly reorganized corporation. Bondholders would get stock in the proposed company in exchange for their present holdings. For each unit of \$1,000 bonds and interest thereon, they would get 10 shares of \$3 preferred and 10 shares of common stock.

## Academy Picks Shorts, Dance Tricks for Awards

Hollywood, Feb. 23. Committee of 50 selected from all branches of the Academy of Motion Picture Arts and Sciences will see the final screening of shorts and dance numbers today (Tues.) at the Filmmate theatre in order to vote on those to receive the Acad awards March 4.

Subjects in the dance number group:

- 'Bojangles' number from Time (RKO).
- Finale from 'Dancing Pirate' (Pioneer).
- 'Love and War' from Diggers of 1937 (WB).
- '1,000 Love Songs' from Mabel (WB).

'A Pretty Girl Is Like a Melody' from 'The Great Ziegfeld' (MG).

Skating ensemble from 'One in a Million' (20th-Fox).

'Swinging the Jinx' from 'Born to Dance' (MG).

Short subjects to be shown: 'Give Me Liberty' (WB).

'La Fiesta de Santa Barbara' (MG).

'Popular Science' (Par).

'Bored of Education' (Roach).

'Moscow Moods' (Par).

'Wanted, a Master' (MG).

'Double or Nothing' (WB).

'Dummy Ache' (RKO).

'The Public Pays' (Disney).

'Country Cousi' (MG).

'Old Mill Pond' (Harman-Ising).

'Sinbad the Sailor' (Par).

## U'S MIKESTER

Universal has squiggled Billigan, announcer, to WBFL, to an acting contract.

Mikeman, who has been at WBFL for past four years, leaving for Coast this week.

# G-B DIRECTORS' SCHISM

## No Prez for Republic Pictures; Favors 'Board of Strategy' Instead

expected to give serious to a new plan for its Republic Productions the next few weeks. Main point differentiation from present method will be that of will the usual supervision of a company president. On each new picture, various producers would be called into board session for suggestions. While some company officials are a bit dubious as to the ability of the proposal, because of well-known desire of all producer executives to have full say-so on their productions, understood that such a system may be tried out. And there probably will be no new president designated, at any rate, to take the place left vacant by Nat Levine's departure.

M. J. igel, v.p. Republic, came in from Hollywood is week to discuss this and other plans for next season's product with Republic Picts officials. Herbert J. Yates will accompany him when he returns to the Coast in about two weeks.

While there was some talk at one time of Walter Vincent, present chairman of Republic Pictures, moving up into the presidency of either this company or Republic Productions, he is expected to remain as is. Nobody had been named to fill in the spot left vacant when W. Ray Johnston resigned as president of Republic Pictures last year.

## Par's Net Earnings

Latest downtown estimates 'are that Paramount will show net earnings of around \$3,400,000 for the last quarter, 1936, and that the first quarter of this year, is running at the rate of around \$3,000,000 for the period.

## Ohio Lifts Ban on 'Spain in Flames' Pic But Pennsy Nixes It

Ohi censors' ban on 'Spain in Flames,' causing Al Schulman to cancel last week's date at his Penn Square, is being lifted as result of protests made by four Clevelanders at meeting of board in Columbus, O. Feature-length newsreel was yanked out temporarily censorship grounds that it was 'harmful' and not in spirit with country's neutrality law. Film looks at Spanish revolt from 'loyalists' viewpoint, which put the board on the spot.

Campaign of kicks was started by newspapers editorially rapping Ohio's film snooters for being biased. Local sympathizers and Spanish organizations also made an issue of it, appointing committee composed of Mary Gleason, Spanish society dancer; Mrs. Blanche Alvarez, Edith Lawrence and Rev. Howard M. Wells, to carry out the fight. After public hearing, E. L. Bowsher, state director of education, lifted ban. Controversial newsreel is being booked back in Penn Square, town's foreign pix house, tentatively for March 15.

## DIVIDEND MOVE CREATES SPLIT

Maxwell and Kent Allied With Balfour and Boardman Stand That Company's Losses Don't Warrant 5 1/2% Pfd. Stock Dividends — Retaining Counsel

## OSTERS AND WOOLF

London, John Maxwell, Sidney R. H. C. Balfour and Dixon Boardman, all four directors of Gaumont-British Pictures Cor., have consulted counsel, it is learned, with regard to the proposal of G-B to pay a dividend of the company's \$16,000,000 5 1/2% preference shares. Decision for a divvy was a surprising move here, in view of general conditions. Dividend was okayed by a five to four vote, with the above-named dissenting. Their contention is that the producing subsidiary company sustained substantial losses and can't pay dividends.

So long as dividend on preference shares are paid, holders have no voting right but, if the dividends are over six months in arrears they are entitled to one vote per share. That is what makes the argument so important and that is why Maxwell and Kent, both of whom are involved at opposite ends of G-B's attempt effect some sort of financial realignment, are suddenly found together in a move against the G-B heads. It is their point, obviously, to force an

Isidore Maurice Ostrer are holding private meetings with Charles M. Woolf, the former associate managing director, with a view to turning over distribution of Gaumont-British product to Woolf's General Film Distributors, and eliminating G-B's distributing setup.

Ostrer, and Woolf have already agreed that the \$500,000 in contracts between GB and its stars will be worked out at Woolf's Pinewood studios at Iwer and that the GB plant at Shepherd's Bush will be shuttered.

Woolf's producing units and his extensive interest in Universal, together with is rapidly enlarging film theatre circuit and the Leicester Square theatre, London, combined with GB houses, would give a tremendous outlet for Woolf's distributing organization.

Lord Portal and James Rank, local financiers, are slated with Woolf in the deal.

## DISNEY, TECHNICOLOR RENEW PACT FOR YEAR

Hollywood, Feb. 23. Walt Disney has had his contract with technicolor extended for another year, beginning March 1. Disney, who has been using the process since 1932, will produce 18 Silly Symphonies, Mickey Mouse and other short subjects and, in addition, one feature length production under the contract for RKO release.

Feature, titled 'Snow White and the Seven Dwarfs,' has been in work for a year. Portion of the release prints will be made in the new technicolor plant in order to hurry forei

## H. M. Warner's Degree

An honorary L.L.H. degree was conferred on Harry M. Warner, president of Warner Bros., by Rollins College in Florida, where Warner is presently vacationing with his brother, Major Albert Warner.

The same college last year presented President Roosevelt with the same degree, which is Doctor of Humane Law. Ceremonies took place at Winter Park, Fla., at the college.

## Flood Losses in Excess of \$1,000,000 Not Counting Damage at the B.O.

## Hays Leaves Coast

Following several weeks stay on the Coast, Will Hays returned to New York, Feb. 19. He was accompanied by Mrs. Hays and his secretary, Milton Hodenfield.

## Cowdin Back With Optimistic Reports On Europe and Pic Biz

Return to normal economic conditions in Europe and better production an increased demand for American films, the continued, according to J. Cheever Cowdin, chairman of Universal. Cowdin returned Monday (22) for two-month business inspection tour of 11 countries abroad. He reported that U.S. associate, General Films Distribution, Ltd., is making vast strides in developing theatre outlets and their own pictures.

In France Cowdin, issued the film business with President Albert Lebrun, being first American picture official to attain this distinction. Lebrun was close friend of the late Robert Bacon, ex-ambassador to France, who was Cowdin's uncle.

While in England, Cowdin is wife, who went on the trip, visited the Lindberghs at Seven Oaks shortly before they started on their Australian flight. Cowdin was able to cover so much ground in his short stay because he used planes most of the time. He conferred with Lord Milford-Haven, head of Sperry Gyroscope Co., of England, which Cowdin also is interested.

Popularity of motion pictures in Russia proved an unusual surprise to Cowdin. He conferred with the Soviet minister of films and Marshal Voroshilov, commander of Russian military forces.

Paris, Feb. 15. Cheever Cowdin, Universal head on a tour of inspection around Europe, was received this week by President of the French Republic Albert Lebrun. The newly-appointed French Ambassador in Washington, Georges Bonnet, was present at the interview as was Jean-Michel Renaitour, president of the Cinema commission of the Chamber of Deputies.

The reported object of the visit was to discuss Franco-American film cooperation but so far no details of what was actually talked about have leaked out while the duration of the visit' can claim a little more than a courtesy call on the part of Cowdin. During the same day Cowdin, accompanied by Renaitour and Andre Peres, irector for Universal in France, visited the Pathe studios in Joinville. During this European tour Cowdin visited Zurich, Rome, Venice, Vienna, Budapest, Prague, Warsaw, Berlin, Moscow and Brussels.

## HAINES VICE MOCHRIE, LATTER JOINING UA

Roy Haines, eastern district manager for Warner Bros. and with the company since 1919, has been appointed division manager under Mochrie.

It is understood Mochrie will join United Artists in an executive distribution capacity on returning from a vacation in two weeks.

## SCHAEFER, GREENTHAL WEST

George J. Schaefer, back from the Bahamas and Daytona, Fla., Monday (22), will leave for the Coast by the end of the week, accompanied by Monroe Greenthal.

ing complete checks of damages and considering that losses operation and rental never be accurately figured, it is estimated in theatre and distribution circles that the total loss caused by the recent flood will run \$1,000,000 or over. At first it was feared that it would be more, at the threatened dangers to Pittsburgh, some other points, and down on the Mississippi, disappeared.

It is believed that the anticipated loss of \$1,000,000 or greater would run about one-half for theatres and one-half for distributors, although in the case of the latter pictures which were prevented from filling playdates during the height of the flood, will in most instances be exhibited. Majority of the injury to distributors occurred where film was fulfilling engagements but getting no play, due to greatly reduced patronage.

While theatres in Louisville, Wheeling, W. Va.; Portsmouth, O.; Evansville, Ind., and other points were badly damaged by water and backed-up sewers in most cases the losses were due to interrupted operation caused by lack of power, light, heat and other facilities.

It is figured that RKO alone took a loss of around \$100,000 in Cincinnati, where its seven theatres were forced to shutter due to inability to get power. Water damaged none of these theatres, however. Warners and Loew's were also heavy losers through water damage and forced closings for other reasons. Paramount was the most fortunate of the chains, being struck only in Wheeling and Middletown, O.

## GOLDWYN PLANS QUICK WASHUP

Hollywood, Feb. 23. Samuel Goldwyn is rushing production plans in order to complete his \$10,000,000 eight-feature schedule for 1937.

With 'The Woman's Touch' already in work, and King Vidor slated to start 'Stella Dallas' within two weeks, Goldwyn intends to keep two flicks before the lenses in stagger-fashion, in order to wash up his program.

## Korda's \$8,000,000 Octel

Alexander Korda's eight pictures for UA release will cost around \$8,000,000. Two of the octet will be musicals.

Films scheduled are 'Knight Without Armor,' 'I, Claudius,' 'Divorce of a Lady,' 'Lives from America,' 'Bicycle for Two,' 'Four Feathers,' 'Drums of the King' and 'Elephant Boy.'

has gone into production on 'Claudius,' co-starring Charles Laughton and Berle Oberon under direction of Josef von Sternberg. That gives London Films an immediate objective to have the film finished in time for the new Leicester Square Odeon, when that house opens at the Coronation period in May. But what to do with the studios next is troubling Korda and his associates.

Laughton, after this one, association with Korda, gain his own production: set-up Erich Pommer, and insiders declaring the unit will quit Denham and settle either at Pinewood or Elstree.

## EINFELD'S SAILING WEST

Charlie Einfield, accompani Mrs. Einfield, are leaving for wood Saturday (27). They are taking the the Canal.

## Sol Lesser's Prod. Staff Is Scattered All Over the Map

Hollywood, Feb. 23. Sol Lesser moves his units off the Pathe lot today, temporarily, to General Service Studio. With room cramped at General, production unit for 'Boots and Saddles,' starring Dick Arlen (20th-Fox release), goes on that lot. Writers move to Lesser's beach home at Uplifters Ranch, Santa Monica, to work, while the accounting department goes into the Taft Bldg., Hollywood.

Other indie producers on lot will also shortly be given the gate, by Selznick-International, which has leased the plant.

## PAR-SCHULBERG MULL ANOTHER 1-YR. PACT

Paramount is weighing a renewal with B. P. Schulberg for one year. Far as known there has been no conclusion reached by the firm at this time.

New Schulberg pact has the support of Adolph Zukor.

## Van Dyke's New Deal

Hollywood, Feb. 23. Metro and W. S. Van Dyke have gotten together on a new contract for the director.

Van Dyke has a clause inserted preventing studio from sending him on long jaunts. Terms of new paper divulged, other than pact covers a term of years.

## Howe's RKO Post

Hollywood, Feb. 23. G. B. Howe, general manager of RKO-Pathe studios in Culver City, will switch to the RKO lot in Hollywood in an unannounced capacity when Selznick-International Pictures takes over the Culver City property next month.

Harvey Leavitt, Howe's assistant, is expected to stick at the Culver City lot to aid Henry Ginsberg, S-I's general manager.

## LIQUIDATING ESTATE OF IRVING THALBERG

Philadelphia, Feb. 23. 'Spain in Flames,' scheduled for an early showing at Europa, has been banned by Gov. Earle because of political reasons. Europa doing well now with 'Lucrezia Borgia.'

Hollywood, Feb. 23. Discussions toward liquidating the estate of the late Irving G. Thalberg will start around March 1.

J. Robert Rubin and Nicholas M. Schenck are expected here on that date to confer with the administrators of the estate and Louis B. Mayer.

## Rogers' Hop East

Hollywood, Feb. 23. Charles R. Rogers finally gets off to N. Y. on Feb. 26.

Producer will talk with Universal executives on current slate.

J. Cheever Cowdin got in from Europe survey on Monday (22), in

James Cagney, who would essay role of 'Darny O'Neill.'

Ed Wolf  
rights.

# FCC'S BELL TEL CO. EXPOSE

## Erpi's Film Income for 8 Years

Washington, Feb. 23. Sources of bulk of income pocketed by Electrical Research Products, Inc., during first eight years of sound—from Jan. 1, 1927, through Dec. 31, 1935—were revealed by the Federal Communications Commission Thursday (18) as follows:

Company	PRODUCTION		EXHIBITION	
	Royalties	Rentals	Rentals	Total
Paramount	\$2,761,577	\$2,994,349	\$4,646,704	\$16,402,630
Fox	2,280,256	1,254,628	4,301,953	7,836,837
Metro	2,450,500	1,620,144	1,962,365	6,033,009
Warner	4,417,245	2,039,308	6,456,553	12,912,106
Universal	1,790,023	650,140	3,330,018	5,770,181
Columbia	1,428,354	435,894	1,894,248	3,758,496
United Artists	617,135	527,878	1,255,763	2,400,776
.....	\$15,075,090	\$9,522,341	\$11,911,527	\$36,508,958

## NEXT RKO PLAN HEARING ON MARCH 11

I wish somebody would get some of these proceedings. These were the parting words of Federal Judge William Bondy to some 40 or more lawyers who attended a hearing on RKO's plan of reorganization before him last week. In accordance with customary conditions of such reorganization hearings, there probably were more witnesses than there were creditors. One thing was accomplished at the hearing. RKO's reorganization plan was proposed formally. There will be another hearing before Judge Bondy on March 11. This hearing will be held on the motion of Irving Trust Co., trustee of RKO, under 77b, to the balance of Chemical notes outstanding and amounting roughly to around \$650,000. Hearings on the RKO reorganization plan will begin formally, therefore one week later, March 18, at 10:30 a.m., in room 1506 of the new Federal Court Building, in Foley Square, N. Y.

Judge Bondy indicated his readiness to proceed with hearings on the plan but there were objections from the floor and after a bit of wrangling the matter was put off. Judge Bondy expressed his willingness to conduct the hearings day and night to speed up the matter, but the lawyers couldn't agree.

Some of the lawyers obviously are holding back for the later hearings. Several representatives of the trustee were in attendance also. It is anybody's guess what the attorneys' fees in RKO's reorganization proceedings might aggregate eventually. It should run to several hundred thousand dollars.

## Lenten Bull Market For 10-Year Old 'King Of Kings,' De Mille Spec

There's plenty of life yet in the 10-year-old 'King of Kings' in way of Lenten bookings around the country, chiefly in small towns and metropolitan nabes. The DeMille production has been set in over 60 houses for month of March, with heavy emphasis on Holy Week. Spots booked are mostly in New England and along the Atlantic seaboard, ending down into the Carolinas.

The pic, which was initially released by Fox and later distributed by RKO, is independently booked by John F. Lyons. Rights are still in possession of Jeremiah Millbank. Wall Streeter who bankrolled DeMille with \$2,500,000 to make the film.

There are only 14 prints now remaining in the U. S., which badly jams bookings around Holy Week with Lyons unable to satisfy all the demands. Since it is \$180 to make each print, and since rentals are usually only around \$250 per week, it has become the custom to make the 14 prints go round. Figured having more prints

## SAME SQUAWKS

Outlined For Northwest Allied Convention March 2-3

Minneapolis, Feb. 23. When Northwest Allied States holds its annual convention here March 2-3, one important order of business will be to decide on a film buying policy for independent exhibitors for next season, according to announcement by S. D. Kane, executive secretary.

A 'products committee' will be appointed to study the new season product situation and report its recommendations to the convention. The membership is prepared to take a more vigorous stand against percentage deals, compulsory preferred playing time and forcing of short subjects, Kane says.

## P. O. Dept. No Like Special Messengers' Cut-In on Its Revenue

Washington, Dec. 23. Dunning campaign to collect postage from business firms using private messenger and express services to cut their delivery expenditures is in the offing. Theatres may be prodded for business amounts faced with prosecution for violating laws giving the government a monopoly on mail transportation.

While no concrete plan has been formulated, Post Office Department expects to start nationwide crusade shortly to kill off practice of hiring telegraph and express messengers to distribute advertising matter, bills should go through the U. S. mail. How extensive the round-up will be depends on how many additional inspectors are authorized by Congress.

Criminal action is unlikely, unless postal snooters run across individuals who have persisted in inverting business from the government after being apprized of the law. Principal object is to educate large mailers so the practice will be dropped and to get revenues which should have flowed to the U. S. Treasury. Estimated \$40,000,000 has been lost—cause private firms got business which should be done by the P. O. Dept.

Under postal regs, any concern may use help to deliver bills and advertisements, but the business cannot be farmed out without violating the law.

## Bill Sussman's Illness

Bill Sussman is seriously ill, suffering from a throat infection. The 20th Fox division sales manager's ailment is streptococci.

turned out would be expensive not justified by the amounts realized from the rentals.

his year the big spot for 'King' is Brooklyn, N. Y., where 11 nabes have already contracted for engagements ranging from two-day stands to full-week.

In the matter of time the spectacle is getting current Lent, since it will be best season in three years.

There is also a 16 mm. print available for churches, convents and schools wishing to screen 'King' privately. The 16 mm. distribution is handled by Photoscope, Inc.

## SOME 125 MILLION FROM PIX IN 8 YRS.

## 3-Volume History of Bell Telephone Charges Gigantic Plan to Dominate the Picture Business—Reviews Erpi's and Chase Bank's Plan for Mergers and Financial Control

## 2-YEAR SURVEY

Washington, Feb. 23. Sensational three-volume history showing how the Bell telephone system siphoned \$125,000,000 out of the film industry in eight years, plotted to dominate every branch of the picture business, and perfected monopoly of the sound field was issued by the Federal Communications Commission Thursday (18).

Climaxing sporadic inspections of Electrical Research Products, Inc. over a period of nearly 24 months, FCC sleuths revealed that by taking advantage of patent rights and strong creditor position, the telephone trust has become one of the biggest single factors in pictures. Besides reviewing much old stuff previously brought out in courts and Congressional hearings, Commish threw spotlight on many unknown phases of the invasion into pictures by American Telephone & Telegraph, Bell System, Western Electric, Erpi, and miscellaneous subsidiaries.

Among more colorful revelations were the following:

1. The first eight years of sound brought \$123,331,117 of studio and exhibitor money into the telephone treasury.
2. During early stages of the depression, telephone people tried to force complete reorganization of the industry which would put them in virtual control and stifle competition forever.
3. Through Erpi and minor companies, telephone trust carried out minor part of the industry shake-up scheme by getting control of studios in Hollywood and the East.
4. Telephone money played a big part in ousting the Laemmles from Universal.
5. More than 150 features, shorts, educational, and promotional films have been financed to varying degrees with telephone cash.
6. Paramount has dumped more than \$10,000,000 into the Bell system coffers through rental charges and royalties on both production and exhibition.

Revealing that the sound apparatus monopoly brought more than \$35,000,000 from five major producer-exhibitors in eight years, the 800-page report was filled with sharp denunciation of business practices followed by the telephone trust in its dealings with picture firms. The

(Continued on page 11)

## Newsreels and Erpi

Washington, Feb. 23. Royalties from sound newsreels have brought only an insignificant amount of revenue to Electrical Research Products, Inc., study by Federal Communications Commission showed last week. Total receipts from newsreels to the end of 1935 were \$520,459, only 3% of aggregate film royalties.

The rock 'n' roll was split 3 to 2 between charges on product for domestic markets and export. ERPI has collected \$102,568 on films for U. S. distribution and \$209,891 on those for foreign markets. Company's best year for reel royalties was 1931, when \$63,296 was taken in. Bills for three reels were as follows:

- Movietone: \$172.095
- Paramount: \$172.095
- Universal: \$51.101 domestic, \$19.401 foreign

## Breakdown of Erpi's Income; Now More Royalties Than Installations

## Expect Decision Soon in Tampa Restraint Suit

Atlanta, Feb. 23. A ruling on a temporary injunction sought by operators of the Broadway Theatre, Inc., of Tampa, restraining eight major film distributors and E. J. Sparks and Frank Rogers, of Jacksonville, Fla., from purportedly refusing them first-run pics, is expected to be returned within several days by Federal Judge Bascom S. Deaver, of Macon.

The hearing consumed two days last week. The action was brought in Atlanta because most of the major companies involved have distributing offices here. Judge Deaver has requested briefs in the hearing.

Defendant companies are Vitagraph, 20th-Fox, Paramount, Columbia, Metro, Universal, UA and RKO.

## POOH-POOH U. S. INTEREST IN ANTI-BLOCK

Washington, Feb. 23.

Suggestion that block-booking control may be written into legislation, giving the Federal Trade Commission broad authority over business activities, is being advanced and pooh-poohed in Congressional circles.

With House Interstate Commerce committee on the act on a measure giving FTC power to ban 'deceptive acts' in interstate commerce, talk has been heard about possibility of tacking on some of the provisions of the Cullin and Pettengill bills designed to outlaw block leasing and blind selling. Both of these measures would set up the FTC as arbiter in disputes over fairness of film distribution methods.

The source of the idea is obscure, and the mystery about the genesis of the talk has added interest. Proponents of the block booking legislation claim they are not interested in this technic, and some openly suspect film producers of inspiring the discussion. One 'lawmaker' interested in banning group-leasing was wondering what the purpose of this move could be and seemed convinced the industry is engaging in some far-fetched shadowboxing.

The block-booking question has received no attention in Congress so far. Occupied with far more important matters, leaders do not seem at all disposed to take up the bills. Hearings are deemed improbable, in view of the length of time spent last year, hearing pros and cons and the fact that the election is over.

Booklet entitled, 'The Truth About Block Booking,' has been published for industry distribution by the Motion Picture Producers and Distributors of America. Went out this week. Leaflet makes a point of describing 'block booking,' wholesale selling which it terms a practice common to American business. Claims that this practice makes the industry is engaging in some far-fetched shadowboxing.

Winds up pleas for 'block booking' by stating that all legislation to abolish the practice must be opposed if the advancement of motion pictures is continued and public interest promoted.

## H'wood Influence?

Detroit. Royal Baker, ex-police censor, has opened an art studio here. 'I don't object to nudes,' reflected Baker. 'In fact, I like to have a few hanging around the studio. But I don't go in for the moderns.'

Washi. Collecting from more than one-third of the wired houses, Electrical Research Products, Inc., is becoming more dependent upon royalty and maintenance service for revenues than on new leases of equipment, Communications Commission reported Thursday (18).

In survey showing Erpi income has slumped materially since the 1929 rush for sound, the Commish said royalty or payments have risen from 6.18% of the company's gross in 1929 to 34.81% in 1935. Over an eight-year period royalties accounted for 15.83% of the aggregate receipts, totaling \$24,058,476.

While the dollar volume and proportion of revenues from service and maintenance have not increased, the importance of this item has increased. Erpi started business, as the number of new installations has dropped off. With number of wired houses trending toward saturation point, there has been relatively little fluctuation in receipts for service and maintenance, which amounted to \$3,652,495 in 1935 against \$4,404,273 in the peak year of 1929, study emphasized. From this source alone, Erpi in its first eight years collected \$32,031,110, or approximately 34.82% of its total revenues from reproducing equipment business.

Interpreting their figures, FCC researchers observed that breakdown of maintenance receipts indicated that, with the decline in the demand for equipment, the servicing and maintenance of equipment became increasingly important as a source of revenue and in 1935 outranked it. The importance of equipment leasing and selling activities. At another point, they remarked 'it will be noted that royalties have become relatively more important both in amount and in percentage of total gross operating revenues. This is explained by fact that royalties depend upon the units of product made on recording equipment leased or sold and, therefore, continue as long as there is any utilization of the equipment.'

The study of Erpi operating income by major types of activity showed reproducing business in eight years brought \$91,737,098, recording business brought \$1,510,830, export sales brought \$19,733,428, royalties brought \$24,058,476.

Although the Bell System subsidi has made strenuous efforts to develop the non-theatrical market by driving out installations for educational and industrial use, the FCC study disclosed that only a tiny fraction of the reproducing equipment business came from customers not engaged in commercial exhibition. Of a total of \$54,222,023 received for installations, theatrical accounts represented \$52,690,858 and non-theatrical only \$1,531,167.

The rush to sound just before the depression hit gave Erpi a boom year in 1929, study showed. Gross revenues that year were \$48,878,290, more than one-quarter of the aggregate income for the first eight years of company's existence. New house installations accounted for \$27,458,820 of the total.

The same trend in Erpi recording revenues was evident in the recapitulation. Out of a total of \$1,510,830 for all sources, company disclosed \$112,921 for equipment installed in studios. Best year was 1929, when wiring brought \$6,095,864. Figure dropped sharply in 1930 and has declined progressively in later years.

## Circus Slant by Morrissey

Hollywood, Feb. 23. Will Morrissey, actor-producer, has pulled in from a lot of work with Samuel Hoffenstein on the script of 'Buddy De Sylva's Hippodrome,' the Universal.

Morrissey, who was assistant on 'Jumbo,' will work with circus angles.

Age Group	Percentage of Respondents
18-29	65%
30-49	75%
50-69	80%
70+	85%

# New Pix Mean Good Biz in Chi; 'Green Light' Nice 34G; 'Ave.' 19G; 'Stroloff,' Plus Unit, N. G. \$15,000

Chicago, Feb. 23. Plenty of new pix on the loop screens this week, with a flock of solid attractions lined up at practically every amusement store. Result will be a pretty much strengthened set of grosses, especially at such houses as the Roosevelt, United Artists, Oriental and Chicago.

'Good Earth' opened Friday (19) at the Apollo on a roadshow policy, and another is planned on at the light weeks at this house. Advance sales are strong, based on excellent word-of-mouth and reviews, and indications are for the best roadshow strength this town since 'Great Ziegfeld.'

Weakness of the loop currently is the Palace, where 'Michael Stroloff' is meaning nothing as a box office. Got away weakly and doesn't look for anything on the session. House is up against it for bookings during the next four weeks, having nothing of moment for either its screen or stage. Now waiting until Easter Week, when it expects 'Top of the Town.'

Belle Baker is the money-maker at the Oriental, while Rae Samuels is tuning 'em up at the State-Lake. Both houses depending on its vaude and headliners currently.

## Estimates for This Week

**Apollo (B&K) (1,200):** 55-110-165—'Good Earth' (MG) (1st week). Roadshow, has excellent possibilities with good advance sale. Last week, 'Love Song' (WB), fair \$3,100.

**Chicago (B&K) (4,000):** 35-55-75—'Green Light' (WB) and stage show. Started nicely and should get pleasant \$34,000. Last week, 'Holiday' (WB), fair enough at \$26,000.

**Garriek (B&K) (900):** 35-45-65-75—'Camille' (MG). Moved here after three weeks at United Artists and doing profitable \$6,500. Last week, 'Champagne Waltz' (Par), repeated in loop for so-so \$4,400.

**Oriental (B&K) (3,200):** 35-45-55—'Devil's Playground' (Col) and stage show. Belle Baker heading stage end and accounting for bulk of the trade, zipping to better than \$20,000, good. Last week, 'Man of People' (MG) fair to \$16,300, saggy.

**Palace (RKO) (2,500):** 35-55-65-75—'Stroloff' (RKO) and 'Greenwich Village Follies' unit on stage. Stalled and left at the post. Will bog down into the basement at \$15,000. Last week, 'Sea Devils' (RKO) didn't mean what Ken Murray and Oswald meant on the stage, radio and vaude coming building the take to the \$25,500.

**Roosevelt (B&K) (1,500):** 25-45-65-75—'On Avenue' (20th). Away in splendid fashion. Saturday (20) heading for fair \$19,000. Last week, 'Live Only Once' (UA), wound up with meagre \$9,900.

**State-Lake (RKO) (2,700):** 25-35-40—'About to Die' (RKO) and vaude. Rae Samuels aiding the take on the stage. Combination rounding up mighty fine \$16,000. Last week, 'She's Dangerous' (UA) and vaude, fair \$12,100.

**United Artists (B&K-MG) (1,700):** 35-55-75—'Beloved Enemy' (UA). Femme trade, 'On Avenue' (20th) nearly \$18,000, high, satisfactory. Last week, 'Camille' (UA), finished a three-weeker to solid \$10,300.

## 'AVENUE' BIG \$11,000 IN OMAHA; JOAN \$8,200

Omaha, Feb. 23. rphem outdoing anything on theatre row with 'On the Avenue' as the main high of double feature. Hitting on high and headed for tops in receipts. Omaha in second place and topping average considerably with 'Mrs. Cheyne' (MG) and 'Green Light' (WB). Otherwise theatres riding easy. Weather past 10 days or so has taken a decided change for the better and receipts have been rising. Bank night midweek continues unmolested, although city council is mulling a regulatory idea.

## Estimates for This Week

**Randies (inger-RKO) (250):** 25-35-40—'Sea Devils' (RKO) and 'Woman of Glamour' (Col) double. Something slightly over average, \$4,200. Last week 'Condemned Row' (RKO) and 'We're on the Jury' (RKO) weakies at \$3,600.

**Omaha (B&K) (1,100):** 25-40—'Mrs. Cheyne' (MG) and 'Jail Break' (WB). Good dual bill with film for \$8,200 at least. In these which gets the house back to its figures of last spring and summer. Last week 'Three Smart Girls' (MG) and 'Dangerous Number' (MG) were an innovation as double bill in a 'Girls' had already played a full week at the Orph early in the year as second fiddle to a stage show. This engagement justified itself with \$7,000.

400, plenty good for a first run let alone reruns.

**Orpheum (Blank) (2,976-25-40):** 'On the Avenue' (20th) and 'Man of People' (MG), two bill. Critics overboard on it, rose, raves and thereby helping the film along remarkably. Adds up to one of the best of film weeks, \$11,000. Last week 'Lads of London' (20th) and 'Career Woman' (20th), exceeded expectations considerably, \$9,200.

## GRACE MOORE'S \$10,000 AUGURS SEATTLE RUN

Seattle, Feb. 23.

Eighty week for 'Million,' third for 'Lovers of the Avenue' and highlights of the week, along with 'When You're in Love' at Liberty and 'God's Country and Woman' at Fifth.

## Estimates for This Week

**Blue Moon (Hamrick-Evergreen) (900):** 27-37-42—'Lloyd's' (20th) and 'We're On the Jury' (RKO) dual, third week, moved from Fifth Ave. but \$3,800 slow trade. Last week, 'Stolen Holiday' (FN) and 'Under Cover of Night' (MG) dual, \$2,300, slow.

**Blue Moon (Hamrick-Evergreen) (1,900):** 21-32—'Born to Dance' (MG) and 'Our Relations' (MG) dual. Big at \$3,000. Last week, 'Lads of London' (20th) and 'White Hunter' (20th) dual. Nine days, strong \$4,200.

**Colonial (Sterling) (850-11-16-21):** 'Border' (Hamrick-Evergreen) and 'Reckless Roads' (Rep) dual, split with 'Blackmail' (Col) and 'Falling in Love' (Prin) dual. Good \$2,400. Last week, 'Trailing West' (WB) and 'Man Who Lived Again' (GB) dual, split with 'Private Sec' (Prin) and 'Conflict' (U) dual, big \$2,600.

**Blue Moon (Hamrick-Evergreen) (2,400):** 37-42—'God's Country and Woman' (WB) and 'Dangerous Number' (MG) dual. Big \$9,000. Last week, 'Lads of London' (20th) and 'We're On the Jury' (RKO) dual, 2d week, \$5,300, good.

**Liberty (J-VH) (1,900):** 27-37-42—'When You're in Love' (Col) single, long look set for run, \$10,000 first week is socko. Last week, 'Rembrandt' (UA) and 'Counterfeit Lady' (Col) dual, \$4,300, okay.

**Blue Moon (Hamrick-Evergreen) (900):** 27-37-42—'One in Million' (20th) (8th week). Looks to reach \$3,700, immense. Truly sensational. Last week, same film, \$3,500, good.

**Music Hall (Hamrick-Evergreen) (2,300):** 27-37-42—'On Avenue' (20th) and 'Crack Up' (2d week). O.K. at \$4,500. Last week, same film, \$9,000, great.

**Orpheum (Hamrick-Evergreen) (2,700):** 37-42—'Plough and Star' (WB) and 'Wild Man Kent' (20th). Nice combo, with vaude, indicates good \$6,000. Last week, 'Drummond Escapes' (Par) and 'Once a Doctor' (WB) dual, \$5,300, moderate.

**Palomar (Sterling) (1,450):** 16-27-37—'Fugitive in Sky' (WB) and vaude. At \$3,700, o.k. Last week, 'Shakedown' (Col) and 'Duke Ellington' band on stage, 4 days, \$4,300, great; split with 'Love Letters of Star' (U) and vaude, 4 days, \$1,900, fair; making 8-day week big \$6,200.

**Paramount (Hamrick-Evergreen) (3,100):** 27-37-42—'Wings of the Morning' (20th) and 'Great O'Malley' (WB) dual, slow-biz, \$3,000. Last week, 'Black Legion' (WB) and 'Mama Steps Out' (MG) dual, big campaign but only \$3,000.

**Roosevelt (Sterling) (800):** 21-32—'Theodore' (Col) and 'Col' and 'Man I Married' (U) dual. Big gross, \$2,800. Last week, 'Go West Young Man' (Par) and 'In His Steps' (GN) dual, \$2,600, good.

## Flood Rehabilitation Still Hampering L'ville

Louisville, Feb. 23.

Shoppers and theatre patrons still inconvenienced on main stem by repair work—underground, which leaves huge gaping holes on Fourth Street—while automobiles being detoured around two important downtown blocks, all of which has tendency to slow down trade at b.

## Estimates for This Week

**Kentucky (Switlow) (15-25):** 'Theodora Goes Wild' (Col) and 'Banjo On My Knee' (20th-Fox), dual. Nice pair of subsi., doing nicely considering pedestrian and

vehicular handicaps. Good \$1,700 indicated. Last week 'Three Men on Horse' (FN) and 'White Hunter' (20th-Fox), took fair \$1,400 on short week.

**Loew's State (3,000):** 15-25-40—'Secretary' (Col) and 'Under Cover of Night' (MG), dual. Not much b. o. strength in evidence, coupled with barrenness in house caused by lack of seat replacements, all point to mild \$4,000. Last week 'Beloved Enemy' (UA) and 'Counterfeit Lady' (Col) dual, held through Saturday, \$4,500, light.

**Mary Anderson (Libson) (1,000):** 15-25-40—'Black Legion' (WB). No particular exploitation, and response from both male and female patrons none too hefty; \$2,500 is indicated, well below normal. Last week 'Stolen Holiday' (WB), gain it alone well enough at \$2,200.

**Ohio (Settos) (900):** 15—'G-Men' (FN) and 'Broadway Hostess' (FN), dual, splitting with 'Strike Me Pink' (UA) and 'We Live Again' (UA), dual. Post-food repairs in this particular block hurting biz plenty. Won't do better than \$700, weak. Last week 'Flirtation Walk' (WB) and 'Desirable' (WB) dual, good. Last week 'Little Miss Nobody' (20th) and 'Dark Angel' (UA), dual, opened house after three-week holiday to fair \$800.

**Loew's (Fourth Ave.) (3,000):** 15-25-40—'Champagne Waltz' (Par) and 'Outcast' (Par), dual, right spot in the local cinema picture, and grabbing home nice coin on word-of-mouth. Swarthout-MacMurray combo selling for fine \$6,000. Last week 'Bulldog Drummond' (Par) and 'Doctor's Diary' (Par), dual, opened house after flood shutdown to good \$5,000.

**Strand (Fourth Ave.) (500):** 15-25-40—'Wings of the Morning' (20th) and 'Woman-Wise' (20th), dual. Headed for okay \$3,500. Last week 'Great Guy' (GN) and 'Mysterious Crossing' (U), dual, looked like normal times at \$4,000.

## 'GOD'S COUNTRY' SOCK 12G, DENV.

Denver, Feb. 23.

'God's Country and the Woman,' big at the Denver, and 'The Ladino,' 'One in a Million,' fine in Aladdin, goes to Broadway. 'Outcast' is tremendous at the Denham with help of stage show.

## Estimates for This Week

**Aladdin (Huffman) (1,500):** 25-40—'Lloyd's' (20th), following a week at the Denver. Nice \$3,500. Last week, 'One in a Million' (20th) did big business of \$5,000, following a week at the Denver, and was moved to the Broadway for a third week.

**Broadway (Huffman) (1,500):** 25-40—'Million' (20th), following a week at each the Aladdin and the Denver. O.K. \$3,000. Last week, 'Three Smart Girls' (U) romped right along to a big second week at this house for Washington. Birthday, Denver, and turned in around \$4,000.

**Denham (Cockrill) (1,500):** 25-35-50—'Outcast' (Par) and stage show. Socko \$11,500. Last week, 'Doctor's Diary' (Par) good at \$4,200.

**Denver (Huffman) (2,500):** 25-35-50—'God's Country' (WB) and stage band. Terrific \$12,000. Last week, 'Lloyd's' (20th) dittoed at \$12,000, and went to the Aladdin for a week.

**Orpheum (RKO) (2,600):** 25-35-40—'Michael Stroloff' (RKO) and 'Dangerous Number' (MG). Nice biz, \$6,000. Last week, 'Condemned Row' (RKO) and 'Mama Steps Out' (MG) ditto.

**Paramount (Huffman) (2,000):** 25-40—'Accused' (UA) and 'Man Who Could Work Miracles' (UA), N.S.G., \$5,500, better, and 'Beloved Enemy' (UA) ground (Col) and 'Dodge City Trail' (Col) \$3,000, O.K.

## Wash. Biz Good; 'Green Light' Signals Big \$19,000; 'Devils' Lukewarm \$6,500

Washington, Feb. 23.

Things are looking up this week, and, with holiday prices and extra shows for Washington Birthday, boys are counting on recouping last week's disappointments.

'Lloyd's' is turning in swell second week and is town's top money-maker. 'Green Light' is proportionate leader among newcomers.

## Estimates for This Week

**Capitol (Loew) (3,424):** 25-35-60—'Love Is New' (20th) and vaude. Pic getting nice reviews and word of mouth, and 'Bowes' gal u it some help, pulling 'em in. Looks like good \$22,000. Last week, 'Cry of the Lion' (MG) with Stepin Fetchit and Clyde McCoy band, light \$18,000.

**Columbia (Loew) (1,583):** 25-40—'Lainsman' (Par) (3d week). Heading for nice \$4,500. Last week, 'Champagne Waltz' (Par) (2d run), o.k. \$4,000.

**Earle (WB) (25-35-40-60-70):** 'Green light' (WB) and vaude. Song-

# 3-Day Holiday Booms Broadway; Grace Moore 102G; 'Cheyne' 40G; Lombardo Orc Ups 'Meade' to 43G

Out-of-town jammed. New York over the three-day Washington's Birthday weekend, washing the exodus of natives, and all box offices, even on Sunday with in weather, were good. For the cashiers, Sunday's dampness, topped by a young squall late at night, didn't seem to chill the ardor of film fans, and on Monday (22), when beautiful weather prevailed all day, business likewise held up well. Managers had feared there would be a sharp drop after the supper hour, in thought that people would be going back to their native towns.

Favored by the holiday, Grace Moore's picture, 'When You're in Love,' is away out front at the Music Hall, with a gross expectancy of \$102,000, but the surprise of the week is what the Paramount is doing with a weak picture, 'John Meade's Womankind.' The house runs up a good \$43,000 on this one and goes a second week. In view of the fact the reviews were generally poor, it is believed by the management that the air draught of the Guy Lombardo orchestra with in-towners as well as well as out-of-towners is largely accountable for this pleasing result.

At the \$102,000 take for the Music Hall with the Moore musical, this picture goes a second week also. 'Fire Over England' is set to follow on March 4. Another picture, 'The Last of Mrs. Cheyne,' which on its first seven days will get \$40,000 or over for the Capitol, nice. 'The Man Who Could Work Miracles' on which reviews were favorable, got away propitiously at the Rivoli, where it may get \$30,000 on the first week. This one is slated for a second week, but the picture may make Criterion brought in 'Man of Affairs' Friday (19) and may get up to \$11,000, just getting by. The George Raft picture, 'The Last of Mrs. Cheyne,' owes much of the \$11,000 it may get to the holiday crowds and loyal Arliss fans, yet it will try a second week.

Arthur Mayer brought 'Man of the People' into his bandbox Rialto on a preview Monday night (22) after a week on 'Doctor's Diary' (Par). Mayer made a p. a. at the theatre opening day, Tuesday (16), which may have helped some with the publicity Trent has received.

'Good Earth' continues an S.R.O. \$2 attraction, having parted fans with as much as \$23,300 on its second week. This tops the opening week's \$23,100.

Holdovers include 'Head Over Heels in Love' at the RKO and 'Green Light' at the Strand. The former, an English-made, is the stronger of the two, and on the second week, at hand, has a good chance to come home with \$40,000 after a first seven days' grab of \$46,200. 'Green Light,' which last week, its first, romped in with \$28,000, good, may hold well enough to make the second week receipts \$24,000, strong for the holdover.

The value of stage shows and the appetite out-of-towners must have for a person, as the Strand, which concluded from figures showing that the State will get \$32,000 or over this week. This is unusual, in view of the fact that the picture, 'Camille,' had its first good week at the Capitol. State's vaude bill this week is headed by Wini Shaw, from pictures, and the standard team of Buck and Bubbles. Last second week, it benefited from holiday crowds and increased prices, looking \$11,000 with 'Lloyd's'

of London' and 'Don't Tell the Wife,' latter on first run at this dailer.

## Estimates for This Week

**Astor (1,012):** 55-110-165-220—'Good Earth' (MG) (3d week). Very sturdy 'twice-daily' attraction, last week \$42,000 meaning \$23,300. This topped the first week a little, \$23,100, passes making the difference on initial seven days.

**Capitol (4,620):** 25-35-55-85-125—'Mrs. Cheyne' (MG). Last week a start and will amble through to \$40,000 or over, good. Holds. Final \$100,000 on fourth week for 'Camille' (MG) was close to \$100,000, very good. Criterion (1,662): 25-40-55—'Man of Affairs' (GB). Arliss starer not doing well, maybe \$11,000, still squeezing through but holds anyway. Last week, seventh for 'Great Guy' (GN), only around \$5,000, but with six good weeks ahead of that, a very profitable run was chalked up.

**Aladdin (1,700):** 25-35-55—'Lloyd's' (20th) (3d run) and 'Don't Tell the Wife' (RKO) (1st run), coupled. Holiday business helping to around \$11,000, very good. Last week, 'One in a Million' (20th) (2d run) and 'Plough and Stars' (RKO) (2d run), nearly \$10,000.

**Paramount (3,664):** 25-35-55-85-99—'John Meade's Womankind' (UA) and Guy Lombardo orchestra. Lombardo largely credited for the fine \$43,000 first week here, ending last night (Tuesday). Show for 'Great Guy' (GN), Second lap for 'Champagne Waltz' (Par) and Waring's Pennsylvanians a sturdy \$44,000.

**Radio City Music Hall (5,990):** 60-85-99-145—'When You're in Love' (Col) and stage show. Big three-day weekend here may mean as much as \$102,000 for this picture on its first week. 'Lloyd's' (20th) Monday night (22) after seven days of 'Doctor's Diary' (Par), which may have been aided by opening day personal appearance of John Trent in getting \$7,500. 'We're on the Jury' (RKO), in ahead, \$7,000, fair.

**Rivoli (2,092):** 25-35-55-75-85-99—'Man Who Could Work Miracles' (UA). Opened \$7,500, but a preview week, possibly \$30,000 on the first week. Picture goes a second and, if holding up okay, will venture a third. The third week (last week) for 'You Only Live Once' (UA) managed around \$12,000, mild.

**Roxey (5,836):** 25-45-55-75—'Head Over Heels in Love' and 'Green Light' (2d week). Holiday means a possible \$40,000 for the British-made Jessie Matthews' starer, after a first week of \$46,200. A third week won't be chancy, however. 'Woman Alone' (GB) being slated for Friday (26).

**Strand (2,707):** 25-55-75—'Green Light' (WB) (2d week). Up against stout competition around town, but fine at likely \$24,000 this week (2d), after first seven days, take of \$28,000.

**State (3,420):** 35-55-75—'Camille' (MG) (2d run) and vaude headed by Wini Shaw and Buck and Bubbles. May top a fancy \$32,000, combination of Garbo and a vaude show probably having appended to the out-of-towners. Last week, 'Lloyd's' (20th) (2d run) and Jay C. Flippen, over \$22,000, only fair.

## Crawford, Powell Head Up for \$10,000 in Indpls.

Strong attractions at houses this week are staving off the Lenten season hoodoo. 'Last of Mrs. Cheyne,' at Loew's, seems to headed for top money in situations, with 'Apollo.'

## Estimates for This Week

**Apollo (Fourth) (1,100):** 25-40—'Avenue' (20th). National ads helped this one get a preview week. Looks like possible h.o., with indicated take of \$7,500 in first week. Last week, 'Lloyd's' (20th), second, week \$4,000.

**Circus (Monarch) (2,800):** 25-40—'Maid of Salem' (Par) and 'Clarence' (Par), dual. Former plugged big, but results are under \$5,500. Last week 'On the Jury' (RKO) and 'Outcast' (Par), weak \$3,400.

**Loew's (Loew's) (2,600):** 25-40—'Mrs. Cheyne' (MG). Crawford, Powell, Montgomery names star-fir here and take will top town with socko \$10,000. Last week, 'It's Playground' (Col) and 'Dangerous Number' (MG), \$5,100.

**Lyrie (Olson) (2,000):** 25-30-40—'Stolen Holiday' (WB) and vaude. Film given good plug and reasonable for fifty \$8,500. Last week 'Breaching Home' and Mitchell and Durant unit, got excellent \$10,250, due to stage show.

## No Hub Dubs; Garbo Sock \$39,000 in 2 Spots; 'Lawyer'-'Scandals' Big 32G

Three solid attractions make this week a standout in the current season. 'Camille', running solo at the Orpheum and State, will top the town, but is under expectations.

Met is well situated with 'Green Light' and stage show headed by Judy Canova; and Keith-Boston looks hottest in several stanzas, with Will and Eugene Howard and Helen Morgan heading 'Scandals' unit that is held 'Criminal Lawyer'.

Keith Memorial will h. o. 'On the Avenue' on strength of this week's biz. Starting March 5 house goes into dual pix policy.

**Estimates for This Week**  
**Boston** (RKO) (3,000; 25-35-75)—'Criminal Lawyer' (RKO) and 'George White's Scandals' unit on stage. Combo strong click here and with aid of holiday should topple \$32,000 or better. 'Condemned Row' (RKO) (originally titled 'We Who Are About to Die') took fair \$18,000 last week. Ith Olsen and Johnson unit on stage.

**Fenway** (M&P) (1,400; 25-35-50)—'Lloyds' (2d run), and 'Clarence' (Par) (1st run) dual. Showing pleasing strength here to tune of about \$8,500. Last week poor \$5,600 for 'Black Legion' (WB) and 'Holy Terror' (20th), double.

**Keith Memorial** (RKO) (2,900; 25-55)—'Avenue' (20th), and March of Time. Socko, aiming at big \$25,000. 'Avenue' holds over. Only 'Live Onces' (A) disappear last week at \$11,500.

**Metropolitan** (M&P) (4,300; 35-75)—'Green Light' (WB) and stage show. Will get big \$30,000 or better. 'Stolen Holiday' (WB) and Edie Duchin's band got \$25,000 last week, fair.

**Orpheum** (Loew) (3,000; 25-35-40)—'Camille' (MG). Very good \$21,000 indicated, but either Garbo or Taylor is slipping here. Quite up to expectations. 'Beloved Enemy' (UA) and 'Women of Glamour' (Col), dual, fair last week, \$15,700.

**Paramount** (M&P) (1,800; 25-35-55)—'Lloyds' (2d run), and 'Clarence' (Par) (1st run), dual. Will drag in around \$11,000, good. 'Black Legion' (WB) and 'Holy Terror' (20th), dual, slipped \$27,000 to \$8,500.

**Scollay** (M&P) (2,700; 25-35-40-50)—'Champagne Waltz' (Par) and 'Black Legion' (WB) (2d run), Look good for \$8,500. Last week, 'On the Avenue' (20th) (3d run), and 'King of Hockey' (WB) (1st run), dual, fizzled to \$5,800.

**State** (Loew) (3,300; 25-35-40-50)—'Camille' (MG). Healthy \$18,000, but under expectations took fair \$18,000, fair \$13,500 for 'Beloved Enemy' (UA) and 'Women of Glamour' (Col), dual.

## 'CHEYNEY' SOLO IN ST. LOO, 18G

'Mrs. Cheney' singled-billed at Loew's, downtown deluxer, is destined for first time in several weeks to put that take at head of b.o. derby with take of \$18,000.

**Estimates for This Week**  
**Ambassador** (F&M) (3,018; 25-40-55)—'Women of Glamour' (Col) and stage show. Olsen & Johnson unit will help this bill to \$14,000, good. Last week 'Stolen Holiday' (WB) and stage show showed with \$13,000, satisfactory for Lent.

**Fox** (F&M) (5,038; 25-35-55)—'Maid of Salem' (Par) and 'Mind Your Business' (Par). Set for \$14,000, okay. Last week 'On the Avenue' (20th) and 'Criminal Lawyer' (RKO), stood up for best in town and closed with \$18,000, fine.

**Loew's** (Loew) (3,162; 25-35-55)—'Mrs. Cheney' (MG). Lent is slipping at least \$3,000 from this one, but will lead town with \$18,000. Last week 'Under Cover of Night' (MG) and 'Mama Steps Out' (MG), faded away, ended with \$9,200, below average.

**Miscouri** (F&M) (3,514; 25-35-55)—'On the Avenue' (20th) and 'Criminal Lawyer' (RKO). Will take up where Fox left off and should collect \$11,200 for good biz. Last week 'Black Legion' (WB) and 'We're on the Jury' (RKO), didn't have great deal of draw; only \$8,800, bel. par.

**St. Louis** (F&M) (4,000; 25-40)—'One in a Million' (20th) (2d run) and 'Racing Lady' (RKO) and stage show. Not over \$20,000 in sight for this bill, fair. Lent is getting in its work. Last week 'Three Smart Girls' (U) (2d run) and 'Three Smart Girls' (U) (2d run) and 'Three Smart Girls' (U) (2d run), although less than expected.

## 'Mrs. Cheney' Mopping Up in Portland, \$9,500

Portland, Ore.  
 'Last of Mrs. Cheney' is mopping up at Parker's Broadway. 'Green Light' at the UA is another winner. Third week of 'One in a Million' at the Evergreen Paramount may break that theatre's record for any one picture.

**Est. for This Week**  
**Broadway** (Parker) (2,000; 30-40)—'Mrs. Cheney' and 'Dangerous Number' (MG), dual. Answering to exploitation for great \$9,500. May hold. Last week 'Mama Steps Out' (MG) and 'Man of the People' (MG), dual, got \$4,700, weak.

**Mayfair** (Parker-Evergreen) (1,400; 30-40)—'About to Die' (RKO) and 'Let's Make a Million' (Par), dual. Keeping this house on an even keel with \$4,400, okay. Last week 'Bulldog Drummond' (Par) and 'Join Marines' (Rep), hit, \$4,600.

**Orpheum** (Hamrick-Evergreen) (2,000; 30-40)—'Girl From Paris' (RKO) and 'Crack Up' (Fox). Registering okay \$5,500. Last week 'Winter's' (RKO) and 'More Than a Secretary' (Col), got fair \$4,000 in second week. First week great \$8,000.

**Paramount** (Evergreen) (3,000; 30-40)—'One in a Million' (Fox) and 'Counterfeit Lady' (Col) (3d wk), dual. Keeping for good house on an even keel with \$4,400, okay. Last week 'Bulldog Drummond' (Par) and 'Join Marines' (Rep), hit, \$4,600.

**United Artists** (Parker) (1,000; 30-40)—'Green Light' (FN). Well exploited and in line for a strong \$6,000. Looks good enough to hold. Last week, 'Luckiest Girl' (U) did just fairly \$9,900.

## Prov. Pix Draw Despite Lent; 'Mrs. Cheney' 13G, 'Ave.' Dual Big \$10,000

Providence, Feb. 23.  
 It's a great week, Lent or no Lent. Programs are just right and the natives are scrambling back to the theatres. Only one spot in town not doing so good, merely getting the overflow, and that's the RKO Albee, where 'Sea Devils' and 'Don't Tell the Wife' will trail the field.

**Estimates for This Week**  
**Fay's** (2,000; 15-25-40)—'Breezing Home' (20th) and vaude. Nice combo bill and even with tough opening, looking for a straight picture, netting \$7,200, okay. Last week, 'Holy Terror' (20th), held up fairly well at \$6,500.

**Loew's** (State) (3,200; 15-25-40)—'Mrs. Cheney' (MG). Only house with single picture, but drawing

## Balto Way Up; 'Cheney' Big \$16,500, Sans Stage Show; Love, Crosby, 20G

Baltimore, Feb. 23.  
 Presenting one of the strongest picture line-ups in moons, Baltimore is enjoying a silver-lined week of top-notch grosses and Lent don't mean a thing. Turnstiles are clicking away at a merry pace.

With Loew's Century again eliminating vaude, for a straight picture policy, the Hippodrome becomes the only combo house in town. Playing Grace Moore, a good local favorite, in 'When Women in Love' together with Bob Crosby on his band on the stage, cash customers are piling up some enviable daily grosses, which will add up to a bit more than a socko \$20,000. Looks like the firm will stand a well-earned hold over.

Stanley, coming out of a very disappointing week with 'Black Legion', opens Saturday with 'Green Light' and is using its generous seating capacity to good advantage, anticipating a very healthy \$14,000. Keith's too, after a six-day booking of 'Doctor's Diary' to the tune of a bare \$3,500, comes back in style with 'Maid of Salem', which should do better than \$10,000.

Loew's Century stage show, with 'The Last of Mrs. Cheney', is doing a profitable business, what with the net being cut down. Should chalk up an okay \$15,500.

**Estimate for This Week**  
**Century** (Loew-UA) (3,000; 15-25-

power of stars is putting it over. Final result is contingent on what effect adverse word-of-mouth will have. Indicates at least \$13,000, good. Last week 'We're on the Jury' (Col) and 'Devil's Playground' (Col), dual, suffered along with rest, so-so \$8,100.

**Majestic** (Fay) (2,200; 15-25-40)—'Avenue' (20th) and 'Off to the Races' (20th). Going great and takings should be around \$10,000, well. Last week, 'Black Legion' (WB) and 'Wings of Morning' (20th), best bet in town at \$8,300.

**RKO Albee** (2,300; 15-25-40)—'Sea Devils' (RKO) and 'Don't Tell the Wife' (RKO). Just so-so, trailing field with \$6,000 anticipated. Last week, 'Live Only Once' (UA) and 'Mighty Treve' (RKO), also in dumps, \$4,000 in six days. Last week, 'Maid of Salem' (Par) and 'Mind Your Business' (Par). House figuring on \$9,500, nice. Last week, 'Bulldog Drummond' (Par) and 'Doctor's Diary' (Par), so-so \$7,100.

## Fleet's in Frisco; McLaglen's Gob Pic Big \$19,000

San Francisco, Feb. 23.

Both Orpheum and Golden Gate took advantage of presence of part of the fleet in the bay by booking two he-man pictures. Orpheum offering 'Devils' (Clayton) and 'The Last of the Mohicans' (Clayton). Richard Dix, Dolores Del Rio and Chester Morris. Gate has Victor McLaglen in 'Sea Devils' and a big stage act.

Other new shows on the street are 'Man of Affairs' and 'Under Cover at Night' at the Warfield. 'Green Light' and 'Woman Wise' at the Fox, and 'Night Waitress' and 'Accused' at the Embassy.

**Estimates for This Week**  
**Embassy** (RKO-Cohen) (1,512; 30-35-40)—'Night Waitress' (RKO) and 'Accused' (UA). Trade painfully light on this pair. Customers at this house very sour on English pictures. Although 'Accused' has two names in Dolores Del Rio and Douglas Fairbanks, pic is heading towards oblivion at \$1,700. Last week, 'Now and Forever' (Par) and 'Horse Feathers' (Par), fair \$2,500.

**Fox** (F-WC) (5,000; 25-35-40)—'Green Light' (GB) and 'Woman Wise' (Clayton). English picture about 'Green Light' which is also getting plenty of extra space in the Hearst sheets. Expect nice \$17,000. Last week, 'Maid of Salem' (Par) and 'Holy Terror' (20th), did \$16,000, fair.

**Golden Gate** (RKO) (2,800; 35-55)—'Sea Devils' (RKO) and 'Guns of Peccos' (WB) and 'Night Waitress' (RKO), split, big \$2,800.

**Gran** (RKO) (1,200; 25-40)—'Champagne Waltz' (Par), nine days on second run. Okay for \$3,900. Last week, 'Plainsman' (Par) (3d run), six days, \$2,700, good.

**Keith's** (Libson) (1,500; 40)—'Black Legion' (WB). Okay \$5,000. Last week, 'Man of Affairs' (GB), six days, \$4,500, mild.

**Lyric** (RKO) (1,200; 35-42)—'Sinners Take All' (MG). Poor \$3,500. Last week, 'Secretary' (Col), eight days, \$5,500, good.

**Palace** (RKO) (2,600; 35-42)—'Smart Girls' (U). Fair \$11,000. Last week, 'Lloyds' (20th), eight days, \$15,000, swell.

**Shubert** (MG) (2,200; 40-60)—'Dangerous Number' (MG) and Leon Errol in 'Hollywood Follies' unit. Okay \$13,000. Last week, 'Accused' (UA) and 'Scandals of 1937' u it, fair \$10,500.

**Strand** (Ind) 15-25—'Smartest Girl in Town' (RKO) and 'Three Men on a Horse' (WB), split subsidies. Above par at \$2,000. Last week, 'Winter's' (RKO), revivals, split, neat \$1,800.

**35-40-55**—'Mrs. Cheney' (MG). Not missing stage shows so much this week, with marquee value of names in picture. About \$16,500 means profit because of reduced nut. Last week 'Dangerous Number' (MG) with 'Fats Waller' on stage, \$14,300.

**Hippodrome** (Rappaport) 15-25-35-40-55-66—'When You're in Love' (Col) and Bob Crosby unit on stage. Fine combination bringing in customers for very healthy \$20,000. Last week 'Criminal Lawyer' (RKO) with Ina Ray Hutton band on stage, marked up a bell-ringing \$18,200.

## Pix Not Lent Sloughing Minn. B.O.'s; 'Light,' Good \$10,000, Tops N. G. Biz

(2d) 'Secretary' (Col) and 'Mighty Treve' (U), fair \$5,500.

**Paramount** (F-WC) (2,700; 30-35-40)—'On Avenue' (20th) and 'Paradise Express' (Rep) (2d wk). Sensational-olek-of-Irving Berlin tunes giving musical plenty of ballyhoo on the air. 'Paradise Express' an indie, replaced 'Woman Alone' (GB), English Sylvia Sidney picture, which was yanked after three-day run last week. Biz good at \$10,000. Last week swell at \$16,500.

**St. Francis** (F-WC) (1,470; 30-35-40)—'Maid of Salem' (Par) and 'Holy Terror' (20th) (2d wk). Claudette Colbert and Fred MacMurray responsible for whatever biz 'Salem' drawing here. Picture not well liked; expect fair \$5,500. Last week (6th), 'Thin Man' (20th) and 'Hats Off' (GN), okay \$5,000.

**United Artists** (UA-Cohen) (1,200; 25-40)—'Beloved Enemy' (UA) (2d wk). Unimportant matter at \$5,500. Last week \$9,500.

**Warfield** (F-WC) (2,680; 35-40)—'Man of Affairs' (GB) and 'Under Cover of Night' (MG). Will have an off week at \$10,000. Outside of Rothschild, Artiss has never done so well. Last week, 'Green Light' (3d), 'Lloyds' (20th) and 'Off to the Races' (20th), good \$8,000.

## 'AVE.' 20G STRUT IN DRY CINCY

Townsmen have recovered their shore legs, following the record Ohio rampage, and biz in general is again clicking merrily. Main line cinemas have caught up to regular booking schedules.

Trade at exchange stands currently in normal pitch, combined late showing sweet bulge over last week. 'On the Avenue' the b.o. strutter.

**Estimates for This Week**  
**Albee** (RKO) (3,300; 35-42)—'Avenue' (20th), 10 days. Great at \$20,000. Last week, 'Champagne Waltz' (Par), \$13,000, okay, in seven days.

**Capitol** (RKO) (2,000; 35-42)—'Lloyds' (20th), 2d run. Last week, 'Holy Terror' (20th), \$5,000, fair.

**Family** (RKO) (1,000; 15-25)—'Clack-Up' (20th) and 'Secret Valley' (20th), divided. Very good \$2,500. Last week, 'Guns of Peccos' (WB) and 'Night Waitress' (RKO), split, big \$2,800.

**Gran** (RKO) (1,200; 25-40)—'Champagne Waltz' (Par), nine days on second run. Okay for \$3,900. Last week, 'Plainsman' (Par) (3d run), six days, \$2,700, good.

**Keith's** (Libson) (1,500; 40)—'Black Legion' (WB). Okay \$5,000. Last week, 'Man of Affairs' (GB), six days, \$4,500, mild.

**Lyric** (RKO) (1,200; 35-42)—'Sinners Take All' (MG). Poor \$3,500. Last week, 'Secretary' (Col), eight days, \$5,500, good.

**Palace** (RKO) (2,600; 35-42)—'Smart Girls' (U). Fair \$11,000. Last week, 'Lloyds' (20th), eight days, \$15,000, swell.

**Shubert** (MG) (2,200; 40-60)—'Dangerous Number' (MG) and Leon Errol in 'Hollywood Follies' unit. Okay \$13,000. Last week, 'Accused' (UA) and 'Scandals of 1937' u it, fair \$10,500.

**Strand** (Ind) 15-25—'Smartest Girl in Town' (RKO) and 'Three Men on a Horse' (WB), split subsidies. Above par at \$2,000. Last week, 'Winter's' (RKO), revivals, split, neat \$1,800.

**35-40-55**—'Mrs. Cheney' (MG). Not missing stage shows so much this week, with marquee value of names in picture. About \$16,500 means profit because of reduced nut. Last week 'Dangerous Number' (MG) with 'Fats Waller' on stage, \$14,300.

Minneapolis, Feb. 23.

Slim takings in prospect all along the line is week. Lame for paucity of customers belongs to lack of outstanding attractions, rather than to Lent. Among the newcomers, 'Green Light' appears to be the best box office bet, but it's far from being a barn-burner.

Hold-overs are 'Three Smart Girls' and 'On the Avenue'. 'Mer is in its eight week downtown and still garnering profitable takings. 'Avenue' moved over to the Century after a hefty week at the Minnesota.

**Estimates for This Week**  
**Aster** (Publix-Singer) ('White Hunter' (20th) (2d run), and 'Trail Dust' (Par) and 'Night Waitress' (RKO). 'Aster-run dual last three days. Mild \$700 indicated. Last week, 'Maid Escapes' (MG) and 'Polo Joe' (FN) (2d run), split, and 'Woman in Distress' (Par) and 'Arizona Mahoney' (Par), first run dual last three days, \$800, fair.

**Century** (Publix-Singer) (1,000; 25-35-55)—'Avenue' (20th) (2d wk), moved over from Minnesota. Climbing to good \$6,500. Last week, 'Lloyds' (20th), \$5,500, okay.

**Lyric** (Publix-Singer) (1,300; 25-35-55)—'Colliers' (RKO) and 'Gold Diggers of 1937' (FN) runs, split. Pretty good \$2,500 in prospect. Last week, 'Theodore' (Col) (2d run), \$3,500, lg.

**Minnesota** (Publix-Singer) (4,200; 25-35-55)—'Green Light' (WB). No raves from critics, but novel's prestige accounting for good \$10,000. Last week, 'Avenue' (20th), \$11,000, good.

**Orpheum** (Publix-Singer) (2,800; 25-35-40)—'Sea Devils' (RKO). Little appeal, apparently for feline intrigue, and McLaglen name doesn't count for great deal here. Public doesn't seem to want English or in pairs. Poor \$2,500 indicated. Last week, 'Chan at Opera' (20th) dual, 'Mind Your Business' (Par), dual, \$2,500, light.

**Time** (Berger) (290; 15-25)—'Country Gentlemen' (Rep). Olsen-Johnson names coaxing some shelves. Only \$800, mild. Last week, 'Seven Sinners' (GB), \$800, light.

**Uptown** (Publix) (290; 25-35)—'One in a Million' (20th) and 'Longest first name showing. Last week, 'Plainsman' (Par), \$2,800, fair.

**World** (Steffes) (250; 25-35-40-55)—'Smart Girls' (U) (6th wk.). No stopping this one and should be profitable \$2,000. Last week, \$2,500, big.

## 'AVE.' LAWYER SOCK \$23,000 IN BROOKLYN

Brooklyn, Feb. 23.  
 Several holdovers in the downtown area, with biz continuing upgrade. Holiday helped considerably. Fox with 'Great Guy' is doing great biz on the second week and Loew's Met with 'Camille' is also in the chips.

Albee, Washington's birthday, brought in 'On Avenue' for good turnout. Par is doing exceptionally well with 'Champagne Waltz'.

One of the curious angles here is the strong attendance at the Par Friday nights for basketball games on stage. Patronage is growing larger every week. Same is true at the Fox Mondays with amateurs on stage.

**Estimates for This Week**  
**Albee** (2,500; 25-35-55)—'On the Avenue' (20th) and 'Green Light' (WB). Arrived Monday with socko attendance. Should produce nicely \$23,000. Last week, 'Lloyds' (20th) and 'We're on the Jury' (Par) splended at \$20,000.

**Fox** (4,000; 25-35-55)—'Great Guy' (GN) and 'Join Marines' (Rep) (2d week). Doing well. Expected to reach easy \$17,000. Last week socko \$24,000.

**Metropolitan** (2,400; 25-35-55)—'Camille' (MG) (2d wk). Looks like okay \$17,000. Last week \$18,000, nice.

**Paramount** (4,000; 25-35-55)—'Champagne Waltz' (Par) and 'Drummond Escapes' (Par). Fine dualers with \$18,000 and \$19,000. Last week 'Stolen Holiday' (WB) and 'Mind Your Own Business' (Par). Satisfactory at \$15,000.

# Bell Tel Expose

(Continued from page 7)  
principal importance attached, however, to the study of Erpi revenues, made possible by air-tight control of the recording field.

**Erpi's Incomes**  
The hefty revenue showed that more than 80% of all the revenue of Erpi up to Dec. 31, 1935 came from the film business. Pictures contributed \$123,331.17—84.24%—of the \$152,029.326 which the Bell subsid earned since its formation in 1926. Although revenues have been dropping in recent years, Erpi reckons its profit at \$28,112,880. The biggest year was 1927, when the gross reached \$10,184,157. Deficits were in only two years.

The following is the total amount collected by Erpi from five film companies between 1927 and 1935:  
Paramount, \$10,402,630.  
Warner Bros., including Vitaphone Corp., \$6,456,653.  
Metro-Goldwyn-Mayer (including Loew's houses), \$6,033,009.  
Fox (including 20th-Century and initial Fox Film chain), \$7,826,836.  
Universal, \$3,330,018. (Details in accompanying table.)

The film business was such a profitable investment for the Bell crowd that John E. Otterson, until heading Erpi, worked out an unsuccessful scheme to gain virtual operating control of the entire industry. FCC revealed, Plot, which involved cooperation by Chase National Bank, was squelched when big shots in the telephone trust refused to go along, presumably because of fear that the U. S. Government would crack down with anti-trust suits.

Bringing to light much unpublished correspondence, Commish showed how Otterson doped out a way to take advantage of the financial strings which Erpi and Chase held on the film industry when the picture structure toppled. The purpose was to safeguard huge investments but the effect would have been to put the Bell people in the driver's seat, directing almost every bit of production, distribution, and exhibition.

**Reason and Aldrich**  
As brought out in letters from Otterson to various people in the telephone trust and to Winthrop W. Aldrich, pres. of Chase Bank, the plan was to exert every possible influence in the receiverships and reorganizations which appeared inevitable. The two factions then would set up a production company and a distribution company, deferring until later a theatre company. The Chase-Erpi studio would be the nominal producers and sell them through the jointly-run distributing system. Eventually, the product would be shown Chase-Erpi chains.

"The financial influence of the Bell System in the motion picture industry had become so pervasive by the end of 1932 that the management initiated plans for a directed reorganization of the industry," Commish history said. "Discussions looking to a broad reorganization were carried on with the Chase National Bank, another large financial factor in the industry. The plans called for a 'horizontal' reorganization: the separation of the artistic and promotional activities of the producer from the actual physical operations of the studios which were to be operated on a service basis; separate organization of distribution facilities; separate organization of the properties. The activities of the Erpi management in the years 1932, 1933, and 1934, in connection with the Fox and Loew's properties, organization and operation of motion picture service studios, motion picture exchange, and the Paramount reorganization were directed toward the effectuation of this plan. The reorganization, the Erpi management, were not consummated presumably because of a reluctance on the part of the Bell System to support it."

ing the foundation for this change, the Commission cited letters written by E. S. Bloom, au rez Aldrich of Chase, as well as correspondence between other users in the telephone set-up. These exchanges gave in considerable detail the mode of operation and the goal which Otterson had in mind. They made clear that the motive was to perpetuate Erpi's stake which Otterson said was jeopardized by the precarious financial conditions existing in 1932-3.

**Pooling**  
Otterson's thoughts, as portrayed in a letter to Aldrich, were: "Generally speaking, the studi-

es of any two (or more) companies can be combined in a new studio operating company doing work for both.

The combining of the picture ownership and production would also probably lead to difficulties under the anti-trust laws, to a suppression of artistic ability and to minimizing speculative interest of the showman.

"The general plan proposed, therefore, is that the studios be combined in a studio operating company, the exchanges and sales forces in a distribution operating company, and these two mergers can be proceeded with at once. Then, at convenience and as soon as adjustments and liquidation permit, the theatres can be combined in a theatre operating company."

This audacious proposition was to be affected by virtue of the influence Chase and Erpi both had in affairs of Fox, Loew's, Metro, and Paramount, as well as lesser companies. In most cases, the toe-hold was loans made several years before and Erpi's claims for payment for sound apparatus.

The only phase of the scheme which ever has been carried out, and then only to a limited extent—is for Erpi to gain domination over production. By closing in on creditors, the Bell subsid took steps in this direction which led to control of the old Christie and Metropolitan studios in Hollywood and the former Paramount plant at Astoria, Long Island. These goals were reached by cracking down with options, notes, and over-due bills. Commish students said.

Besides using this approach, Erpi made some headway toward Otterson's goal at one time by financing indies and acting as banker to hard-pressed producers, report noted, insinuating the William Fox and Harley Clark corpses for a lengthy review of relations between Erpi and Fox Film and Fox Theatres. The Commish sleuths saw these transactions as part of the well-conceived scheme.

In addition to the Fox phase of the telephone trust operations, extension of credit to indie producers and financial participation in events culminating in transfer of Universal control were important aspects of the campaign to reorganize the industry, the report said.

Unknown details of the part Erpi played in the Universal matter were disclosed by the FCC staff. Review of events which put the J. Cheever Cowdin-Charles R. Rogers-R. H. Cochrane faction in the saddle and ousted the Laemmles showed Exhibitors Reliance, an Erpi subsid, put up considerable of the cash for these transactions. Originally, Cowdin planned to take over the lucrative business which Reliance had developed, document said, but the outcome saw Erpi thwarting these ambitions.

The first development came in November, 1935, when Universal was strapped for operating funds. With its owing \$50,000 in back royalties, Erpi management sought to protect its investment and get in on the Rogers-Cowdin deal. The upshot was Exhibitors Reliance's participation, to the tune of \$125,000, in a deal by which Standard Capital loaned \$375,000 to the Laemmles, getting a mortgage of which the Erpi subsid held one-third interest. Later Reliance dumped \$300,000 more into the pot. After Rogers and Cowdin took over, Erpi contracted in March, 1936, to take over \$2,000,000 of debentures to be issued by a new company plan control from Laemmle.

Total advances by Erpi and subsidiaries for film financing aggregated \$3,571,918 at the end of 1935. Total earned revenue from these activities were \$725,250. Of the total, \$1,467,941 went to Educational Pictures and subsidiaries and \$1,978,977 went to Universal before the end of 1935.

With these advances, promoted a total of 155 entertainment pictures, as well as 95 industrial and educational shorts made by miscellaneous commercial labs. Of the majors, Paramount was most concerned, since it distributed the. Columbia United Artists handled only making, not the theatre plan, which never was work out, was equally ingenious. Erpi, in 1934 pondered promotion of a management scheme for houses in small towns. Stimulating there were 7,785 unprofitable theatres in places

under 4,000 population. Erpi bosses conceived "General Theatre Management Co.," which would be owned by unidentified producers, Erpi, and various equipment suppliers. Regional management groups were to be set up in different sectors; with the central corporation handling supply of screen product, equipment, and operating supervision. Too outfit was to get either a percentage of the gross or a flat fee, splitting with the regional company, taking its own management cut, and turning over the balance to producers—and suppliers.

Surveying the way Erpi got into the production end on its own, the FCC said the way General Service Studios was developed illustrated the manner in which the telephone trust offsprings used its creditor position to entrench itself. Summarizing these deals, report said:

"As a result of the creditor relationship arising out of dealings with recording licensees, and by the considered use of pressure possible by reason of this creditor position, Erpi directed the organization and ultimately acquired control of General Service Studios, operating studios on the West Coast. This acquisition was contrary to announced Bell System policy of restricting itself to the supply of apparatus. It was undertaken originally to provide facilities for the promotion of educational and industrial motion picture fields; but subsequently the studios were used to provide production facilities to handle 'independent' motion picture productions and to induce the recording of these productions on Erpi equipment in order to divert royalty revenues from competitors to Erpi."

Erpi also acquired studio facilities in the east through the acquisition of Eastern Service Studio, Inc., the organization and direction of which were under the influence arising out of its creditor relationship with recording licensees. Erpi arranged the organization of this company in 1932 and was in a position to control or acquire the company from its inception. In June, 1935, the company became a subsidiary of Erpi. The interest of Erpi in the facilities of this company has been in providing studios equipped with its recording equipment into which independent motion picture productions could be directed. The effect sought was the diversion to Erpi of royalties which might otherwise go to competitors, particularly RCA. Although contrary to announced Bell System policy, Erpi used its creditor position to acquire studio facilities with which to combat competitive suppliers of recording equipment. Erpi failed to salvage its creditor interest in this company and operations have resulted in a loss. However, Erpi believes this loss against royalties received by reason of continued use of its equipment by independent producers and the advantage gained in preventing the establishment of competing recording facilities."

**Coast Setup**  
In tracing these proceedings, Commish researchers found Erpi, with practically no original investment, wound up controlling production facilities worth almost \$1,000,000. Value of the Hollywood properties at the end of 1935 was fixed at \$690,030, while the Astori was set at \$142,582.

The West Coast development was recounted more or less as follows: "General Service Studios was set up November, 1933. Eastern Service Studios with facilities supplied by Erpi. Although Erpi was in control in 1930 of the properties which General eventually acquired, actual ownership of General did not pass to Erpi until 1935."

At the outset Erpi licensed Christie. Later the franchise went to Metropolitan. Metropolitan became indebted to Erpi, owing \$275,803. Dec. 31, 1929, when Metropolitan encountered financial trouble in, Erpi exerted pressure on the company to extend obligations which the latter held against Metropolitan and Christie.

Although Erpi was backing of banks in a plan to build up the Western studios, Erpi advanced \$20,320 to Metropolitan to prevent foreclosure of first mortgage and organized Educational Talking Pictures, in which Metropolitan later was merged.

Educational was merged in 1931 by agreement between Erpi, Educational Pictures, and other interests. This company acquired Metropolitan from Christie and Educational Studios from Educational Pictures. The new company assumed indebtedness of Metropolitan, including \$290,000 to Pacific States Auxiliary Corp.,

# 30 of 42 States Now in Session Eyeing the B.O. for More Tax Taps; Old Age Pensions Back of Com Ven

New tax legislation, much of it concentrated in schemes to assess theatre admission tickets, now pending or about to be introduced in legislatures of more than 30 states, looms as a dangerous threat to national exhibitor profits. It is now widely known that industry and trade association leaders are vastly perturbed over the large amount of adverse legislation brewing in approximately 75% of the 42 states in the Union having legislatures in session this year.

Impetus back of these projects to slap new taxes on the picture industry—the present federal old-age pension regulations which stipulate that each individual State must raise his hand in order to get an equal amount from the Federal fund. It is only natural that all politicians would want to share in this money distribution because of the prestige and benefits accorded citizens of their commonwealth.

This setup has placed tremendous pressure on state legislative bodies to seek new money-raising laws. The drive for additional tax-raising regulations also has been given impetus because of the economic situation in a majority of the States which have bond issues to pay off and deficits confronting them.

The idea of levying a tax on admissions is favored in numerous States because it is an obvious and sweeping plan, and insures heavy return from the outset. While State legislators are searching high and wide for something new on which to slap on a tax, the publication of high salaries paid artists and officials in the picture business naturally held up the industry as a special target.

While numerous States are now considering taxes, especially admission tax measures, biggest threat currently is to be found in the State of Ohio. The fourth largest State in

point of rental return, one bill now before legislators in that State would levy a 10% tax on admissions down to 25c. Trade association experts estimate that this will take \$4,000,000 out of the box office the first year even before the exhibitor pays his rent.

Not only will it make deep inroads into the exhibitor profits in Ohio and other States where the admittance is being considered, but industry leaders fully realize the way it threatens the admission price structure. With the Federal tax on admissions already forming an unnatural barrier at 40c on admittance fees, the State taxes which tend to lower the limit to 25c and 30c are expected to further handicap any attempt to lift admission prices in innumerable States.

## Neb's \$600,000 Idea

Lincoln, Feb. 23.  
More than \$600,000 worth of legislation has been level at the industry alone by the first session of Nebraska's unicameral legislature. Four bills. This is the heaviest blow ever aimed at the amusement game by any session. Contributing senators are John Connelock, Lincoln, who authored the bill for \$1,000 license fees for distributors each year; Tracy T. Frost, a Paul farmer, who wants 10% of the gross income from film rental and 10% of the admission price; and Charles F. Tvr ik, Omaha stockyards employee, who wants installation of toilets in every rejection room in the State.

Roughly estimate theatre gross business in a year at \$5,000,000 into the b.o.s., the 300 State theatres and score of film companies represented on Omaha's dis-trib film row will be called on to cough up about \$600,000. Usually, most of which will be earmarked to State assistance, if the measures pass.

## 's 2% Tap

ingham, Feb.  
For the last several years the Alabama legislature has attempted to levy some kind of a tax on amusements and last week it succeeded. A 2% sales tax will be collected against each admission to all forms of amusements. The tax which is applicable to nearly all lines of business will continue effect until Sept. 30, 1939. Several attempts were made by the legislature during recent years to levy a 10% tax against amusements. However, proposals of this type have been defeated.

## W. Allied Objects

Minneapolis, Feb.  
Northwest Allied States is opposing a bill introduced in the state legislature requiring employers to give their help at least one day's rest in seven without any reduction in the pay schedule. Exhibitors claim it would boost their overhead \$25 a week on the average, and say they can't carry any additional financial burden.

## Min Anti-Mi

neapolis, Minn.  
House have joined together to sponsor a bill the Minnesota state legislature prohibiting ownership or operation, directly or indirectly, of motion picture theatres by producers or distributors. The measure is an exact duplicate of the one which already has passed the lower house in North Dakota and is sponsored by Nathan H. Hied State. It would compel Minnesota Amusement Co. (Publix) to relinquish more than 70 theatres.

In North Dakota committee on legislative action take expected action. A. Steffes, National Association of Motion Picture Exhibitors, is the principal sponsor.

When it was introduced, Erpi was the principal sponsor, it claimed \$224,117. Under the reorganization plan, Eastern was set up as a subsidiary, taking over the studio assets while Audio kept on as a producing company. The entire stock of Eastern was pledged to Erpi as security against notes, although Audio retained an option to recover the stock. This gave Erpi full control. In June, 1935, Erpi raised the option and Eastern was merged with General.

\$70,000 to Bank of America, and \$512,790 to Erpi.

In exchange for its second mortgage for \$246,803, Erpi received a five-year note convertible into Class B Stock. Educational and Bank of America also received some stock. Later the name of the company was changed to Western Service Studios, which owed Erpi by September, 1933, a total of \$805,000 and was overdue on taxes and in default on a mortgage.

Dissatisfied with arrangements, Erpi proceeded to get control of Western. Plan was perfected by which Erpi got the Metropolitan studios in payment of Western's debts. Erpi acquired the Pacific States Auxiliary Corp. mortgage via Exhibitors Reliance at a discount.

Instead of carrying out the idea of buying Metropolitan studio, Erpi had General Studios, its subsid, lease both the Metropolitan and Educational properties from Western Studios. Finally, in June, 1935, General became a wholly-owned Erpi subsid through exercise of option held by Exhibitors Reliance which went to Erpi in a mutual debt-cancellation deal. General bought the Metropolitan property from Western.

After these transactions, negotiations were started between Erpi and Otterson, who then was Paramount prez, for an operating agreement. This fell through, but in April, 1936, Major Productions Corp., headed by Emanuel Cohen, contracted for use of the old Metropolitan studio with pictures being distributed amount.

The Eastern deals were less complicated. Commish report, boiled down, records them as follows:

Eastern Service Studios originally of Audio-Cinema, Inc., a subsidiary of Erpi, was merged in May, 1936, with General.

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The entire stock of Eastern was pledged to Erpi as security against notes, although Audio retained an option to recover the stock. This gave Erpi full control. In June, 1935, Erpi raised the option and Eastern was merged with General.



# FRENCH GOV'T IN PIC BIZ

## Official Gov't Cinema Commission

### Making Thorough Study in France

Paris, Feb. 15. — Cinema Commission of the Chamber, headed by deputy Jean-Michel Renaitour, is out to settle all film from which film production in this country is suffering.

Composed of more than 200 deputies and supported by a similar commission in the Senate made up of some 40 members of which Senator Lanacien is the head, body is presently interviewing all the big shots of the French cinema industry.

Once that is finished, members of the commission will visit the principal studios where films are produced here to ascertain just what is wrong. That over, interviews and inspections will pass to action, which means laws designed to help producers here.

Commission has thus far listened to M. Ricou of GFFA and Roger Weil of Pathe-Cinema, who have elaborated their views and desires. Pierre Lafitte explained his project of an official cinema library where the 50 best films produced each year would be kept. Afterwards came Charles Delac, president of the Chambre Syndicale de la Cinematographie Francaise; M. Ambiehl, a distributor, and Pierre Wolff, a critic. Renaitour denies that the group he heads has any desire of creating a state-controlled or operated cinema industry.

"But we do," he continues, "want to help an industry which employs thousands of persons and invests enormous amounts of capital each year."

Measures in view, where the Americans are concerned, look innocuous enough. Some of them, as in the case of the censor's right to pass on films to be exported abroad, have already been tried.

But there is good reason to believe that these do not include all the intentions the commission has up its sleeve. Renaitour, himself, once spoke of a cinema bank which had a whiff of state subsidy in it and, as recently as the first visit here of Cheever Cowdell, he spoke of measures to protect the French industry from "foreign invasion" and of "foreign capital" to produce films here.

Delac, who was heard by the commission, has, for some years, been known to harbor anti-foreign film views and has not made a picture during the last three years.

Through all of this, it is the same old story with the Yanks—they are banking on the commercial treaty and it is in their favor that Georges Bonnet has just been appointed Ambassador to Washington, for he had much to do with the drafting of the terms of the Franco-American trade pact.

## SUBSIDIES FOR PIX EXPECTED IN ERIN

London, Feb. 14. — British theatre interests, watching the antagonistic actions of Irish national concerns, now anticipate that the Free State government will step in with subsidies for local studios and production, as a direct incentive to a desired native industry.

Irish exhibitors, who are squawking loudly against "invasion" of their territory by British circuits, are declaring in favor of the plan, believing it will make them less dependent on renting groups through which Irish competition would make itself most felt.

## Arthur Kelley in S. Afr.

Johannesburg, Jan. 29. — Arthur W. Kelley, v-p of United Artists, was here on an extended tour of South Africa. Exec, taking in all phases around here, is looking over local entertainment, theatres and producing methods.

Up to the present he has visited to a decent Port Elizabeth, East London and Durban. He is now located here and will remain three weeks, then going on to New York via London. Came here from South Africa.

## TEN PIX BANNED IN CHINA

Nanking Gov't Aaxed 10 H'wood Pix For Assorted Reasons

Shanghai, Feb. 14. — U. S. ix were banned here during the past year: 'East of Java' (U), 'Dracula's Daughter' (U), 'Flash Gordon' (U), 'Green Pastures' (WB), 'Sons O' Guns' (WB), 'Devil Doll' (MGM), 'All American Champ' (MGM), 'Panic in the Air' (Col), 'Man Who Could Work Miracles' (UA) and 'Don't Turn 'Em Loose' (RKO).

'Java' and 'Flash' were banned because they showed Chinese in menial positions; 'Devil', 'Miracle' and 'Pastures' because they deal with the supernatural and 'Sons' because of objections raised by the German representative in China.

## MGRS UNION SPLIT UP IN PARIS

Paris, Feb. 14. — Move to unionize everything connected with the spectacle world here into one big organization has suffered a set-back.

Led by the big-wigs of the principal music-halls, revue houses and circuses, the directors of these types of amusement places have just resigned from the Chambre Syndicate des Directeurs de Spectacles, to form an organization of their own.

Those who took the lead in this move were Henri Varna, director and operator of the Casino de Paris and the Alcazar; Jerome Medrano, director of the Cirque Medrano; Amar Brothers, directors and operators of Amar Circus and the Empire; Kurt Robitschek, director of the Alhambra; Mitty Goldin and H. Rottembourg, directors and operators of the A.B.C. and Trianon, and Andre Denis and Paul Lefevre, directors of the Concert Mayol.

As explained by Mitty Goldin, these managers and directors took such a step because they want to be better placed to protest and fight for their own interests.

In the Chambre Syndicate from which we have resigned, the interests were too diverse for us to be able to defend the true interests of the music-hall," he explained. "It is certain that the interests of cabarets, night clubs, and concerts should not be mixed with those of the establishments which we direct."

"As members we learned that a project of collective contract scheme for actors was being elaborated. Such a move is perfectly normal, but we were never advised of the existence of a mixed commission which was elaborating this plan, although we were supposed to take part in it."

"So, in order to have our hands free to defend our own interests we formed the new group, which will be entirely devoted to the same professional ends."

## TAUBER'S 'PICCANNINNY' NEW LEHAR OPERETTA

London, Feb. 23. — Charles Cochran is mounting a cast for Franz Lehár's operetta 'Piccanninny', which will star Richard Tauber, and will be sent into rehearsal pronto to replace the Grace Fields show, now off. After West End run, this one will be filmed by Max Schach in conjunction with Cochran and with the same star.

## TO START PROD. OF SPEC PRONTO

First Film, 'La Marseillaise,' With Support From All Sides, Will Be Super Special—Many Stars, Many Writers, Thousands of Extras—Popular Subscription for Bankroll

## JEAN RENOIR IN CHARGE

Paris, Feb. 14. — French government is officially going into the film production business.

Long-rumored and the source of conversation in film circles here ever since the Leon Blum Popular Front Government took power last June, the expected step is now a reality.

Although many details concerning the first government film are still lacking, enough has come to light to show that, in its first realization, the rulers of France intend to work on a much larger scale than has ever been possible for any private concern in this country.

Project will be realized under a co-operative form within the framework of the Syndicat General des Travailleurs de l'Industrie du Film with the patronage of the Comité de Coordination du Film of the French Federation of Labor and is approved by the Popular Front Government and organizations attached to the three parties which make it up.

Jean Renoir, French director and producer who was recently decorated with the Legion of Honor, will direct the first picture, story of which will be woven around the French Revolution and will probably be called 'La Marseillaise.'

For the most part, the picture will be financed by popular subscription. Government, besides making a cash advance of \$3,500 so immediate publicity for the film can be started, will also publicize the picture through the state-controlled radio and other means at its disposal; put soldiers, museums and chateaux, including Versailles, historical documents and relics in its possession at the disposal of the producers.

Six writers headed by Charles Spaak will work on the scenario and script, all of the music will be specially written, and practically every w.k. French actor and actress will be included in the cast.

While different elements of the scenario will be assembled by Spaak, dialog exchanged at Paris and in the suburbs will be written by Henri Jeanson; Marcel Archard will be charged with writing the conversation of the emigres of Coblenz; Andre-Paul Antoine, Jean-Richard Block and H. R. Lenormand will help with the script and Marcel Pagnol will write the text of the conversation between Robespierre and Brissot.

Music will be written by a group of the best composers France possesses at the moment: Desormieres, Arthur Honegger, Georges Auric, Darius Milhaud, Kosma, Koehlin and Jacques Ibert.

Louis Jouvet will take the role of Robespierre. Pierre Renoir has accepted the role of Brissot. Jean Gabin will be a cabinet-maker of Saint-Antoine. Erich von Stroheim has been asked to take the role of the Austrian officer who directs the international column at Valmy and Maurice Chevalier will be a worker singing the Marseillaise.

## Walbrook in 'Victoria'

London, Feb. 16. — Albert Walbrook gets the role of Albert, Prince Consort, in Herbert Wilton's picture of Queen Victoria, with Anna Neagle spotted for the title part.

Picture is due for immediate production at Pinewood, with H. B. Warner in support.

## Breach Between Exhibs, Distribs

### Widens in London's Quota Battle

## Write Your Own Head

Sydney, Feb. 14. — Sir Harry Lauder mentioned during the week that he hoped to return here next year on another farewell tour and, after that, he would mostly confine his appearances to England.

## BRIT. NATIONAL IN DEAL WITH B.I.P.

London, Feb. 14. — John Corfield, managing director of British National Films, has resigned from the board of Pinewood Studios, having disposed of his stock in the company.

Stock has been taken up by the Heathfield Investment Trust, with which J. Arthur Rank, financial power in the Universal-General Films set-up, is associated.

Rank recently disposed of his personal interest in British National to the Trust.

New developments indicate a breakaway by British National from the Pinewood-General Films association, supported by a deal it has set with John Maxwell to produce a series of pictures in conjunction with Associated British for distribution through Maxwell's subsidiary, Wardour Films.

Situation is freak, since alliance of British National with Maxwell's own production has the former company drawing close to the concern which was originally floated as British National Pictures, only to become British International at a later stage, when the U. K. studios began bidding for the American market.

## IT HAD TO COME; AMATEURS IN PARIS

Alhambra, largest music-hall in Paris, directed by Kurt Robitschek, is trying a new plan to grab more biz.

First the house tried cut-rate prices, but no help. Now turned to amateur nights. Small prizes offered to winners and contracts to the acts showing real ability.

With the new stab for business comes the rumor again that the house will close in the near future. Although such a move is denied by the management, future bookings for name acts are not up to what could be expected if the doors are to remain open during the months of the Exposition.

## Palestine Pix

Jerusalem, Jan. 29. — Current pix here include 'How Do You Do, Mister Brown' at the Zion hall; 'Romeo and Juliet' (MG) and 'Tale of Two Cities' (MG) at the Eden hall; 'Desire' (Par) and 'King of Burlesque' (20th) at the Edison.

Haifa's current pix include 'Private Number' (Par) and 'Modern Times' (MG) at the En-Dor; 'Der Wildfang' and 'Captain January' (20th) and 'Bruder Karamazov' at the Orah.

reach exhibitors and distributors has widened as an outcome of attempts to arrange joint Quota confabs, with hopes of co-operation in guiding the new Quota Act now fading.

Cinema Exhibitors Ass'n., in consequence of bad feeling newly stirred up with the Kinema Renters Society, has changed its ground as regards recommendations made by the Board of Trade Committee, now veering to support of a proposed Film Commission, conditional on its personnel being built up from individuals of motion picture experience and standing.

New view shows a veering of C. E. A. opinion, which formerly favored an independent arbitration panel of producers, exhibs and distrib, with the Board of Trade given statutory power to enforce its findings.

C. E. A.'s new attitude is revealed in a committee report, stating: 'It seems a reasonable assumption that cooperation with the K. R. S. will not be forthcoming. In the absence of such cooperation, the committee would not view with apprehension a Films Commission, providing it consisted of persons having a practical knowledge of the trade.'

'Should the President of the Board of Trade indicate the particular executive powers required could not be undertaken by his department and the proper body would be Commission, we would not like to be in a position that we could not continue discussions because we were tied by a previous decision reached under different conditions.'

## UA'S MAGYAR DISTRIB FOLDS, \$40,000 IN RED

Budapest, Feb. 12. — Unitas, founded a year ago for the purpose of distributing London Films' and United Artists' pictures here, is liquidating its business after incurring a loss of about \$40,000.

'Unitas was one of the undertakings of Istvan Gero, who owns Royal Theatres, a chain of 10 important houses, and largely controls distribution in Hungary.

Reason why Unitas failed to make good is that, in spite of the success of a few London Film productions, viewed with a sort of proprietary interest here because Korda and many of his collaborators are Hungarian, average production imported was below the mark. Gero's contract with U. A. and London Films stipulated paying them 60% of the net, with a minimum guarantee of \$30,000 monthly.

National Bank made difficulties about permitting the transfer of such a sum in foreign currency, welcome plea for Gero to annul his contract with the producers and liquidate the firm.

## British Exhibs' Encore Visit to U. S. in May

London section of Cinematograph Exhibitors Ass'n, which organized a successful round tour last year through New York, Washington, Chicago, California, et al., will repeat the trip this year, with outward voyage dated for May 19.

Itinerary will be that of last year.

## MEXICO LIKES MAGIS

Mexico City, Feb. 23. — Magicians continue to do well here, if they are willing to work three-a-day at tops of from 28c to 42c per show. Two mystics, Blacaman and Woules, are cramming 'em in at a couple of local legit houses that, heretofore hadn't done much biz. Acts are in Spanish. Both use intensive street and lobby ballies.

# DRIVE RIGHT IN, BOYS! . . .

Here comes the tunnel-mouthed colossus of the belly laugh in his first big show for RKO . . . He's a fall-guy fortune teller who sees all, knows all, and tells too much! . . . Your theatre's lucky star is shining, for Joe means business when he casts your box-office howloscope!

# JOE E BROWN

## "When's Your Birthday?"

WITH  
**MARIAN MARSH**  
**FRED KEATING**  
**EDGAR KENNEDY**

DIRECTED BY HARRY BEAUMONT  
 A DAVID L. LOEW PRODUCTION

RELEASED THROUGH  
 RKO-RADIO PICTURES





# TWO COAST GUARDSMEN BATTLE FOR A DAME!

"Looks like a cinch winner at the box-office . . . Packs many dramatic punches and is breezed with waves of genuine comedy."  
—Variety Daily

"Mark it up for assured box-office profits . . . Rowdy, two-fisted comedy with two big melodramatic episodes . . . Splendidly made and grand entertainment throughout."  
—Hollywood Reporter

"Combines breezy dialog, brisk action and wild situations to give an exciting wallop . . . Should enthrall those who like to see plenty happening in a picture that is moving every minute."  
—Motion Picture Daily

"Plenty of action and a lot of comedy . . . Should play to good box-office returns."  
—Film Daily

"Topnotch entertainment . . . Action-crammed, with several hair-raising sequences . . . Will be a hit with audiences in all classes and will be a box-office boon to showmen."  
—Box-Office

"Stirring story of the sea . . . Packed with thrills and suspense . . . Contains some of the most vivid marine photography ever brought to the screen . . . It is sure-fire box-office."  
—Showmen's Trade Review

**VICTOR  
M'LAGLEN  
PRESTON  
FOSTER  
IDA  
LUPINO**

**SEA DEVILS**

with  
**DONALD  
WOODS**

Directed by Ben Stoloff  
An Edward Small Production

"YOU'RE NERTZ," sez he  
"YOU'RE SCREWY," sez I  
and the fight was on!



essed enough meaty material for a solid column of copy. The editor, Edith Borden to mould it into a scintillating yarn of newspaper photographs. Stressing the difficult heading the efforts of a daily paper to keep abreast of the times, she has the first-hand knowledge of Yaw N. Y. Daily Mirror, columnist, original twists and crisp dialog going into the story. The story is not just another newspaper picture."

Scripters have used the big social wedding as an artifice to bring together two characters. In this case, Yaw, exiled prince, and the young sister of a marrying daughter. This romance kept to the fore throughout the film the pretty offspring of the wealthy prince. The story is told in a newspaper doredevil through kaleidoscopic adventures. Faithful diversion to his profession forces him to an advertising agency where he will be misunderstood.

(Continued on page 19)





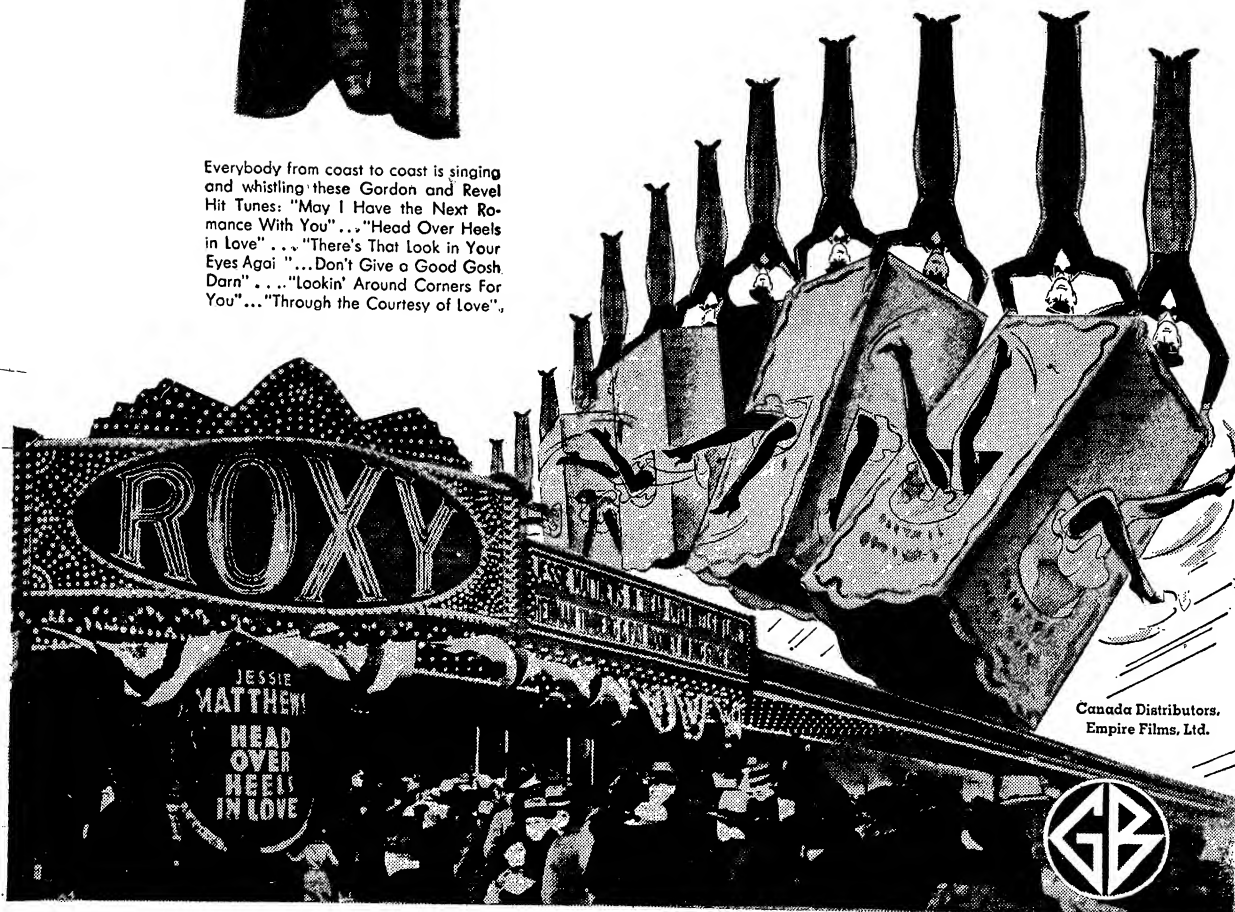
# HELD OVER AT THE ROXY



Managers—Cashiers—Ushers—  
Doormen—and even the Press Agent  
—were shoved Head Over Heels—  
and loved it—by the crowds push-  
ing their way in to see the lovely

Jessie  
**MATTHEWS**  
In her newest and best dance-sing musical  
**"HEAD OVER  
HEELS in LOVE"**

Everybody from coast to coast is singing and whistling these Gordon and Revel Hit Tunes: "May I Have the Next Romance With You"... "Head Over Heels in Love"... "There's That Look in Your Eyes Agai"... "Don't Give a Good Gosh Darn"... "Lookin' Around Corners For You"... "Through the Courtesy of Love".



Canada Distributors,  
Empire Films, Ltd.



# Advance Production Chart

## Studio Placements

**Hollywood, Feb. 23.**  
Production failed to increase last week due to the usual curtailment preceding March 1 when the State personal tax is levied on all unfinished negative on hand within the state.  
Only six new features were placed before the cameras last week while an equal number were previewed and nine others were shipped east with-

out a local preview. Next week or before the end of the month more than half of the negatives, numbering a total of 73 now in the cutting rooms, are expected to be shipped east to dodge the tax as much as possible.  
All companies are planning a heavy production during the month of March, with 40 of the 78 stories now in final preparation set to go before the cameras during that period.

### Columbia

Three in work, 6 editing, 5 preparing. In work:  
'THE DEVIL IS DRIVING,' reported VARIETY, Feb. 10; 'VENUS MAKES TROUBLE' and 'HONEYMOON PILOT,' reported Feb. 17.  
Ready to start: 'RIGHT GUY' and 'LEAGUE OF FRIGHTENED MEN.'

### Grand National

One in work, four editing, 10 preparing. Started last week:  
'GOLD,' produced by George Hirilman, Louis Gasnier directing, original story by Howard Higgin, screen play by David Levy, Cast: Conrad Nagel, Eleanor Hunt, Fuzzy Knight, Frank Milan, Charles Delaney, Karl Hackett, Warner Richmond, Albert J. Smith, Ed LeSaint, W. L. Thorne, Paul Weigel, Fred Malatesta.  
Story backgrounded against Mexican gold mine which is used as a base by gold smugglers into U. S. Department of Justice sleuth and his ten assistant, dressed as Mexican maid, break up the gang with spying and gunplay.  
Ready to start: 'BROADWAY CHISELERS,' 'HITTING THE TRAIL,' 'LOVE TAKES FLIGHT,' and 'SWEETHEART OF THE NAVY.'

### Metro

Six in work, 7 editing, 10 preparing. In work:  
'A DAY AT THE RACES,' reported VARIETY, Sept. 16; 'CAPTAINS COURAGEOUS,' reported Oct. 7; 'PARNELL,' reported Nov. 18; 'SONG OF THE CITY' and 'I STAND ACCUSED,' formerly 'SKIDDING,' reported Feb. 10; 'NIGHT MUST FALL,' reported Feb. 15. No new pictures started last week.  
Ready to start: 'MADAME WALEWSKA,' 'BROADWAY MELODY OF 1937,' 'THE OLD SOAK,' 'SARATOGA,' 'THEY GAVE HIM A GUN,' 'THE FOUNDRY,' and 'FIREFLY.'

### Paramount

Seven in work, 7 editing, 8 preparing. In work:  
'WAIKIKI WEDDING,' reported VARIETY, Dec. 30; 'HIGH, WIDE AND HANDSOME,' reported Jan. 13; 'THE YEARS ARE SO LONG,' reported Jan. 20; 'THE GIRL FROM SCOTLAND YARD' and 'I MET HIM IN PARIS,' reported Feb. 3. Started last week:  
'HILLS OF OLD WYOMING,' produced by Harry Sherman, directed by Nate Watt, story by Clarence E. Mulford, screen play by Maurice Geraghty, Cast: William Boyd, George Hayes, Russell Hayden, Stephen Morris, Earl Hodgins, Steve Clemente, Chief Big Tree, Clara Kimball Young, Gail Sheridan, John Beach, John Chesboro, Paul Gustine, Leo MacMahon, John Powers.  
Story: William Boyd and couple of pals operate newly purchased Bar Three ranch adjoining Indian reservation. Suspicion of cattle rustling traced to one of the Indian agents, and in proving that he is the guilty one, Indians come to the front to stick up for the agent. This results in warfare between the reds and ranchers.  
'TURN OFF THE MOON,' produced by Fanchon, directed by Lewis Seiler. No writing credits. Cast: Charles Ruggles, Eleanor Whitney, Johnny Downs, Ben Blue, Mary Carlisle, Jean Dixon, Phil Harris orchestra.  
Story is light musical comedy romance backgrounded against model honeymoon cottage on demonstration at department store. Downs and Eleanor Whitney are demonstrators. Her dancing attracts talent scout and she is given a tryout in musical production. Girl rises to fame with Downs left behind demonstrating the cottage. Couple eventually reunited. This is Fanchon's first production for the screen.  
'KING OF THE GAMBLERS,' produced by general office, directed by Robert Florey from original by Ben Hecht and Charles MacArthur. Cast: Lloyd Nolan, Claire Trevor, Akim Tamiroff, Harvey Stevens, Helen Burgess, Porter Hall, Cecil Cunningham, Larry Crabbe, Ruth Coleman, Colin Tapley, Terry Ray, Lee Bowman.  
Story backgrounded against the world war, post-war period and the night life of Paris and New York. Nolan is ex-newspaperman jilted by girl whom he follows to Paris. He joins the army finally when she refuses his proposal. Following his discharge, he returns to New York and falls in love with a night club entertainer, who helps him solve crimes after he had returned to his newspaper profession.  
Ready to start: 'MOUNTAIN MUSIC,' 'EXCLUSIVE,' and 'YOU AND ME.'

## PRODUCTION TABLE

(This table shows number of features promised to be delivered to exhibitors by the major distributing organizations, and the independent producers contributing product to their producing organizations for the 1936-37 season.)

Producers and contributing companies	Number promised	Number now in production	Pix now in cutting	Pix to be placed in work rooms	Balance in before prep-	Stories in production
COLUMBIA	50	19	3	5	23	4
Larry Darmour	48	14	1	1	5	1
METRO	48	2	2	1	9	1
Hal Roach	48	23	2	1	5	1
PARAMOUNT	8	3	1	1	1	1
B. P. Schulberg	8	3	1	1	1	1
Emanuel Cohen	6	3	1	1	1	1
Harry Sherman	1	1	1	1	1	1
Frank Lloyd	1	1	1	1	1	1
RKO RADIO	39	1	1	1	1	1
David Loew	39	1	1	1	1	1
George Hirilman	2	1	1	1	1	1
Sol Lesser	1	1	1	1	1	1
REPUBLIC	1	1	1	1	1	1
A. W. Hackel	1	1	1	1	1	1
20TH CENTURY-FOX	1	1	1	1	1	1
Sol Lesser	1	1	1	1	1	1
UNITED ARTISTS	2	1	1	1	1	1
Samuel Goldwyn	2	1	1	1	1	1
Walt. Wanger	2	1	1	1	1	1
Selznick	2	1	1	1	1	1
E. Bergner	2	1	1	1	1	1
Criterion	1	1	1	1	1	1
Korda London	6	1	1	1	1	1
UNIVERSAL	41	13	1	1	21	7
Buck Jones	41	13	1	1	21	7
WARNERS	60	14	3	1	3	10
GRAND NATIONAL	44	14	1	1	25	10
Totals	536	213	39	73	234	78

### RKO-Radio

Five in work, 10 editing, 10 preparing. In work:  
'THE TOAST OF NEW YORK,' reported as 'ROBBIE BARONS,' 'THE WOMAN I LOVE,' reported as 'ESCARILLE,' in VARIETY, Dec. 23; 'STEP-FING ROES,' reported Jan. 6; 'OUTCASTS OF POKER FLAT,' reported Feb. 3, and 'TOO MANY WIVES,' reported as 'SATISFACTION GUARANTEED,' Feb. 10. No new pictures started last week.  
Ready to start: 'BORROWED TIME,' 'EASY GOING,' 'MISSUS AMERICA,' 'NEW FACES OF 1937,' 'THERE GOES MY GIRL,' 'YOU CAN'T BEAT LOVE,' 'RADIO CITY REVELS,' and 'GUNGA DIN.'

### Republic

Three in work, 8 editing, 5 preparing. In work:  
'JIM HANVEY, DETECTIVE,' and 'GIT ALONG, LITTLE DOGIE,' reported VARIETY, Feb. 10; 'THE HIT PARADE,' reported Feb. 17. No new pictures started last week.  
Ready to start: 'NAVY BLUES,' 'RHYTHM IN THE CLOUDS,' 'EVER SINCE ADAM,' and 'LEGION OF THE LOST.'

### 20th-Fox

Seven in work, 7 editing, 8 preparing. In work:  
'SLAVE SHIP,' reported VARIETY, Dec. 30; 'WAKE UP AND LIVE,' 'CAFE METROPOLE,' and 'WEE WILLIE WINKIE,' reported Jan. 27; 'MIDNIGHT TAXI,' reported Feb. 3; 'THINK FAST, MR. MOTO,' reported Feb. 17. Started last week:  
'THIS IS MY AFFAIR,' produced by Kenneth Macgowan, directed by William A. Seiter, screen play by Gabe Markay and William Conselmann, Cast: Robert Taylor, Barbara Stanwyck, Victor McLaglen, Brian Donlevy, John Carradine, Douglas Fowley, Willard Roberts, Tyler Brooke, Alan Dinehart, Sidney Blackmer, Frank Conroy, DeWitt Jennings, Robert McKWade.  
Story takes place during President McKinley's regime. Banks are being robbed throughout the country by organized band. McKinley takes the situation in hand by having a smart lieutenant in the Navy dishonorably discharged. Known only to the president and the naval officer, the latter joins up with the bandit ring and in collecting evidence is caught with another member and both are sentenced to hang at the time of McKinley's death. Unable to clear himself because of the secret pact with McKinley, a girl comes to his rescue and learns of the circumstances. She pleads with Theodore Roosevelt, then President. Just as the young lieutenant is about to be hanged, the President pardons him.  
Ready to start: 'ANGEL'S HOLIDAY,' the next untitled Jones Family picture, 'SHE HAD TO EAT,' and 'PRIVATE ENEMY.'

### United Artists

One in work, 6 preparing. Started last week:  
'THE WOMAN'S TOUCH,' produced by Samuel Goldwyn, directed by John Blystone. No writing credits. Cast: Miriam Hopkins, Joel McCrea, Charles Winninger, Ella Logan, Andrea Leeds, Broderick Crawford, Eric Rhodes.  
Story centers around Miriam Hopkins, architect, who, because of her sex, finds many obstacles in her way. Old gent is trying to put over real estate project. After finding he has no money, Miss Hopkins sets out to see what she can do about it and in searching for an angel comes in contact with Joel McCrea, son of the old promoter, who does not approve of his father's ambition. Hopkins brings father and son together and draws upon the son's bank account to finance the project.  
Ready to start: 'VOGUES OF 1938,' 'CASTLES IN THE AIR,' 'HURRICANE,' 'STELLA DALLAS,' 'PRISONER OF ZENDA,' 'LET ME LIVE,' and 'THE WORLD'S OUR OYSTER.'

### Universal

Three in work, 8 editing, 8 preparing. In work:  
'WINGS OVER MONTOLU,' and 'THE ROAD BACK,' reported VARIETY, Feb. 3; 'GOOD AS MARRIED,' reported Feb. 17. No new pictures started last week.  
Ready to start: 'LOVE IN A BUNGALOW,' 'OH, DOCTOR,' 'DELAY IN THE SUN,' 'THE COP,' 'PRESCRIPTION FOR ROMANCE,' 'HIPPODROME,' and 'THE WILDCATTER.'

### Warners

Three in work, 16 editing, 8 preparing. In work:  
'KID GALAHAD' and 'THE SINGING MARINE,' reported Jan. 27; 'FLY AWAY, BABY,' reported Feb. 10. No new pictures started last week.  
Ready to start: 'IN THE DEEP SOUTH,' 'THE STORY OF EMILE ZOLA,' 'CHINA BANDIT,' 'HOBBO AND THE HEIRESS,' 'MAZURKA,' and 'EVER SINCE EVE.'

## CALENDAR OF FOREIGN RELEASES

(Most of these available with English titles)

Abyssinia (Russ) (Amkino). W. record. 63 mins. Rel. Dec. 1. Rev. Dec. 16.	Ala et Rancho Grande (Sp). Mexican musical. Tito Gutierrez. Dir. Fernando de Fuentes. 90 mins. Rel. Nov. 15. Rev. Dec. 2.	Amour de Toni, Les (Fr) (Metropolis). Heavy drama. Dir. Jean Renolr. 80 mins. Rel. Nov. 17. Rev. Nov. 18.	As Es La Mujer (Sp). Frothy romance. Dir. Jose Bohr. 70 mins. Rel. Oct. 15.	August der Starke (Ger) (Casino). Historical drama with music. Michael Bohnen, Lil Dagover. Dir. Paul Wegener. 101 mins. Rel. Jan. 15. Rev. Feb. 3.	Az Ul Foeldesten (ung). Semi-historical drama. Dir. Bela Gaal. 90 mins. Rel. Sept. 15.	Baratsagos Arcot Kerek (Hung) (Danubia). Romantic farce. Szoke Szakall. 70 mins. Rel. Oct. 1.	Barbier de Seville, Le (Fr) (Franco). Rossini's opera. Andre Bauge. Dir. Jean Kemm. 80 mins. Rel. Sept. 15.	Barcarole (Ufa) (Ger). Offenbach's opera. Gustav Frochlich. Dir. Eric Neusser. 83 mins. Rel. Oct. 15. Rev. Oct. 21.	Befehl ist Befehl (Ger) (Casino). Army farce. Weiss Ferd. Dir. A. Hing. 70 mins. Rel. Nov. 15.	Betterstadt, Der (Ger) (Ufa). Illoker's opera. Marikka Rokk. Dir. George Jacoby. 75 mins. Rel. Dec. 13. Rev. Dec. 30.	Bibian (Russ) (Amkino). Life in Soviet's Jewish colony. Dir. V. Korsch. 84 mins. Rel. Oct. 1. Rev. Oct. 21.	Bolek and Lolek (Pol). Musical comedy. Dir. J. Rosen. 87 mins. Rel. Dec. 1. Rev. Dec. 16.	Calandria, La (Sp). Romance of a singer. Dir. Fernando de Fuentes. 60 mins. Rel. Oct. 1.	Calvario de Una Esposa, El (Sp). Mexican sentimental drama. Dir. Juan Orol. 70 mins. Rel. Sept. 15.	Campo di Magia (It) (New World). Story by Mussolini about Napoleon. Dir. G. Forzano. 100 mins. Rel. Sept. 1. Rev. Sept. 16.	Capello a Tre Punte, Il (It) (New World). Farce. Dir. Mario Camerlin. 70 mins. Rel. Sept. 15. Rev. Sept. 30.
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(Continued on page 29)

Hollywood, Feb. 23.  
Constant Franke, Paul Panzer, Tom Klune, Ben Hendricks, Don Brodie, Phillip Morris, Lee Shumway, Stanley Blystone, Walter Bonn, Glen Cavender, Frank Bruno, Theresa Harris, Minerva Urecal, 'Charlie Chan at the Olympics,' 20-F.  
Armand Kaliz, Fredrik Vogeding, Leonid Kinsky, Jules Rancourt, Albert Pollet, Louis Mercier, Louise Clark, Emile Bistagne, Billy McClain, Andrew Cheron, Jean Massel, Marion Dominici, Fred Godoy, Michael Visaroff, Ludwig Lowey, Ferdinand Gottschalk, Charles Crocker-King, 'Cafe Metropole,' 20-F.  
Cyril McLaglen, Herbert Evans, David Hyde, Douglas Gordon, 'Wee Willie Winkie,' 20-F.  
Claude Arnt, Russell Hopton, 'Angel's Holiday,' 20-F.  
Sooty Beckett, Arthur Aylsworth, 'The Slave Ship,' 20-F.  
Douglas Wood, W. S. McDonald, Ed Pell, June Terry, Frank Shannon, Mary Young, John Quillan, 'This Is My Affair,' 20-F.  
Howard Wilson, Lotus Long, Virginia Sale, 'Think Fast, Mr. Moto,' 20-F.  
Harry Terry, Harry Homan, Lloyd Neal, Leah Ray, 'Wake Up and Live,' 20-F.  
Freddie Washington, 'That I May Live,' 20-F.  
Lois January, Mary Frances Gifford, Jack Carson, Evelyn Terry, 'The Woman's Touch,' Goldwyn.  
Murdoch MacQuarrie, Edward Ciannelli, Anthony Merrill, Richard French, Robert Emmett, Keane, Frank Reichold, Billy Arnold, Bert Morehouse, Homer Dickison, William Lally, Ed Randolph, Lee Prather, Bruce Sidney, Antrim Short, Frederick Hodge, Robert Strang, Charles Wilson, Frank Wayne, Jack Eagen, Cedric Stevens, Rex Daggett, 'The Devil Is Driving,' Col.  
Sidney D'Albrook, Gus Reed, Sam Lusk, Eric Carson, Robert Strang, Katherine Sheldon, Oliver Eckhart, Ray Stewart, 'The Devil Is Driving,' Col.  
George McKay, Robert Emmett O'Connor, C. Montague Shaw, Wade Boteler, Edmund Earle, John Tyrrell, Harry Fleishman, Ted Oliver, Charles Reid, Edward Lawton, Raymond Dill, Eddie Level, Bobbie Tilden, 'Right Guy,' Col.  
Buddy Roosevelt, Lillian West, Sam Blum, Henry de Silva, Howard Hickman, Ralph Botiller, 'Honey-moon Pilot,' Col.  
Walter Kingsford, Eduardo Cinnelli, Leonard Mudie, Kenneth Hunter, Charles Irwin, Ian Wolfe, Jonathan Hodge, Robert Strang, William Kilian, Nana Bryant, Rafaela Otiliano, Edward McNamara, James Flavin, Herbert Ashley, 'League of Frightened Men,' Col.  
Harvey Clay, George Givoli, Douglas Meins, 'George Givoli, 'The Hit Parade,' Rep.  
Carleton Young, Lucile Gleason, Warner Egan, Horace MacMahon, 'Navy Blues,' Rep.  
Theodore Reeves, writing murder mystery, Rep.  
H. W. Hanemann, screenplay 'Bachelor Girl,' Rep.  
Harry Brown, 'Jim Hanvey,' Rep.  
Frank Austin, Horace Carpenter, Jane Heckley, E. B. Nix, Earl Dwyer, Rose Plunk, Herbert Robinson, 'Git Along Little Dogie,' Rep.  
Jerry Bergh, 'Hitting the Trail,' GN.  
Carroll Graham, dialog, 'Sweetheart of the Navy,' GN.  
Horace McCoy, Manny Seff, collaborating screenplay 'Hot Oil,' Rowland GN.  
Frank Marlowe, George Magrille, Nick Copeland, Charles Sherlock, Edward Phillips, John Quillan, Duke York, Jack Murphy, Belle Mitchell, Ernest Whitman, George Chandler, Edgar Wallace, James F. Macken, Ralph Byrd, Franklin Parker, Ralph Malone, Bayford Pendleton, Jarry Flecher, Ed Deering, Melbourne Stone, Gavin Gordon, Robert Graves, Edward Durell, Herbert Rawlinson, Harold Huber, Charles Townbridge, Gus Kahn, Sigmund Romberg, original ditty; Hal Rosson, camera, 'They Gave Him a Gun,' MG.  
James Bush, George Sidney, Betty Furness, 'The Old Soak,' MG.  
Albertina Rasch directing special dance for Jeannette MacDonald and other dancers, 'Jeannette,' MG.  
Walter Miller, 'Carro,' Naish, Marc Logan, Bob Homans, 'Song of the City,' MG.  
Reynolds Denniston, Aileen Clifton, Charles Matthews, James Buchanan, 'Night Must Fall,' MG.  
Jerry Fletcher, Bodil Rosing, Frank Lackteen, 'Madame Walewska,' MG.  
Eddie Ward, musical score, 'Ali Jimmy Valentine,' MG.  
Philip MacDonald, script 'Umbrella,' MG.  
Ernst Toller, scripting 'Heavenly Sinner,' MG.  
George Fitzmaurice, directing 'The Erberos's Candlesticks,' MG.  
Billie Lechner, C. Jenkins, Charles Painter, Margaret Armstrong, Monte Collins, John H. Johnson, Phyllis Yates, Bud Fine, Joe Green, Tom Quinn, Ione Reed, 'Too Many Wives,' RKO.  
Frank Moran, Monte Collins, William Burres, Theodore Rans, Margaret Watson, Gay Robyn, William Lemuels, Ben Alexander, John Murphy, Pete Theodore, Florence Roberts, 'Stepping Toes,' RKO.  
Jack Kenny, Chris France, Star (Continued on page 25)

A magnificent comic fantasy... brilliant portrayal... spectacular production... absorbing photoplay... brilliantly projected... delightful, fully different screen drama... concrete, human and persuasive... brilliantly realized.  
— Howard Kester, N. Y. Herald Tribune

Intriguing and interesting... When Korda selected Roland Young, he was inspired in his choice... Delicious sense of comedy pervades it.  
— Kate Cameron, N. Y. News

That genuine rarity... a picture with a new idea... food for thought as well as entertainment... beautifully done.  
— Arthur Winslow, N. Y. Post

Amusing make-believe that offers both an imaginative idea to start with and trick photography to carry it out... The picture is novel entertainment for those who enjoy ingenious fantasy... a diverting piece.  
— Ross Felwick, N. Y. Evening Journal

A delightfully bizarre comedy... New and amiable fantasy... A frolicsome photoplay... High humor... Novelty and entertainment in the many camera tricks wrought for the miraculous hocus-pocus.  
— George Ross, N. Y. World-Telegram

Refreshingly original... Sheer fun... hilarious moments... fun for fun's sake.  
— Eileen Crasman, N. Y. Sun

Mr. Young is so completely fascinating that his problems in this role arouse interest. Lovable, he makes his difficulties exciting. Human, he makes his lunacies personal... He makes it stirring and provocative entertainment.  
— Bland Johnson, N. Y. Mirror

Fun, fantasy and philosophy get on like a house afire at the Rivali... Fun predominates, however. Too much cannot be said for the performance of Roland Young.  
— Robert Garland, N. Y. American



A delightfully humorous fantasy... Roland Young has described the character perfectly.  
— Frank S. Nugent, N. Y. Times

**"The MAN WHO  
COULD WORK  
MIRACLES"  
is off to a  
flying start!**

**ALEXANDER KORDA** presents **ROLAND YOUNG** in **H. G. WELLS' Comedy**  
Released thru UNITED ARTISTS

# FILM BOOKING SHEET

(For information and guidance of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distributing units for the current quarterly period. Date of the release is given in VARIETY and the running time of prints, after passing by the New York State censor board, are included.)

WEEK	COLUMBIA	METRO	PARAMOUNT	R.K.O.	REPUBLIC	9TH CENTURY-FOX	UNITED ARTISTS	UNIVERSAL	WARNER-BROS. NATIONAL	MISCELLANEOUS DISTRIBUTORS
1/15/37	Woman in Distress (M. Robson-L. Harvey) Jan. 20, 88 Mins. Melodrama	Bulldog Drummond Escapes (R. Miland-H. Angel) Rev. Feb. 3, 87 Mins. Drama	Plough and the Stars (B. Lawrence-P. Foster) Rev. Feb. 3, 87 Mins. Drama	Bold Caballero (B. Lawrence-P. Foster) Rev. Feb. 3, 87 Mins. Drama	Crack Up (P. Lester-B. Donnelly) Rev. Feb. 3, 87 Mins. Comedy	Secret Valley (R. Allen-V. G. Grier) Rev. Feb. 3, 87 Mins. Western	You Live Only Once (S. Sider-H. Fonda) Rev. Feb. 3, 87 Mins. Drama	The Mighty Terve (W. Byrd-B. Read) 65 Mins.	God's Country and the Woman (G. Brent-B. Roberts) Rev. Jan. 30, 88 Mins. Drama	Arizona Days (†) (C. Siler)
1/22/37	West Bound Mail (C. Sarrett-R. Keith) Jan. 20, 88 Mins. Western	Dangerous Number (Hob. Young-A. Sothern) 88 Mins.	Doctor's Diary (G. Bancroft-Burgess) Rev. Feb. 17, 88 Mins. Drama	Racing Lady (A. Dwyer-S. Butler) Rev. Jan. 30, 88 Mins. Comedy	Bar Z Bad Men (J. M. Brown) Western	Woman White (Hudson-W. White) Comedy-Drama	Men Are Not Gods (M. Hooking-C. Lawrence) Rev. Feb. 17, 88 Mins. Drama	She's Dangerous (W. Byrd-B. Read) 67 Mins.	Once a Doctor (J. M. Brown) Rev. Jan. 30, 88 Mins. Drama	Man of Affairs (*) (G. Brent-B. Roberts) Rev. Jan. 30, 88 Mins. Drama
1/29/37	Devil's Playground (C. Sarrett-R. Keith) Jan. 20, 88 Mins. Western	Man of the People (J. Clinton-F. Rice) 88 Mins. Drama	Champagne Waltz (G. Swarthout-F. Mac-Donald) Rev. Feb. 17, 88 Mins. Musical	Criminal Lawyer (L. Tracy-M. Graham) Rev. Feb. 17, 88 Mins. Drama	Join the Marines (Paul Kelly-J. Travis) Rev. Feb. 17, 88 Mins. Drama	Lloyd of London (Bartholomew-M. Carroll) Rev. Feb. 17, 88 Mins. Historical Drama	Men Are Not Gods (M. Hooking-C. Lawrence) Rev. Feb. 17, 88 Mins. Drama	Breeding Home (H. Barner-W. Barrie) Rev. Feb. 17, 88 Mins. Drama	Black Legion (H. Barner-W. Barrie) Rev. Feb. 17, 88 Mins. Drama	We're in Legion Now (R. Dandy-E. Ralston) (†) Rev. Feb. 17, 88 Mins. Drama
2/5/37	Dodge City Trail (C. Sarrett-M. Weldon) W. term	Mama Steps Out (G. Kibbee-A. Brady) 10 Mins.	Outcast (W. William-K. Morley) 73 Mins.	They Wanted to Marry (Jesse-B. Fursess) Feb. 24, 86 Mins. Comedy	Two Wise Maids (A. M. Brown) Comedy-Drama	Holy Terror (J. Withers-M. Martin) Rev. Jan. 30, 88 Mins. Comedy	Man Who Could Work Miracles (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Green Light (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Great O'Malley (P. O'Brien-H. Robert) Rev. Feb. 24, 86 Mins. Drama	Head Over Heels in Love (*) (C. Grant-M. Brian) Comedy-Drama
2/12/37			Clarence (R. Kibbee-A. Brady) 60 Mins.	We're on the Jury (H. L. Lippard) Rev. Feb. 24, 86 Mins. Drama	Gambler Terror (J. M. Brown) Rev. Feb. 24, 86 Mins. Drama	Off to the Races (J. Withers-M. Martin) Rev. Feb. 24, 86 Mins. Comedy	Man Who Could Work Miracles (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Green Light (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Great O'Malley (P. O'Brien-H. Robert) Rev. Feb. 24, 86 Mins. Drama	Head Over Heels in Love (*) (C. Grant-M. Brian) Comedy-Drama
2/19/37			Maid of Salem (C. Bancroft-M. Graham) 83 Mins.	Sea Devils (P. Foster-V. McLaglen) Rev. Feb. 24, 86 Mins. Comedy	Paradise Express (G. Withers-D. Appleby) Rev. Feb. 24, 86 Mins. Drama	Wings of Morning (Amabelle-R. Fonda) Rev. Feb. 24, 86 Mins. Drama	Man Who Could Work Miracles (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Green Light (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Great O'Malley (P. O'Brien-H. Robert) Rev. Feb. 24, 86 Mins. Drama	Head Over Heels in Love (*) (C. Grant-M. Brian) Comedy-Drama
2/26/37			Borderland (W. Boyd-J. Ellison) 78 Mins.	Michael Strogoff (A. Walcott-M. Graham) Rev. Feb. 24, 86 Mins. Drama	Hit the Saddle (Livingston-R. Corri) Rev. Feb. 24, 86 Mins. Western	Nancy Steele Is Missing (W. Boyd-J. Ellison) Rev. Feb. 24, 86 Mins. Drama	Man Who Could Work Miracles (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Green Light (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Great O'Malley (P. O'Brien-H. Robert) Rev. Feb. 24, 86 Mins. Drama	Head Over Heels in Love (*) (C. Grant-M. Brian) Comedy-Drama
3/5/37	Trapped (C. Sarrett-R. Keith) Jan. 20, 88 Mins. Western	Parole Racket (P. A. Kelly-A. Kelly) 70 Mins.	Murder Goes to College (Kernan-M. Hunt-L. Vernon-L. Crabbe) 70 Mins.	Toast of New York (G. O'Brien) Rev. Feb. 24, 86 Mins. Drama	Get Along Little Doggie (G. O'Brien) Rev. Feb. 24, 86 Mins. Drama	Time Out for Romance (T. Power-L. Young) Rev. Feb. 24, 86 Mins. Comedy	Man Who Could Work Miracles (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Green Light (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Great O'Malley (P. O'Brien-H. Robert) Rev. Feb. 24, 86 Mins. Drama	Head Over Heels in Love (*) (C. Grant-M. Brian) Comedy-Drama
3/12/37	Racketeers in Exile (C. Bancroft-E. Venable) Rev. Feb. 24, 86 Mins. Drama	Song of the City (J. Deane-M. Lindsay) Rev. Feb. 24, 86 Mins. Drama	Swing High, Swing Low (Lombard-F. Mac-Donald) Rev. Feb. 24, 86 Mins. Musical	Don't Tell the Wife (U. Merckel-Gay Kibbee) Rev. Feb. 24, 86 Mins. Drama	A Texan Rides (G. O'Brien) Rev. Feb. 24, 86 Mins. Western	Fair Warning (J. Deane-M. Lindsay) Rev. Feb. 24, 86 Mins. Drama	Man Who Could Work Miracles (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Green Light (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Great O'Malley (P. O'Brien-H. Robert) Rev. Feb. 24, 86 Mins. Drama	Head Over Heels in Love (*) (C. Grant-M. Brian) Comedy-Drama
3/19/37			Her Husband Lies (R. Cortez-G. Patrick) Rev. Feb. 24, 86 Mins. Drama	China Passage (G. O'Brien) Rev. Feb. 24, 86 Mins. Drama	Trail of Vengeance (J. Travis-W. Livingston) Rev. Feb. 24, 86 Mins. Drama	Seventh Heaven (S. Simon-J. Stewart) Rev. Feb. 24, 86 Mins. Drama	Man Who Could Work Miracles (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Green Light (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Great O'Malley (P. O'Brien-H. Robert) Rev. Feb. 24, 86 Mins. Drama	Head Over Heels in Love (*) (C. Grant-M. Brian) Comedy-Drama
3/26/37	Law of the Ranger (R. Cortez-G. Patrick) Rev. Feb. 24, 86 Mins. Western	Skidding (R. Cortez-G. Patrick) Rev. Feb. 24, 86 Mins. Drama	Waikiki Wedding (R. Cortez-G. Patrick) Rev. Feb. 24, 86 Mins. Musical	Park Ave. Logger (G. O'Brien) Rev. Feb. 24, 86 Mins. Drama	Get Along Little Doggie (G. O'Brien) Rev. Feb. 24, 86 Mins. Drama	Time Out for Romance (T. Power-L. Young) Rev. Feb. 24, 86 Mins. Comedy	Man Who Could Work Miracles (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Green Light (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Great O'Malley (P. O'Brien-H. Robert) Rev. Feb. 24, 86 Mins. Drama	Head Over Heels in Love (*) (C. Grant-M. Brian) Comedy-Drama
4/2/37			Personal Property (R. Cortez-G. Patrick) Rev. Feb. 24, 86 Mins. Drama	Wings of Mercy (J. Deane-M. Lindsay) Rev. Feb. 24, 86 Mins. Drama	Circus Girl (Travis-W. Livingston) Rev. Feb. 24, 86 Mins. Drama	Midnight Taxi (A. Dwyer-S. Butler) Rev. Jan. 30, 88 Mins. Western	Man Who Could Work Miracles (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Green Light (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Great O'Malley (P. O'Brien-H. Robert) Rev. Feb. 24, 86 Mins. Drama	Head Over Heels in Love (*) (C. Grant-M. Brian) Comedy-Drama
4/9/37	Let's Get Married (R. Dandy-E. Ralston) Rev. Feb. 24, 86 Mins. Comedy-Drama			Quality Street (R. Dandy-E. Ralston) Rev. Feb. 24, 86 Mins. Drama		Slave Ship (W. Boyd-J. Ellison) Rev. Feb. 24, 86 Mins. Drama	Man Who Could Work Miracles (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Green Light (R. Young-J. Gardner) Rev. Feb. 24, 86 Mins. Drama	Great O'Malley (P. O'Brien-H. Robert) Rev. Feb. 24, 86 Mins. Drama	Head Over Heels in Love (*) (C. Grant-M. Brian) Comedy-Drama

WHEN THEY'RE NOT SITTING DOWN IN DETROIT



**THEY'RE STANDING UP  
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AND SRO IN FRISCO, ALBANY, HARTFORD,  
NEW HAVEN, MILWAUKEE OPENINGS!**

❖ By Epes W. Sargent

## Sit-Down Strike

tickets, and the incoming feature run off. The membership dues is about pay for the overtime of the house staff, but that brings the the

(Continued on page 31)

## BEHIND *the* KEYS

# There's No Use Talking—



...we've got all the answers...a grand product...swell copy angles...a service that can't be beat and more than 900 employees all working together to see that you get a seat-selling trailer for every picture you book...and always on time.

## NATIONAL SCREEN SERVICE

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# HORSE-SHOES?

Another smashing M-G-M hit "THE LAST OF MRS. CHEYNEY" commands industry attention! (following "After the Thin Man", "Camille", "Born To Dance", "Libeled Lady" and many others.)

The element of *luck* has no place in the M-G-M scheme of production. The true-and-tried producing personnel; the wealth of Star names and the boundless resources of the Greatest Studio in the World leave nothing to *chance*!

There are no horse-shoes on the theatres of our 10,000 customers. They leave nothing to *chance*! The M-G-M name is the beacon of assurance to the patron for a swell show; to the exhibitor for a profitable engagement.

---

**"THE LAST OF MRS. CHEYNEY"** starring JOAN CRAWFORD • WILLIAM POWELL ROBERT MONTGOMERY with FRANK MORGAN • Jessie Ralph • Nigel Bruce • From the play by Frederick Lonsdale Directed by Richard Boleslawski • Produced by Lawrence Weingarten • A Metro-Goldwyn-Mayer Picture

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## Foreign Release Calendar

(Continued from page 21)

Ciboulette (Fr) (Franco). Operetta. Dir. Claude Lora. 60 mins. Rel. Sept. 15.  
 Clea di Sorrento, La (It) (Nuovo Mondo). From Masstrini's classic. Dir. Nunzio Malasomma. 72 mins. Rel. Aug. 1. Rev. Aug. 5.  
 Clelito Lindo (Sp). Mexican made romance. Dir. R. O'Quigley. 80 mins. Rel. Nov. 1.  
 Drei Blau Jungs (Ger) (Casino). Nazi naval life. Dir. Carl Boese. 90 mins. Rel. Dec. 15. Rev. Jan. 13.  
 Edes Mostoha (Hung) (Danubia). Kid's yarn. Dir. Bela Balogh. 95 mins. Rel. Dec. 1. Rev. Dec. 16.  
 Ein Auto und kein Geld (Ger) (Germania). Musical farce. In. J. Fleck. 85 mins. Rel. Aug. 1. Rev. Dec. 12.  
 Ein Lied, ein Kuss, ein Maedel (Ger) (Germania). Cinderella again, with music. Gustav Froehlich, Martha Eggerth. Dir. Geza von Bolvary. 98 mins. Rel. Dec. 1. Rev. Dec. 12.  
 Ein Maedel der Heuberg (Ger) (Germania). Costume film. Dir. Karl Hoffman. 95 mins. Rel. Jan. 1. Rev. Jan. 6.  
 Eine Frau die Welt Was Sie Will (Ger) (Casino). From Oscar Strauss' operetta. Lid Dagover. Dir. Viktor Jansen. 82 mins. Rel. July 15. Rev. July 22.  
 Ember a Blid Alht (Hung) (Danubia). Heavy drama. Dir. Laszlo Vajda. 75 mins. Rel. Aug. 1. Rev. Jan. 2.  
 Es Gibt Nur Eine Liebe (Ger) (Casino). Musical comedy. Louis Graveure, Jenny Jugo. Dir. Johannes Mayer. 98 mins. Rel. Jan. 15. Rev. Feb. 3.  
 Eternal Mask (Swiss) (Mayer-Burstein). Psychological drama. Dir. Walter Hochbaum. 74 mins. Rel. Jan. 1. Rev. Jan. 2.  
 Fahrt in die Jugend, Die (Ger) (Casino). Farce comedy. 80 mins. Rel. Sept. 1.  
 Friesennot (Ger). Nazi propaganda. Dir. Werner Kortwich. 102 mins. Rel. Oct. 15. Rev. Dec. 16.  
 Ganzen Welt Dreht Sich um Liebe, Die (Ger). Mystery-romance. Charlotte Suss. 80 mins. Rel. Nov. 15.  
 Gesuzza La Sposa Garibaldina (It). Italian Joan of Arc. Dir. A. Bassetti. 75 mins. Rel. Nov. 1. Rev. Dec. 16.  
 Glueckspilze (Ger) (Casino). Drama of adolescence. Dir. Robert A. Stemmler. 80 mins. Rel. Oct. 15.  
 Grenzfuehrer (Ger) (Zwickler). Intrigue in the Alps. Dir. Hans Beck-Gaden. 85 mins. Rel. Dec. 1. Rev. Dec. 16.  
 Gypsies (Russ) (Amkino). Saga collective farms. Dir. Evgeni Schneider. M. Goldblatt. 85 mins. Rel. July 15. Rev. Aug. 5.  
 Harom Sarkany (Hung) (Danubia). Romance of collegiates. Dir. Laszlo Vajda. 90 mins. Rel. Dec. 15. Rev. Dec. 30.  
 Iessse Blut (Ger) (Ufa). Romantic drama. Marikita Roekck. Dir. Georg Jacoby. 80 mins. Rel. Sept. 15.  
 Ieros del Barrio, Les (Sp). Kids do some acting. Dir. Armando Vidal. 80 mins. Rel. Dec. 15.  
 Ich Sehne Mich Nach Dir (Ger) (Casino). Backstage operatics. Louis Graveure, Canille Horn. 90 mins. Dir. Johannes Riemann. Rel. Sept. 1. Rev. Sept. 16.  
 Idealer Gatte, Ein (Ger). Domestic drama. Brigitte Helm. Dir. Herbert Selpin. 85 mins. Rel. Dec. 1. Rev. Jan. 13.  
 Idola, La Mala (Sp). Marital mixups. Dir. Rafael Sevilla. 80 mins. Rel. Oct. 1.  
 Ist Mein Mann Nicht Fabelhaft (Ger). Domestic comic complications. Ir. Georg Jacoby. 76 mins. Rel. Dec. 1. Rev. Dec. 8.  
 Jadzina (Pol). Romantic musical. Dir. M. Cwiklinska. 82 mins. Rel. Jan. 15. Rev. Feb. 3.  
 Junge Gaffe, Der (Ger) (Ufa). Light comedy with music. Anny Ondra. Dir. Karl Laemmle. 90 mins. Rel. Dec. 1. Rev. Dec. 16.  
 Kakos Dromos, O (Ger). Heavy drama. 77 mins. Rel. Oct. 15. Rev. Oct. 28.  
 Kampf, Der (Ger) (Ufa). German-language story of Hitler cruelties. Dir. Gustav Wengenheim. 85 mins. Rel. Sept. 1. Rev. Sept. 16.  
 Kermesse Herolique, La (Fr) (Tobis). Comedy spec. Dir. Jacques Feyder. 95 mins. Rel. Sept. 15. Rev. Sept. 30.  
 Koendswalzer (Ger) (Ufa). Musical. Will Forst. Dir. Herbert Malsch. 80 mins. Rel. Oct. 15. Rev. Nov. 11.  
 Lacrimae e Sorrisi (It) (DuWorld). Martial mixups. Dir. Raffaello Matarazzo. 57 mins. Rel. Dec. 15. Rev. Dec. 30.  
 La Paloma (Ger) (Casino). Musical. Chas. Kullman, Leo Slezak. Dir. Karl Laemmle. 90 mins. Rel. Dec. 15. Rev. Dec. 30.  
 Lery Jo Mindhalag (Hung) (Danubia). Life in a children's school. Ir. Istvan Szekely. 75 mins. Rel. Oct. 15. Rev. Oct. 28.  
 Letzte Rose (Ger) (Casino). Operetta based on 'Martha'. Dir. Karl Anton. 90 mins. Rel. Oct. 1. Rev. Oct. 2.  
 Liebesleute (Ger) (Tobis). Drama of modern life. Renate Mueller, Gustav Froehlich. Dir. Eric Waschneck. 95 mins. Rel. Oct. 1. Rev. Oct. 7.  
 Liebesroman im Hause Hapsburg (Ger) (Casino). Historical item. Dir. Willi Wolf. 81 mins. Rel. Sept. 1. Rev. Oct. 21.  
 Lied Gehst um Welt (Ger) (Ufa). Musical. Joseph Schmidt. Dir. Richard Oswald. 60 mins. Rel. Sept. 1. Rev. Sept. 30.  
 Madres del Mundo (Sp). Romance, made in Mexico. Dir. Rinaldo Aguilari. 80 mins. Rel. Aug. 15.  
 Manewry Miloslaw (Polish). Operetta. Dir. J. Nowina-Przybylski. 70 mins. Rel. Nov. 1. Rev. Nov. 16.  
 Maskerade (Aust) (DuWorld). Musical. Paul Weesely. Dir. Willy Forst. 90 mins. Rel. Jan. 15. Rev. Jan. 27.  
 Mater Nostra (Ital) (Ufa). Drama. Dir. Gabriel Sora. 70 mins. Rel. Sept. 1.  
 Mein Liebest ist Ein Jaegermann (Ger) (Casino). Old-fashioned farce. Leo Slezak. Dir. Walter Kolm. 85 mins. Rel. Sept. 1. Rev. Sept. 16.  
 Mesesuto (Hung) (Danubia). Cinderella in Budapest. Dir. Bela Gaal. 90 mins. Rel. Nov. 1. Rev. Nov. 16.  
 Miserables, Les (Fr) (American). Hugo's classic. Harry Baur. Dir. Raymond Bernard. 162 mins. Rel. Oct. 15. Rev. Nov. 4.  
 Mueder Theodor, Der (Ger). Backstage farce. Weiss Ferdi. Dir. Von V. Harlan. 76 mins. Rel. Oct. 15. Rev. Oct. 28.  
 Muher del Puerto, La (Sp). Life in Mexico. Dir. Arcady Boyt. 70 mins. Rel. Aug. 15.  
 Mujeres de Hoy (Sp). Melodramatic love story. Dir. Ramon Peon. 90 mins. Rel. Dec. 1.  
 Mutiger Seefahrer, Der (Ger) (Casino). Heavy farce. Dir. Hans Deppe. 90 mins. Rel. Nov. 1. Rev. Nov. 20.  
 Mysteres de Paris, Les (Fr) (Franco). Eugene Sue's novel. Dir. Felix Gandera. 85 mins. Rel. Jan. 15. Rev. Feb. 3.  
 Mysteries of London (Fr) (Ufa). (Dubbed). Probably best described as a travelogue. 65 mins. Rel. Oct. 15. Rev. Nov. 4.  
 Natakla Poltavka (Russ) (Amkino). Ukrainian musical. Dir. E. Kavalieridze. 75 mins. Rel. Dec. 15. Rev. Dec. 30.  
 Ne Sirj Edesanyan (Hung) (Danubia). Faith-healing at the Lourdes Shrine. Dir. Bela Balogh. 60 mins. Rel. Nov. 15. Rev. Nov. 25.  
 Nightingale (Russ) (Amkino). First Moscow color-film. Dir. Nikolai Elck. 95 mins. Rel. Nov. 1. Rev. Nov. 11.  
 Onore Della Figlia Del Popolo (It). Old-time silent fixed up. 71 mins. Rel. Jan. 1. Rev. Jan. 15.  
 Pa Solidan (Sw) (Scandinavian). Romance. Lars Hanson. Dir. Gustaf Molander. 90 mins. Rel. Aug. 15. Rev. Sept. 16.  
 Passaporto Rosso (Fr) (Ufa). It's a hard life. Isa Miranda. Dir. Guido Brignone. 90 mins. Rel. Aug. 15. Rev. Sept. 16.  
 Petits, Les (Fr) (Franco). Simple tale of child's love. Dir. Alfred Machard. 80 mins. Rel. Dec. 15. Rev. Jan. 13.  
 Pofon (Hung) (Danubia). Farce. Paul Javor. Dir. Bela Balogh. 85 mins. Rel. Jan. 1. Rev. Jan. 20.  
 Prince Jean, Le (Fr) (20th). Royal intrigue. Natalie Paley. Dir. Jean de Marguenat. 80 mins. Rel. Dec. 1. Rev. Dec. 16.  
 Privatsekretarin Heiratet (Ger) (Zwickler). Romance in farce time. Dolly Haas. 85 mins. Rel. Dec. 1. Rev. Dec. 9.  
 Radio Bar (Sp) (Ufa). Musical. Musical. Dir. Manuel Romero. 82 mins. Rel. Jan. 15. Rev. Jan. 27.  
 Rakoczi March (Hung) (Danubia). Military drama. Dir. Steven Szekely. 82 mins. Rel. Dec. 15. Rev. Dec. 30.  
 Raub der Sabinerinnen (Ger) (Casino). Comedy. Dir. R. A. Staemmle. 90 mins. Rel. Jan. 15.  
 Revolutionists (Russ) (Amkino). History of early communist regim. 105 mins. Rel. Vera Stroyeva. Rel. Dec. 15. Rev. Dec. 30.  
 Sarga Csiko (Hung) (Danubia). Sob story. Dir. Bela Pasztor. 80 mins. Rel. Jan. 15. Rev. Feb. 3.  
 Schussakkord (Ufa). Drama. Lid Dagover. 100 mins. Rel. Sept. 1. Rev. Sept. 16.  
 Schuesterle Casanova, Der (Ger) (Casino). Romantic comedy. Dir. Carl Laemmle. 80 mins. Rel. Aug. 15.  
 Serpente a Sonagli (It) (Nuovo Mondo). Murder in a girl's school. Dir. Rafaelo Matarazzo. 85 mins. Rel. Aug. 15. Rev. Aug. 19.  
 She-Devil Island (Ufa). Mexican-made drama. Dir. Raphael Sevilla. 65 mins. Rel. Aug. 15. Rev. Aug. 16.  
 Hencio Sublime (Sp). Mexican drama. Dir. Ramon Peon. 80 mins. Rel. Jan. 15.  
 Slalom (Aust) (DuWorld). Life and love in the Alps. Dir. Arnold Fanck. 67 mins. Rel. Dec. 15. Rev. Dec. 23.  
 Soderkatar (Sw) (Scandinavian). Edward Person. Dir. Weyler Brand. 80 mins. Rel. Dec. 15. Rev. Dec. 23.  
 Soldaten Karemenden (Ger) (Zwickler). Teutonic propaganda. Dir. Turn Hupert. 90 mins. Rel. Oct. 1. Rev. Oct. 7.  
 Song of China (Chinese) (MacLean). Drama in the Orient. Dir. Lo Ming-Yau. 60 mins. Rel. Nov. 1. Rev. Nov. 11.  
 Son of Mongolito (Russ) (Amkino). Propaganda of the Mongolian sector. Dir. I. Trauberg. 105 mins. Rel. Nov. 15. Rev. Nov. 25.

## Mexican Air

(Continued from page 1)

a first step the gentry who discount the lore of the ages three questions for a dollar in a plain enquest have been kicked off the air altogether. Their reforms are in process of organization. Will take a little while because of the radical shift of policy.

Clean-up is expected to take place within the next 12 to 18 months.

In the last two years there has been a huge jump in the amount of coin Mexico's merchants and residents have been collecting from American tourists. So much so that some of the cities are beginning to vie on nearly equal footing with Texas, Louisiana, California and Florida for the great American tourist dollar.

## A-ha, World's Fair!

Also in the general clean-up campaign is the new item of a World's Fair which Mexico plans to hold in Mexico City within the next several years. This Fair is planned as a concentrated drive to punch through in one big surge the message of 'come to Mexico for your vacation'.

In order to build-up both the Mexico tourist trade and the coming World's Fair the present stations along the border which are regularly broadcasting primarily for the regularly listeners will be banned off the air entirely, according to the dope. These independently and privately-owned transmitters will be replaced by five super-power stations which will be owned and operated by the Mexican government.

These five powerful stations will also be located along the border and will be directed essentially for American and Canadian listeners, but they will be entirely free of any objectionable advertising material. Stations will accept commercial programs and copy, according to present plans, but the programs and accounts must be okayed according to the strictest rules and principles of American stations. These stations will not accept any programs which wouldn't regularly be within the rules set up by the Federal Trade Commission, the Medical Association, the Communications Commission and other bodies whose purpose it is to keep advertising on the upside.

In between these commercial programs the Mexican government will spot periods of build-up for the coming World's Fair for Tampico, for Mexico City, the Popocatepetl, Floating City and tamales. Entire scheme is to cement friendship for Mexico and to put the Mexico on the tourist map of the continent, the feeling among the higher-ups in the Mexican government being that if the border radio stations can sell the Americans penny-a-day insurance, upsturge cruises, perfume, packages and similar items, they can also sell Americans Mexico as the continent's playground.

## METRO PACTS MELCHER

Edward E. Melcher, former pic and drama critic on Washington (D. C.) Star, has been picked to a dialoging contract by Metro.

Giving up his newspaper job in December, Melcher wended west on spec. Got aboard the payroll last week.

Spain in Flames (Russ) (Amkino). Travelogue. English lecture. 65 mins. Rel. Jan. 15. Rev. Feb. 3.  
 Stutzner der Gesellschaft (Ger) (Ufa). Ibsen's oldie in a new version. Dir. Detlev Sierck. 80 mins. Rel. Nov. 1. Rev. Nov. 16.  
 Szerelmi Almok (Hung) (Danubia). Franz Liszt's life. Dir. Heinz Hillie. 87 mins. Rel. Jan. 1. Rev. Jan. 13.  
 Traumbild (Ger) (Ufa). Heavy drama. Emil Jannings. Dir. Carl Froehlich. 105 mins. Rel. Sept. 15. Rev. Sept. 23.  
 Tras La Reja (Sp). Mexican drama. Dir. Jorge Dada. 90 mins. Rel. Jan. 1. Rev. Jan. 13.  
 Under Pals Flag (Sw) (Scandinavian). Drama with music. Tulla Rolf. Dir. Varan Polke (Sw) (Scandinavian). Romance. Edvard Person. Dir. Arne Bornesund. 93 mins. Rel. Oct. 1. Rev. Oct. 21.  
 Vissages de France, Les (Fr) (Franco). Travelogue in four reels. 34 mins. Rel. Jan. 15. Rev. Jan. 27.  
 Waldwinter (Ger) (Ufa). Love in the Silesian forests. Dir. Fritz Buche. 90 mins. Rel. Nov. 1. Rev. Nov. 16.  
 Walzer fuhrer (Ger) (Ufa). Musical fantasy. Louis Graveure, Camilla Horn. Dir. Georg Zoch. 90 mins. Rel. Sept. 15. Rev. Oct. 7.  
 Welberregiment (Ger) (Ufa). Military comedy. Dir. Karl Ritter. 90 mins. Rel. Jan. 15. Rev. Jan. 27.  
 Wenn Der Hahn Kraecht (Ger) (Cas). Comedy romance. Dir. Carl Froehlich. 60 mins. Rel. Nov. 15.  
 White Cruise (Fr) (Tapernoux). Travelogue, partly in English. Dir. Leon Poireur. 90 mins. Rel. Nov. 15. Rev. Nov. 25.  
 Yiddle with His Fiddle (Yid) (Green). Folk musical. Molly Picon. Dir. Jos. Green. 92 mins. Rel. Jan. 1. Rev. Jan. 13.

## Key to Addresses

Harold Auten, 1540 Broadway.  
 Amkino, 725 Seventh Ave.  
 Bavaria, 200 Fifth Ave.  
 Casino, 240 E. 86th St.  
 Danubia, 725 Seventh Ave.  
 DuWorld, 240 E. 86th St.  
 European, 154 W. 55th St.  
 Jos. Green, 150 Broadway.  
 Garrison Films, 725 Seventh Ave.  
 Franco-American, 65 Fifth Ave.

NAT'L VARIETY CLUBS  
CONV. APRIL 17-18

Omaha, Feb. 23.

A. A. (Ted) Mendenhall, chief Barker of the Omaha Variety club, has announced plans and committees for the third annual national convention of the Variety clubs of America to be held in Omaha, April 17-18. Harry Showm, last year's chairman, has been made general chairman of the convention committee of more than 50 men. Publicity for the affair is being handled by Joe Jacobs, as sub-chairman, and entertainment is being arranged by Evert Cummings.

Most of Saturday will be devoted to convention business, and a climax will be banquet and entertainment on Sunday. Top for the banquet is set at \$10. per person, and expected that upwards of 500 will attend. Good portion of the gross will go for entertainment with national acts and a nationally known ork being brought in by Cummings committee. Net proceeds, as always, will go for charitable purposes.

Reservations committee already has notices from Milwaukee, Minneapolis and Pittsburgh and several other tents. Advance indications are for upwards of 200 delegates, more than twice the number in attendance in previous years, with special cars or trains being scheduled by more than a score of cities.

Some rumors going about that the affair will be open to the feds, but Jacobs committee is putting the word about that like all strictly club affairs the convention will be for men only.

Convention will be held in the Fontenelle hotel where the club has its new modernistic clubrooms.

So Many Sunday Pix  
Squawks, Town Quits

Lynchburg, Va., Feb. 23.

Sunday films bow out of Bedford, Va., 4,000-pop. town near here, after two scant weeks. So much protest from churchgoers that Dan Weinberg, manager, voluntarily quit. Previously he had promised to hold no shows during church hours.

Bedford, site of the national Elks Home, is first town in state to give up Sunday pix after getting them.

## RAY MASSEY'S U. S. PIC

Hollywood, Feb. 23.

Raymond Massey, English picture player, producer and director, will come over from England for a spot in 'The Prisoner of Zenda' at Selznick-International.

Player is due here March 6 for his American debut.

## MISS GRANVILLE'S WB PACT

Hollywood, Feb. 23.

Bonita Granville, child actress, has received long term contract at Warners.

First assignment on the agreement will be in 'The Story of Emile Zola'. Then she'll go into 'The Love Derby', with Leslie Howard and Olivia de Havilland.

## BIGELOW'S ADDED 'TOUCH'

Hollywood, Feb. 23.

Samuel Goldwyn has assigned Joe Bigelow to write added dialog for 'The Woman's Touch'.

Picture has Miriam Hopkins and Joel McCrea in the leads.

Cal. Indie Theatre  
Owners Fight For  
Prod.-Distrib. Laws

Los Angeles, Feb. 23.

Independent Theatre Owners of Southern California have planned a drastic campaign to h-v anti producer-distributor legislation adopted when the general assembly reconvenes next month. Measures the indiees want enacted include: Anti-book booking and blind selling; ban against producer-distrib ownership; control or management of theatres, and prohibition of designated play dates of percentage pictures.

Mass meeting of 75 indie exhibs, held in L.A. last week, was addressed by William Mosley Jones, speaker of the California house; Assemblyman Ben Rosenthal; R. Dean Warner, an attorney; and Bernard D. Russell, former indie producer. Meeting, was called by Russell on behalf of the California Independent Exhibitors Protective League, and is not officially identified with the ITO of So. Cal. and Arizona.

Exhibs voted to raise a fund to promote the campaign, based on 10c. per seat per theatre. Steering committee of the Protective League, to distribute the fund, is composed of Lou Bard, E. S. Calvi, H. W. Gruen, Jay Sutton, Harry Vinnico and Jack Berman.

## Ohio MPEA Reelects

Cleveland, Feb. 23.

Ernest Schwartz was elected to his third term as prez of Motion Picture Exhibitors Association here in last week's elections. Coincidentally, three other old officers were elected in again for holdovers. A. E. Ptak was named v. p. for third term; John Kalas is beginning sixth year as treasurer; and George W. Erdmann holds record by being re-elected secretary-manager for the eleventh term.

Appointees to new board of directors are Henry Greenberger, P. E. Essick, Morris Berkowitz, Frank Gross, L. G. Baldwin and Frank Porczynski.

## Trial by Soundfilm

Washington, Feb. 23.

Sound pictures would supplant stenographers and printed briefs in American court proceedings if Congress adopts a bill proposed last week by Congressman Samuel Hobbs of Alabama.

Installation of sound apparatus in at least one court in each of the districts of the country is provided by the measure, which authorizes appropriation of whatever money may be necessary. The presiding judge of each district would designate the court to be turned into a studio, while the judge who presides over any trial shall stipulate whether the proceedings shall be recorded on celluloid or on wax. Cost would be levied against the participants. The films and sound track would simplify appeals, in Hobbs' view.

With projection machines installed in each circuit court and the U. S. Supreme Court, the judges would be spared the necessity of reading volumes of printed briefs and transcripts, while there could be no dispute between opposing lawyers about the way developments actually took place in the trial courts.

Erpi Producing Visual  
Educational Shorts Pix

Demand for visual education sound motion pictures has prompted ERPI Picture Consultants, Inc., a subsid of Electrical Research Products, Inc., to launch production on a group of films covering human geography. It is designed for use in elementary grades. Series will deal with changes in the earth's surface as a result of the human race's activity as well as the conditioning of man's culture in his environment.

New films are also being produced in the field of human biology in collaboration with outstanding authorities on the subject and in co-operation with the University of Chicago. Dr. V. C. Arnsperg, v. p. in charge of research and production for ERPI, last week said that the shaking off of the economic depression has found many schools and colleges incorporating the use of visual education films in their general instructional program.

General Foreign Sales, 729 7th Ave.  
 Germania, 22-23 E. 19th St., Astoria, I.  
 J. H. Hoffberg, 729 Seventh Ave.  
 Inter-Continental, 50 E. 42nd St.  
 Kibbenstrick, 200 Fifth Ave.  
 Jean Lebrun, 202 W. 58th St.  
 Mayer-Burstein, 1501 Broadway.  
 Martin Nossack, 328 Audubon Ave.  
 Metro-Goldwyn, 240 E. 17th St.  
 Scandinavian Films, 220 W. 43d St.  
 John Tapernoux, 126 W. 46th St.  
 Ufa, 729 Seventh Ave.

5

# BIG *March* ATTRACTIONS FROM GRAND NATIONAL

## CURRENT RELEASES

**SINS of CHILDREN**  
with Eric Linden and  
Cecilia Parker

**DEVIL  
ON HORSEBACK**  
with Lili Damita (Mrs.  
Errol Flynn) in color

**WHITE LEGION**  
with Tala Birell and  
Ian Keith

**YELLOW CARGO**  
with Conrad Nagel  
and Eleanor Hunt

**CAPT CALAMITY**  
with George Houston  
and Movila. Gable  
lead in "Mullins on  
the Bounty" in color

**HATS OFF**  
with Mae Clark, John  
Payne & Helen Lynd

James Cagney in  
**GREAT GUY**

**WE'RE IN THE  
LEGION NOW**  
with Reginald Denny  
and Esther Ralston  
in color

**SCOTLAND YARD  
COMMANDS**  
with Clive Brook

**TEX RITTER**  
Musical Westerns



## "23½ HOURS LEAVE"

with JAMES ELLISON and TERRY WALKER

The picture that skyrocketed Douglas MacLean to fame now produced by Douglas MacLean. From Mary Roberts Rinehart's brilliant Satevepost story.



## "GIRL LOVES BOY"

featuring ERIC LINDEN and CECILIA PARKER

A Bennie F. Zeidman production. The sweethearts of "Ah, Wilderness!" and "Sins of Children" in a new romance of young love.

## "NAVY SPY"

starring CONRAD NAGEL and ELEANOR HUNT

Federal Agent Series. Produced by George A. Hirliman. Matching wits with spies selling navy secrets to foreign powers.



## "ROMANCE and RICHES"

with CARY GRANT and MARY BRIAN

From the novel by E. Phillips Oppenheim. A fast-moving comedy of a rich young man's quest for happiness.



## "KILLERS OF THE SEA"

featuring CAPT. WALLACE CASWELL, Jr.

Dialogue by LOWELL THOMAS

A Raymond Friedgen Production. Exploitation sensation of 1937 with Capt. Caswell fighting the man-eaters of the deep.



*Watch  
For*

**SOMETHING TO SING ABOUT** • A Victor Schertzinger Prodn. Written and directed by the man who gave you "One Night of Love"

**THE THOUSAND DOLLAR BILL** • A Zion Myers Production. Based on the Cosmopolitan magazine story of the same title.

**DYNAMITE**, starring James Cagney • Based on the story "Hot Oil". Produced by Richard A. Rowland. The red-headed dynamo of the screen in another great Cagney entertainment. Different—thrilling—timely.

# Alien Actor Bill

(Continued from page 3)

neither of whom had ever sat through a Dickstein hearing before—appeared sympathetic to several witnesses who were shooed away from the table after disagreeing with the bill. Mrs. Caroline O'Day, Representative from New York and a close friend of Mrs. Roosevelt, and Representatives Green of Florida, and Kramer of California, also spoke up courageously in the face of committee blustering. Millard and Massingale, of New York and Oklahoma, respectively, showed a tendency to ask questions when it appeared that reform element was getting too bloodthirsty.

Bystanders got their usual nickel's worth, however, whenever Chairman Dickstein, father of the alien actors' legislation, got in the saddle. Dickstein this year was ably assisted by Representative Schulte of Indiana who accomplished some first-class witness-baiting with Representative Mason of Illinois as pinch-hitter.

## Tibbett and Damrosch

Star performers of the two-day session, with which the hearings led off, were Lawrence Tibbett of the Metropolitan Opera and Walter Damrosch, conductor of the New York Symphony. Although the two celebrated musicians were on opposing sides, onlookers gave them the biggest hand among the various top-rank representatives of films, radio and music who testified. Jean Hersholt, Danish film star who took the part of Dr. Dafeo in 'The Country Doctor', remained in the menagerie, after Chairman Dickstein had tossed him skilfully back into the audience following a brief statement.

Film industry had its best supporters in Gabriel L. Hess, general counsel for the Motion Picture Producers & Distributors of America, and Joseph H. Seidman, general foreign manager for Columbia Pictures. Sydney M. Kaye, attorney representing the Concerts Association of America, also scored against the belligerent faction of the committee.

Tibbett, appearing as representative of the American Guild of Musicians and Artists, was ballyhooed as a friend of the bill which would restrict the entrance of alien talent into this country. While insisting that he was a supporter of the bill, he recommended several changes, including the total deletion of the section limiting the number of actors and artists admissible to the U. S. to the number of American actors and artists applied for by foreign countries. He also asked that managers and producers should be allowed to present their case to the Secretary of Labor who would be made the arbiter of all squabbles over imports and exports of talent under the legislation—and requested that they should be given the same break as the unions. Tibbett said, however, that it was his aim, and the aim of the A.G.M.A., to encourage young artists who may potentially be great artists and to protect the 'small and at present, unknowns.'

'I fully believe that a free and unhampered interchange of artists between nations is absolutely necessary,' the Metropolitan baritone declared.

Damrosch, on the other hand, made no reservations in his statement. The 'grand old man' of the New York Symphony squared off before the committee and told them that if a ban is placed on foreign talent it would be equally sensible to include the music of foreign composers in the embargo.

## Why Not Restrict Mozart?

'Why not deny entry to Mozart, Brahms, Beethoven, Wagner and the rest, unless Europe agrees to play American numbers,' Damrosch insisted. Whole thing was very foolish, he indicated, pointing out that the U. S. needs the European artist more than foreign countries need us. 'The artist belongs to the world and should be free to enter any part of it,' the aged conductor said with conviction. 'He should be allowed every freedom—not restricted. No real American artist wants to shut out the European artist.'

Efforts of two representatives of the Lambs Club to show that American actors were in need of protection from alien artists 'coming over by shiploads' and that they were responsible for 789 legitimate actors at present on relief in New York City were promptly blasted by figures presented by witnesses on both sides of the argument. According to Gilbert Miller, internationally known theatrical manager, and son of Henry Miller, 26 legitimate productions running in New York last

week, employed a total of 1,121 individuals, of which 52, or 4.7%, were aliens. These figures, Miller said, were compiled by the League of New York Theatres.

Representative Kramer of California, a member of the committee, volunteered information that only 61 foreign actors are employed by the eight major studios in Hollywood—a figure backed up by the Hays organization, which offered testimony showing 19,015 studio employees, exclusive of extras, employed in eight studios; 534 contract players, and only 61 actors coming under the visitors' visas or quota regulations.

## Sidney Howard's Stance

Opinion of Sidney Howard, president of the New York Dramatists' Guild, was that unemployed legitimate actors are suffering because of their inability to offer authentic talent to theatre managers, rather than from any discrimination in favor of alien actors.

'I don't know a single fine actor working on W.P.A.,' Howard stated. 'Such actors are out of work not because of unfair competition but because they are not as good as their fellow actors.'

Much talk was heard, during the two-day session, of the unwisdom of certain provisions of the Dickstein bill. Actors and artists were particularly indignant at the idea of 'swapping talent'—producers offering an American of 'similar professional qualifications' for each foreign star brought into the country.

'We shall soon be trading Gladys Cooper for two American tap dancers, or George Bernard Shaw for a dozen pulp magazine writers,' snorted Representative Celler of New York, who appeared as a witness against the measure.

Celler, who soon became embroiled in a verbal free-for-all with Dickstein and Schulte, protested that the bill sought to erect artistic tariff walls. He also quarreled with the clause which would give the secretary of labor say-so as to whether an artist is eligible for admission into the country. The labor secretary is authorized, under the legislation, to approve alien applications after a hearing and investigation to determine that an American artist 'having qualifications similar to those of the alien seeking admission . . . cannot be found in the United States among unemployed citizens or lawful permanent residents.'

New York Congressman demanded an answer to his question as to the Secretary of Labor's qualifications as a talent-picker. He furthermore insisted that Chairman Dickstein define the 'qualifications' alluded to in the bill. For instance, would Madam Secretary Perkins or her successor have to choose actors according to their quality of voice, color or hair, shape, or number of marriages, Celler asked. 'For such singers might have an edge on opera stars,' he suggested, if Labor Secretary was 'more fond of Gershwin than Schubert.'

With Dickstein's dignified reply that flesh would be chosen according to 'regulations based upon American standards,' I. A. Hirschmann, vice-president of Saks Fifth Avenue, appearing as a 'business-man and musician'—picked up where Celler left off.

'Any Secretary of Labor would have to have some of the qualifications of a God,' Hirschmann declared, 'to determine the ability of competing artists.'

Scoring the bill as an enemy of good music was an un-American piece of legislation, Saks official—who provides music for the masses out of his own pocket, staging concerts at 25c admission—warned that artists could not be exchanged like 'bricks or wheat.'

'I can understand a tariff on macaroni,' Hirschmann told committee, 'but not on Toscanini.'

Big studios got their innings in spits by Gabe Hess and Joe Seidman, who stymied House group with facts and figures showing the importance of foreign talent to the American screen; the danger of retaliation by foreign countries, if artist barriers are erected in the U. S.; and the general impracticability of the bill itself.

Hays lawyer's 25-page bombardment flatly stated that the bill should be enacted, would 'jeopardize or destroy artistic and earning opportunities for American actors in American motion pictures, and furthermore would jeopardize or destroy opportunities for Americans in other crafts and vocations

to be employed in the production of American motion pictures.'

World distribution of pictures would be materially hampered, Hess predicted, and the popularity of American films now existing abroad would suffer materially.

'The superiority of American motion pictures which makes possible their distribution to all parts of the world would fall away,' Hess declared, and the American market would be invaded with motion pictures made abroad in the English language with foreign entertainment personalities for distribution to the English-speaking peoples of the world. The talents of such foreign artists would be used to build up motion picture industries abroad instead of being utilized to maintain the leadership which America now holds.'

Columbia Pictures' foreign manager said passage of the act would be 'a very disastrous blow to the prosperity, success and prestige of American motion pictures. . . and would bring the United States government into ridicule and contempt in the eyes of many foreign nations.' Seidman also stressed importance of the foreign market to American producers, declaring that between 60% and 65% of all U. S. pix are exported abroad. Income to American companies from foreign sources now approximates 40% to 50% of their total gross, he pointed out.

## Kaye's Click

Attack of Sydney Kaye on the Dickstein bill brought one of the biggest hands received during the hearings, with Representative Mason of Illinois—who formerly joined with Dickstein and Schulte in witness-baiting—leaving his chair to congratulate the Concerts Association attorney.

Talking in behalf of concert groups, Kaye proceeded expertly to take the bill apart, section by section, showing up technical absurdities which would develop, once the artist-swapping machinery was put into action. Kaye took numerous pokes at the 'similar qualifications' stipulation in the measure, declaring that 'there are no scales in which musical talent can be weighed to determine whether their qualifications are, in fact, similar.'

'Prosperity of the symphony orchestra depends on drawing cards,' Kaye said, 'and we never have had enough drawing cards. If we could get twice as many aliens capable of appearing on the concert stage or conducting the great symphony orchestras, we would not have half as much employment for all, but twice as much employment for all.'

Motion pictures were accused several times during the hearings of having seriously handicapped the legitimate stage, but New York theatre groups—with the exception of Equity—were almost unanimous in agreeing with film spokesmen on the point of letting in outside talent. Theatre managers are united almost without exception, in their opposition to the bill, Milton R. Weinburger, League of New York Theatres v.p., told the committee, adding that the stage wanted an open market for actors because of Hollywood talent-snatching.

Warren P. Munsell, business manager of the Theatre Guild, agreed with Weinburger, and both stage reps pointed out that legitimate actors are in no need of Government protection as long as Actors' Equity remains as the wheel.

## For Film

Two Lambs Club members, E. J. Blunkell and John Seagar, pleased Dickstein, however, by assuring him that the country was flooded with alien talent and that deserving American actors were being discriminated against.

Second day of the hearings was devoted principally to bill boosters, although Hess, Seidman, and Hersholt opened the proceedings. Committee and audience had dwindled perceptibly by noon, with only four Congressmen sticking it out. Frank Gillmore, president of Actors' Equity and Chorus Equity, and Gen. Samuel T. Ansell, general counsel for the American Federation of Actors, were headliners offering kind words for the measure, but two hours were hogged by Charles Henry Freeman of New York, representing himself and a soprano he was managing, for a tear-jerking tale concerning 'arbitrary' treatment received from the Metropolitan Opera Company.

Gillmore suggested several changes to the bill as its stands, but pronounced himself otherwise in favor of the measure. He asked (1) that unit companies, such as the Comedie Francaise, the Moscow Art Company, and the Doyley Carte opera company, should be allowed to enter the country; (2) that some provision be made

for artists who wish to enter the U. S. without the intention of making engagements; and (3) that findings by the Secretary of Labor, as to actors' qualification should not be made 'immediately,' as specified in the bill, but should permit sufficient time for Equity to register the names of prospects with the Labor Department.

Charges by Representative Colmer of Mississippi that Gillmore sounded 'in favor of the bill, but not enthusiastic' were answered by Equity. President's explanation that his organization was 'able by its own strength to control the theatre,' and therefore not concerned with aliens. Equity members felt as citizens, however, that there was a great deal of value in the Dickstein bill, Gillmore said.

Saddest story told at the hearings was offered by Charles Henry Freeman, who identified himself with the concert business but explained he was not representing any particular organization.

After taking a couple of cracks at opposition witnesses and asking Dickstein not to let their number be reduced by their rejection, the majority, Freeman launched into a two-hour tirade against the Metropolitan Opera Company.

Sob story concerned the efforts of a coloratura soprano to win a Met engagement and charged famous opera company with discrimination in favor of foreign talent. Starting with singer's experience in 1928, when she assertedly was approached by an unidentified impresario who offered to get her a Met job for the sum of \$30,000, Freeman held forth on the subject until Mrs. O'Day, Representative from New York, remarked 'your quarrel seems to be with the Metropolitan Opera.'

After the first half hour, the committee discovered through questioning that Freeman had been acting as manager for the disappointed soprano and was still hoping to get her the coveted job with the Metropolitan.

Claiming his prima donna was superior to any foreign singers now appearing on the stage, Freeman's chief squawk was that Lily Pons, 'an alien,' had snatched the job which rightfully belonged to his singer. He claimed that his soprano, Galli-Campi, had a better right to a place in the spotlight by reason of her voice and her American citizenship.

Following Freeman's attack on the opera company in particular, and alien talent in general, hearings wound up with a burst of oratory from Gen. Samuel T. Ansell, American Federation of Musicians' chief attorney. Ansell, as usual, was looking out for his solo instrumentalists and orchestra conductors, and was against the bill only in that it included this type of talent in its swapping-list.

The contract labor law of 1932 was taking far better care of America's solo instrumentalists and orchestral conductors, than the Dickstein bill could ever do, Ansell pointed out. Bill, if passed, would be an additional to the law already on the statute books, he told the committee, and would have the effect of legalizing the admission of instrument soloists and orchestra leaders not of distinguished merit, in such numbers as would meet the international reciprocity clause. Words 'solo instrumentalists' and 'orchestra conductors' must be stricken from the measure wherever they occur, before the American musicians' federation can be satisfied, he said.

## MPTOA and Others

Other individuals who appeared before the committee included Ed Kuykendall, president of the Motion Picture Theatre Owners of America, who expressed concern for the future of the industry if artists to be measured by a 'sausage-mill'; Jean Hersholt, Danish film star, cut off by Dickstein after delivering not more than a paragraph of testimony; Dr. W. R. Brown, head of the musical department of the University of North Carolina, opposing the measure; Alfred R. Allen, manager of the Philadelphia Orchestra Association, who claimed legislation would 'send the symphonies down hill' and Mrs. Julian Olney, White Plains concert manager, charging the bill violates labor laws of the U. S. by keeping out higher types of artists.

Interest in the proceedings had dropped to zero, by the time the last witness had appeared, and committee adjourned on Wednesday (24). Those who remained in the room appeared bright-eyed and alert the first day, were reduced to yawns the second morning, and many ducked the wind-up. Audience, fascinated at first by high-handed tactics employed by Chairman Dickstein and Representative Schulte in bullyragging witnesses, was unable to 'ke

# Foreign Press

(Continued from page 3)

correspondents. Haysites answered that by a blast against ethics of certain F.P.'s.

Officers of the F.P.'s say the party isn't off for good, but simply postponed till days off steps sniping and the stars are either well enough or free enough to appear for their medals and bows.

Whether that's before or after the Academy awards is immaterial in the eyes of the F.P.'s, as they've announced their awards.

Current Hays office slash in list of accredited foreign correspondents is routine periodic paring of number. Widespread charges of chiseling and sale of stills for advertising purposes have been rumored, but charges are without foundation, insist officers of Foreign Press Society.

Twenty odd correspondents who have been dropped were advised that reason was simply over-large number of foreign writers and inadequacy of studio staffs to handle them. At same time, check is being made by Hays office with foreign editors regarding their Hollywood representation. All for, corrs. have been advised that their editors have been thus polled.

Number of writers who were dropped are having their cases reopened by Tom Pettey on presentation of clippings and credentials. Individual correspondents who have been questioned on the subject seem to feel that all bona fide scribblers have been dropped, and are back on list without difficulty. There is no alarm among them about the wildly-circulated rumors of chiseling, etc.

# Exploitation

(Continued from page 25)

tre into the clear and assures an interested audience, which, for the most part, will go out and spread the word. Idea is building rapidly and seems likely eventually to return a small profit.

Reviews are given only on the last-half shows, so the ticket holders buy in for the first half show and remain over. This seems to help sales more than the manager counted upon. It's at least a novelty for a time.

## Plugging a Franco

St. John, N. B.

Film exhibiting history for the maritime provinces was made at the Mayfair in St. John last week, when an all French talking picture, 'Farles-Mor, l'amour' ('Speak to Me of Love'), was screened for two days. This film was tied up with Mae West in 'Go West Young Man,' in a double bill program.

Notices in French of the all French film were sent through the mails and over the telephone to temporary and permanent residents of French extraction. French organizations were also communicated with in behalf of the innovation. It was pointed out that there was an opportunity for the French to see and hear French screen players talking in their native language, for the first time. To the general English speaking public, invitation was broadcast through the local newspapers, and on screen slides, to come to the Mayfair during the two days cited and brush up on the French they learned while at school, and since then, not used. Students of colleges and high schools were urged to take advantage of the opportunity of an ideal lesson in the French as it should be spoken. An effort was made to interest the teachers, also.

# Mayo's Howard Pic

Hollywood, Feb. 23.

Archie Mayo's next chore at Warner will be to direct Leslie Howard in a picture. 'Femme lead goes to Olivia de Havilland.' 'Love Derby' is the tentative title.

the long-drawn out afternoon proceedings and departed in droves.

Dopesters, however, are figuring on a full house for the reopening, since local rags took Dickstein for a fine sleighride this year.

Final fate of the bill itself remains undecided, with the betting mostly on its collapse. New members of the committee who represented an unknown quantity when the starting pistol went off, appear to be scrambling to the rescue of industry representatives and the guess is that they will be either too bored or too annoyed by Schulte and Dickstein to permit passage of the legislature when the shouting is over.

MUSIC CORPORATION OF AMERICA SALUTES THE *Greatest*  
MARQUEE NAME THE DANCING WORLD HAS EVER KNOWN

# VELOZ & YOLANDA

## IN PERSON AND ON THE SCREEN WITH GLADYS SWARTHOUT

WHOSE AMAZING UNBROKEN CHAIN OF RECORD BUSINESS

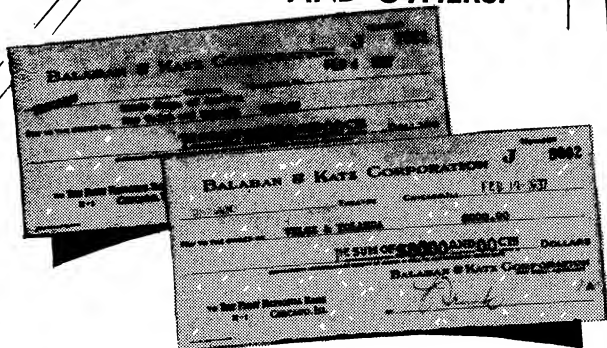
~~FRED MAC MURRAY JACK DART~~

DURING 1936 IN THE FOLLOWING CITIES SETS A NEW

~~WYLANDA RAILWAY~~

HIGH IN THE PAGES OF THEATRICAL HISTORY

- ★ NEW YORK CITY
- ★ CHICAGO
- ★ LOS ANGELES
- ★ SAN FRANCISCO
- ★ DETROIT
- ★ CINCINNATI
- ★ KANSAS CITY
- ★ MINNEAPOLIS
- ★ MILWAUKEE
- ★ AND OTHERS!



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to appear at the Chicago Theatre  
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OUR ENTIRE ORGANIZATION IS HAPPY AT THIS OPPORTUNITY TO EXTEND TO YOU BOTH, YOLANDA AND FRANK, OUR HEARTIEST CONGRATULATIONS

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## A. B. Momand Trying to Revive His Case Again

Denver, Feb. 23. A. B. Momand, whose case was tossed out of court by the U. S. district court in Oklahoma City, submitted briefs and oral arguments to the U. S. circuit court of appeals, asking the higher court to order the district court to reinstate the case.

Momand, operator of theatres in Oklahoma, has around 15 claims against major producing companies and also some theatre chains operating in Oklahoma, for alleged restraint of trade and violation of anti-trust laws.

Momand claims he was unable to buy pictures on an equitable basis in several spots. Defendants, in their brief, make the charge that Momand is trying to make an investment of about \$15 (said to have been paid for some of the claims) into a possible judgment of approximately \$5,000,000 (triple damages, in other words).

The court heard the argument, giving each side about an hour each, and took the case under advisement, with no decision expected for several weeks.

The case has been in federal courts since 1931, and was thrown out when Momand refused to make more particular large portions of his bill of particulars. He is now contending the case should be tried on its merits.

The case was transferred to Denver following the death in Oklahoma City of one of the judges hearing the case.

## Loew's Rochester Rental Squabble; Asking Tilt

Rochester, N. Y., Feb. 23. Clash over rental of Loew's Rochester brought Joe Vogel to town to look over the Masonic Auditorium as alternative picture house. Auditorium, 2,500 seater, is now used for occasional legit roadshows under management of Will Corris, but Masons are anxious to put it on regular income basis. It is more than a mile outside the main business district.

The Rochester theatre, 4,500-seater, is owned by a Buffalo group with Fenysvessy's here as minority stockholders. Rental was reduced during the depression and owners now want to put it back to former figure.

## CONTRACTS

Hollywood, Feb. 23. Robert Lord, writer-producer, given new producer contract at Warners.

A. W. Sweatt, 13-year-old Arkansas moppet, optioned at Selznick-International.

Republic renewed Ranny Weeks' pact for six months.

Barbara Pepper received an option lift on her acting contract at RKO.

Warners took up the option on Joe May's directorial pact.

Dave Gould signed new dance director contract at Metro.

Metro tagged Kenyon Nicholson and Mrs. Von Cube to writer contracts.

Scott Darling signed to term writing covenant at Universal.

Mary Maguire had her option plucked at Warners.

William Slavens McNutt sealed to term writing contract at RKO.

Eugene Forde placed under directorial contract at 20th-Fox.

Option pickups on Geneva Sawyer, Paul McEvey, Phillipa Hilbere, Dorothy Dearing, Shirley Deane, Easter Brodelet and Lynn Bari, players; Arthur, writer, and Robert Planck, at 20th-Fox.

## STORY BUYS

Hollywood, Feb. 23. Metro has bought 'Caprice,' original by Dalton Trumbo. He'll screen-play yarn for studio. Studio also took 'Are You an Actor?' original by Gunther von Fritsch, for a Pete Smith special.

'The Smiling Corpse,' anonymous novel, taken by Warners.

Mervyn LeRoy has purchased an unproduced musical comedy, 'Return Engagement,' which he'll produce for Warners. Piece was authored by Nancy Hamilton, James Shute and Rosemary Casey.

'Fight for Your Lady,' original by Jean Negulesco and Isabel Leighton, bought by RKO as vehicle for Herbert Marshall.

'Headline Hunters,' newspaper yarn by Lillian Worth and Edythe Zell, taken by 20th-Fox.

## TITLE CHANGES

Hollywood, Feb. 23. Columbia has changed 'Women Are Poison' to 'There Goes My Girl' and 'Satisfaction Guaranteed' to 'Too Many Wives.'

New handle on Metro's 'Skidding' is 'I Stand Accused.'

## Ohio ITO's Attitude

Columbus, Feb. 23. Independent Theatre. Owners of Ohio passed a strong resolution at last directors' meeting here opposing proposed conciliation board plan, if boards are operated like the 'arbitration' boards which were outlawed by the Thatcher decree.

## Erpl's Two New Treasurers

Electrical Research Products, Inc., has elected Charles Olajos and Robert A. Quinn as assistant treasurers.

The latter will be located in Los Angeles to handle contract, credit and financial details while Olajos will be headquartered in N. Y.

## Seitz's 'Jimmy Valentine'

Hollywood, Feb. 23. George Seitz will direct 'Alias Jimmy Valentine' at Metro. Crook epic gets the gun this week.

## Two Thrillers on Koenig, McRae Prod. Slate at U

Hollywood, Feb. 23. Universal has selected two action stories for immediate production. Henry McRae and Ben Koenig, who will produce, will pick two more thrillers to complete the season's quota.

First to go will be 'West Coast Limited,' based on an orig by Wadsworth Camp, and the second will be 'Night Patrol.'

## WB Lab Started

Hollywood, Feb. 23. Warners has started construction of its new two-story laboratory building.

Erection of the plant will eliminate shuttling of daily rushes from the Burbank studio to the present lab on Sunset boulevard in Hollywood.

## Industrial and Educational Shorts Using More Professional Players

A number of standard film and stage people, some of them formerly well-known stars, are finding more or less steady employment in industrial and educational films, both as actors and directors. Producers of industrial subjects in and about New York this week reported a decided trend towards spotting these film vets in industrial pictures.

Not only do manufacturers of commercial motion picture figure that the names enhance the value of this advertising subjects, but they have found that these satellites of former starring days quickly fit into roles. Makes a saving in elaborate screen tests and in preparing them for work in these productions.

Numerous players of both silent and early talking picture days have

found a niche in the commercial film producing field, after having been screen-tested to re-establish their picture acting ability.

Studios in the east making industrial estimates that 15 or more name players have landed steady jobs in the commercial producing division. In addition, a number of others have been set for bit parts.

Charles Ray was tested while in New York a year or so ago. He is now playing in industrials on the Coast. Francis X. Bushman and Beverly Bayne, leads of silent cinema, also are prominent in commercial or advertising films. Cullen Landis and Alan Forrest, also from

(Continued on page 71)

# Judith Anderson says: "Luckies never irritate my throat"



"A long successful run on Broadway is a 'run' on the actor's endurance, as well. Particularly it's a strain on our voices and throats. My present role in 'Hamlet' is a special strain because of the declamatory style of Shakespearian drama. Luckies were my choice when I began smoking... and today they are still my favorite cigarette. I enjoy their fine tobacco and I find my throat is much better off with a light smoke. Luckies never irritate my throat."

*Judith Anderson*



THE FINEST TOBACCO—  
"THE CREAM OF THE CROP"

An independent survey was made recently among professional men and women—lawyers, doctors, lecturers, scientists, etc. Of those who said they smoke cigarettes, more than 87% stated they personally prefer a light smoke.

Miss Anderson verifies the wisdom of this preference, and so do other leading artists of the radio, stage, screen and opera. Their voices are their fortunes. That's why so many of them smoke Luckies. You, too, can have the throat protection of Luckies—a light smoke, free of certain harsh irritants removed by the exclusive process "It's Toasted". Luckies are gentle on the throat.

## A Light Smoke "It's Toasted"—Your Throat Protection

AGAINST IRRITATION AGAINST COUGH

## 9 HELD IN N.W.'S PHONEY BANK DRAWINGS

Minneapolis, Feb. 23.

Nine persons have been rounded up and will be charged with grand larceny in a 'bank night' swindle that netted them more than \$1,200 in fraudulent winnings from St. Paul, Stillwater, Little Falls, Minn. and New Richmond, Wis., theatres.

The scheme to beat the 'bank' system utilized the services of a 12-year-old boy. Two women workers, members of the gang, registered at the theatres for the bank night prizes and received tickets, the stubs of which were for future drawings.

When the drawings were to take place the women would be in the audience as well as the boy who had been provided with a duplicate of the ticket stub in the drawing. When the theatre manager called for a child volunteer to make the drawing, the boy would rush up, stir his hand around in the stubs, and then produce the one which he had held in his hand since entering the theatre

and which matched the ticket held by the woman.

The arrests resulted from investigation of an attempt to defraud the Bluebird theatre, St. Paul, for which Theodore Sourek was sentenced to two-and-a-half years in the reformatory. A suspicion was directed to the gang, when the printer from whom Sourek had obtained the stub that he planned to use told police others had been buying similar tickets.

It developed that the boy was paid \$1 each time the group collected, except that he received a \$2 bonus when a \$300 prize was won. Those held by the St. Paul police include a former St. Paul theatre manager and two WPA workers.

All bank night gyps pleaded guilty to second degree grand larceny before District Court Judge Hugo H. Hanft, sentences to be pronounced late today or early tomorrow. Minnesota Supreme Court Justice Harry H. Peterson several months ago, when Attorney-General, gave opinion on bank night that it was a question of fact, each individual case to be taken up on its own merits and that every county attorney was to inquire after the facts and apply the law to it. No prosecutions resulted from this side-stepping opinion.

Conviction of this ring looks like lethal blow to banko here, since public credulity is shattered, and that usually spells finis.

## HAYS SCOUT REPORTS A BULL-MARKET SOUTH

A picture of humming exchange activity throughout the South, Southwest and Middle West was brought back by Arthur Dickinson of the Hays office after a tour of key city exchange centers to check the successful operation and handling of 2,000-foot reels. He reported that branch managers attributed this unusual activity to the better business in theatres and feeling that good prices would be paid for crops this season. Optimism was the keynote of all picture men he met.

Dickinson visited Washington, Charlotte, Atlanta, New Orleans, Dallas, Oklahoma City, Cincinnati, Pittsburgh and Philadelphia. He was absent from New York about three weeks.

## Saunders Back at Par?

Claude Saunders has resigned his executive post with the Ross Federal Bureau and, it is reported, may return to Paramount. He was associated with Par for many years in distribution prior to the setup of Harry Ross' checking company about eight years ago.

Saunders was in charge of operations under Ross, also formerly with Par.

## LUXER IN THE MIDDLE

Rival Femme Newspaper Groups For D. C. Dedications

Washington, Feb. 23.

Trans-Lux executives stumbled squarely into the middle of a feminine feud last week in arranging plans for the dedication of the local newswheel theatre going up in downtown sector. House is due for champagne March 12.

Taking sides between two warring groups of lady scribes, Trans-Lux management invited Newspaper Women's Club to sponsor the celebration at the opening. In doing so, Roland Robbins, manager of the house, snubbed the Women's National Press Club, lustier body, which looks down the nose at the other outfit.

Social war between the two gal organizations has been going on for several years. WNPC, which is bossed by working femme reporters, says NWC gang of dilettantes whose fingers are never smudged with carbon paper and whose principal legwork is attending teas. In return, the NWC high-hats the WNPC as group of crude wage slaves interested in sordid aspects of life.

## 306-EMPIRE OPS. UNION MERGER NEXT IN LINE

Absorption of Allied having been completed by Local 306, Moving Picture Machine Operators of New York, plans are being discussed in connection with conferences looking to the absorption, also, of the Empire State Operators, the first of the independent booth unions to complicate the situation in Greater New York. A meeting may be held this week between Empire and 306 forces, with members of Mayor La Guardia's specially-appointed commission sitting in. Ben Golden, of that committee, a labor man himself, is credited importantly with the successful merger of 306 and Allied. Although Empire originally caused criss-picketing several years ago when Sam Kaplan was president of 306, of late years this union was not near so troublesome as Allied, with Empire virtually confining itself to theatres in Brooklyn.

Chicago, Feb. 23.

Chicago exhibitors are readying for an old-time labor rumpus this coming fall when the question of a new wage agreement with the Motion Picture Machine Operators come up again. There was the beginning of such a wrangle last fall, but it was quieted for the time being when the exhibitors and operators decided to go along the present setup for another year.

## Metro's Televisish Short, Films' First Recognition

Metro is going to make television, and its advancement to date, the subject of a two-reel short. Will be first time pix have ever handled television.

The short will seek to show public background of television, its gradual development to date, and what obstacles must yet be hurdled before it gets a fully sponsored broadcasting bow.

Idea originated by Herb Morgan, Metro shorts exploiter, who got o.k. from Coast. The p.a. is now researching around the East, mapping and detailing statistics in a script to be forwarded for final Coast polish. Flock of footage will be filmed in the television labs in East.

Metro will give television to date its due and will not little nor begrudge what strides toward perfection have been accomplished.

## Par's Own Building

Philadelphia, February 23.

Paramount last week moved into new exchange quarters here, having built its own building. The company formerly leased space.

## Cinema de Paris, N. Y., Deal to Go Trans-Lux

## Temporarily Stymied

No deal has been set between Franco-American Film Co. operators of the Cinema de Paris, N. Y., and the Trans-Lux Corp.-Arthur Mayer, for latter two to acquire the theatre as a site for a newswheel house. I. Kaplan, head of Franco, says that attempts have been made by Lux group to negotiate a deal, but it is still pretty far off and can only be consummated at his price. Failing to get the property directly across the street from the Cinema, namely 55 Fifth Avenue, Trans-Luxers started to negotiate for the Cinema.

Acquisition of the Cinema somewhat simplifies the problems confronting the proposed buyers. In buying the theatre site it would require only remodeling for increased seating from Cinema's 260 to desired 600 and possibly other minor alterations. Site opposite is a regular office building and would require complete reconstruction of lower portions to permit a theatre.

Although Trans-Lux has been licensed by Commissioner Moss to start construction when and if it gets the landlord's okay on the other property, it is reluctant to invest without the guarantee that the operation of the theatre will be permitted. Catch is the impending ordinance that will prohibit additional theatres on Fifth, Park and Madison avenues. Ordinance now under consideration by the Board of Aldermen and Board of Standards and is probable for okay very soon. Once established, it would eliminate the office building property as a theatre site and thereby checkmate Lux.

Sale of the Cinema would leave N. Y. minus any straight French theatre for a time. Kaplan states that he would shop for an uptown location for his importations via Franco-American. Deal has been reported set, but is only in the talk stage and has not, as yet, reached the figure stage.

## F&M Finds St. L. Bldg. Program Too Costly

With building costs soaring, revision of plans for altering and conversion of New Grand Central theatre, owned by Fanchon & Marco, into Cinema Guild for showing of specialized features, will undergo drastic revision before work will be let. Decision to defer completion of project was occasioned last week when Harry C. Arthur, Jr., v. p. and gen. mgr. of F & M, opened flock of bids for job and found them to range from \$120,000 to \$160,000 when original estimate was set at \$75,000.

Arthur tossed all bids into the basket and is arranging trek to New York with Nat Koplar, another F & M exec, for a huddle with John Ebersohn, F & M's architect, at which revision of plans will be made. Arthur asserts there will be no abandonment of plans for conversion of house but the prohibitive cost has forced change in plans. Reopening of New Grand Central as Cinema Guild is expected to ease financial tap that F & M is undergoing in paying rent on shuttered Shubert-Rialto and Orpheum theatres, both obtained last year when troubles with Warner Bros. were settled in New York.

## Allen Usher Upped

Chicago, Feb. 23.

Allen Usher, local exchange manager for Paramount, promoted to district managership. J. J. Donohue, Minneapolis branch manager, transferred to head the Chicago exchange.

Promotion of Usher leaves the Film Board here without a president, since Usher had just been elected.

160,000,000  
HOURS OF EXPERIENCE  
for which there is NO SUBSTITUTE

Only experience can specify the proper amount of service required to operate a theatre sound system at peak efficiency. Only experience can direct the most effective maintenance methods which will erect a formidable barrier of protection for your box-office! Standing without parallel is ERPI's experience in efficiently protecting more than ONE HUNDRED SIXTY MILLION hours of continuous theatre operation. For this—there is no substitute!

THERE IS NO SUBSTITUTE FOR SKILL! Critically selected by: rigid test—continuously schooled in technical advance—competently supervised by practical and experienced communications experts, skilled ERPI men know their equipment intimately from the original manufacturing specifications, through the assembly of its many parts, to its installation and actual performance in the theatre. This veritable army of alert, sound specialists protects your BOX-OFFICE DOLLARS. For this—there is no substitute.

THERE IS NO SUBSTITUTE FOR FACTS! The fundamentals upon which the Sound Motion Picture art stands are the telephonic research and development work of Bell Telephone Laboratories. For more than half a century the work of these laboratories has been focused upon studies of sound amplification, which, today have revolutionized your industry. From these laboratories, has elevated the art to its present high stage of perfection, come, through ERPI SERVICE, the facts, knowledge and assurance that your Western Electric Sound System will continue to operate at its peak performance—and for this—there is no substitute!

THERE IS NO SUBSTITUTE FOR MEANS! ERPI SERVICE men constantly have at their command all the resources of the world's foremost communications research and manufacturing enterprises—special tools, accurate and current information, strategically located emergency stocks—and a scientific and commercial background unparalleled in the industry!

INCREASE YOUR BOX-OFFICE DOLLARS WITH ERPI SERVICE—  
THERE IS NO SUBSTITUTE!

THE NEW  
**Western Electric**  
MIKROPHONIC  
SOUND SYSTEM

'THE STANDARD OF THE WORLD'



Initial New York Theatre Appearance

**RUFEDAVIS**

PARAMOUNT, NEW YORK  
TWO WEEKS (Feb. 17th and 24th)  
Doubling Hollywood Restaurant, New York

Leaving Shortly for  
Hollywood and Param-  
ount Pictures  
Direction:  
M. A.

### Rollo Ogden Dead

Rollo Ogden, 81, editor of the N. Y. Times since 1922, died in his apartment at the Algonquin Hotel in New York on Feb. 22. Death was caused by pulmonary congestion, developed from a severe cold he contracted two weeks ago.

When Ogden joined the Times editorial staff in May, 1920, he had already distinguished himself as editor of the New York Evening Post. He became editor of the Times after the death of Charles Ransom Miller in 1922.

Born in 1856 at Sand Lake, N. Y., Ogden was the son of a Presbyterian minister. He studied for two years at the Andover Theological Seminary and continued his training at Union Theological Seminary in 1879 and 1880. In 1880 he went to Cleveland as assistant pastor of Old Stone Church. At the age of 31 he decided to become a newspaper man and joined the New York Times. He had four years of struggle to establish himself but in 1891 joined the editorial staff of the Post.

Ogden is the third of the major executives of the Times to have died in the past two years, the others being Louis Wiley and Adolph Ochs.

### Ad Solicitors Organize

Formation of the Newspaper Advertising Guild of Philadelphia and Camden to organize solicitors and other workers in advertising departments on newspapers throughout the country was revealed last week. Charles P. Polk, president of the Newspaper Guild of Philadelphia and Camden, organized the group meetings, which were held at the headquarters of the local paper. Louis Hines, organizer for the A. F. of L. and Thomas McCarthy, chairman of the Philadelphia Daily News Newspaper Guild unit.

About 65 men and women have signed up since the first organization meeting, early in the month, and application for an A. F. of L. charter has been made. It is eventually planned to merge with the Newspaper Guild. About 500 are eligible in Philadelphia and the organization will include not only solicitors but all workers in the advertising departments.

### D. C. Femmes' Shindig

Female Washington correspondents will stage their annual dinner and counterpart of the swanky Girdlers Club blowout, Monday (1) before a bejeweled audience headed by Mrs. Franklin D. Roosevelt and a sprinkling of grand dames from the diplomatic corps.

Besides women from official life, the distinguished guest list includes prominent businesswomen including Margaret Bourke-White, photographer; Dorothy Thompson, columnist; Dorothy Kilgallen, reporter; Cornelia Otis Skinner, monologist; Antonia Brice, director of the New York Women's Symphony, and Marcia Davenport, novelist.

President of the club is Mary Hornaday of the Christian Science Monitor bureau.

### Woman Wants French Job

For the first time in 100 years a woman has been nominated for the presidency of the important Societe des Gens de Lettres (Writers Society) in France.

Mme. Camille Marbo, author of 'La Station Vollee' and 'Celle qui Debat l'Amour', has now the honor to succeed Jean Vignaud in the election to be held on March 22. Oddly enough her hat was thrown into the ring by another candidate for the office, Maurice Renard.

Stating that she had been in the organization for 10 years and that she had taken more than an active part during the last eight, she feels confident that she can handle the difficult position.

### UP Changes on Coast

William Gordon has been named of the United Press bureau in Angeles, succeeding Theon Wright, upped to a spot in the New York office.

Other UP changes include resignations of Doug Harkness at Spokane, Wash., bureau manager to join the Visalia Times-Delta, and Mel Lord at Sacramento to become public relations counsel for the Cal. state board of equalization.

Los Angeles Illustrated News and Evening News is expanding. E. Manchester Boddy, publisher, has increased the outfit's space and plans to boost the mechanical department.

Both papers have increased circulation lately, necessitating the enlargement.

## Best Sellers

Best Sellers for the week ending Feb. 20, as reported by the American News Co., Inc.

Fiction	
'Gone With the Wind' (\$3.00)	By Margaret Mitchell
'Drums Along the Mohawk' (\$2.50)	By W. D. Edmonds
'Late George Apley' (\$2.50)	By John Marquand
'Street of Fishin' Cat' (\$2.50)	By Joan Folger
'Yang and Yin' (\$2.50)	By Alice T. Hobart
'Sound of Running Feet' (\$2.50)	By Josephine Lawrence
Non-Fiction	
'How to Win Friends' (\$2.00)	By Dale Carnegie
'An American Doctor's Odyssey' (\$3.50)	By Dr. Victor G. Heiser
'Nine Old Men' (\$2.50)	By Drew Pearson and Robert S. Allen
'Live Alone and Like It' (\$1.50)	By Marjorie Hillis
'Lancet at Large' (\$2.75)	By Francis Yates Brown
'The Hundred Years' (\$3.00)	By Philip Guedella

### Cheaper Mailing—Maybe

Authors would save money in attempting to peddle their output in the event Congress agrees to a bill offered last week by Senator Arthur Vandenberg of Michigan.

Amending the present laws governing classification of mail matter, Vandenberg's bill would authorize the Post Office to carry manuscripts at the third or fourth class rates instead of the present first-class fee of 3c an ounce. Charge for third class matter is 1 1/2c. for each two ounces, while fourth-class stuff travels at much less, varying from 7c per pound to \$7.74 for 70 pounds, according to distance.

Despite impression to the contrary widely held in scribbling circles, manuscripts must go at the 3c rate at present, except when accompanied by postage. This means that until the author's piece is accepted and galley proofs are returned, first-class rate applies to every mailing.

### Ernest Marshall Dies

Ernest Marshall, 70, London correspondent of the New York Times from 1908 to 1924, died of a heart attack in London on Feb. 20. He had been suffering from a severe bronchial illness for several months.

Since his retirement 13 years ago, Marshall had never been in good health, but continued to visit the places his London newspaper friends frequented, and kept up his associations. Born in Leeds, he first contributed articles to the Catholic Times. Then he attracted the attention of James Gordon Bennett and became a staff member of the Paris edition of the N. Y. Herald. In 1900 he was sent to London to take charge of the new bureau created there by Bennett and remained for three or four years. Recalled to Paris, he was put in charge of the Herald. He had an attack of pneumonia in 1905 and never fully recovered. After some free-lancing for British and American newspapers, he made a trip to New York in 1908 and returned as London correspondent of the N. Y. Times, with a commission to set up a liaison with other capitals, and establish a European service. After the war he continued his work, but his precarious health forced him into retirement in 1924.

### Authors' Guild Get-together

Squawks from members that there isn't enough social activity among writers in the east, brought the Authors' Guild to inaugurate a test tea at the Algonquin hotel, N. Y., Thursday (18) with Fanny Hurst presi ing, and Dorothea Brande making the speech. About 100 authors showed up and the affair will be held once monthly now because considered so successful.

Idea is to have one short talk and devote the rest of the afternoon to gossip and chatter. Authors' League is not a social organization, activities being pretty much limited to business matters and offices having no space for chit-chat.

### Emerson Harris Dead

Emerson P. Harris, 83, died at his home in Franklinville, N. Y., on February 17. He retired 20 years ago as a publisher of trade journals and founder in 1908 of the Harris-Dibble Co., brokerage firm which specializes in localities for publishers.

Harris began his career as a writer and representative of engineering journals in 1878 and a broker in publishing in New York City.

Ralph Steiner, photographer for Life, is on the Coast to get a chronological group of pictures covering Walter Wanger's 'Castle in Spain'. He will be in on every phase of the film's production.

So far he has lensed Clifford Odets and Lewis Milestone, writer and director, in collaborative story confabs with Wanger.

Newspaper Guild and Stern Philadelphia Newspaper Guild is waiting a response from J. David Stern, Record publisher, to a letter demanding sweeping changes in his contract with the editorial employees.

Letter asks that the publisher apply to the Guild when he needs to employ men; that men making more than \$4,500 per year be put on a five-day week, same as other employees; time and one-third for hourly overtime, double time on day off; no docking for sick leave; \$50 minimum for reporters with five years experience; \$60 minimum for photos with five years experience; \$65 minimum for copywriters, rewrite men and reporters used for rewrite; all other employees, \$22 minimum, one year's experience, \$27.50 minimum.

Letter was reprinted full on front page of the Philly Sunday Transcript. It throws back at the publisher all the preaching he has been doing for the past several years in his editorial columns. What, it is understood, particularly irksome to Stern was the concluding paragraph: 'The Guild congratulates the management on its markedly successful year and hopes that the coming year will see the Record's editorial employees having a greater share in the revenues of this great enterprise, which their work has helped to build.'

### Pictorial Folds

Mid-Week pictorial, which was purchased several months ago from the N. Y. Times by Monte Bourjaily, former general manager of the United Feature Syndicate, folds with the issue of Feb. 20.

Temporary suspension was announced, with Judge, humorous magazine bought by the same corporation, being offered to subscribers as a substitute for refunds. Bourjaily expects to revive Pictorial in the near future.

### Mrs. FDR's Autobiog Set

Publication of Mrs. Franklin D. Roosevelt's autobiography will begin in the April issue of the Ladies Home Journal. A literary reception in her honor will be held by the editors this afternoon (24), in New York, in the Journal editorial offices. Receiving, with Mrs. Roosevelt, are editors Bruce, Gould, Patricia Gould, Dorothy Thompson and Alice Duer Miller. Number of prominent authors, editors and writers have been invited.

### Fawcett's Alumni

William Gibbs, executive editor of Fawcett's Hollywood fan mags, has resigned.

Edward J. Smithson, assistant managing ed., has stepped in to handle until John Leroy Johnston succeeds Harry Hammond Beall as managing ed. on March 1. Beall becomes assistant to W. H. Fawcett, publisher. Gordon Fawcett will become office manager in Hollywood.

### Two 'Low Companies'

Mark Benney, who has just completed three-year sentence for burglary in England, will have his book 'Low Company' published here by Random House under the title 'Angels in Undress'. Switch in title is due to the fact that a book with the same title was published here by Vanguard last week.

Author spent his youth in reform schools and prisons and his book is a frank description of the London underworld.

### Comes Milady

Woman's Digest, pocket-size mag, changes its name to Milady with the March issue. Every issue of the magazine will henceforth be a special number, first dealing with Hollywood and titled 'Behind the Screen'. Next number will be devoted to working girls. Mag is edited by Hu Gernsback in New York.

### Anti-Cut Rate Bill

Left to the jaw, aimed at cut-rate book sellers, was delivered last week when Representative Bert Lord of N. Y. introduced a bill in Congress to prohibit sale of literature at prices less than the original purchase price.

Legislation to regulate the drug and department store sale of best-sellers at reduced prices stipulates a fine of not more than \$500, or a maximum jail sentence of one year for first offenders. Second offenders would be fined and imprisoned.

Penalty would be imposed on whoever shall deliver to any individual any book pursuant to the sale thereof in interstate commerce without exacting from such individual the full purchase price of such book.

### Wilson Hicks to Life

Wilson Hicks, executive assistant in charge of the Associated Press news photo service, will resign March 1 to become one of the editors of Life. Hicks is succeeded on the A.P. job by Edward Stanley, also an executive assistant to Kent Cooper, general manager of the association.

Stanley has heretofore been in charge of the A.P.'s membership department. Before that he had experience in the A.P.'s feature and foreign service, and was news editor in Kansas City for the southwestern division before taking over the membership job.

### Henry Powers Dead

Henry Powers, 79, one of the oldest active newspapermen in the United States, died at his home in Middletown, N. Y., on Feb. 19. He had been in the business 64 years.

Powers began newspaper work at 15 and never left it. He first served as a printer's apprentice and then as a reporter on a weekly in Groton, N. Y., his home town. In 1898 he went to Middletown, and until his illness and advancing age forced him to take an indefinite leave of absence last summer, he covered news in that vicinity.

### Charles Richard McKenney Dead

Charles Richard McKenney, early Minnesota newspaper editor, and publisher, died in St. Paul Feb. 19, from injuries sustained in falling and breaking a hip a week before. He was 89 years old.

As a member of the Minnesota State Bar Association, McKenney had secured the measure which prohibits sale of liquor within two miles of the State Fair grounds.

### Busby Richard Carroll

Richard Carroll, who has a serial, 'Hell Bent', currently in Liberty, will have a novel, 'Mexican Gallop', coming out next month.

Carroll on the radio scripting staff of Lord & Thomas, has also sold a story, 'The Lost Opera', to Sol Lesser for a Bobby Breen picture.

### Conn. Correspondents' Party

Biennial gridiron dinner of the Laurel Club, organization of Connecticut legislative correspondents, has been set for April 28 at the Hartford Club, Hartford, Conn.

Only free ticket will be issued to Gov. Wilbur L. Cross.

### Aubrey Graves In Denver

Aubrey Graves, former managing editor of the Fort Worth, Texas, Press, now has the same job on the Denver News. Both are Scripps-Howard papers.

He was formerly on the N. Y. World-Telegram.

### Mag on Rare Books

Reading and Collecting is a new monthly review of rare and recent books, edited and published by Ben Abramson in Chicago. H. B. Pettie, William J. Benneman are associated.

### CHATTER

Joseph C. Lincoln in Florida.

Maymie Grieg back in N. Y. from Haiti.

Arthur Itermann winter in California.

H. R. Knickerbocker for Europe again March 1.

Whitfield Cook, stage manager, has a piece in the March issue of Story.

Sale of Delinquent to Pictorial Review has been formally ratified by stockholders.

Ralph Roeder and his wife, Fania Mindell, have gone to Haiti for vacation.

Pete Cross, formerly with Live-right, now heading Lyons & Lyons story dept.

Liver La Farge has finished a new novel titled 'The Enraged Gods'. Deals with Navajo Indians.

Ben Ames Williams has left Boston for a vacation at Sea Island, Ga.

where he has spent the past ten winters. His 25th novel, 'Crucible', will be out next month.

Translation of Louis Ferdinand Celine's second novel will be titled 'Death on the Installment Plan.'

Constance Phillips, author of 'Photopoeia', has gone to London with her husband for the coronation.

Paul Coslowe out as radio ed of the N. Y. Daily Worker. Charles E. Dexter, feature editor, moved over to Coslow's spot.

May Sarton's first volume of poems out this week. Author understudied Eva Le Gallienne and founded the Apprentice Theatre in N. Y.

Nettie S. Tillett has edited a book titled 'How Writers Write' with chapters by Joseph Conrad, Harold Nicholson and Somerset Maugham.

Willie Snow Ethridge, wife of the general manager of the Louisville Courier-Journal and Times, has written her first novel, 'As I Live and Breathe.'

Lynton Hudson has translated Zolt Harsanyi's 'Life and Loves of Franz Liszt'. Author is the founder of a Hungarian weekly, Szinhazi Elet (Theatrical Life).

Candido Galdo, head of the International Copyright Bureau of Cuba, is coming to N. Y. April 1, preparatory to a London trip for conferences on copyright laws.

'What Ho!', written as a Gary Cooper vehicle for Major Pictures, is being issued in novel form by Minton-Balch in New York and Robert Hale, Ltd. in London.

Sonya Foss has succeeded Jerre Mangione as head of the publicity at McBride's. Latter has gone to Washington as editor of the Resettlement Administration Magazine.

Eve Currie, daughter of Mme. Curie, has just finished her mother's biography. Book will be simultaneously published in seven countries, with Vincent Sheehan doing the English translation.

Anna Roosevelt Dall Boettiger, daughter of President Roosevelt and husband of John Boettiger, publisher of Hearst's Seattle Post-Intelligencer, is an associate editor of that paper and will write a column for it.

Andre Malraux, French novelist who has been leading the International Air Squadron in defense of Madrid, arrives here today (24) on the Paris. The Nation will give a dinner for him and for Louis Fischer on Feb. 26 in N. Y.

Jack Munro, stage manager on tour with 'Fride and Prejudice', has written several juve books and last week contracted for two more.

Random House will publish Arthur Kober's new play 'Having a Wonderful Time' and 'Brother Rat' by John Monks, Jr., and Fred Finklehoffe.

Robinson Jeffers will have a new book of poetry out in the Fall titled 'Such Counsels You Gave Me.'

Bernard De Voto has nearly finished his new novel titled 'Mountain Time.'

Harvey O'Connor is writing 'The Guggenheims: The Making of American Dynasty.'

J. P. McEvoy and his new wife left last year on a world tour to be gone a year.

## Studio Placements

(Continued from page 21)

Blystone, Robert Dudley, Frank Rasmussen, 'Toast of New York.' RKO.

Rich, 'The Woman I Love,' RKO.

Isobal La Ma, Blanche Rose, Mitchell Ingersham, Jerry Tucker, Mary Ella Purcell, 'Outcast of Poker Flats,' RKO.

Ruce, Mitchell, Bud Jamieson, 'Satisfaction Guaranteed,' RKO.

Stanley, Andrews, Roger Imhof, 'High, Wide and Handsome,' Par.

Grady Stout, Iern Dixon, Avalon Boys, Albee Sisters, 'Turn Off the Moon,' Par.

Jonathan Hale, Tony Ray, 'The Years Are So Long,' Par.

Mark Kelly, Clyde Bruck, scripting 'Cuckoo Collare,' Par.

Ted Koehler, lyrics: Jerry Bergen; A. Edward Sutherland, direct 'Artists and Models,' Par.

Nina Campana, 'Night Key,' Par.

Boyce de Gaw, Isabel, scripting 'Service de Luxe,' U.

Robert N. Lee, scripting, 'Armored Car,' U.

Adele Comandini, 'Alone and Like It,' U.

Alan McCarty, 'The Harder As Good as Married,' U.

William Gargan, 'Prescription for Romance' and 'Wins Over Honolulu,' U.

Nan Grey, obert Wilcox, Lester Cole, script, 'Milton Cartwright, direct The Cop.

Gloria Holden, Gilbert Emery, Jo-an Schickler, Barton MacLane, Robert Barr, John Fiel, Donald Crisp, Ben Weldon, 'The Story of Emily Zola,' WB.

Jane Bryan, Michael Mark, 'Mazurka,' WB.

Ann Shaw, 'Madcap Heiress,' WB.

# The screen's most thrilling threesome

Sh-h-h-

A CONFIDENTIAL OFFICE WIRE!

(But we'll let you in on it.)

"Have just had the privilege of seeing one of the best comedies I have ever seen, 'Love Is News' starring Tyrone Power, Loretta Young, Don Ameche. At preview last night the audience reaction was the best ever witnessed. I have seen pictures where at times the audience laughed at one gag or one set of lines whereby the following dialogue would be drowned out. But at this preview there were whole sequences where the laughter was so continuous you could not hear a word. This is going to be one of the big surprises of this year."

John D. Clark



**step out together**



**to step up your grosses to new record highs in a laugh-sparking, sky-larking, kiss-and-run romance!**

Tyrone of "Lloyds of London" fame, and lovely Loretta are "that way"... with dashing Don Ameche, radio and screen favorite, as the third that makes a crowd. Every merry minute is good news for the good old ticket-machine!

**TYRONE LORETTA DON  
POWER • YOUNG • AMECHE**

*in*

# "LOVE IS NEWS"

*with*

**SLIM SUMMERVILLE • DUDLEY DIGGES  
WALTER CATLETT • GEORGE SANDERS  
JANE DARWELL • STEPIN FETCHIT  
PAULINE MOORE**

**Directed by Tay Garnett**

**Associate Producers Earl Carroll and Harold Wilson • Screen play by Harry Tugend  
and Jack Yellen • Story by William R. Lipman and Frederick Stephani**

**Darryl F. Zanuck in Charge of Production**



**THE KEYSTONE  
OF YOUR FUTURE**

# INTERNAL REVENUE DOES TAX THE HARD WAY AND WON'T HELP ITSELF OR RADIO BIZ

**Security Tax Contradictions Numerous—Confusion General—Buck-Passing Universal—Many Performers Not Being Protected**

Washington, Feb. 23. Confusion in the radio business about who is responsible for Federal old-age-benefit taxes will continue indefinitely, as far as the U. S. Internal Revenue Bureau is concerned.

With broadcasters uncertain whether they must pay for all talent, whether the talent has passed to booking agents or sponsors or act or orchestra leaders, or some other party government is reluctant to issue any general interpretations of the law or rulings which will serve as a policy guide for radio or any other branch of show biz. So far nothing resembling a precedent has been established, and Federal lawyers are not disposed to set up any yardsticks which will help out harassed employers.

As declared by VARIETY several weeks ago, each particular case of doubt must be submitted to the government via internal revenue collectors in the various districts before any positive declaration can be made. This means endless correspondence, long delays and general dissatisfaction. Although swamped with requests for rulings, the Federal authorities refuse to simplify their own work, as well as the work of employers, by promulgating advisory opinions.

Each year may be required to bring some regularity and establish the desired standards. Every controversy will have to go through numerous hands, with Washington having the final say.

## Secrecy, Too

So far a number of disputes have been settled, but the Revenue men will not publish the particular decisions. Position is that since every case depends upon exact circumstances, no special good would come from disclosure of the rulings made to date. In some of the problems already settled conflicting interpretations have been made.

Confusion is typified by the situation relating to vaudeville acts and orchestras. With final answer depending upon precise contracts in each case, Federal lawyers have replied both 'yes' and 'no' in response to questions whether hotels, nighteries and theatres are liable for the tax on compensation paid these entertainers. If the act owner or band leader contracts with the hotel or theatre, he and not the hotel or theatre generally is the person who must pay the tax. This is not a clear-cut policy, however, as the government in some cases has held the individual performers and musicians were employees of the theatre or hotel.

It's all wound up in the question of who is an 'independent contractor' under the law, which cannot be answered easily. Radio entertainers, vaude acts, band members, film extras, dancers, etc., may or may not be 'independent contractors.' They may or may not be 'employees.' Even when they are 'employees' which is not easily determined—the question still remains, who is the 'employer'?

## They're Bored

Washington very, very bored with it all. The Revenue people will not talk for publication about the situation and will not give any written advice to employers who ask for help. Some experts have handed out informal oral opinions, but in general they are at different Federal levels have taken conflicting positions. It's all a terrific muddle as far as government is concerned.

As a result of this situation, numerous practices are being followed in different industries and even within the same industry. In radio, the networks and majority of stations have more or less adopted a policy of passing the buck. Webs appear to be paying taxes only for the clerical and technical forces employed on a weekly basis and talent carried on the payroll. This means regular staff announcers, engineers, house orchestras and small number of artists are considered employees, but the bulk of talent is left out of the picture as 'independent contractors.'

Even though they may be under contract to appear for prolonged series of programs, artists generally are not regarded by the networks as

## 'New Bedford Speaks'

New Bedford, Mass., Feb. 23. WNBH, New Bedford, has a sponsored man-in-the-street broadcast which uses goat. When those quizzed err on answers, manny's tail tugged and animal emits raucous 'baa,' which serves as an eliminating gong. Program is called 'New Bedford Speaks.'

their employees. If they go on sustaining programs they are considered 'independent contractors,' if they are on sponsored programs they may be either 'independent contractors' or 'employees' of the agency, the sponsor, the concert bureau, or somebody else, but, at any rate, they are not network 'employees.'

Los Angeles, Feb. 23.

Just who should have the worry of deducting the California state unemployment insurance tax and book-keeping it over to the proper coffers has musicians, iteries and radio workers liked here.

California Unemployment Reserve Commission, which handles this stuff, held a meeting here last week. Union musicians argued hotels, radio, agencies, sponsors and nighteries should divide the responsibility of paying off for bands, etc. Hotels and network mouthpieces passed the buck to the music contractors and orchestra leaders. Agencies somebody should pay, but not they.

Commission members indicated that various units would be classed as employers, therefore forcing them under the law to deduct the duty and pay off.

## \$250 MAGAZINE STORY FOR BARRYMORE SKIT

Radio dramatization made from a magazine story will be heard on the Bayer Aspirin program over NBC-blue tonight (Wed.). Ethel Barrymore will do radio playlet fashioned from a yarn by Erika Zastrow, which appeared in the January issue of Pictorial Review under title of 'This Is Tomorrow.'

Blackette - Sample - Hummert, agency on account, purchased air dramatization right for \$250. No shortage of available plays for other purposes prompted buy of the mag story. Just figured it was a good piece for Miss Barrymore to enact.

## Pederson Manages KOL

Hollywood, Feb. 23. Lmer - Pederson, KNX national sales manager, has been named manager of KOL, Seattle. He succeeds to the position vacated through the death two months ago of Norman Storm.

## McCann-Erickson Decision Echoes Door Slams for Radio Freelancers

Freelance program men are finding the doors of the New York agencies virtually sealed. Even the established creators are running up against an insurmountable wall of 'no.' Agencies silk-glove the writers but refuse to look at their brainchildren.

What scared the agencies was the recent court decision, which awarded a woman \$2,000 from McCann-Erickson after she had sued for \$18,000 on grounds an idea submitted by her to agency (claimed not even been looked at), later popped up as a program. Fact that she was awarded a slice of coin in such a precedent-setting court decision has the agencies jittery and consequently leery of looking at anything sub-

## WGN DROPS TRIB PLUG; NOW 'VOICE OF PEOPLE'

Chicago, Feb. 23. Complete divestment of the Chicago Tribune name and label from WGN goes into effect immediately, with the station removing the tag, 'Tribune Square, Chicago,' from its station-break identification.

It will use in the future, 'WGN, the Voice of the People.' However, there is a possibility that this slogan will be changed if something more suitable comes along. Station has requested its listeners to send in their suggestions.

## CHIROPRACTORS IN N.J. SEEK N.Y. BIZ VIA AIR

Group of New Jersey chiropractors have bought 15-minute program for each Sunday night at 8:45 o'clock on WNEW, N. Y., figuring it an easy way to attract business in Greater New York area. Chiropractors are not banned in New Jersey but they long have felt the need of obtaining additional business in forbidden N. Y. area. Figure radio most logical means of doing it.

Vincent Burns, not a chiropractor, conducts the broadcasts in behalf of Chiropractic Information Bureau. Prospective patients are obtained by inviting listeners to write in regarding more data on this method of treatment.

## 400 Singers Go 400 Miles; KSL Special Show May 30

Salt Lake City, Feb. 23. Utah will be radio focal point of the nation's Memorial day observance May 30. Salt Lake City Chamber of Commerce Monday (22) appropriated \$4,000 for the Mormon tabernacle choir broadcast from Zion's national canyon.

Community 'bee' will have 400 choristers, singing at the base of the Great White Throne, most famous scenic attraction in park, will present a one-hour concert of sacred and patriotic music. KSL-CBS affiliate here, will pipe songfest from site over a national hookup. Park is 400 miles from here.

## They Like Dickens

Buffalo, Feb. 23. Charles Dickens is clicking with Buffalo air fans. So successful have been serialized presentations of 'A Tale of Two Cities,' 'Barnaby Rudge' and 'David Copperfield' that 'Bleak House' is now being readied for an early March hearing.

Herbert Colin Rice, producing manager, will direct and star.

## Radio Stars' Income Taxes

Radio stars are now mulling the idea of having their contracts paid off in installments over a term of years. Idea, frankly, is to avoid the highest income brackets and thus stand off the very stiff tax raps. Authors of one current Broadway stage hit are known to have worked out a similar arrangement with a film company which can't screen the play until next year anyway. Authors get so much this year, another installment when picture starts shooting and two other payments in the two years thereafter. Idea is to stagger the income tax commitments that way.

## JACK DEMPSEY DISCS FOR NEHI SOFT DRINK

Jack Dempsey is star of series of 13 waxed half-hour shows spotted on 41 stations around country for Nehi, soft-drink manufacturer. Series, run off on weekly basis, gets under way March 15. First time in five years that the ex-champagne has been on commercial radio on other than single-shot guest appearance.

Transcribed programs will each contain two dramatizations of different phases of Dempsey's career from back in days of his Gumboat Smith fight to current era which finds him in the eatery biz. Guest entertainers also on periods, among 'em Hannah Williams (Mrs. D.), Irene Bordoni, Jean Sargent, Benay Venuta and Willard Robison.

Programs produced by Jean V. Grombach, Inc. James A. Green agency, of Kansas City, set account. Show will be billed 'Idol of Millions.' Stations which will carry series are WSB, Atlanta; WHO, Des Moines; KMOX, St. Louis; WDAF, Kansas City; WJDX, Jackson, Miss.; WKY, Okla. City; KDKA, Pittsburgh; WMC, Memphis; WFAA, Dallas; WRVA, Richmond, KGO, San Francisco; WJAX, Jacksonville; WDAE, Tampa; WTOG, Savannah; KWKH, Shreveport; WGY, Schenectady; WOOD, Chattanooga; WTAR, Norfolk; WDBJ, Roanoke; WBRC, Birmingham; WNNC, Asheville; WIS, Columbia, S. C.; WTAM, Cleveland; WOAI, San Antonio; WWSA, Montgomery, Ala.; KTVL, Tulsa; WJAR, Providence; WSM, Nashville; WENR, Chicago; WBT, Charlotte; WLW, Cincinnati; KTAR, Phoenix; KFL, Los Angeles; WDRC, Hartford; WJSV, Washington; WIOD, Miami; WHAS, Louisville; WWL, New Orleans; WFBC, Greenville, S. C. and KPRC, Houston.

## New Television School

Kansas City, Feb. 23. Arthur J. Church and J. Leslie Fox, prez and commercial manager, respectively, of KMBC, Kansas City, are among the directors named in the application for a charter covering the newly created Television Institute of America. Purpose, as stated in the articles of incorporation, is to operate a television and radio school.

G. I. Taylor is president of the institute. He was v.p. and head of the training division of First National Television, Inc., an affiliate of WXYZ, K. C. high fidelity outlet, from which Church was disconnected following a court battle.

## WGN-Union Sign Pact

Chicago, Feb. 23. WGN has just completed new contract with the local Electrical Workers' union which calls for an increase in wage scale and a decrease in working hours.

Engineers' wages have been hopped from \$1.25 an hour to \$1.50 per, with the working hours sliced to 40 each week. New deal is for two years.

## Camel, Sans Oakie?

Hollywood, Feb. 23. Discussions are now going on with a view to keeping Jack Oakie's collegiate show for Camel on the air through the summer.

If sponsor okay, will be stripped down with only a frameup of the present setup retained. Oakie would give way to a less expensive ringmaster.

## MARRIED OVER THE AIR

Waycross, Ga., Feb. 23. George Tucker, dance orchestra leader, and Dorothy Griffin, his singer and swinger, were married in the mail studio of WAYX here and the marital ceremonial was aired.

Both have been heard in commercial programs over WAYX.

## Criminal Clause In Advertising Law Looks Cold

Washi

Control of food and drug advertising by the Agriculture Department was recommended last week Senate Commerce Committee in lengthy report urging passage of the Copeland bill putting new teeth present statutes against misbranding and adulteration.

With the measure hitti specifically, as well as publications of all types, the committee advocated amendment of proposed law against misleading programs by injunctions rather than criminal action. This change from prior bills is expected to quiet much of the opposition from radio, newspapers and magazines. 'Remarkable that there is no dispute deceptive patter should be eliminated, committee said injunction method is most equitable of handling the situation.'

Under the bill, both the Food and Drug Administration, an Agricultural Department bureau, and the Federal Trade Commission would ride herd on broadcasters and sponsors. The F. T. C. would be able to proceed against advertisers using unfair means of competition while the Food and Drug outfit would take action against persons whose activities may injure public health.

## UNIVERSITY STUDIES RADIO SHOWMANSHIP

Detroit, Feb. 23.

Garnet Garrison's class of students at Wayne University here have been assigned the task of doing a showmanship survey of Detroit radio stations. Class studies, in general, broad subjects why certain programs click and others don't and why certain stations are successful and others not.

Reprints of VARIETY's recent and annual showmanship survey are being studied by the class before embarking on its own research.

## ALIEN EARS COUNTED

WBXN, Bronx Station, 'Em By Nationalities

WBXN, Bronx, N. Y., broadcaster, which carries a carload of foreign-language programs, has made survey of listening audiences.

Combining Greater New York City, WBXN has completed charts which indicate that less than a third of the 10,901,424 population in area are native born or native parentage; that out of total 2,347,500 radioed homes, 1,187,721 are so-called 'foreign,' 469,074 are native born of native parentage, 620,551 are foreign and mixed parentage.

Jewish market is pegged at 1,890,300 persons, Italian at 1,522,946, German at 1,236,758, Spanish at 200,000, Polish at 661,691.

## WBNS, Col., Withdraws Use of Disputed Title

After receiving a protest from Publicity Associates, New York, that it held priority rights to 'Family Counselor' title and idea, WBNS, Columbus, Ohio, has agreed to withdraw program using that name and featuring talks by the Rev. George Burkhardt.

Allen D. Grigsby had used the title and idea out of New York for Checkmaster Plan. Although it is not being broadcast currently, Publicity Assoc. still retain rights.

# PETRY-DEUTSCH ALLIANCE

## Inscription for Loving Cup

Much talk the past week in New York ad agency field about the discomfiture which the radio personnel of a major firm is experiencing as the result of the recent promotion of an assistant account executive to script authority over the department. Said guy had a tough time getting the agency's radio department to accept a dramatic show idea of his, and even after the account okayed the program he had to undergo gibes and opposition from among the agency's radio staff.

Months later when the radio department objected further to new songs for the show he called for a showdown with the top bosses and he was told that his resignation would be accepted. He remained because the sponsor said he would or else.

When the dramatic show became an actual click his former jibers in the radio department jumped on the bandwagon and started taking bows. But the account remembered and when the program got up among the top in rating it reminded the agency's big bosses that success plus tenacity ought to be rewarded. Hence the promotion.

## CBS Buys Film Theatre Outright In Hollywood

Hollywood, Feb. 23. Balked its attempt to lease Hollywood Playhouse and El Capitan as remote spots, Columbia Broadcasting went out and bought up the only other legit house in the cinema city, the Studio theatre, formerly the Vine Street. William S. Paley engineered the deal at this end personally which led to reports, which were promptly denied, that he bought the property as a personal investment.

Studio Theatre was operated as a picture house by Dave Bershon, whose lease still had four years to go. Bershon was paid off and the chain also had to square a \$230,000 mortgage in the deal. Someone guessed that \$500,000 changed hands in the transfer and this was promptly pegged a bad guess by CBS execs. Paley was reticent on the details. Property is situated in the heart of Hollywood, on Vine Street just south of Hollywood boulevard.

Remote will house the three Ruthrauff & Ryan shows. Gillette Community Sing christened the spot last Sunday (21). Others to follow in are Al Jolson for Lever Bros., and Joe Penner for Cosmalt. Latter pulls out of Figueroa Playhouse downtown and closes out the site as a CBS remote. Chain still uses Wilshire-Ebell in the city's class residential district. Eddie Cantor will be sole occupant of that spot after Jolson pulls stakes March 2.

Columbia's acquisition of the Vine street house makes it perfect for Ruthrauff & Ryan outfit as it is offed just across the street in the Taft building.

Columbia's million dollar studio, a few blocks down the street, will be ready in October. Plant's capacity will take care of current output of commercials from this end. Added to this is the leasing arrangement with CBS Music Box and Wilshire-Ebell, both ample in their capacity.

## BAIRD SLASHES SET PRICE AS ANSWER

Baird Television reply recent knock from British Broadcasting Co., which jettisoned the Baird transmitter in favor of the Marconi-E.M.I. installation, is to announce drastic cuts in retail prices of receivers. Televisors are now reduced to selling figure of \$275, working out \$25 better than competing concerns.

B.B.C. decision produced immediate general results, lowest priced receivers previously retailing around \$450, but the modified figure is claimed due to economies in production, of sets consequent on the B.B.C. standardizing on one transmitting system.

Ed Jacobs, WFBL, Syracuse, upped from announcer to news ed.

## SAMUEL BECKER RESIGNS

Was. Fire Conduct of & T. Investigation

Washington, Long campaign to shake up forces directing probe of the American Telephone & Telegraph Co. drew blood last week when the F.C.C. ousted Samuel Becker, special counsel attached to the telephone division. Becker, principal target of criticism about conduct of the inquiry, was allowed to resign suddenly Saturday (20). President Roosevelt promptly accepted the resignation.

Becker's departure climaxed prolonged bickering within the Commission in which so-called 'liberals' have declared the telephone trust was trying to hog-tie the investigation. Conservatives complained that the special counsel was too biased, a poor administrator, and inexperienced. One of the recent issues related to termination of the probe, which is slated to wind up by June 30 and which Becker is charged with having tried to drag out.

In quitting, Becker said the work has reached the stage where he can be released without weakening the probe. He pointed out much data has been collected for use in laying down 'a wise communications policy' while numerous rate reductions have been brought about as result of disclosures about Bell System practices.

## Lessee Sues WJBW Owner Claiming He Interferes With Biz and Prestige

New Orleans, Feb. 23. Southern Broadcasting Corp., operators of WJBW here, brought suit in civil district court Thursday (19) against Charles Carlson, from whom the station leased for \$200 monthly, to enjoin him from further interference with the operation of the broadcaster. Petition claims Carlson has caused over \$12,000 'mechanical and commercial' damage since last April.

Petition alleges that Carlson has at times seized the station, one time changing all locks, another time stopping broadcasting for several hours. It also alleges that Carlson has permitted political figures to broadcast over the station to make personal attacks on foes against their wishes, which has resulted in the station losing listeners, prestige and business.

Several contracts have been lost through Carlson's actions, the plaintiffs claim, and they wanted the courts to stop him.

## AMOS 'N' ANDY NEED ANTI-SLUMP SCRIPT

Hollywood, Feb. 23. Ranting search is understood to be on for a fresh Amos 'N' Andy script idea. Lord & Thomas execs are known to have approached several script writers for a new vehicle to resuscitate the blackface team. Minstrel show on Friday nights was dropped when it failed to bring the desired results.

Several comedy writers in the film studios are burning the midnight oil as the bounty on an acceptance is said to be tops for radio coi

## TRANSAMERICAN INSPIRES MOVE

Gathering Together of 80 Leading Markets to Be Sold in Basket with Recording Job Tossed In Is Goal of Working Deal

### NO MERGER

watching with mixed curiosity and alertness the negotiations between Edward Petry, station rep, and Percy Deutsch, World Broadcasting System prez, for an alliance which would leave each organization intact but at the same time strengthen their positions in the spot broadcasting field. Move by Petry and Deutsch to effect what they term a working arrangement for mutual benefit has been prompted by the competition which the operating policies Transamerican Broadcasting & Television Corp. threatens.

Petry and Deutsch are determined to do something to offset the possibilities of sharp inroads on their respective businesses which Transamerican offers through its absorption of all costs of commercial transactions running from manufacture to actual delivery. Threat from Transamerican has been intensified by that company's pending hookup with a method of film recording which would bring down the cost of transcription-making appreciably.

Under the proposed Petry-Deutsch alliance each organization would be committed to engaging in extensive expansion of their station representation lists, so that between them they would be in a position to offer choice facilities in at least 80 of the country's top markets. It is reported that Jerry King, head of the Standard Library Service, has been approached with the proposition of doing the station rep expansion job for World, and at the same time serving as the chief contact between the Petry and the Deutsch organizations. As part of the deal King would have to give up his interest in Standard (West Coast) radio library.

Through the entente cordiale the Petry and the Deutsch organization would be pledged to intensify their efforts at creating spot business and in meeting the Transamerican gratis angle place the account under obligation to use their joint lists. Another large library service has been approached by an officer of the Petry organization with a view to enlarging the proposed setup's operations in that particular field.

### NBC's Position

Trade is curious as to what steps NBC's transcription division will take if the Petry-Deutsch alliance goes through. NBC and its sister affiliate, RCA Victor, last year did a commercial transcription, business amounting to \$600,000.

John L. Clark, Transamerican prez, has been aware of the various developments in the Petry-Deutsch project, including a conference in Chicago the week before last, but he has refused to disclose what

Competitive stations reps, other than Clark, have revealed themselves as wondering whether the Petry-Deutsch putsch, if actually carried out as now planned, will not take on the aspect of a monopoly and leave itself open to combination in restraint of trade litigation. Those who are privy to what Petry and Deutsch actually have in mind give it as their opinion that such speculations are groundless and that the two organizations are engaging merely in a co-operative and protective venture that the trend of spot broadcasting has made inevitable if they to hold their present positions of dominance in their respective fields.

## Vallee Raps Critics as Envious; Says Press' Anti-Radio Spleen Vented on Him as Symbol

### Split-Act

East and Dumke's agent negotiated with a Pittsburgh guest star program, but the price was too high for local commercial. Sponsor countered with proposition that Ed East come one week alone and Ralph Dumke come the next week alone, thereby spreading the salary over two weeks.

### Buffalo

Rudy Vallee in a 15-minute spot over station WBBN, launched a verbal attack at the boys who had reviewed his week's appearance at Shea's Buffalo. Among other things Vallee declared:

'Irate editors who resent radio's inroads on their newspaper advertising order their writers to go after me because I typify radio.'

This was taken to mean editors in general rather than Buffalo editors specifically. Buffalo News owns WBBN.

Although Vallee named no names, his criticisms of the critics obviously included Ardis Smith of The Times and Rollin Palmer of The News.

Smith had written:

'Mr. Vallee ought to be ashamed of himself. If his airshows didn't have such high and customer-fetching rep, he might be excused. But the Punch Bowl Revue, as it is called, is commonplace to deadly. About like a dressed up Bowes show with harsh singers, fuzzy harmonists and unfunny clowns. Mr. Vallee holds the all time box office record at the Buffalo. If he wants to hold it, he'd better come out some of his awful current stuff and get in there and work instead of lazing in the shadows.'

### Rebuttal

Vallee's rebuttal was: 'So I am lazing around in shadows? I am actually on the stage talking or singing 26 minutes out of a 51-minute show. That's not counting my directing. One song alone takes ten minutes.'

He further asserted that it was rather ridiculous to compare his theatre show with his Thursday night program for Royal Gelatin as the latter has a budget of from \$3,000 to \$4,000 for one hour and that to bring Paul Lukas alone to Buffalo for a week would cost \$12,000.

Rollin Palmer in the News had written: 'The wavy-haired Rudy Vallee, who seems to have acquired either by ballyhoo or merit, or a combination of both, the secret of eternal popularity, comes to the Buffalo this week with a show that is likely to give at least some of his well-wishers a few uneasy moments.'

Of the troupe's comedians Palmer said, 'Some of the noises are the kind regarded as funny only by the immature.' And he pointed out that 'All Points West' was 'rather a strain on the maestro's familiar monotone.'

Vallee's defense was that critics don't like a man who tries something new, that the audiences liked the funny noises and maybe the critics were immature, that newspapermen are notoriously underpaid and hate him because he makes more money than they.

### Raps Authorities

Vallee made a double header of his verbal onslaught by lashing at the Children's Aid Society and 'blue-nosed busy bodies' who won't let a child make an honest living on the stage. He had wanted to present 10-year-old Carl Curtiss, singer and dancer, at the theatre but authorities interpreted the law strictly and wouldn't permit it.

It was for similar reasons that Katharine Cornell cancelled an appearance of 'Till' Wrigley 'Victory' in Buffalo, her home town.

Town still is chattering about Vallee's double-barreled blast, even though it was delivered at a comparatively poor radio time, 4 p.m.

## Paley Due Back March 1

William S. Paley, who has been on the west coast the past several weeks, advised his home office last week that he is figuring on coming back to New York March 1.

Lawrence Lowman, CBS v. p. charge of operations, starts for the Coast either March 10 or 12.

## NEW YORK FAIR WANTS SPONSOR BUILDING

ince no appropriation has been made for broadcasting studios at the New York World's Fair for 1939 the heads of the project want the networks to induce some bigtime commercial to subsidize such a structure. This idea was outlined last week at a meeting to which Perley Boone, the fair's director of press and promotion, invited representatives of NBC, Columbia and Mutual. Perle explained that no provisions had been made by the bosses of the fair for broadcasting facilities and the thought had occurred to him that some major commercial such as Gulf Oil might be sold on the idea of putting up a building which would house all the broadcasting studios. Network reps declared that the thing sounded impractical, because even if they were able to win over Gulf there was doubt whether Lowell Thomas, Sunoil commentator, or City Service would cotton to the proposition of airing their programs from a place which carried the name of a competitive product.

It was suggested to Boone that he inquire how the broadcasting setups were handled by the recent Cleveland and the Chicago fairs. Each of these projects had its own radio department and things were worked out on an even basis for all broadcasters concerned.

## 'HUMANIZE ME' PLEA FROM LANNY ROSS

Lanny Ross is campaigning around Benton & Bowles to get different treatment on scripts he handles and role he plays on Maxwell Coffee hour over NBC on Thursday nights. Tenor has come to conclusion that dialog given him makes him appear too stiff and formal, and is hurting his rating with his followers. Fans have been writing in telling him to unbind a bit, so Ross figures to follow advice, some of same having also reached him from the trade. Ross wants his radio role 'humanized.'

### Humber's 'Gibson Girl'

Dick Humber's new signatory, Freddie Gibson, 18-year-old songstress, is getting Warner screen test.

Being billed solely as 'The Gibson Girl' hereafter, with her first name, Freddie, omitted.

### Bozell & Jacobs in Chi

Chicago, Feb. 23. Bozell & Jacobs ad agency is opening a new radio department in its offices here, both for Chicago accounts, and to assist Omaha branch, which is especially active in radio. Agency also has offices in Houston, and Indianapolis.



## PROTESTS RADIO PRESENCE; IS EJECTED

San Francisco, Feb. 23. Installation of a KYA mike at the official inquiry into the Golden Gate Bridge accident of Feb. 17 which caused the death of 10 workmen brought an attack last week from Senator Walter McGovern of the state legislature. Probe, which was conducted by the California State Industrial Accident Commission, was carried for an hour and a half over the station.

McGovern, attorney for employers, the defense men, assailed the presence of a mike before he had made several efforts to examine witnesses. Commission informed him that he could not take any official part in the proceedings, and when McGovern persisted in his interruptions and slaps at the broadcast phase of the inquiry he was ejected from the inquiry room.

## ALBERT ROSS AGENCY OBJECT OF RUMORS

All-around denials made yesterday (Tuesday) afternoon to rumors that the Albert M. Ross agency was planning a radio dept. Reports mentioned Jack Overholser, Mutual net's sales staff, and Jimmy Appel, of CBS radio dept., as joint bosses of radio expansion of the Ross company.

Agency handles Father Coughlin's biz, and Overall is Mutual's man on the account. Before CBS dropped the priest off its web, Appel handled for that chat.

Albert M. Ross of the ad agency made a mild, good-natured denial that the Rev. Charles Coughlin, whose air account agency handles on Mutual web and added stations to full total of more than 30 broadcasters, has any financial interest in agency.

## Re: Harry Savoy

Beverly Hills, Feb. 20. (By Harry Savoy.)

If I didn't love you mugs I would never take issue with the paragraph in last week's radio section concerning Harry Savoy on our show.

Not mentioning his name was just in case. After all we have a big listening audience—I hope. If the guy was a flop why hurt his future theatrical engagements?

However, Harry has made good. We got a great response from all over the country and so last Sunday he started to get the same treatment in the way of building as Parkyakarkas, Breen, Durbin, et al.

Eddie Cantor.

## WHAT, NO OPTIONS!

enny Document Claimed Free of More Mind Changes

New contract with Benny which General Foods has okayed through the Young & Rubicam agency is a straight three-year proposition. It takes effect the fall of 1937 and expires in June, 1940.

Benny will go on taking his summer vacations from the air during the three-year period.

## Fran Heyser to L. A.

Fran Heyser, program director of KMBC, Kansas City, hopped the Chief last week for a flip to Hollywood where he will huddle with Arthur Church, head of KMBC.

Understood that Heyser and Church are planning to dig up some screen personalities to appear on a new KMBC disked program.

## Scrapps-Howard Huddle

William Clark, manager of WPCO, and light associates from that station and its affiliate newspaper, the Scripps-Howard Cincinnati, put in the week-end in Detroit.

Understood here that Continental plans acquisition of a radio outlet in Detroit.

## Guest List

**AMERICAN CAN**  
(Tu. 9-WJZ)  
Mar. 2—Jack Benny.  
A. & P.  
(Th. 8-WABC)  
Feb. 25—Walter Hampden, Donald Liff, Henry Youngman.  
**AXTON-FISHER**  
(Spuds)  
(Su. 8-WJZ)  
Feb. 27—Fray and Braggi  
**BRISTOL-MYERS**  
(Wed. 9-WJAF)  
Feb. 24—Bobby Gilbert, Jerry Colonna, Three Stewart Sisters, Jim Kelso, and Hildegarde Halli  
**CAMPBELL**  
(Fri. 9-WABC)  
Feb. 26—Barbara Stanwyck, Joel McCrea.  
Mar. 5—Victor McLaglen, Peter Lorre, June Lang, Burns and Allen.  
**FIRESTONE**  
(Mon. 8:30-WEAF)  
Mar. 1—Margaret Speaks.  
**FORD**  
(Su. 9-WABC)  
28—Same as is.  
Mar. 2—Myra Hess.  
**FORD DEALERS**  
(Tu. 9 p.m.-WABC)  
Mar. 2—George Stone.  
**GENERAL FOODS**  
(Calumet)  
(Su. 5-WJZ)  
Feb. 28—Frank Bradley, Dorothy Selden Warner, William Hess, Benjamin Potter, Mrs. Amy Guy, Joseph Mott, Gabriel Heatter.  
**GROUP OF BANKS**  
(Fri. 10 p.m.-WABC)  
26—Raymond Moley.  
**HEINZ**  
(M-W-F. 11 a.m.-WABC)  
Feb. 24—Virginia Hamill.  
Feb. 26—Mrs. Clara Savage Little-dale.  
Mar. 1—Gretta Palmer.  
**INTERNATIONAL SILVER**  
(1847 Rogers Bros.)  
(Su. 4:30-WEAF)  
Feb. 28—Arnold Eidus.  
**KRAFT**  
(Th. 10-WEAF)  
Feb. 25—Sidney Skolsky, Jimmy Cagney, Mary Garden.  
**KOLYNOS**  
(Tu. 8-WABC)  
Mar. 2—Helen Morgan, Del Cagno, Lucille Browning.  
**LOCAL DEPT STORE**  
(Th. 9 p.m.-WORE)  
Feb. 25—Al Goodman and orchestra, Betty Lawford.  
**LUX**  
(Mon. 9-WABC)  
Mar. 1—Chas. Winninger, Richard Arlen, Sally Eilers.  
**MAXWELL HOUSE**  
(Th. 9-WEAF)  
25—Mary Small, Ruth Chatterton, Marjorie Edwards.  
**NAT'L DAIRY**  
(Sat. 9-WEAF)  
Feb. 27—Donald Dickson, Lucia Graeser, Bobby Dolan.  
**NASH**  
(Sat. 9-WABC)  
Feb. 27—Willie and Eugene Howard.  
**ROYAL GELATINE**  
(Th. 9-WEAF)  
25—Jean Sablon, Jean Hersholt, Edgar Bergen, Hilaire Belloc.  
**RCA**  
(Su. 2-WJZ)  
Feb. 28—Jessie Matthews (broadcasting from London), Dido Sayao, Ruth Davis, Henri Deering, Maurice Evans.  
**SHELL**  
(Sat. 9:30-WEAF)  
Feb. 27—Frank Buck, Donald Duck, Fr. Bernard Hubbard, Cavaliers Quartet.

**CBS' D. C. Press Show**

Washi

President Roosevelt and Washington scribes will be entertained Saturday (27) night by eight CBS acts, which will provide entertainment for annual White House Correspondents' Association dinner. While political bigshots don't the feedback, they will be amused by contingent headed by Lanny Ross and Jane Froman. Gang includes Mark Warnow's orchestra, Al Pearce, Red Dust (dog act), Three Speeds (skaters), Dorothy Young (Dancer), and Signor Venches (ventriloquist). Rest of program, from which speeches are banned, will be a gag new reel directed by Art De Titta, Fox Movie-tone rep.

**Vim Show Folds**

'Jack Arthur revue' (Vim Radio) drops off WOR, N. Y., after next Monday's (29) broadcast. Show has run 65 weeks.

# 'SOAK RADIO' LEGISLATION SPREADS; STRONG NEED FOR DEFENSE MEASURES

## First Sock Rights

Washington, Feb. 23. Race between the House and the Senate to see which branch will take first crack at the FCC and broadcasters was shaped up last week. As agitation over radio gained speed in both sides of Congress, House group wanting to turn its guns on the Commish and licensees began try to prod the slow-moving Rules Committee, which is sitting on the Connery resolution.

Speed-up resulted from tips that two or three Senators are playing with the idea of launching a probe, now that Senator Burton Wheeler, of Montana, has focused attention on the press-broadcaster topic.

## Many of Proposals Fantastic But Others More Threatening—State Associations Revived Under General Alarm

Radio is getting more the usual amount of attention from state and national politicians and looks nominated for the role of burden-carrier for tax-desperate authority. Its reputation, an industry of expanding prosperity coupled with the publicity of the salaries paid to the big radio stars has had its due effect upon the politicians who are usually well informed on who's got the marbles.

One result of the recent outcrop of tax and censorship legislation aimed at radio is to revive smoozy broadcasting trade associations in various states. Fortunately for the radio biz most of the political measures thus far have been grotesque and radical and therefore likely to be self-defeating but the job of lobbying against them is tough. Unlike the film business there is no strong central unit to send shock troops to scattered battle fronts when adverse legislation is threatened. National Association of Broadcasters and the several state associations lack funds and aggressive policies in this regard.

If the recent trend of thought among the tax-the-other-fellow deep thinkers continues the industry will probably have to hit the line a lot harder. With an F. C. C. investigation in the works the guerrilla tactics among the states is alarm.

incinnati.

Ohio Broadcasters' Association was reborn here Thursday (18) at a special session in the National Plaza hotel, called principally for organized opposition to bill recently introduced in the State Legislature by Representative Joseph Duffey, Democrat of Cleveland, to tax all Ohio stations 10% on proceeds from commercial programs. Body had been inactive for some time.

John Patt of WGAR, Cleveland, who served as chairman and issued the call for the meeting, was elected president. Richard A. Borel of WBNS, Columbus, was made vice-president, and W. P. Williams, Jr., of WKBN, Youngstown, became secretary-treasurer.

James W. Baldwi, managing director of the National Association of Broadcasters, with which the Ohio

organization is connected, came on from Washington for the pow wow. State association will handle mutual problems of its members, make decision upon acceptance or rejection of programs dealing with social diseases, afford a general exchange of business ideas and pass upon maintenance of rates. Membership dues, it was agreed, will be \$75 per station annually.

Among others attending the meeting were C. W. Hayes of WHBC, Canton; Sidney Ten Eyck, WSMK, Dayton; J. Leonard Reinsch, WHIO, Dayton; Vernon Pribble, WTAM, Cleveland; H. K. Carpenter, Cleveland; William S. Hedges, Frank M. Smith and Bob Kennett of Crosley's WLW and WSAI, Cincy; John McCormick, WKRC, and William A. Clark, WPCO, Cincinnati.

Columbus, Feb.

Rep. Joseph Duffey of Cleveland is reported to be considering amendments to his bill introduced in the Ohio Legislature which would reduce the franchise tax on radio broadcasting companies to 2 1/2% of the gross sales. Bill originally called for 10% of gross.

Another bill introduced in Ohio Legislature would require ASCAP and organizations of a similar nature to be licensed by the state and pay a tax of 5% of gross collected.

Seattle.

Censorship of radio programs and a two per cent tax on local business of radio stations were asked in two bills introduced in the Washington state senate last week.

Proposing establishment of a board of three members, one to be appointed by the governor and the others to be the secretary of state and the state auditor, the censor bill would appropriate \$5,000 to initiate the board. Salary of the governor's appointee would be \$6,000.

"It shall be the duty of the board," the bill reads, "to censor radio broadcasting programs originating within the state to the end that only moral, educational or amusing and harmless programs shall be placed on the air, in such a manner as will create the least interference with the business and not in any way interfere with any programs originated outside the state."

Censor bill provides for an assessment against the stations of one-half of one per cent on income received from local advertisers not primarily interested in advertising outside the state, to go for maintenance of the censor board. This one-half of one per cent assessment would be absorbed by the second bill, calling for a two per cent occupations tax, when that measure took effect on April 1.

Feb. 23.

Texas roadcasters Association last week circularized its members to get busy in contacting their local legislators on several measures which threaten the interest of the trade. Pending bill which the TBA letter particularly scored would permit no radio station to employ a technician unless he was a member of the 'Master Union Electricians.'

Letter also advised the Texas broadcasters to express their opposition to two other pending measures, one of which would bar dentists from advertising other than their own and individual names and another which would make it unlawful for non-Texas brewers to sell their products in that state without paying a 5% levy. With such law in effect the Texas broadcasters feel that they would be prevented getting advertising from out of state beers. They also believe that the bill's passage would result in other states retaliating against Texas-made products.

## MARY SMALL'S PIX BID

Grand National and Paramount have made overtures for services of Mary Small, 15-year old radiocaster, says Ed Wolf.

Wolf is holding out for a feature spot in a film, rather than just a bit in a

## PEARCE ON HOP FOR FORD'S AM SHOW

Al Pearce will commute to Michigan weekly to act as m.c. of an amateur program sponsored by Ford dealers of that state. He will rotate between the eight towns of the King-Trendle Michigan network. In addition to a half hour on the air, an extra hour stage show for invited audiences will be provided.

Pearce will do straight m.c. with no characterizations. Michigan deal is additional to his regular NBC network program for Ford. N. W. Ayer is agency in both instances.

WSPD, Toledo, ill be added to the Michigan group.

## Station Reps Talk Merger

Talk is on between Small, Spencer & Brewer, newspaper reps, and Western, Frykman & Allen, station reps, about merging their interests. Both outfits have stations in Wisconsin.

S-P-B figures that the consolidation would give it an already organized rep office, while W-B-A sees an expansion of its station list. Latter organization has a setup in Chicago as well as New York.

## 'Me, Too,' Prall Told Senate

## Favors Strictness, Agrees with Criticisms, But Lacks Authority to Do Much

Washington, Feb. 23. Tightening up of several features of the Communications Act, giving the F.C.C. authority to supervise character of programs, prevent trafficking in licenses, suspend franchises for limited periods, and exercise closer supervision over operation of stations, was urged upon Congress recently by Chairman Anning S. Prall, Senate Appropriations Committee records, revealed last week.

Receiving an intensive grilling from several committeemen, Prall defended chair and doubted the wisdom of a uniform scale license fees but surprised industry people and lawmakers by agreeing that more teeth in the present law would be desirable. With Senator James Byrnes of South Carolina, an Administration spokesman, setting the pace, several solons indicated they share spreading feeling that the F.C.C. is delinquent and should take a more aggressive stand toward conduct of the industry. On most points, Prall countered by suggesting the law be amended to give the Commish ample enforcement powers.

Chairman's opinion that the Commish should have broader authority to supervise the performance of licensees was elicited by Senator William C. McKelroy of California, who appeared displeased over the conduct of the industry. Explaining the law prohibits censorship and allows the F.C.C. only to renew or cancel franchises as punishment,

Prall told the legislators, 'I feel personally that if we were authorized under the act to quiet a station or delete it for a temporary period—it might close the station for two weeks for a violation or six months—it would have a salutary effect on the industry as a whole.'

This sentiment on the part of the Commish head extended to the question of more direct program supervision. Replying to questions from Senator Carter Glass of Virginia, Prall said he believes it would be desirable for the Commish to be able to dictate 'the use of the time they are selling to advertisers.' Although he recalled the Commish is against statutory allocation of time for educational and cultural use, Prall was of the opinion that the Commish 'would be able to accomplish things in community where very little time is given can be given to local broadcast.'

With several Senators indicating they favor imposition of fees for broadcast licenses, Prall gave this idea qualified backing. He said the Commish has considered the proposition; not with the view of submitting a bill, but from the standpoint that broadcasters are making money under present conditions and should bear some of the cost of regulation. He issued with Senator McAdoo and Senator Theodore F. Green of Rhode Island the possibility of a tax on gross profits, which he said would be more equitable than a flat rate system.

# F. C. C. Traces ERPI Radio Role Back to 1933 N.A.B. Convention; Suppression of Criticism Motive

Washington, Feb. 23. Although its entry into the radio field was belated and subsequent activities have been limited, Electrical Research Products Inc., has taken more than \$1,250,000 from makers and users of transcriptions for broadcasting, F.C.C. revealed Thursday (18). Huge proportion was vested.

Growing importance ERPI's connection with the broadcasting business was reflected clearly in the three-volume report on this phase of the Bell telephone system presented by Commission researchers as part of the \$1,200,000 probe of the American Telephone & Telegraph monopoly.

Previously the F.C.C. showed that through wire charges, A.T.&T. pocketed more than \$35,000,000 from networks and stations. Declining royalties from phonograph business and discarding of the sound-on-disc technique by the film industry led ERPI to enter the radio transcription business several years ago, report emphasized. Since that time the Bell system subsid has been taking advantage of every new opportunity to increase its hold on the radio field, although curbed to some extent by limitations imposed by Western Electric, its parent, and the cross-licensing agreements negotiated in 1926 with makers of broadcasting equipment.

## Recent History

At first ERPI's entry into broadcasting was checked by agreements which gave Graybar a monopoly on all sound recording and reproduction business not related with motion pictures, but exception was made to enable ERPI to get a clutch on the disc business. F.C.C. noted that bitter dispute was waged between Graybar and ERPI over the latter's alleged usurpation of the former's exclusive field. The equipment, no longer needed by film studios and theatres, was a white elephant, although it could have been used in the fields delegated to Graybar. ERPI feared that if the apparatus were exploited by payers, it might get into hands of competitors in the sound picture field, Commish students said. Consequently, surplus machines were withheld and ERPI went into radio business.

Although it first began leasing and selling equipment for recording and reproduction in the broadcasting field in 1930, ERPI did not jump in with both feet until two years ago, F.C.C. review pointed out. Since June, 1935, however, ERPI has been doing the recording and processing for World Broadcasting and for Wired Radio.

Broadcasting stations have produced the bulk of the ERPI revenue from broadcasting. Commish tabulation showed payments on purchases and leases of reproducing equipment brought \$878,681 from stations up to Dec. 31, 1935. This business has slumped since the start. Total yield was \$245,870 in 1935 and \$284,176 in 1936, but dropped to \$28,742 in 1935. The profit in this field has been heavy, however, aggregating \$556,251 over a six-year period, or more than 63%. Gray in 1931 was \$181,829 and in 1935 was \$62,908.

Disc makers have paid \$206,621 for service rendered by ERPI under the agreements to record and process programs for World and Wired Radio. This is a new field for the Bell subsid and showed promise of being a neat source of profit. In 1934, the first year, total receipts were \$11,256 and a deficit of \$1,376 was incurred, but in 1935 the yield jumped to \$195,565 and a profit of \$8,191 was enjoyed.

Equipment leases and sales to wax studios at the outset of ERPI's excursion into radio brought \$182,856, while royalties, mostly from World, have aggregated \$27,113. Biggest year for installations in shops of disc-makers was 1935 when gross revenue touched \$65,795. With ERPI doing the bulk of the recording and processing in later years, this source is drying up and produced only \$14,185 in 1935.

## Influenced 'u

ERPI's efforts at criticism about its contracts with broadcasters several years ago came in for discussion in F.C.C. history. Blents were so strong that in 1933 ERPI tried to apply pressure, experts dis-

covered, reporting that the Bell subsid used its contacts with officials of the National Association of Broadcasters and radio publications to attempt to suppress widespread airing of the grievances of radio stations. Memo from an ERPI official unearthed by the F.C.C. sleuths said unidentified N.A.B. executive tried to silence talk about telephone charges at one convention while the undisclosed document further pointed out that no official action was taken by N.A.B. members the subject.

Washington, Feb. 23. Film studios have been licensed to produce discs for broadcasting, F.C.C. revealed last week in report on activities of Electrical Research Products, Inc.

Competing in limited way with World Broadcasting and even ERPI, Hollywood has paid total of less than \$5,000 in royalties for the right to make transcriptions. Biggest sum came from Paramount which coughed up \$235 for discs recorded in a single year. Metro paid \$1,377 over two years, Columbia \$182 over two years, and United Artists and Fox \$150 and \$75 respectively for one year.

## Network Chart

### CBS RENEWALS

'Phil Baker,' beginning Feb. 21, for 52 weeks. Albany, Baltimore, Boston, Buffalo, Cincinnati, Cleveland, Detroit, Hartford, Indianapolis, Louisville, New York City, Philadelphia, Pittsburgh, Providence, Syracuse, Washington, Akron, Columbus, Dayton, Rochester, Worcester, Toledo (through April 25 only), Atlantic City, Bangor, Binghamton, Harrisburg, South Bend, Springfield, Utica, Wheeling, Youngstown, Atlanta, Birmingham, Chattanooga, Knoxville, Memphis, Mobile, Montgomery, Nashville, New Orleans, Pensacola, Jacksonville, Orlando, Miami, Tampa, Charlotte, Durham, Greensboro, Richmond, Roanoke, Savannah, Winston-Salem, Dallas, Houston, Little Rock, San Antonio, Shreveport, Tulsa, Waco, Denver.

American Home Products (Koly-nos, Bi-So-Dol): 'Hammerstein Music Hall' and 'Broadway Varieties,' beginning Feb. 25, for 52 weeks. (Koly-nos: Tuesdays, 8 to 8:30 p.m.; Bi-So-Dol: Fridays, 8 to 8:30 p.m.). Basic 21, Akron, Columbus, Dayton, Rochester, Worcester, Springfield, Topeka, Charlotte, Richmond, Atlanta, Birmingham, Memphis, New Orleans, Dallas, Oklahoma City, Jacksonville, Orlando, Minneapolis, Denver, Salt Lake City, Pacific Coast Group. ('get Bi-So-Dol only).

General Baking (Bond Bread). 'Guy Lombardo and His Orchestra,' beginning Feb. 21, for 52 weeks. Albany, Baltimore, Boston, Buffalo, Cleveland, Detroit, Hartford, Indianapolis, Kansas City, Louisville, New York City, Philadelphia, Providence, St. Louis, Syracuse, Washington, Columbus, Rochester, Worcester, Toledo (through April 25 only), Springfield, Utica, Wheeling, Wichita, New Orleans, Oklahoma City, Tulsa.

### MUTUAL NEW PROGRAMS

North American Accident Insurance Co. 'Gabriel Heatter,' Sundays, 9:30 to 9:45 p.m., beginning Feb. 21, for 52 weeks. WOR, WGN, CKLW.

Note: New programs or renewals for more than 13 weeks are generally cancellable in cycles of 13 weeks on 30 days' notice.

## Baby Rose, Now 13, Back

Rose Marie Curley returns to the air after a long absence on a new sustaining program for CBS called 'Grand Palace of the Air.' Show, in rehearsal now, expects to be aired within two weeks.

Now 13 years old, kid was on the air steadily for over five years split between Grossman Shoes and Tastyeast.

'Hour of Cheer,' weekly variety half-hour originating at WTIC, Hartford, and piped to WICC, Bridgeport-New Haven, renewed by Hull's brewery. Live music will be used from now on instead of E. T.'s.

## Score 1 for CBS

Hollywood, Feb. 23. Its publicity staff, assigned to get some art of Victor Moore and Helen Broderick, was told the lensing would have to be done at NBC studio during rehearsal. With a CBS camera under her arm, Miss Hilbert ventured into NBC studio and there had the pictures shot.

## STANDARD OIL'S SPRING FANCY TURNS TO RADIO

Chicago, Feb. 23. With the motoring season heading 'round once again, Standard Oil company of Indiana, planning a spring and summer radio program through the McCann - Erickson agency here.

Program being figured on consists of Pat O'Malley as m.c. plus additional talent on a once weekly 30-minute show. O'Malley clicked on the S.O. show last year when he appeared as soloist with the Jack Hyton orchestra aggregation.

## CHEVROLET DUE BACK

Strike Truce Likely to Revive Cancelled Series

ications are that the Chevrolet 'Musical Moments' platters will be resumed within about two weeks, following the recent truce between General Motors and the C.I.O. Chevy wax campaign, hitting some 385 stations with three and five quarter hours per week, was one of the biggest jobs that ever came down the spot alley, and termination of schedules during the strike raised havoc with station ledgers.

Campbell-Ewald, agency on the account, currently staging a buildup for resumption of the spinners. On every station on the old schedule, 3 daytime and 3 nighttime announcements have been ordered to run for 14 straight days, or \$4 all told. Loosely, the 'Musical Moments' will be ushered in immediately after.

World Broadcasting, cutters and placers of the wax, currently are not worried about the choice Chevy spots having been sold elsewhere during the strike lapse. Isolated checks have shown that the stations men kept 'em open in the majority of cases.

## Trade Commish Says Nix To Dollar-Crystal, Omaha

Washington, Feb. Another producer of laxative crystals felt the sting of government censorship whip last week. Federal Trade Commission cracked down on Dollar Crystal Co., Omaha, for misleading propaganda broadcast in programs plugging 'Genuine Texas Mineral Crystals' and 'Texas Mineral Water Crystals.'

Commish told the company to quit claiming in broadcasts that the cure-alls are not habit-forming and have value in treating numerous ailments.

## 'Actor' Looks Set

ications yesterday (Tuesday) were that Chase & Sanborn Coffee would continue 'Do You Want to Be an Actor?' in its Sunday night hour on NBC after the expiration of the present 13-week cycle, March 14. Several changes will be made in the routing of the program.

## Ed East's One-Timer

Special one-time combination revival for Ed East's 'Tin Pan Alley Troubadour' is scheduled for 10 p.m., March 9, over NBC. By a coincidence East and Dumke are in it.

Others include Agnes Moorhead, Peg LaCentra, Cavaliers Quartet and Harold Levey's orchestra.

## Boake Carter Continues Philadelphia

Boake Carter has just signed another term to begin fifth year of appearing for Phil Ed. He also began last Monday (15) writing daily column for Ledger Syndicate. This will be commentator's seventh year of continuous broadcasting over WCAU. He has never missed a scheduled airing, even gabbing into a mike slung over his hospital bed while confined for foot operation.

## Inside Stuff—Radio

Trying to keep three contracts from overlapping kept Buddy Rogers on the hop last week and gave Jack Hasty, producing the National Biscuit airshow on the Coast, a case of leaping jitters. Up to three hours before last Friday's (19) broadcast, Hasty didn't know whether Rogers would be cut in from New York, appear in person or show up at all.

Seems that British International Pictures was getting impatient for Rogers to make good the one picture he owes them without any more postponements. When he hauled east Hasty let out a yowl and things began to look dark for Rogers. Threats flew thick and fast. Then came the settlement with Rogers sailing for his English picture-and-National Biscuit postponing a week its swing over to Columbia from NBC. His picture work at Columbia also marks time until his return from the isle.

Irene Wicker, the 'Singing Lady' (Kellogg) over NBC, is quite perturbed over what is described as an erroneous story that appeared in a radio fan mag. Yarn intimated that Miss Wicker recently shifted her scene of mike operations from Chicago to New York because of alleged marital rift. Actually it is said to have come east solely because Kellogg wished her to originate her programs from N. Y.

Walter Wicker stayed behind in Chicago because he is collaborating on a book at present and his co-scribbler could not make New York base of their writing.

Miss Wicker was quite annoyed by the wrong idea yarn planted among her juvenile air fans. Quite a few clipped the piece from periodical, mailed it to her and asked if such a thing were true.

Although NBC was quick to retract an announcement that Bobby Breen had been signed by its artists' bureau for an episodic series by Gertrude Berg, it is understood that the deal is all cut and dried and the singing moppet will be heard in the Berg script over NBC. When the story broke, Sol Lesser, picture producer, to whom Breen is under contract, let out a yelp denying everything. Lowdown is that the arrangement was completed orally and that the story was released before the pen was passed around.

Lesser has a deal with CBS Broadcasting for the young singer which runs out April. It is also known that RKO studio is interested in Breen so that should clinch it for NBC.

Courts and clinics have been multiplying for some time. Meanwhile, bar associations don't like the word 'court' in radio program titles and medical associations frown upon the designation 'clinic' applied to entertainment.

Some of the current samples of these courts and clinics are WNAC, Boston's 'Marriage Clinic'; WBAL, Baltimore's 'Crime Clinic'; WBT, Charlotte's 'Court of Current Events'; KRMT, Des Moines' 'Cupid Court'; WBNX's 'Public Relations Bureau' and 'Life Insurance Forum'.

WERY, Waterbury, Conn., has a 'Youth Court of Character.' WFAA, Dallas, has 'Law for Laymen' and WMCA has its 'Good Will Hour,' from which the word court has been eliminated.

WGY, Schenectady, had its 15th anniversary Feb. 20, but formal observance of the birthday was postponed until next summer when the Schenectady station opens its new studio building. Three men on the staff when the G. E. put the transmitter on the air for an hour program the night of Feb. 20, 1922, are still at WGY. They are Kolm D. Hager, manager; William T. Meenan, director of publicity, and Willard J. Purcell, chief engineer. Hager, his wife, and Robert Wiedaw, now connected with the Hartford Power & Light Company, comprised the original program department.

Brain trust to supervise preparation of government-radio programs was formed last week by Federal Education Commissioner J. W. Studebaker.

Enlisting small group of pedagogs to advise on educational features being aired by more than 50 CBS stations, Dr. Studebaker appointed Dr. Herbert Wright, professor of international law at Catholic University, and Dr. Ben A. Arneson, head of political science department at American University, to edit scripts and make policy suggestions. First chore is in connection with the 'Let Freedom Ring' series which opened Monday (22), dramatizing the writing of the Federal Constitution.

Corporations holding key radio patents cannot be forced to make them available to other radio manufacturers, the U. S. Circuit Court of Appeals ruled in Philadelphia last week.

Suit brought against Radio Corporation of America by F. D. A. Andrea, radio manufacturer of Woodside, N. Y., was dismissed. Andrea charged R.C.A. violated Sherman Anti-trust because it has 'monopoly on nearly all vital patents' on receiving sets. It asked that the corporation be made to grant Andrea a license to use those patents.

Columbia found last week that it had made an \$18,000 error in its computation of the network's January income from time sales. According to CBS' revised figure that network topped the gross for NBC's red (WEAF) by \$4,000.

Where Columbia's statistical department got jammed was in failing to figure Rinsos as a five-times-a-week account. Prior to Jan. 1 the soap used four periods a week and in making up the gross for last month treated this account as still doing a foursome. CBS' revamped total for the past month is \$2,378,620. The red link grossed \$2,374,663.

After a few thousand years of plodding along without such aid, p.a. systems have been installed in the towers of some of the more pretentious mosques in and around Iraq, Persi. Used to amplify the 'Muezzin' the soundown call to prayer issued nightly to the natives of Mohammedan faith. The wires are strung out of the towers, and the amplifying horns are spotted distances away to carry the prayer chant beyond the range of natural voice.

ills restricting radio advertising mounted higher last week with introduction of still another proposal to outlaw broadcasting of booze propaganda. Companion to the stringent Capper bill was fathered in the House of Representatives by Congressman Francis D. Culkin of New York. Measure hits newspapers, magazines, films, and records, as well as radio stations. Punishment could be fines up to \$1,000 and sentences up to a year for first offense, with jail term doubled for subsequent violations.

one of the network script shows both scribe and leading man were goofy about leading lady. Author didn't notice cooing in program last Christmas. But he found out.

That made the leading man incompetent. In due time he was written out of the script. So far the girl has stayed in. She has the title role.

Federal Social Security Board stands out as one of the biggest government grabbers of free air time. Without spending a dime for station facilities SSB, during first six months of its operations, grabbed off an aggregate of 60 hours. Much of it was network time with major chains kicking in liberally last fall when the registration feature of the old-age-pension system went into operation.

Adrian James Flanter, for several years with World Broadcasting, has established an organization in New York City to supply a specialized sales promotion service to radio stations.

# Press Invited, Press Agents Show Up, And It's a Problem at NBC

Columbia Broadcasting System is keeping 'round-the-clock watch in its publicity department and, inversely, NBC has chopped its late-trick force to one man, John McTigue, and shuts-up shop at 1 a.m. NBC formerly maintained three men on night duty, but unless something especially hot and timely is stirring or about to break, McTigue will handle alone.

McTigue, now the lone evening watchdog at NBC, has started a one-man campaign to make his quarters sort of a press-back for the newspaper radio columnists, trade press, and other drift-ins who can show some connection with publications. McTigue idea is that if he can get the boys coming he may be able to sink some shafts of NBC publicity that might not otherwise be planted.

**Out-** NBC quarters to be turned into a hangout for out-of-town newspaper crew. Radio editors up and down the Atlantic seaboard have been contacted and, si most of 'em trip into New York every several weeks for some visual viewing of broadcasts, McTigue figures he can also get through to them for NBC publicity's gain.

One angle remains which McTigue finds a bit baffling. That is how to keep personal press agents of radio's w.k. performers from also lounging around the premises and annoying the newspapermen with items about their clients. Doesn't want to offend the p.a.'s, however, by discouraging 'em in coming around, because the flacks are, after all, working for performers aired over NBC. Just how situation will be handled remains to be seen.

**Gabriel Heatter**, who has been riding over WOR, Newark, for some time commentating for North American Insurance, branches out over couple other Mutual stations, CKLW, Detroit, and WGN, Chicago, with his weekly talks.

## Literature

Complaint of radi scriptists on financial returns for their brainchildren is dramatized by circular of the Hollywood Radio Productions offering radio stations 13 scripts for \$10, or if bought piecemeal at \$1 each. Offers mystery, musical, comic or what have you for the blanket fee.

## Here and There

**WOR, Newark**, celebrated 15th anni on Monday (22). WHN, New York, takes bows on its same birthday next month.

**Ray Perkins** now under management of Frank Cooper of Curtis and Allen.

**Armand Tokatyn**, opera singer, signed by WOR, Newark, and gets series of air buildup sprints over Mutual net beginning late i March.

**ert Hale**, who formerly chirped over mikes at several W. Va. broadcasters, now on announcing staff at WFBL, Syracuse.

**Bob Provan, Jr.**, WDRC, Hartford, announcer, announces engagement to Ruth Gustafson, non-pro.

**ev. Howard O.** ough's Radio Parish Church of America, emanating from WCHS, Portland, Me., now carried by WCOP, Boston; WELL, New Haven; and WNBC, New Britain, Conn.

**Vera Cruz**, pop songstress, off WELL, New Haven, to join Charlie Barnett's band.

**John Farnsworth** and Helen Wagner, two-piano team, begin a weekly

series of interpretative music titled 'Legend Airs' this week on WCOL, Columbus.

**Sid Goluboff**, news chatterer until lately at WBRY, Waterbury, New Haven, now at WELI.

**George A. Patel**, recently associated with Bob Emery's spelling bee at WOR, Monday (16) opened adult wordfest series at WICC, Bridgeport.

**Joseph Turin**, former Chicago Civic Opera tenor, has joined the Ruvinsky Trio for a weekly program of songs on WHKC, Columbus.

**Union Co., Columbus**, itched transcribed kid show, 'Tim's Rancho Adventures', from WHKC to WCOL.

**Mary Irene Warner**, of Albany Evening News, is scripting a sketch, 'East of Nowhere', which brought the WGY Player, back to the air lanes on a late-evening spot. Chester D. Vedder directs.

**Harry Grattan**, New York writer, has been engaged by the Australian Broadcasting Commission to give a series of talks on America each week over the national chain.

**WHN, Y.**, plotting flock of special features for station's 15th anniversary which ill be celebrated m March.

**Cedric Foster**, mgr. of WHTT, owned by the Hartford Times, has returned to his desk following an illness.

**Harry Hartman's** tenth year as sports spieler for WCPO, Cincy (originally WPBE) observed last week with blurring bouquets to the miker from city officials, big league ballplayers and promi athletes.

**Ralph Kanna** left announcerial post at WELI, New Haven, for copywriting job at Chase Brass, Waterbury. Edward J. Lush succeeds at mike stint.

**Earl Lawrence**, orchestrator for the Firestone program, in hospital after taking his dog for a walk. Hound ran between Lawrence's legs when he was chasing him. Tangle

# Young & Rubicam Attacks Hitch-Hiking Chain Break Blurbs, Demands Elimination

## Colossal Minnow

Los Angeles, Feb. 23. Many freak stories have come out of the flood zone but few can top the one vouched for by Harrison Holliday, KFI-KECA manager. Hard by KFI's transmitter runs a creek a few feet wi Lyman Packard, chief engineer, saw something iggling in the water and went down to investigate. He came back with a salmon trout, 28 inches long, ich he withdrew with his bare hands. Holliday says he saw the fish and also knows Packard to be a very truthful lad.

caused Lawrence to run head on into a liding. Result was broken glasses, busted hand, face lacerations and a badly knocked head.

**Abe Lyman** has cancelled his date at the Biscayne Kennel Club, Miami, and replaces Bob Haring on the Lucky Strike Hit Parade, March 3.

**Baltimore's** six leading advertising agencies presented with Western Union electric clocks by WFBR. Each clock has emblazoned on it 'WFBR—The correct station for all time.'

**Ralph Powers** from WHN, New York, new to announcing staff of WFBR, Baltimore, and Gibbs Penrose, legit, acti and writing at WBAL.

**Anice Ives** goes with Publicity Associates. Bettie Glenn will handle.

**Hal McIntyre** done as maestro at WNBC, New Britain, Conn., to join Glenn Miller's new Rockwell-O'Keefe band as arranger-clarinet.

self-justification for the resulted from a letter which William R. Stuhler, irector of radio for the Young & Rubicam agency, addressed to various stations demanding that they cease inserting sponsored chain-break announcements before or after Y & R network programs. Some th contacted stations have taken the position this is trade practice which can't be eliminated overnight. Also that, since there is a question as to just what segment of time the network customer actually buys, who is going to reimburse the stations for the hundreds of thousands of dollars a year in this class of advertising if they toss it overboard while yielding to the wishes of network accounts.

Stations that seek to argue it out hold that all contracts for network time read 'approximately' and that if the affiliates are to give up this extra revenue from chain-break announcements there will have to be an upward revision of network rates, with portion of the tilt passed along to the associated stations. Some stations are inclined to agree with Stuhler that the chain-break causes confusion among listeners as to what account is supporting the network show; but they also advance the thought that the way the network commercials are handled may have a lot to do ith the problem.

## List of Offenses

Stuhler's letter declares that agency had recently completed a check of stations which are interpolating commercial chain-break announcements before or after Y & R clients' network programs. Appended to each of the letters is a list of alleged station-break delinquencies tagged against the station. (Continued on page 50)

**H**ome-loving Philadelphians spend more time with their radios than average big-city dwellers. There are more homes in Philadelphia than any other city in America and they listen to

**WCAU**  
50,000 WATTS  
Philadelphia

ROBERT A. STREET • Commercial Manager

# RADIO SHOWMANSHIP

Attention-Getters, Tie-Ups, Ideas

## Outstanding Stunts:

**AUDIENCE JURORS  
'HOMICIDE SQUAD'  
KOW, PORTLAND, ORE.**

## Picks Jury Among Audience

Portland, Ore.  
Getting the visible audience to become part of the radio program is Showalter Lynch's new idea for 'Homicide Squad.' Program, a mystery thriller sponsored by Commercial Credit, Inc., local financial house, and has been on KGW four years.

Sponsor gives out 120 studio admission tickets for each show. Latest gag is for announcer to pick out at random 12 persons from this audience to form a jury. Their names and addresses are miked as part of the program. Mystery show then proceeds with regular cast of performers.

At conclusion of this half-hour program, the jury men and women selected from the studio audience are called upon to deliver brief opinions on the solution. Or an opinion on whether characters in the script were guilty or not guilty. Much of continuity is written from genuine police cases of the past, in which case the actual verdict on record is given after the radio jurors have voiced their views.

Stunt works up a lot of interest among listeners. Possibility of some acquaintance being picked for a juror is one angle. Seeing how well a radio jury tallies with actual solution is another. 'Homicide Squad' is among the better known programs on the local air.

## Reporter Contest

San Francisco.  
Portable typewriter, a candid camera and a pen and pencil set awarded as prizes three times a week in the S. & W. Junior News Parade, to be aired starting Friday (19) over the coast NBC-Red network from the web's local studios. Shows, sponsored by Sussman-Worms (food products), will offer the prizes for the three best news stories concerning boys and girls between eight and 18 years of age, submitted by juve listeners in the same age group.

Stories will be dramatized by

Caryl Coleman of Botsford, Constantine & Gardner agency, with a cast of NBC actors and Eddie Firestone Jr., juve player, as the star reporter. All entrants in the contests will be made 'junior reporters,' receiving badges and copies of a semi-monthly miniature newspaper in which will appear outstanding stories not used on the air. Coleman will edit the sheet. Material for initial broadcasts was secured in advance through schools and Parent-Teacher associations.

## National Music Week

New York.  
National Music Week Committee has picked the week of May 2 to 8 for its annual celebration. This year's slogan is 'Foster Local Music Talent.'

## WBIG's Promotional Folder

Greensboro, N. C.  
WBIG, Greensboro, N. C., has distributed to the advertising trade promotional folder, containing facts, data and pictures about the station. Info about the outlet's trading area reflects thorough detailing. There is also a popularity survey and a series of coverage maps.

Talent picture section contains one showing the members of Fred Steele's Hillbilly show. Two of them are in blackface.

## WHIO's 'Humanity' Folder

Dayton, O.  
WHIO has put out a folder, 'On the Air for Humanity,' containing reproductions of news stories commenting on the station's work during the recent midwest floods and also pictures showing the WHIO staff at their relief efforts.

## Mutual's Coast Piece

New York.  
Mutual Network plays up its Don Lee connection as a source of program material in a promotional piece, 'Hollywood Moves,' which was distributed to the trade last week. Text is illustrated by a couple of manikins and relates how Soap Box, employer of Miss Mabel Stenop, pulled himself out of a sales slump by buying a Mutual coast-to-coast hookup and originating the program from Hollywood.

## Window Display on News Casting

Columbus, O.  
Cussins & Fearn, sponsors of P. Bennett's news broadcast on WCOL,

## Leo in Radio

Loew-owned WHN, N. Y., has commenced using 'Leo,' the M-G-M trademark lion, on all station advertising.

In past theatres and other enterprises operated by Loew have refrained from adopting 'Leo,' leaving feature in M-G-M's exclusive possession.

Leo's 'lot of interest in the program through a window display illustrating the gathering of news by INS and the way it's put on the air. Center of the display was a teletype, surrounded by a number of pictures illustrating handling of King Edward's abdication and a resume of the manner in which Jimmy Kilgallen covered a double execution at Sing Sing.

Emphasized was the beat Bennett scored on other local stations on the abdication and on a number of other news events in recent months.

## Santa Barbara Heard From

Santa Barbara, Cal.  
KDB, Santa Barbara, helped hypo doubtless by the Red Cross, a flood relief by hitting air with an hour program that used a cash register as a novel appurtenance. During course of program, phone call pledges of donations were solicited and public was asked to drop their dough at any bank or Red Cross agency.

During program account was kept of the swelling tide of donations by ringing up the sums on the cash register and announcing over air each amount.

Santa Barbara bettered its quota to flood-relief by more than 100%.

## 'Constant Repetition of Theme'

Cleveland.  
WTAM, local NBC owned and operated outlet, got itself a little publicity by announcing that it had banned all use of theme music from its programs. Dance bands were included in the order, which can be applied only to local programs.

Vernon H. Pribble, Cleveland division mgr. for NBC, was responsible for the edict, holding that the constant repetition of theme destroys the effectiveness of a program.

## Where It Matters

Fargo, N. D.  
On WDAY, Fargo, N. D., Hagart filling stations air daily periods on which conditions of highways and road bands are announced. Gets listener attention in a region where snow piles up as high as 12 feet in drifts that naturally impede traffic.

## Noses vs. Ears at NBC

New York City.  
NBC combines a plug for its studio tour business and the red and blue networks in a throwaway which stresses the fact that the Statue of Liberty now is third as a point of interest to New York visitors. NBC studio tours are tabbed first, with the Empire State building second (Metropolitan Museum and Natural History didn't evidently not in running.)

Broadcasting company's pamphlet asserts: 'Yet to NBC, counting noses is only incidental. We take our greatest pride in counting ears. Through its blue and red networks, the National Broadcasting Co. can reach and command the attention of more ears than any other institution in the world.'

## Pirogue Races on WWL

New Orleans.  
Annual pirogue races at Bayou Barataria will be broadcast over CBS and NBC this spring. Inas much as newsreel cameramen are sent here annually for the event, the airways believe it will be a good novelty.

Participants in the race are trappers and fishermen of the bayou section of the state. Pirogues are speedy little boats carved from hollow logs and propelled by double blade paddle, Jimmy Wilson, WWL announcer, who recently described the Mardi Gras over CBS, ill get the assignment.

## Sidewalk Doughnut-Eating

Atlanta, Ga.  
WGST's Sidewalk Snoopers aired swallow-by-swallow description of a doughnut eating contest. Boys got themselves a number of dozen cruellers and selected from the crowd a couple of young ladies, who not only said they were hungry, but were good doughnut eaters. Inas they both could eat dozen each if necessary to win the prize promised by the Snoopers.

After the Doughnuts were eaten and the race described by the Snoopers, the award was made to the winner: A dozen doughnuts!

## Theatre Stunt by WNEB

Memphis.  
Going over big is the Kroger-Piggly-Wiggly-sponsored 'Question Night' of Radio Station WNEB and the Orpheum theatre. Paid guests, master-of-ceremonies, strolls up and down the aisles in the Orpheum for 30 minutes every Monday night beginning at 9, asking sane, simple

# New York's Labor Station Out of Red

## WEVD Holds Within Income—Trade Unions Developing as Sponsors Buying More Time

WEVD, New York, for first time has eased out of the operating red and is now jogging along within confines of its income. Station, however, is not entirely in clear in that interest and amortization on investment is not being made.

The 1,000-watter, licensed on curtailed time as it is, was taken over by present owners—group financially interested in the Jewish Daily Forward, N. Y., newspaper—six years ago. When group acquired, \$250,000 was invested, much of it being plowed into new equipment and rehabilitation of studio quarters. During first years of tenure, group is said to have lost around \$50,000 per annum on operation. Gradually grooved as a broadcaster chiefly championing labor and trade-unionism. Though publicizing self as a station desiring above all to offer educational and 'commonweal' programs, regardless of the cost or inconvenience, WEVD has managed through the last few years to make its stand for trade-unionism more or less pay. In New York, where militant trade unions abound like peanuts in Virginia, unions have gotten into habit of buying time at straight rates for self-propagandizing and, more often, for calling strikes and maintaining morale during their duration.

## Special Niche

WEVD still airs sustaining periods for trade unionism, not only when some particular phase of it looms large in public prints and consciousness. Also, these sustainers are now confined to merely one or two shots, and only when some w.k. figure can be obtained to pull heavy listening audience.

Broadcaster still keeps pop music off its wavelength almost entirely. In the war measures its own conscience that it is educational force rather than a sheer commercial enterprise. There is at present only one program on WEVD's sked using pop and syncopated music, and that is a sponsored show with a patterning announcer playing records.

WEVD—the final three letters are derived from Eugene V. Debs' initials—was originally founded back in the cradle days of radio by a socialist organization that promoted

questions, such as 'What are the streets between Linden and Gayoso?' or 'What is the date of today?' How many commissioners has Memphis? A song strikes 10 times while questions are answered. Orchestra in the pit plays one or two numbers while questioning proceeds. Much in the opinion of pupils, but patrons raise their hands, beg Hodges to 'ask me one.'

## Union Label Tie-Up

New York City.  
Plug on 'The March of Labor' series over WEVD, New York, is limited to: 'this program is made possible through the cooperation of Avalon, the union mail carrier.' It's a Brown & Williamson product. Series consists of a weekly review of events in the field of organized labor by Chester M. Wright, editor of the International Labor News Service.

## KXBY Covers Spring Training

Kansas City.  
For first time locally radio is going into the sports ballyhoo field heretofore exclusive with newspaper guys. Station KXBY is sending their ace sports announcer, Walt Lochman, to McAllen, Texas, March 14, where he will cover spring training activities of the KC Blues, American Association baseball outfit. Lochman will remain with the team two weeks. His assignment calls for daily wire reports to be used on station's 'Sports Review.'

Coming season marks third year KXBY has aired baseball for General Mills.

## Visitors

Detroit.  
WWJ is putting out thousands of throwaways in local hotels and spots where out-of-town visitors congregate, inviting visitors to give station's new building the o.o. while in town.

Cards contain pix of WWJ studios and its parent, Detroit News, and give visiting hours and time required to see buildings.

## Educational Angle

Kansas City.  
'Through the Symphony Orchestra' is billing of a new twice a week sustainer aired by station KMBC. Program spots a solo musician recruited from Philharmonic ork for human interest interviews and gab (Continued on page 50)

\$15,000 via the nickel and dime plate-passing route among ardent admirers of the late Debs. When radio began to grow out of the spoon-feeding age, it became evident that the \$15,000 was far too tiny a sum to hold the fort. Just before completely foundering was peddled to its present owners.

Washington, Feb. 23.

Drive of the Chicago Federation of Labor to mobilize support for its application for 50 kw for WCFL is providing laughs due to discrepancies between recent and previous statements by Ed Nockels, general manager of the union-owned Chicago transmitter.

Conflicts have been brought to light by comparison of complaints by Nockels about inability of labor groups to obtain a break in radio. Last December Nockels averred educators, labor organizations, and other non-profit outfits were being badly used by commercial broadcasters. Yet at the F.C.C. education hearings in 1935, testimony submitted by Nockels showed WCFL's own outlet, then was devoting less than one-five-hundredths of its time to labor programs. According to his figures, only 196 hours went for educational talks in six months (2,912 hours) and only 6 1/4 hours of this was for labor speakers.

San Francisco, Feb. 23.

Designed to give the public an unbiased picture of labor activities during and following recent important strikes, a series of thrice-weekly, half-hour programs are being presented over KGGC by 32 different local labor unions. Shows are planned for 26 weeks and are aired Monday, Thursday and Friday nights at 9:15 p.m., PST.

Paid cast is used in the dramatizations, built around labor meetings, anti-picketing activities, etc. Commercial sponsor is being sought for the series, labeled 'Voice of Progress.'

# O. K. WOW

## It's Your Baby!

• When Young & Rubicam, Inc., started telling Fels Naph' "billion bubble" story in Nebriowa, they selected WOW's own show — Mr. Dooley's Curiosity Club—in order to capitalize on a proved WOW audience for Fels Naphtha.

Mr. Dooley "heads" Curiosity Clubs in six Midwestern states. His entire show based on listener questions, and is built to merchandise the market for Fels Naph. Another ample of typical WOW showmanship!

# WOW

Omaha, Nebr.

5000 Watts

John Gillin, Jr., Mgr.

The NBC Red Network

**VARIETY Says...**  
Wednesday, February 18, 1937

**L. KSTP**

**IS NUMBER ONE Leading Radio Station of the Twin Cities**

Minneapolis-St. Paul  
1 KSTP

See us in the radio  
The KSTP radio station is the only one in the Twin Cities which has a full time staff of announcers and engineers. This is why KSTP is the only station in the Twin Cities which can give you the best of radio service.

## AND VARIETY IS RIGHT!

The Annual Variety Survey again establishes KSTP as the leader in showmanship in the Twin Cities area.

Another reason why MORE local and national advertisers select

Another reason why KSTP assures MORE listeners per dollar... which means the BEST BUY in the entire Northwest.

## PROOF of POPULARITY

Actual recorded facts from recent station check:

No. of		
KSTP Accounts Staff		
Local	55-64%	24-44.5%
Natl	31-34%	30-35.5%
66		54

**KSTP**  
Northwest's Leading Radio Station

MINNEAPOLIS SAINT PAUL

25000 WATTS

For Rates and Schedules, Address Roy C. Jenkins, General Sales Manager, KSTP, Minneapolis—Saint Paul, Minnesota, or our National Representatives: In New York, Chicago, Detroit and San Francisco—Paul H. Reymann Co.

## Agencies—Sponsors

J. Walter Thompson has taken for Atlanta Sales Corp. (Colman's Mustard) five-minute participations, three weekly, 26 weeks, in WGY's Household Chats.

Leighton & Nelson, Schenectady, has spotted for A. L. Parsons & Son, Central Bridge, N. Y. (new-and-used cars), a daily musical clock for 12 weeks on WGY, Schenectady.

Cramer-Krasselt Co., Milwaukee agency, has started cutting the 39 quarter-hour discs for Norge refrigerator. Campaign will run for 39 weeks, starting April. Talent booked for the series through Rockwell-O'Keefe, Inc., includes Ray Noble, Annette Henshaw, Barry McKinley, Mills Bros., Aunt Jemima, Armstrong, Victor Young, Boswell, Josephine Dummi, Cliff Edwards, and Tim and Irene.

General rug Co., New York manufacturer of Midol, is making inquiries about the possibility of getting the product on the air. Under consideration are minute dramatized announcements.

K. Hollinshead, formerly assistant sales manager of Brennan Cole Corporation, N. Y., has joined the staff of Roesler and Howard, Inc., N. Y. office, as contact man. Is a brother of M. Hollinshead of Campbell-Ewald.

Montgomery-Ward has decided on a special ether spot campaign in a build-up drive of its retail stores throughout the nation. Will use three 15-minute platterized shows weekly, spotted during the afternoons or morning for particular home-and-wife covering. To be placed through Lord & Thomas, Chicago, and booked to start around March 15.

Hays MacFarland, Chicago, setting stations for two spot series, Wind-Charger machine and for Yeast-form. Both campaigns are spot shots, and recorded in Chicago by RCA Victor. Wind machine is taking a series of one-minute plugs

while the yeast account will use five-minute discs on some 38 stations across the nation.

Baggaley Horton Hoyt, Chicago advertising agency, opening a Hollywood office middle of March.

Hudson Calk is placing with NBC renewals in two-week stretches for 'Beneath the Surface', half-hour Sunday afternoon red rim ride by Jim Healey and the Landt Trio, the first one being for March 21 and 28. Leighton & Nelson, Schenectady, is the agency.

Household Furniture on WNBH, New Bedford, Mass., with twice-weekly quarter-hour film chatter periods for one year. Station's program manager Sol Chain does the.

rown-Dunkin, Tulsa, Okla., dept. store on KTUL, Tulsa, with new weekly 30-mi script show using live talent.

Manchester Biscuit Co. aboard WDAY, Fargo, N. D., for one year with five-a-week ten-min. 'Man on Street' broadcasts. Placed by Neisser-Meyerhoff, Inc., of Chicago.

Schwimmer & agency, Chicago, has been appointed radio handlers for the Melville Shoe company of New York for the Thom. McAn shoes and shoe stores. Schwimmer & Scott agency has sold the account on a nation-wide spot announcement campaign, tying up the commercial copy with sports news flashes.

Jimmy Evans, sports commentator, will be given the by-line on the sports flashes. Announcements will start on March 1 and hit some 16 stations across the country.

Wrigley's 'Scattergood Bains' script show starts Coast swing Feb. 28 over Columbia chain. Goes five times a week in 15 minute stanzas.

Alabama-Georgia Syrup Co. has recorded a 55-second preview for the 26 quarter-hour transcriptions it

is placing on 10 stations in the southeast. Title of the series is 'Alaga Melody Meeting'. Samples of the various acts in the series were crowded into the trailer. Fitzgerald Advertising Agency, of New Orleans, handling.

Hastings Clothing Co. has signed Dick Newton, 'Singing Salesman', for a new series of Sunday evening quarter-hour shows over KGO, San Francisco, beginning Feb. 28 at 5:45 p. m. PST. Agency is Sidney Garfinkel.

Safeway Stores, Inc., will plug its 'Julia Lee Wright Bread' in a series of one-minute live talent announcements over KGO, San Francisco. Sidney Garfinkel agency.

Hudson Motor Car, through Brooke, Smith & French, is using 28 one-minute announcements Feb. 20 to March 5.

Growers Fertilizer Co., through Gerth-Knollin, San Francisco, firing one-minute announcements for 'Grozit'.

E. P. Reed (Matrix shoes) through Geyer, Cornell Newell placing quarter-hour disc shows, 'Time to Relax,' starting Feb. 25.

Procter & Gamble pulls its 'Drene shampoo' programs off KPO, San Francisco, after Feb. 25. Live talent shows used Irving Kennedy, tenor, and Janet Baird, speaker. P. & G. will plug same product on the coast-to-coast NBC-Red network broadcasts of 'Story of Mary Marlin' beginning Feb. 28.

'Riddle Me This,' which started as a WGR, Buffalo, sustainer, sponsor, Lang's Hy-an Dry ginger ale is bankrolling Addison Vars set the deal, Jack Gelzer and Radcliffe Hall continue handling puzzler biz.

Leavitt & Sons has sprouted a weekly quarter-hour series on WOR, New York. Program uses John Mundy's ore and Bert Roggan baritone. Agency is Frank B. Johnson.

Altkine Laboratories, New Brunswick, N. J. (Flemolyn), is placing a spot campaign through Street & Finney.

## No Particular Significance to Line Deal With KMA, Shenandoah, Says Lawrence

### Craig & Hollingbery Man To Tour From Jacksonville

Craig & Hollingbery, station reps, opens an office in Jacksonville, Florida on March 1. Harry E. Cummings, formerly of WJAX, Jacksonville, will service Jacksonville, New Orleans, Atlanta, Savannah, Tampa, Orlando and Miami. Rep has just added WIOD, Miami, and now has three NBC stations in Florida WFLA, St. Pete, and WJAX, Jacksonville, are others. WBIG, Greensboro, N. C., and WRBN, Lawrence-Kansas City, now with Craig & Hollingbery also.

### Sponsor George Hamilton

Chicago, Feb. 23. Miller Hi-Life beer firm readying a network spread to start early this spring. Figuring on a 30-minute shot once weekly with George Hamilton orchestra, now at the Empire Room in the Palmer House. Planning an NBC ride, though whether it's to be red or blue and what time still depends on what time and stations can be cleared. Placed through the Roche, Williams & Cunningham agency here.

### Sonny Kendis' Commercial

Sonny Kendis replaces Stuff Smith on Lucidin program over WMCA beginning Monday (1). Contract, for five weeks, with usual options, handled by Platt-Forbes agency. Program is 15 minutes Monday, Wednesday and Friday nights; will be straight dansapation medley, with announcements only at open and close.

Kendis plays at Stork Club. Program will originate in WMCA studios.

Nelson Case replaces Milton Cross on National Broadcasting's Vox Pop show. Change is effective March 8, and was made because Cross' schedule of days-off interfered with program alignment.

Des Moines, Feb.

Craig Lawrence, Iowa Broadcasting System, last week that his organization was maneuvering to strengthen its coverage position from the angle of competition with WHO. He asserted that the IBS has made no move to effect a network alliance with KMA. Earl May's outlet in Shenandoah. All that has happened here is that May has bought lines to carry two programs as part of the Iowa regional. IBS is feeding KMA Des Moines Register and Tribune statehouse news and other special events merely a cooperative measure.

Lawrence said that he has not contacted other Iowa stations, such as KGLD, Mason City, with a view to bringing them in on an expansion of the IBS hookup. Lawrence added that the IBS is doing a good coverage job and the business proves that the customers are wholly satisfied.

## DEPT. STORE SHOW'S FATE IS UNDECIDED

'Morning Matinee' WOR-Mutual program sponsored by various local department stores in several cities on a participating hookup, winds up under its present contract on March 4.

Possible that program will be renewed before the closing date but no indication of that at present time.

### Great Bend, Kansas Starts

Wichita. New 100-watt radio station opens at Great Bend, Kans., March 1. Owned by E. E. Ruehlen, retired Great Bend merchant.

Chester L. Gowen, formerly with Station KCRC, Enid, Okla.; KGNO, Dodge City, Kans.; and KWBG, Hutchinson, Kans., will be program director.

# WLW

is easily the outstanding

testing ground for good program ideas.

The Nation's Station delivers the perfect cross-section of America...urban, rural, and "in-between."

★ ★ ★ And incidentally, at WLW, alert advertisers will find, today, new program ideas and personalities worthy of careful and immediate attention.

## West Coast Network Exec Deprecates High-Priced Radio Personalities

San Francisco, Feb.

Big names may draw radi listeners to loudspeakers by the millions, but it's the humble personalities that will continue to capture and hold the hearts of dialers. General Manager Lewis Allen Weiss of the Don Lee network told a San Francisco Ad Club luncheon last Thursday.

Weiss said that the general opinion of advertisers is that if they can sign up a big name like Jack Benny, Eddie Cantor, Kate Smith, or anyone whose name is a household word, they have an attraction value which will automatically draw an audience.

"Whether the audience will continue to listen depends entirely on the contribution the artist makes to radi entertainment," Weiss declared, citing the cases of a number of his priced who had been flops before the mike. "You can count the top radio names on one hand, and most of them are on the air on Sunday night."

Weiss averred that the size of a program does not denote success. He pointed to the record of the Blackett, Sample, Hummert agency, which has placed more radio advertising than any other agency in the business. This agency, Weiss said, has never bought one big name for its shows and yet it has been noted for the number of hit shows which it handles. It has created its own talent, he continued, and has gone out and bought artists to fit the characters it had in mind for its programs.

Weiss said, "The public always will find as much enjoyment in discovering new personalities as we have satisfaction in 'making big names of little ones.' It is the broadcaster's responsibility to be alert to new voices and new entertainers."

While in Northern California, Weiss is negotiating for the addition of three new outlets to the Don Lee system, KHSL, Chico; KCVV, Redding, and KPHL, Eureka.

### The Softer Side

Buffalo, Feb.

Ralph Hubbell, WBNY sports chatter, who spouts nightly of the gory gladiators of the ring, also doubles in the afternoon as a moor poetry organ accompaniment.

Hubbell ran into Jimmy Slattery, once great Buffalo fighter, and Slats said, "Say, I like your broadcasts."

"Oh, on sports," said "No, I mean that poetry stuff—that's good stuff," said the ugliest.

### Gossip Mentions Hearst Behind WMEX, Boston

Washington, Feb. 23.

Question of who actually owns WMEX, Boston, is troubling the FCC. Issue has been raised coincident with station's application for power boost to 5 kw.

Licensed name of Northern Corp., station is largely foreign language outlet whose real owners are suspected to be other than the names on file as officers of the company. Commish is interested primarily in knowing where the corporation got \$100,000 cited as evidence of financial ability to put up high-power station.

Gossip is that William Randolph Hearst is in the background.

Graces In, Dorings Out at WGN

Chicago, Feb. 23.

Femme singing trio, Three Graces, have signed as staff warblers with WGN. Graces were formerly with the Bob McGrew orchestra.

They replace Doring sisters trio who have been in the station for many years. Doring trio moves over to the NBC studios locally.

### JAP GUDE'S NEW JOB

Branching Into Station Relations Under Akerberg

Edward Klauber, CBS executive v.p., last week assigned John G. (Jap) Gude to the newly created post of manager of the station relations department. Gude will operate under Herbert Akerberg, v.p. in charge of station relations. Other contact man in the department is Lincoln Deller, who came over from Radio-Sales, Inc., CBS' subsid., last year.

Gude had been manager of Columbia's publicity division for over three years. Don Higgins has been made acting head of the department.

### WFBR LOSES AN ASS'N BUT GETS ITS MEMBERS

Baltimore, Feb. 23.

WFBR, now carrying three of burg's bigger laundries, snapping Regal outfit last week for series of five-a-week quarter-hour shots.

In Balto there is a Laundry Assn. which, embracing all the larger cleaneries in its membership, buys air time and plugs institutionally the rag-washing biz. Assn. was on WFBR, but dropped off to hop aboard WBAL.

Netted, WFBR put emphasis on a campaign to get laundries as individual accounts. Before the Assn. withdrew, WFBR had been coasting along content with just the Assn.'s biz, which consisted of series of daily five-mi periods.

### WFBR's Special Events Dept.

Baltimore, Feb. 23.

WFBR, always casting around for a stunt, has lined up a Special Events Dept., which is more or less just a name for a sort of thing station has long been doing as interest-promotion for broadcaster.

Stewart Kennard, vet announcer and sports spieler at WFBR, has been pulled off those duties and assigned to handle dept. exclusive of all else.

Syd Dixon chairmaned L. A. Ad Club luncheon salute to NBC.

## 'Lost Horizon' Rebuttal

Portland, Ore., Feb. 23.

If the Pacific slope is the lost horizon of broadcasting as snippily suggested by VARIETY to whom, asks the grammatical radio entrepreneurs hereabouts, is it lost? Portland for one emphatically disclaims being a radio Little Bo-Peep looking for anybody. Business is swell, thanks, and what are all these silly cracks from VARIETY?

Granted—and it is—that the eastern advertising agencies may not know much about them the point seems to be that the west coast agencies are better informed and a lot closer. Which isn't a bad substitute for national fame. They may be ghosts of the lost horizon of broadcasting out here but they're only scared of the lack of it.

From the West Coast station's point of view, it's the East that's the distant horizon—a place where some chain programs originate with stopover privileges at San Francisco.

Not With N. Y. Coin

KGW is closing a deal for 80 acres of unencumbered ground around its new transmitter. KALE has finished erection of a new 600 ft. transmission tower. General chorus of opinion is that only a small percentage of eastern business helped to build these stations, and if they can't find them on the map back east, they'd better get a new map.

KOIN's C. W. Myers, president of NAB, is too diplomatic to admit the fact that he was practically commandeered to sit in NAB's No. 1 chair. He was not a candidate for that honor. NAB came to the Northwest Coast for a president, and that sets the pace for the general attitude on radio time.

A strong champion of the Pacific Northwest's radio independence is Showalter 'Bud' Lynch of MacWilkins & Cole Agency. Lynch has 22 programs currently on the Portland and Seattle ether. "The problem is not to get the advertiser, but to get the desirable time and the right kind of show," says Lynch.

### BASKETBALL BROADCASTS

Ford Sponsors Indianapolis' Annual High School Insanity

Indianapolis,

WIRE has planned a total of 31 broadcasts during the next five weeks devoted to the Indiana State High School annual basketball tourney, which is undoubtedly of the hottest biggest, and best in the world. Almost 800 teams are annually entered, and through sectional tourneys in 64 high schools throughout the state, winners go to regional, semi-final, and final tourneys. Finals are annually held here in Indianapolis at the Butler broad-house.

Sponsor for the broadcast of the finals here will be Ford Motor Co., signed on a national contract basis.

### Breaks Up WGST Exclusive

Atlanta, Feb. 23.

As the result of a protest from WATL, Atlanta, WGST has lost the exclusive rights to broadcasting all the road games of the Atlanta Crackers, Southern Association Club. WGST had the thing tied up until J. W. Woodruff, Sr., owner of WATL, who is interested in Coca Cola, which holds control of the club, started asking questions.

As the arrangement now stands all three local outlets, which includes WSB, will have a crack at picking the games up from the sidelines.

Smith, new continuity and script chief at WNEW, N. Y. Takes the place of Paul Rafael, who resigned a few weeks ago.

## DECISIONS HANDED DOWN BY THE

of ocean, marsh and  
hems in this community.

### OKLAHOMA CITY

1. WKY
2. KOMA
3. (KFXR  
{ KGFG

WKY by a mile. Builds programs, spawns ideas. Stunts, news, sports, vox pop. Elaborate equipment and studios new in 1936. Active on all fronts and out to get places.

Omaha

Year after year, WKY "wins by a mile" in VARIETY'S annual summary of community showmanship.

Had VARIETY surveyed station popularity among listeners . . . or among advertisers, both local and national . . . the answer in Oklahoma City would likewise have been: "WKY by a mile."

# WKY

## OKLAHOMA CITY

From Community Showmanship Survey for Year 1936, VARIETY, Feb. 10, 1937.

Oklahoma's Only Full-Time NBC Station

Representative

E. Kate Special Advertising Agency



Affiliated with the Oklahoman, the Times and the Farmer-Stockman

# BREAKDOWN OF MUTUAL NETWORK SHOWS

## Sunday Games Omitted in New Season Broadcasting Schedule of Cincy Reds

Ci Feb. 23.  
General Mills has signed with WSAI for broadcast of Reds' games in National League this season. Contract permits sponsor to share commercial tag with another firm, and it is expected that the privilege will pass to Socopy-Vacuum, which held exclusive sponsorship last year, plugging Mobiloil. General Mills will blurb Wheaties. Its agency is Knox-Reeves, Minneapolis.

Red Barber will do the mike chores for the station, same as for the past three years.

This season, for first time, WSAI holds rights to air blasts of the Reds' games. Consideration is believed to call for payment of \$25,000 by the station to the Cincinnati Baseball Club Company. Powell Crosley, Jr., head of WSAI and WLW, also is president of the ball club.

General Mills and its co-sponsor are allowed to take on other stations for the series of play-by-play diamond programs. Under this setup WCPO, Scripps-Howard station, will undoubtedly be included, as last season, with its own sportscaster, Harry Hartman, doing the airing.

A difference in this year's broadcasting contract is that Sunday home games are omitted. Telegraphic descriptions of away-from-home games are called for, except from New York and Brooklyn, where the club managements are still anti-radio minded.

### Penn Tobacco on Races

Penn Tobacco and Webster-Eisenlohr cigar have bought up the race results consuming a half-hour daily (six days a week) over WIND, Gary. Ruthrauff & Ryan handles the former, while N. W. Ayer steers the cigar account.

## Revive Old Trick

Jack Berch, Mutual Broadcasting singer, and Mark Warnow, CBS orchestra leader, were nearly taken over the coals on a gyp scheme newly revived in Manhattan radio circles.

Shell game, an ancient one, works thus: phoney voice, purporting to be Berch or Warnow or some other victim, calls up web headquarters and says that the victim is purchasing a suit of clothes, but being short of funds will send it up C. O. D. Later a boy appears with a box allegedly containing a suit, and web pays him.

Box is invariably stuffed with newspapers fresh out of the ashcan, and the victim never had been near a clothing store.

## TELEVISION PUBLICITY NOW HITTING AUSTRALIA

Sydney, Feb. 3.  
E. broke into the papers here with statement that negotiations were on for a company to control the Australasian rights of a television invention now in operation in Germany and England. Report stated that the Tait Brothers, in conjunction with Williamson-Tait and others, would be financially interested in the project. Mentioned that E. J. Tait had witnessed a demonstration in Berlin some three years ago and had obtained the rights for this territory.

A message from Melbourne states that television could not be used in Australia without the permission of the Federal government, and that no private enterprise would be given the exclusive rights of television.

George Fields, publicist at WEVD, N. Y., gave blood transfusion to three-and-half year old dotter. Tot now recuperating.

Mutual network has come forward with its first program folio. It was a two months' headache getting it together because of the many sources of information and the various special tie-ins and pick-ups involved. Hereafter network will release schedule every Monday, which will cover programs two weeks ahead.

First folio attracted lot of attention yesterday (Tuesday) in New York as giving the broadcasting fraternity its first glimpse of the program organization of the new coast-to-coast web. Following stations are listed as Mutual facilities are divided at present in groups as follows:

### NORTH ROUND ROBIN

WGN, Chicago, Ill.  
CKLW, Windsor-Detroit.  
WGAR, Cleveland, Ohio.  
WOR, Newark, N. J.

### SOUTH ROUND ROBIN

WOR, Newark, N. J.  
WFIL, Philadelphia, Pa.  
WBAL, Baltimore, Md.  
WOL, Washington, D. C.  
WRVA, Richmond, Va.  
WCAE, Pittsburgh, Pa.  
WLW, Cincinnati, Ohio.  
WSAI, Cincinnati, Ohio.  
WSM, Nashville, Tenn.  
KWIK, St. Louis, Mo.  
WGN, Chicago, Ill.

### WEST COAST SECTION

KSO, Des Moines, Ia.  
WMT, Cedar Rapids, Ia.  
KOIL, Omaha, Neb.  
KFOR, Lincoln, Neb.  
WHB, Kansas City, Mo.  
KFEL, Denver, Colo.  
KHJ, Los Angeles, Calif.  
KDB, Santa Barbara, Calif.  
KGB, San Diego, Calif.  
KERC, San Francisco, Calif.  
KGM, Stockton, Calif.  
KDON, Monterey, Calif.  
KPMC, Bakersfield, Calif.  
KFXM, San Bernardino, Calif.  
KVOE, Santa Ana, Calif.  
KKO, El Centro, Calif.

### COLONIAL NETWORK

WIC, Bridgeport, Conn.  
WTHR, Hartford, Conn.  
WBRV, Waterbury, Conn.  
WSPR, Springfield, Mass.  
WFEA, Manchester, N. H.  
WAAB, Boston, Mass.  
WLNH, Laconia, Mass.  
WLBZ, Bangor, Me.

WRDO, Augusta, Me.

WLLH, Lowell, Mass.

WEAN, Providence, R. I.

WSAR, Fall River, Mass.

WNBH, New Bedford, Mass.

'Florida Contest', jointly sponsored by Mutual Broadcasting and the Miami Jockey Club, has pulled to a close with 43,639 entrants after five weeks. About a quarter—10,434—were femmes.

Mutual will now sift its tabulations, and use the results as fodder in peddling time to agencies. Purpose of the contest was eventually to get just such ammunition while the Miami Jockey Club chipped in with some coin to conjointly promote the sunkist area.

Contest was won by William J. Mitchell (Hartford, Conn.), who will be wined and dined by the Florida crowd for its end of the publicity. Test-your-skill biz involved picking correct winners—the bangtail tourneys.

Program folio follows the daily index system with each program sustaining and commercial, annotated as to origination point and number of stations receiving it. Mutual is informed by A. T. & T. that it now makes more switches than either NBC or CBS. Breakdown of the folio reveals the following distribution:

### TOTAL OF ALL TYPES OF PROGRAMS ORIGINATING FROM

WGN	124
WOR	102
CKLW	8
WLW	25
WAAB	10
DON	1
DOV LEE	6
CANADA	10
WXYZ	10
WCAE	1

297 programs a week

### COMMERCIAL PROGRAMS WEEKLY

WGN	10
WOR	10
WLW	10
WXYZ	10
WFIL	10
KHJ	10
KWK	10

63 programs a week

### DANCE BAND ORIGINATING FROM

WGN	10
WOR	10
CKLW	10
WLW	10
WAAB	10
WFL	10
WCAE	10
CBC	10

77 programs a week

### SUSTAINING PROGRAMS FROM

WGN	10
WOR	10
CKLW	10
WLW	10
WAAB	10
KWK	10
DON LEE	10
CEC	10
WXYZ	10
WCAE	10

programs a week

## WOR PROGRAM REVAMPING ON

WOR, contemplating a sweeping revamp in program schedules—mostly—lated for exits 'The Grummitts,' 'Melody Treasure Hunt,' 'Music for ncing' and Welcome Lewis.

Meantime Dr. Charles M. Courbois, classical organist, gets boosted out of his Sunday morning niche onto Monday eves, 8:30 p. m. Other changes pending.

Among those who may join station are Broadway personality including Georgie Price. Talks on coin in progress.

WOR, New York, has extended renewals on contracts held by singers Tex Fletcher and Corrina Mura.

Also packed some new faces, soprano Sylvia Cyde, tenor Raoul Naedu and tenor Leo Fuld.

# SUPREME COURT OF Showmanship

KLZ is proud of this recognition by the high court of showmanship . . . but more gratifying to KLZ (and more important to advertisers) is the success of this showmanship in changing long-standing listening habits of the Denver-Rocky Mountain region and capturing top position in the preference and esteem of listeners.

## KLZ DENVER

Pioneer Radio Station of the West

Representative  
E. Katz Special Advertising Agency

### DENVER

1. KLZ
2. KFEL
3. KVOD
4. KOA

KLZ, purchased last year by the Gaylord (WKY, Oklahoma City) interests, is bearing down on the showmanship throttle. Production budget is up, phonograph records are out, and commercial blurring is hemmed in by restrictions. Gene O'Fallon takes the No. 2 post, continuing to cop the news-sports field with its Colorado hammers along news-topical line. KOA fathers the rival.

### DECISION PENDING

**KVOR — Colorado Springs**

Now affiliated in management with WKY and KLZ KVOR has had new life, energy and showmanship injected into its veins. Plenty will be heard from this station before another year rolls around. VARIETY editors, please note.

From Community Showmanship Survey for Year 1936. VARIETY, Feb. 10, 1937.

**Affiliated in Management with WKY and the Oklahoma Publishing Co.**

# Fantastic Samaritan Sect in Holy Land Proves Big Hit on Jerusalem Station

By ARTHUR SETTEL

Jerusalem, Feb. 6. A British official unearthened wealth of talent in one of the most colorful communities in the world, the Samaritans of Nablus. A group of these Samaritans proved a big success. Demands for engagements in Tel Aviv, Haifa and Jerusalem have been pouring into the Palestine Broadcasting studios and the High Priest of the Samaritan community in the bandit-ridden town, called in the Bible 'Schem', but on the statute books 'Nablus'.

Samaritans, numbering about 100 souls, are a remnant of ancient Jews who believe only in the Pentateuch (first five Books of Moses). They speak Arabic, cloistered lives, avoid intermarriage with Jews or Arabs or anyone else, complain constantly of a shortage of marriageable women and make a living from a little farming. They hold their annual Paschal sacrifice (on Passover) in strict accordance with Mosaic laws and in the presence of the High Commissioner and the public who are soaked a shilling for admittance. The cash goes a long way to keep the home fires burning.

Songbirds are the Samaritan High Priests themselves, and the program consisted mainly of Passover chants. A drinking song and the circumcision song were part of the secular program.

Most striking aspect of Samaritan music is the relative unimportance of melody or rhythm, variations of tone being the chief means of expression—a perfect hangover from ancient times. Intergues have been preserved intact for centuries.

H. A. Fry, the British chief of the Broadcasting Service, will preserve on records the Samaritan music. He didn't say it, but it is well known that the community is on its last legs. Persecuted by the Arabs because they are Jews (which they deny), and themselves scorning to mix with Jews whom they regard as wanderers from the straight and narrow path of biblical injunction, the Samaritans have been hard pressed to make a living. Radio dates will tide them over for many a hungry day.

Charlotte Idley, former student of Curtis Institute, will soprano twice weekly, 4:45 p.m., over KYW, Philly.

## Follow-Up Comment

Julius Tannen sounded good and tallied quite a few giggles on Ben Bernie's beer can program. Tannen hasn't been active on the air for years, although he once had a commercial series in Chicago for a meat packer. He stepped up to the mike this time with a heartfelt, generous and frank credit from Bernie that 20 years ago it was Tannen that pushed a stuttering and uncertain fiddler out to talk lines. Seldom does one actor publicly acknowledge gratitude in such unmistakable terms. There was no hedging in the phraseology. It was a rave.

Bernie's rendition of 'Slumming on Park Avenue' is in his idiom. It's the way he does the 'King's Men,' and the type of thing that fits his eccentric verbal emphasis.

Gloria Swanson did a guestee on last week's edition of the waxed series on WOR for Blue Coal Dealers, which regularly uses young Jackie Cooper. Film players severely handicapped by dull and—at times—downright stupid script given her, her diction was well compared to the careless, slurred pronunciation characteristic of young Cooper.

Miss Swanson gave her soprano singing voice a workout, but was too ambitious and chose 'None But the Lonely Heart,' which was far beyond her vocal range for adequate handling.

Roger Sweet, WGY, Schenectady, standby, and Virginia Murdoch are newly teamed. Selections are from musical comedy, light opera and film. Sweet is a trained tenor with a fair for ballads; Miss Murdoch is a high soprano.

Sweet sings with skill and smoothness, albeit with a certain sameness; he is a vocalist sometimes sounding the real McCoy and at other times average—under pressure of competition he probably would maintain a higher standard. Miss Murdoch's voice is not big, but it is pleasant-toned and fairly rangy. A primal number in which she joined with Sweet came through the best on broadcast heard.

Dr. George Gallup, director of the American Institute of Public Opinion, led off a series of three-weekly broadcasts heard at supper time over the NBC blue band in a timely tie-up which makes available to listeners the latest results in the Institute's current poll on President Roosevelt's proposal for the reorganization of the Supreme Court. In a 10-minute tee-off, Dr. Gallup

gave the first figures from the voting in six New England States and outlined the Institute's 'weighting' plan, which he said, made its poll on the November national election the most accurate of all attempted.

Current measuring of public opinion on plans for reorganizing the Supreme Court is the third undertaken by the Institute in the last three years. Last report revealed a decrease in the opposition to such proposals. Initial returns from New England and New York showed the 'antis' leading by about four per cent in figures in marked contrast to messages reported in newspapers to have been received by members of Congress. Relief workers and others in the low-income levels are included in the Institute's canvass, results of which appear 60-odd days.

Broadcasts of the poll are to continue for several weeks, announcers handling some of them on five-minute stanzas.

Bob Emery's sparring bee on WOR, New York, is smartly and ingratulating. He is a good deal of a personality. Emery has a clear, pleasant vocal style, knows his grammar and his phonetics, and inserts a variety of related items and light touches. His tomfoolery about the word 'meow' is an example.

In pushing a word like 'callopie' at bank clerks from Brooklyn it might be just as well for Emery to also include the common—presumably wrong—pronunciation.

Irard Cigar overlaps itself during the Transradio evening session on WOR. So bad is this, the long dose of black-out at the station lessens the number still tuned in by the time the news begins.

EPROL FLYNN With Olivia de Havilland, Herbert Marshall, Henry Stephenson, Donald Crisp, Basil Rathbone 'Captain Blood' 60 Mins.

LUX Monday, 9 p. m. WABC, New York (J. Walter Thompson)

'Captain Blood,' as penned by Raphael Sabatini, and made into several pix versions, is pretty widely known. It's a story less than an hour's time on air. It's an action yarn, also, which makes it difficult subject to handle on-ozone. Those angles somewhat defeated Lux purpose, and the result was fine. Flynn, Miss de Havilland, Rathbone and Stephenson worked roles they essayed in most recent picture version of 'Blood,' the Warner release.

Cecil B. de Mille, who regularly m.c.'s the Lux shows, is down in the bayous-of-Louisiana—getting—local group for his U. S. franchising 'Buccaneer,' and consequently has to be replaced. Herbert Marshall, with his crisp, measured British pronunciations, was okay selection, and charted the movie course well. De Mille will be back next week.

Doug MacLean, one-time silent-screen actor, and now boss of a producing unit at Grand National, did a guested, talking briefly near finale and putting in the plugs for the product. Subject was growing up of pix and Hollywood, and MacLean who has been in the biz for 20 years on Coast, knew his theme.

Charles Courtney, locksmith who opens vaults when the owners forget the combinations, was picked up from New York and had a few words to say about his sort of work. Not uninteresting, but could have impressed more with a better script. Bert.

'CURRENT HISTORY EXAMS' With M. E. Tracy Questionaire 30 Mins. Sustaining Tuesday, 8:30 p. m. WHN, New York

If the succeeding broadcasts are planned along lines of the initialer, good idea would be to split time in half and concentrate the fine points in a quarter-hour. Tracy is editor of the mag Current History, and has reciprocal plug deal with station. Local sets are in periodical return for bellyhoo mag gets out of this airing.

Teams of four are pitted against each other in a quizzing-bee on current events that took place in the news. Contestants chosen are picked with an eye to their natural rivalry. First program found lads from New York U. branching brains against quartet from Teachers' College of Columbia. When they err, an 'oracle' intones the correct answer.

Quiz consumed but final half of program. Prolog was an interview Tracy conducted with one Mohammed Nazir, native of Iraq, who talked of his home loam. Tracy kept repeating, 'that's very interesting' to most of Nazir's disclosures. In truth, it was the reverse of 'interesting.' Interview portion deadened the period.

This sort of show is not type that usually expects to attract sponsorship. But there's a definite audience for the current events' quiz among scholars, schoolmarm and the general erudite fringe of Manhattan. Bert.

## CROSBY GAIGE

With Joe Viviano, Bill Farron 15 Mins.

F. M. KELLER MACARONI Daily, 10:45 a. m.

WJZ, New York

(Kenyon & Eckhart)

'Pepper Young's Family' (which is having family will trouble at the moment) is followed on the NBC blue outlet in Manhattan by a program entitled 'Kitchen Cavalcade.' It is important to cite 'Pepper Young' in connection with Cavalcade. Radio in the morning and in the afternoon is crowded with 'Pepper Youngs' and family 'wills'—so that a program of radically different formula must inevitably seem to many a welcome change and should, on the basis of reckoning, get its share of listeners.

Those who habitually listen only to nighttime radio would label 'Kitchen Cavalcade' a radio clam bake, and discuss it as a clam bake. It squirts water at the seams. It is neither very funny when it tries to be funny nor very bizarre when it goes in for odd facts. It consists in the faintly silly character of the proceedings to which housewives can devote one ear while cleaning up the parlor. It should be as capable as the average morning newscast in toping the vacuum cleaner, enemy of all sponsors.

Here's the way they routine the quartet hour:

Opening—dishpans ion intro.

Credit announcement—what's to come.

Farare—alternating voices.

Short accordion solo (one chorus).

Sound effect—boiling water.

Commercial—what goes the water.

Action—Crosby Gaige.

Interpolation—Snoop, monger.

'The Food Reel'—with dialects.

Breakfast—table—disguised, commercial.

More Crosby Gaige.

Unimportant facts in history.

Bill Farron—signoff.

It's a jungle of words and ends.

With the virtue that nothing lasts very long and nothing is taken too seriously. And without being a model of humor, silly or otherwise, it's probably close to the 10:45 a. m. mood of the gals who confront the evening meal six hours later as their biggest problem next to a little dressmaking and bridge.

Crosby Gaige is a strange surroundings. That's typically radio. A dramatic producer talking about food and at a time of day when other dramatic programs are in the still home bed. When heard Tuesday (23) there wasn't much for Gaige to do and not much to say about what he did or how he did it. He was all right, but not good. His diction was good. His material had practically no point to it, and his performance was not memorable on any score. Again rare the unique, his stage personality, and then talks about Hollywood.

Joe Viviano's accordion helped. Some of the dialect stuff pretty terrible, but over in a hurry. Land.

## 'HOUSE PARTY'

With Bradley Kineaid, Annette McCullough, Billy Rose and the Banjoers 30 Mins.

SAVE-THE-BABY Tuesday, 7:30 p. m.

WGY, Schenectady

(Leighton & Nelson)

William W. Lee & Co. is shooting for buyers of cough remedies with this new evening program by a group of WGY acts. After two tests, it supplanted sponsor's coffee-hour chant on which Kineaid and Rose had alternated. This program runs longer and carries more talent than usual local here, but the entertainment does not always fuse.

Resing, eleven of two types of music, tending to rub and the chatter. Too much talk or at least too many voices popping. Speaking pipes of none of the entertainers are distinctive. Those of agency man handling announcements, doing a bit of wisecracking, and last week, a recitative chorus for a Red Cross nurse, none are stronger. Kineaid, the emcee, is a friendly, home type, but he does not have a voice that stands out when a group of fellow singers are throwing in lines. Some grunting and snoring rehearsal if such be possible, would make a good program a better one.

Individually, the specialties are adequate to excellent, and the script, partly in a joshing, inside stuff vein, is all right. Banjoers, Don and Lee Hancox, with Steve Hall at piano, are an ace team. Hancox has added a special guitar and a xylophone to the instruments. All played well and the banjos spankingly. Whether in accompaniments or solos, the boys mesh in a way which indicates ability to zoom in faster company.

Miss McCullough is a smooth, expressive singer of pops—the best of the females on air waves hereabouts. Rose, tenor, smartly, rather martly, to albeit he had little opportunity last week. Might be well to hook him in a duet with Miss McCullough, to get away from the string of singletons. Kincaid's numbers and style of singing will appeal strongest to older listeners. He yodels well. As emcee, he kids interruptions by the sales messenger, of which there are too many, even though some are brief. Jaco.

## 'DINING WITH GEORGE RECTOR'

With Marcella Shields Culinary Advice 15 Mins.

PHILLIPS PACKING CO. Wed., Thurs., Fri., 1:30 p. m.

WABC, New York

(Compton)

Famed restaurateur and son of master chef Rector is a logical selection for this program. He has the background and the big-blown rep that will enhance the selling of Phillips' products, which are pegged just fractionally beneath other pop-price canned food. Rector name is associated with creme-de-la-creme eateries and fact he is out selling this cheaper-price product should have its effect on the buying public. Rector has done chores for A&P and other food acts.

Chef has a rich, booming pair of pipes that definitely establish the right air personality for him. Has Miss Shields doing good job as his vis-a-vis in Jittery Jill role. She plagues him with questions and paces his palaver.

Rector obliges each broadcast with a recipe that should appeal to the middle-class. When caught on the first fling, he explained 'Pop Chops Florentine,' which are merely the chops fancily garnished with spinach. Food is used on and off ozone by banjo renditions of 'Di' is appropriate air for Phillips' canned goods, made as it is in deepest Maryland.

For the sponsor this is a laudable aboutface in advertising. In past Colonel Albanus Phillips has always been known in ad circles as a personal publicity-grabber, characterizing his newspaper and magazine copy in that manner. This departure in his first big chain air ad adventure is welcome and results should be accordingly happy. Bert.

## KFWB STUDIO DEDICATION

With Al Jolson, Dick Powell, Rossa Lind March, Johnny Mercer, Mary Treen, Johnny Murray, Havin

MacQuarrie, Beverly Roberts, Allen Jenkins, Frank McHugh, Eddie Peabody, Walter Cassell, Anita Louise, Olivia de Havilland, Patric Knowles, Joan Blondell, Ruby Keeler, Connie Boswell, Edward G. Robinson, Henry O'Neil, Billy Mauch, Vera Van, Jeanne Madden, George E. Stone, Bert Wheeler, Lila Lee, Benny Baker, Armida, Grace Hayes, Lind Hayes, J. L. Warner, Arthur Ungar, Mervyn LeRoy, Mayor Frank Shaw, Harry Maltish, Dudley Chamber choir, Leo Forbstein's Vitaphone orchestra

2 Hours, 45 Mins.

Mon., 8 p. m.

KFWB, Hollywood

Any of the major networks would have been proud to sign off this gala program dedicating the Warner transmitter's new studio. Shame it was that it couldn't have carried beyond these limited precincts. Few (Continued on page 51)

## A MILE ABOVE ORDINARY SALES LEVEL



Dominating the Rocky Mountain region from the eminence of Denver, KOA has a proven record for high returns to advertisers. Its power, prestige and popularity can send your sales charts to new peaks.

**KOA**  
50,000 WATTS  
DENVER

Completely programmed by NBC

## *We know a Salesman*

We know a salesman who never makes a call unless he is invited. Yet he is such a personable fellow that he has been invited—and welcomed—into nine out of every ten homes in cities throughout the length of the land. He has never held a door open with his foot, never had to wait in a reception room, never written for an appointment, never rung a door-bell. When the day's work is done, and families are assembled in the privacy of their homes, he is summoned to speak his piece before them. He is a tireless worker—on the job sixteen hours a day,        days a week. And he is lightning fast—often calling on as many as ten million prospects within an hour. He carries out his boss' instructions to the letter—and works for a mere pittance per home.

Maybe you think there is no such salesman. Well, there       . What's more, we are in position to put you in touch with millions like him. They are the thirty-four million radio sets of America. And

*"This is—the Columbia Broadcasting System"*



Speaking of sales, you may be interested in the following facts about Columbia. They suggest that Columbia be made part of *your* selling organization, too!

1. In 1936, CBS carried the greatest dollar volume of advertising for any network in the history of radio. 2. In 1936, CBS gained the greatest increase in dollar volume, among major networks, for the year. 3. In 1936 (as in previous years), CBS was the first choice in networks by most of the leading advertisers of the nation.

## Coin for Educational Radio Programs May Come From Two Foundations

Major committee on Radio in Education, with John Studebaker, U. S. Commissioner of Education as chairman, is slated to meet in Washington Mar. 17 to consider a group of broadcast projects. Latter will come as the recommendation of a subcommittee which gets together the next week.

This subcommittee will look over the ideas for advancing education by radio which had been worked out by

### WBT Rates Push-'Em-Up

C., Feb. 23.

WBT is raising its rates 20% on March 1. Station's basic evening rate of \$250 an hour now, goes to \$300, with similar increases all along the line. Only exception is daytime 50-word service announcements, which continue at \$50 per week of seven.

Present advertisers may sign new contracts at the old rates prior to March 1. New rate card is No. 11.

## JERRY COOPER

KRUEGER BEER

WEDNESDAY 10:30 P.M.

WEAF - NBC

DRENE SHAMPOO

WEDNESDAY 1:15 P.M.

WEAF - NBC

Thursday at 7:45 P.M.

WJZ - NBC

Management

COLUMBIA ARTISTS BUREAU

## Fred Allen

## Portland Hoffa

in "Town Hall Tonight"

SAL HEPATICA IPANA

WEAF - Wednesday 8-10 P.M. EST

Host: WALTER BATCHELOR

## JOSEF CHERNIAVSKY

"The Musical Cameraman"

presented by

1847

ROGERS BROS.

Handball—A First?

Memphis, Feb. 23.

Francis S. Chamberlain, WNBR

manager, claims another first for his

station in the Memphis Handball

Championship Match which he

broadcast Feb. 20.

Description was handled by Sam

Acheson, holder for the sixth time

of the National YMCA handball title.

METROPOLITAN, Boston, WEEK FEB. 25

The Trumpet King of Swing

## Louis Armstrong

And His Orchestra

"Pennies From Heaven"

Per. Mgt.: JOE GLASER  
ROCKWELL - O'KEEFE, Inc.

## Chain Breaks

(Continued from page 43)

with date, network client and spot account mentioned.

Declaring that in the long run the chain-break practice will hurt the broadcasting industry, Stuhler's letter takes the view that an advertiser who buys chain-break announcements is capitalizing upon the circulation which Y & R clients' programs have created.

Letter reads in full as follows: "We know beyond any question of doubt that one of the toughest jobs that faces the radio advertiser is establishing his identity as the sponsor of the program which the listener is hearing. A chain-break commercial announcement thrown in directly before or directly after a network show creates a very real possibility of confusion as to who the sponsor of the network show is.

In addition, the insertion of these chain-break commercials means that they are relatively close to either the opening or closing commercials of the network shows which they precede or follow. Thus, the listener is asked to absorb two advertisers' messages on two different points within the space of three or four minutes. Our own extensive studies have proved conclusively that this is almost impossible.

Usually means that the listener gets neither message clearly. And this, in turn, means that both the chain-break advertiser and the network advertiser suffer, although it is important to bear in mind that the injury to the network advertiser is far greater since his investment is far greater.

The time which you are now using to make chain-break announcements was originally established by the old Federal Radio Commission for the purpose of station identification. Radio advertisers have always known that although rate cards quoted prices on the basis of a full 15-, 30-, or 60-minute period, the stations, or the network, never delivered more than 14 minutes and 40 seconds for a quarter hour, 29 minutes and 40 seconds for a half hour, and 59 minutes and 20 seconds for a full hour.

Advertisers and their agents were willing to accept this as long as the lost time was devoted to the purpose for which it was intended. However, should this practice of using this time for chain-break announcements persist, it seems only fair and equitable that there should be a complete downward revision of rates, so that the advertiser will pay only for the exact number of minutes and seconds which he gets.

In view of these considerations, it seems self-evident that, in the long run, a continuance of the practice of inserting chain-break announcements between network commercials is going to affect the entire broadcasting structure adversely.

For that reason we are asking you to immediately discontinue inserting any chain-break announcements before or after any of our clients' programs."

## The Barnum Influence

Arnold Johnson, musical director of the Feenami show (Mutual Broadcasting), has signed Christina Lind, pop singer, and the Ambassadors trio (erstwhile with Kate Smith) to appear with his band on the stanza.

Peculiar twist arose in getting a suitable monicker for Miss Lind. Real name is Jean Petersen, which is Swedish, just like its bearer is. Everybody concerned, however, wanted it still more Swedish to match Johnson's Scandinavian handle, so it was changed to Christina Lind. She's a grad from the old Feenami act hour.

## WWNC's Decade

Asheville, N. C., Feb. 23. WWNC, Asheville, celebrated its 10th anniversary tonight (Tuesday) with an hour's show which included a symphony orchestra, its and two dance bands, which appeared on the station that many years ago.

Among the others that participated were Don S. Elias, prez of the Citizen-imes Co., Ezra McIntosh, formerly of NBC, New York, program director, and Dr. Bob Bingham, formerly of WMCA, New York.

## Radio Showmanship

(Continued from page 44)

concerning the instrument. Tie-in is via a waxer of a symphony where in the musicians' particular instrument is dominant. Show, while peddled to listeners, and justly so, as a music appreciation and educational feature, is actually a promotional gag for the Philharmonic. Current stanza is for 13 weeks and will probably be revised for similar stretch next winter.

### 'Meet the Missus'

Cleveland.

WHK has a 'Meet the Missus' program, with Food Craft Shop offering free luncheons at women's clubs. Advertiser's brand head menu. For entertainment there's a program contributed by Kitchen Kleener and Announcer Gil Gibbons asking tricky questions.

### Taplinger's 'Casey Jones' Stunt

New York City. Bob Taplinger's office tied itself in with the general release for performance of song 'Casey Jones,' by setting its client Robert Ripley in cab of a locomotive with 'Mrs. Casey Jones' (Dorothy Elizabeth Newton, widow of the famous muggler). Stunt pulled for press mugging, in yards of L. I. R. R. at Jamaica, N. Y. Tune's renewal of copyright was taken over last week by Shapiro, Bernstein, Inc. which will place it on the unrestricted list. Southern California Music Co. held rights originally.

### Word-Building Game

Boston.

Ce-lect Baking Co., broadcasting over WNAC, Boston, has picked on a word-building game for cash giveaways. Letters for Bred-O, one of the sponsor's products, are picked from song titles, with original slogans made a supplementary, but essential, angle of the contest. Cards for participation are obtained without obligation from indie grocers.

### Small Town Angle on WMCA

New York City.

Barney's Clothing store is framing an institutional 15-minute broadcast for Sunday afternoon over WMCA, that will give the small-town and country newspaper editors a break. Present plan is to invite representative daily and weekly publications in area adjacent to N. Y. to conduct the brief program on different Sundays, airing their grievances, national developments or other topics which they view as pertinent.

### Arrange Big Day at Expo

Cleveland.

United Broadcasting, group of Ohio stations, WHK-WJAX, Cleveland; WHKC, Columbus, and WKBN, Youngstown, are going to have a 'United Broadcasting Day' this spring when the Great Lakes Expo gets going on its h. o. year. Stations will chip in with all their available acts, plus others, and will have perhaps as many as 100 to trot out on the Expo grounds.

Also all four stations will arrange to have as many of their regular

## Ready for Next Flood

New Orleans, Feb. 23.

Permission by the FCC to organize an emergency flood communication system between New Orleans and Memphis, comprising 19 amateur stations in the Mississippi Valley, has been granted WDSU here, officials said Saturday (20). The system will be put into effect only in case an emergency arises.

All the stations will be keyed through WDSU here, owned and operated by Jean Treadaway and Alfred Thomas. The amateur station is linked to WDSU studios in the Monteleone hotel through the use of local telephone wires.

programs as possible originate from Expo lot on 'UBC Day'. Regional net now casting around trying to get guests of some radio note to appear.

### ramatize School Life

Rockford, Ill.

WROK is airing Sunday evening musicales with talent from various organizations—and departments—of the city's public schools. Rounding out skits from school life are put on by the students. Idea is to show Rockford what is happening in the schools they are supporting by taxes. Idea of putting emphasis on the music end of study life came after success of using high-school dramatic classes for air enactments of what goes on in classroom sessions of same course of study.

### Duplicate Commercial

Los Angeles.

Two sets of commercials are being used on Union Oil's Thrills with the addition of a Honolulu station to the NBC coast array. Copy for the coast harps on 'quick starting' winter weather. That's no go for Hawaii's balmy climate so the petrol gets a different sendoff across the Pacific on the station break in Frisco. Show goes out from the Hollywood NBC studio under Jack Runyon's aegis for Lord & Thomas.

## MYRT MARGE

Colgate-Palmolive-Peet

2:45 P.M.—Mon., Tues., Wed.

Thurs., Fri.

WABC - CBS

## LEON LEONARDI

And His Warner Bros.

KFWB - Orchestra

CHASE and SANBORN Coffee Hour

Sunday 8-9 P.M. E.S.T. NBC

**Vincent Travels**  
AND ORCHESTRA  
2nd YEAR  
MUSICAL DIRECTOR  
Fred Casare  
NEW YORK  
NBC Network  
Brunswick Records

"The Musical Tonic of the Southland"  
—NICK KERRY  
N.Y. Daily Mirror  
**FRANCIS CRAIG**  
AND HIS ORCHESTRA  
NBC Monday, 11:30 p.m. CST  
agement—CRA WSM

**'THE O'NEILLS'**  
By JANE WEST  
NOW RADIO'S MOST POPULAR  
FAMILY BRINGS YOU MORE  
LAUGHTER TEARS AND HEART-THROBS  
Presented by Ivory Soap • 99% pure  
LISTEN TWICE DAILY  
NBC Blue Network, on to Fri. 11 a.m. EST  
IN . . . NBC Red Network, Mon. to Fri. 3:45 p.m. EST  
COAST TO COAST  
DR. BLACKMAN ADVERTISING, INC.  
MGT., ED WOLF—RKO BLDG.—NEW YORK CITY

(Continued from page 48)  
colossals. click. This one rang the bell steadily.  
Show was mostly Al Jolson. He sang in snappy form. He ribbed, he teased, he gagged and held on to the emceeing spot for more than an hour. It was the old Jolson, and what an evening he made of it. Prior to the Dick Powell did the honors in smooth style.

Although a script occasionally was seen, most of the show was in extemporaneous vein and happy mood. With such expert ad libbers to set the pace, it made for better entertainment than strict adherence to starchy parchment.

Credit list atop this notice should give fair inkling of what went on. Not merely a greeting, but almost everyone did a turn. For instance, Anita Louise plucked away at a harp; Joan Blondell did a monolog; Jenkins and McHugh re-enacted a scene from one of their pictures; Olivia DeHavilland and Knowles did a sequence from 'Light Brigade'; Rosalind Marquis warbled a ditty, and so it went.

Gus Edwards was given a nice spot and the studio gang (mostly in dress) joined in to sing with him some of his old tunes. He then brought on Bert Wheeler, Lila Lee, Benny Baker, Armida, proteges of his. They obliged, and Edwards bellowed.

Leo Forbstein's Vitaphone crew of 35 provided rich music, as did Dudley Chambers' mixed ensemble of 30 voices. That's the setup that will be heard in Dick Powell's new radio show, now being auditioned on wax in the east.

Dedication speeches—short and sweet—were delivered by Jack Warner, Arthur Ungar, editor of DAILY VARIETY, Mervyn LeRoy and Mayor Frank L. Shaw.

Too, too bad the show didn't carry east. It was the best 24-sheet that could be hung for what a film studio can do for a local station. Heim.



That's how much more Sargents and Company, French, Des Moines, have increased their radio budget on Iowa Network stations. In 1935 Sargents were spending \$30 a week on KRNT. Today, sponsoring News-time over the Iowa Network they're spending 6 times as much.

Our Advertisers Get Results! We Get Renewals!

**IOWA Network**

KSO--WMT--KRNT  
Radi ones

Representatives:

**NO SPORTING CHANCE**  
In leaving the job to 'The Sports Station.' It's a cinch.

15 newscaats daily. third year exclusive with us. Wire for rates.

**KXBY**  
Kansas City, Mo.

ADVERTISEMENT

• Script and publicity writer with station, agency, and network experience—Promotion and Program ideas—Executive and organization ability—Unusual commercial ideas and presentations.

• Desires connection with progressive station or agency in New York, Detroit or Chicago. Will accept authentic program assignments. Box 91, Variety, New York.

**AL JOLSON**  
With Lionel Stander, Sid Silvers, Martha Raye, Victor Young Orchestra  
30 Mins.  
Tuesday, 8:30 p.m.  
WABC, New York  
(Ruthrauf & Ryan)

Program has been having comedy trouble, which makes it a whimsical slant that the comedy deficiencies are being partly solved by introducing heavily dramatic interludes. Dramatic segments look like it might be what's needed to stimulate the program's red corpuscles and cure its anemia. Al Jolson did a sockeroo four minutes or better of high voltage sentimentality. It was hokey, but punchily put across, tightly sustained from the first line to the last sob.

Bill Bacher is due to doctor this program, which needed attention after floundering around its limp humor and an interrupted routine that got no place. On the program caught (16), Jolson's quivery chin session as its climax, the comedy clicked off some giggles and avoided some of the worst faults previously noted. Always a swell voice for radio and one that could be further developed, is Lionel Stander and his piece of direction with a golden ignorance in his manner and delivery. Land.

**'THE SILVER BULLET'**  
Drama  
25 Mins.  
Sustaining  
Wednesday, 6:15 p.m.  
WNXC, New York

Stan's Experimental Workshop is responsible for this and other dramas over city-owned WNXC. Bunch of youngsters got together couple of months ago, and planned an outfit similar to the Group Theatre functioning in legit stage realms. Experimental Workshop avers dual aims: (1) experimental break in style; and (2) commercial production for sponsors. Latter phase hasn't come to pass as yet.

Chief criticism of the bunch's WNYC effort is that the crew is too ambitious in the face of equipment and facilities not suited to drama presentation. On program caught the sound effects were enough to cause shudders. More rehearsal apparently also needed, with stuttering here and there pretty evident. Maybe they didn't have any place to rehearse, in which case the bunch ought to have taken another play—one, for instance, in which Spanish dialect was not heaped atop other difficulties.

There is a continual call from big stations for talent that's been broken right, and some of these giants even make annual trips to New York to hunt for new faces (WJW is one). That's one of radio's paradoxes. Talent isn't generally broken in too carefully over little stations, because it takes money to ride over types who are non-commercial. And big stations don't want talent unless it has experience. So where is the talent going to come from? There are a number of answers, but Stage and Experimental Workshop, for all its efforts, probably will be only a very minor one. To be trained right requires good direction and facilities. And that gets back to money again.

Experimental group, however, might try more in the direction of absolute simplicity, then toward pretentiousness. Nothing is obviously heartrending that an ambitious attempt being murdered. Edga.

**'YOU BE THE JUDGE'**  
With Judge Ralph W. Li  
Discussion  
15 Mins.  
Fridays  
Sustaining  
WBKB, Detroit

Designed to acquaint people with the law, this program affords listeners chance to figure out tough legal problems. No prize given, but listeners should like it for no other reason than fact it gives 'em something to argue over and try to solve. Judge Ralph W. Liddy, who conducts the weekly forums, has a suitable voice and condenses cases nicely. But could be more clear on principals in the litigations. After reviewing previous week's case and giving solution, jurist briefly recounts circumstances in another litigation and leaves decision until following week. Names are fictitious but cases have actually been settled in court. Pete.

**THE REVELLERS**  
With Jack Costello  
15 Mins.  
RICHARDSON & ROBBIN.  
M-W-F; 6:30 p.m.  
WJZ, New York  
(Charles W. Hoyt)

Agency has done a simple, yet logical thing in fitting up this account with a twilight quarter-hour to further the penetration of the metropolitan market. Has taken the long-standard voice ensemble of NBC's roster and told them to do their stuff. At appropriate intervals, Jack Costello says he thinks all the nice people listening in will probably like Richardson & Robbins' boneless chicken and why not try it very soon.

It's polite, it's pleasant, and at 6:30 p.m. it's a relief from what's otherwise available. Land.

**LUCILLE MANNERS**  
With Robert Simmons, The Revelers, Chorus, Rosario Bourdon's Orch.  
Songs and Orchestra  
60 Mins.  
CITIES SERVICE  
Friday, 8 p.m.  
WEAF, New York  
(Lord & Thomas)

Familiar pattern that has stood time's test for more than nine years continues with Lucille Manners replacing Jessica Dragonet, who has switched over to Palmolive's Wednesday evening show.

Miss Manners was quite obviously chosen with an eye to retaining as much as possible the characteristics of program over so long a stretch. So does it. Fits the assignment snugly.

Last week's edition suffered a bit from a far from brisk getaway, with opening being the 'Phedre' overture by Maurice Massenet, a long piece that was not too holding and might have caused some listeners to dial over to something else rather than wait the core of the program.

Miss Manners, possessed of piercing pipes and the heavy duty, striding through 'Zigeuner', from Noel Coward's 'Bitter Sweet', 'When I Was 17', Kern's 'Song Is You', dueling 'Looking for a Little Boy' (a duet with tenor Robert Immons, running through a 'Merry Widow' medley with the Revelers. Selections gave her a wide-range vocal workout, and places had something for all types of listeners.

Simmons, Revelers and ore backed up strongly. This program, which claims bulk of audience from sedate, middle-class, still holding up its head in company. Bert.

**OBERRAMERGAU PLAYERS**  
Passion Play  
Two Hours  
Sustaining  
Sunday, 2 p.m.  
WIN, New York

Group of parishioners at Union City, N. J., Catholic church have annually been putting on an elaborate Passion Play. Biz hasn't been too terrific this year, so the Rev. Joseph Grieff lifted his ban on airing the spectacle, and WHN ran in a wire and picked up from auditorium. It proved to be a splendid, well cast and well staged, with cast uniformly overacting with zealousness characteristic of amateurs. Background music, most of it by Anton Rubenstein, who 'Kamenev' was played thematically, was arranged by Dorothy Divine and the job she turned in was first-rate.

'Adam Hats got a plug at end of program; being firm relinquished its air time for event. Hatters regularly on WHN Sunday afternoons with 'Bowery Mission' program.

Maybe this whirl on air will stimulate the b. o. during remainder of spec's Lenten run. At least it seems quite evident it was with that idea in mind, Father Grieff invited in the radio wire. Dropping off the air as it did before conclusion might also exercise some lure in that some listeners might be tempted from the show viewpoint, and hop over to Union City to visually catch the show.

Cast leads: Frank McCarthy, Joseph Lussgen, Joseph Stack, Albert Frech, Maurice Stack and George Waldman. Bert.

**THROUGH THE STAGE DOOR**  
With Ray Migeley  
Dramatization  
15 Mins.  
Sustaining  
Tuesday, 10:30 p.m.  
WMCA, New York

Weekly series of case history stuff itemizing allegedly accurate accounts of careers of chorus girls gets better production than ideas. Time of broadcast not too fortuitous either. Late evening more likely to find listeners in mood other than blubbering crocodile tears over raw deals in career. It's as if when trekking into the Big Burg from the pasture lands.

Piece caught last week was so sensationalized and so flamboyant it grew incredible and tedious long before conclusion. Titled 'The Hostess' and was claimed it faithfully recounted the vicissitudes encountered by an anonymous niterly hostess before she snuggled into her present niche. Story started well, but got out of hand.

A shrilly played organ separated the sequences, and was effective. Claire Niesen was nifty in the leading assignment. Larry Menkin scripted.

Ray Migeley is a prof in a hoofing institute, and he poses the series. When caught he was bit too loftily authoritative. It's for him to get dramatizations off as he does, but devices of him cutting into story with superfluous explanations of progress of yarn isn't good. Stories can explain selves. Bert.

**RALPH KIRBERRY**  
With Al and Lee Reiser  
Songs, Music  
15 Mins.  
LIPTON TEA  
Mon., Wed., Fri., 12:30 p.m.  
WEAF, New York  
(Frank resby)

Originally framed a year ago with Ralph Kirberry, this musical cocktail, still backed by same sponsors, adds Al and Lee Reiser, piano duo. Now billed as 'Songs for You.' Lipton just renewed pact, with new program title and shift to noon-time slot where it catches housewife ear more readily than later hour where first spotted.

Kirberry's elegant, low-register baritone is given full sway, with the Reiser combo furnishing colorful musical background for ballading. Very neat quarter hour for mid-day. Wear.

**ROY SHIELD'S REVUE**  
With Vivian Della Chiesa, Edward Davies, Gale Page, Roy Shield's Orchestra  
Musical  
30 Mins.  
Sustaining  
Wednesday 9:00 P.M.  
WENR, Chicago

Much better than usual sustainer, with Roy Shield's orchestra supplying special modern symphonic arrangements both as numbers, and as accompaniment to several of NBC's staff singers. Music leans toward light opera and popular stuff, with Vivian Della Chiesa taking vocal honors. Came through in fine style here with 'Road to Paradise', and one other number.

Program allows each of the three singers two solo spot, and orchestra alone doing three. Vocalers are varied enough in style to keep the program moving at a good rate. Gale Page doing popular stuff, Edward Davies, baritone, supplying favorites of male repertoire, and Vivian Della Chiesa, the concert tunes. Orchestra's arrangements are slick, using a full orchestral symphonic effect at times which enhances the value of the popular and the concert music both. You're laughing at Me, spotted in the iddle, was especially good.

Fully expect to hear commercial copy on a shot which shows so much talent, and so much evidence of proper building to make this one. Probably won't be a sustainer long; shouldn't be, at any rate, for both quality and names ill rab a following for it quick.

**'DRAMATIC MOMENTS FROM REAL LIFE'**  
With Myron Golden  
Drama  
5 Mins.  
UNITED SAVINGS BANK  
Tues-Thurs., 7:15 p.m.  
WJZ, Baltimore

Short dramatizations of daily news events have plenty of punch and merit. Roles nicely enacted by WWJ players, and stories expertly condensed. Myron Golden to leave only the 'goodies'.

On program caught story dealt with dust storms in wheat belt, and a new device being used to combat the plague.

Commercial is choice, but too lengthy for short period. Pete.

**'LET FREEDOM RING'**  
Patriotic  
30 Mins.  
Sustaining  
Monday, 10:30 p.m.  
WABC, New York

Columbia Broadcasting System and the U. S. Dept. of Interior (Office of Education) are giving out with a half hour of remember-what-you've-got-to-be-grateful-for stuff. It comes Monday at 10:30 p.m. and is one of a variety of radio programs, educational in classification, patriotic in intention. As written, rehearsed and presented, the results are fairly absorbing, judged cold bloodedly. But beyond that, when the listener is already a little receptive to the theme, it's likely to ten-strike.

Example one dealt with considerable historic sidelight with the early agitation to amend the original constitution to include a Bill of Rights. Familiar names, such as Washington, Jefferson, Franklin, Madison, are mentioned, along with others best known to scholars.

Free assembly, press, religion, tri by jury and similar blessings are due in successive weeks for dramatization. It's all obviously and honestly counter-dictatorship in implication. Reminding the boys and girls to cherish what democracy gives them. Nicely done, barring a few minor production flaws. Land.

**HOLLYWOOD EXTRA ON THE AIR**  
With Francis X. Bushman  
30 Mins.  
Sustaining  
Fri., 9:30 p.m.  
KFI, Los Angeles

Francis X. Bushman here is offered, as the kindly counselor, one who would give lift to a struggling young thing. Program given a courtroom effect with one of those 'tell your story to the judge' intro's. Bushman presides at the 'court public approval'.

On opening night three sets of players were used. Not likely that any of them will get a studio tumble even though station each week wires casting directors and talent scouts to get a load of the undiscovered talent. Dialers are asked to mail in their votes. That means if the postman rings twice with one load it will make first-rate sales ammunition. Pattern is pretty much the same as Haven MacQuarrie's stunt. Heim.

**NANCY TURNER**  
'WOMAN'S NEWS REPORTER'  
15 Mins.  
SLITE LAUNDRY  
Daily 9:30 A.M.  
WBFB, Baltimore

Well known locally for her 'Nancy Turner's Studio Party' a daily sustaining feature on this station, Miss Turner brings to this new commercial a practiced voice and mike personality. Ballyhooed as a 'different, dramatic program about women, by a woman, for women' show presents Trans Radio news flashes edited for femme interest. Additional local items are also garnered with cash prizes offered for local news breaks with woman's angle.

Using a conversational style and personalizing as much as possible the story being told, the news Miss Turner covers a lot of territory and breezes through her continuity in good style. When caught, interest seemed sustained throughout and period passed pleasantly.

Commercial plug by male announcer at opening, middle and close of program.

## PACIFIC COAST RADIO NOTES

Herbert Marshall took a crack at producing a Lux show ('Captain Blood') in the absence of C. B. DeMille, on location junket in the south for his next super colossal.

Lynne Overman will be the stu dio guide on Boris Morros' Paramount on Parade, debuting March 14. Eddie Moran will do the scri.

Leo Shepard named guardian of KNX (Hollywood) transmitter.

ing Crosby will pour James Cagney into the Q and A grid on the Kraft ailer Thursday (25).

Ben Bernie dresses down (verbally) flimdom's fashion plate, Adolphe Menjou, his March 9 broadcast.

Lewis Allen Wells, top ick for the Don Lee network, foraging through the northern part of California to see how many more transmitters he can add to the web's current ten.

Raymond Paige gets the music spot if and when the Marx Bros. commercial reaches the inking stage.

Audrey Mays, artists model, writing continuity at KRKD (Los Angeles).

Guy Earl now receiving his mail at L. A. offices of Transradio Press. Says there's no official connection,

however, hat,

Tex Rickard draws title of general manager of KMTR (Hollywood). Abe Corensen riding herd on the sales force.

Iza Schallert had Mary Astor on her program for a quizzing two days after her elopement.

Pete De Lima headed for New York after resigning as artists bureau head for Columbia on the Coast.

George Jay ing kilocycle somebodies in a new series over KEHE (Los Angeles).

J. Donald Wilson, L. A. announcer, has turned his tagline to read the other way around. As a gesture to Don Wilson to avoid confusion.

Burns and Allen tossed a backstage shindy for the L. A. radio eds to commemorate their fifth anniversary on the air.

Tom Harrington took a flier to the home office and back in time to handle the Jello show.

Ben Bernie will learn about hoeses from Alfred G. Vanderbilt and his trainer, Bud Stotler. They'll be his guests on tonight's (24) program.

Jack Hasty, producer of National Biscuit opus on the Coast, passed out credits to his sripters on the air.

Dick Foran will do the warbling for Burns and Allen when they swing over to Grape Nuts in early April.

Ed Lowry is gagging his Hollywood Community Sing with a skit, 'Do You Want to Be a Heckler?' They're picked from the audience, a la Haven MacQuarrie.

Leon Rosebrook takes over the baton from Salvatore Santaella as director of KEHE (Los Angeles).

He's a former. Radi ity chorus master.

Mary Livingstone ordered by her physician to forget about radio for two weeks. Her part in Jack Benny show will be kept alive by letters and telegrams.

Ed Fortman, press head for J. Walter Thompson on the Coast, claims to have figures to prove that the Lux show has achieved the highest rating of any of the 2,000 dramatic offerings on the air—all these years.

James Seward, boss of the exchequer for Columbia, spending a few days at the Hollywood plant.

Harry Savoy signed to 13-week contract by Eddie Cantor.

Morton Downey in Hollywood for a few guest shots and possible picture work.

Leon Churchon is back on the production staff at KYA, San Francisco. Watson Humphrey filled in while Churchon was east.

Paul Rosen, clarinetist, now with Claude Sweeten's ork at KFRC, San Francisco. Formerly with Horace Heidt in Chicago.

Johnny O'Brien, harmonica tooter, gets a coast-to-coast spot on the NBC-Blue network from San Francisco on Mondays at 1:30 p. m. PST, beginning this week. Rhythm combatoned by Walter Kelsey in support. Paul Martin and His Music goes nationwide over the same web at 1:00 p. m. Mondays starting March 1.

rama staff at KYA, San Francisco, now includes Jane Hoey, active in little theatre work but new to radio.

Arranger for Earl Towner's ork at KSFO, San Francisco, is Glenn Hurlburt, blind pianist-arranger formerly with Tom Coakley's ork. Appointment made last week.

Richard Wynne, mikeman at KYA, San Francisco, subbed for Ernie Smith last week on latter's

## Canada Agin' Advertising

Winnipeg, Feb. 23. Gladstone Murray, general manager of Canadian government radio, makes it abundantly clear that he is no friend of commercial radio. While in Winnipeg conferring with his superior, Leonard Brockington, chairman of the C.B.C. board, he is quoted:

'We are entirely against advertising in radio but present conditions force us to take a certain amount of it. Policy, however, is to keep it absolutely to a minimum. We are looking forward to the day when there will be no advertising programs on our network.'

'Sportlites' programs while Smith was down with flu.

Joseph Henry Jackson, San Francisco radio author, returned last week after four months in Guatemala.

Ernie Smith's Sportlites has been signed by Roos Bros., clothing store, for thrice-weekly broadcasts starting April 1 over KYA, San Francisco. Smith's talks will be aired Mondays, Wednesdays and Fridays from 7 to 7:15 p. m. PST. Store holds options for Tuesday, Thursday and Saturday 'Sportlites' at the same hour. Shows are currently on KYA as sustainers.

New KJBS studios in San Francisco were formally dedicated last Saturday and Sunday with a series of special broadcasts arranged by Production Manager Harry Wickersham. Station held open house Saturday afternoon, sending invitations in the form of a leather keytainer with a gilded paper 'key' to the studios.

Dick Deasy, Keith Kirby and Bob Struble, mikemen at KSFO, San Francisco, got their fill of fire crackers last week when they handled the Chinese New Year broadcast from Frisco's Chinatown for the Coast CBS web.

Ione DeLuce, formerly of Seattle, Wash., added to biz staff at KSFO, San Francisco.

Coleman Cox, philosopher, returns to KFRC, San Francisco, Feb. 25 to begin a semi-weekly series of quarter-hour evening broadcasts for release over the Don Lee net. Cox (Continued on page 70)

## Australian Govt. Erecting Station in Federal Zone

Canberra, Feb. 1. Government proposes erect local station here. future. Complaints have been received that Sydney stations can't be gotten any too well in this Federal territory and the air mob wants something done about it.

\$5 and they want to hear all they can for the dough. Complaints resulted in decision to erect a new station.

Melbourne, Feb. 1. Australian Broadcasting Commission is readying plans for own building erection this year. Plans call for building to house 16 studios, intimate theatre and provision for televisi.

A.B.C. operates the national chain and refuses advertising. Sydney studios are at present housed in a portion of the old Her Majesty's theatre that was, and these studios are now too cramped and obsolete, hence the decision to build own home in N. S. Wales and Victoria

**AL GOODMAN and his ORCHESTRA**

featuring on

**PALMOLIVE BEAUTY BOX THEATRE**

EVERY WEDNESDAY

**CBS 9:30 P.M.**

**SHOW BOAT**

EVERY THURSDAY

**NBC 9 P.M.**

BOOKED EXCLUSIVELY BY MUSIC CORP. OF AMERICA

**FOUR COMBINATION**

**Tommy Dorsey and his ORCHESTRA**

VIC FOR RECORDS

Every Mon. 9:30-10 P.M. E.S.T.

OPENING FEB. 19

NOTE: (COMMONWEALTH NEW YORK)

Per. Rep.—ARTHUR T. MICHAUD

1775 BROADWAY, N. Y. C.

Mgt.—M.C.A.

**phil baker**

THE GREAT AMERICAN EDITOR

**GULF REFINING COMPANY**

SUNDAY

7:30-8 P.M. EST

WABC

5:30

## F.C.C.'S WASHINGTON DOCKET

### DECISIONS

Alabama: WBRC, Birmingham, daytime power boost from 1 to 5 kw.

California: KHSL, Chico, granted frequency change from 950 to 1260 kc, change power from 250 watts days to 250 watts nights, 250 watts days, and increase hours of operation. Commish sustaining Examiner R. H. Hyde; KGB, Don Lee Broadcasting System, San Diego, denied petition to reconsider and grant without hearing, application for authority to increase day power from 1 to 5 kw.

Minnesota: Albert Lea Broadcasting Corp., Albert Lea, granted new station to be operated on 1200 kc. with 100 watts, days only. Commish upholding Examiner R. H. Hyde; Winona Radio Service, Winona, granted new station to be operated on 1200 kc. with 100 watts, daytimes, sustaining Examiner Hyde.

New York: National Broadcasting Company, Inc., granted extension of authority to transmit programs to Canadian stations CFCF and CRCT and the Canadian Radio Broadcasting Commission.

South Carolina: O. L. Stone, Florence, reaffirmed grant for new station to be operated on 1200 kc. with 100 watts, days, which was suspended and set for hearing because of protest filed by Don Lee Broadcasting Co., now withdrawn (petition of WAIN to intervene dismissed).

### SET-FOR HEARING

Alabama: John C. Hughes, Phoenix City, new station to be operated on 1310 kc. with 100 watts, days only. Archie E. Everage, Andalusia, new station to be operated on 1310 kc. ith 100 watts nights, 250 watts days.

California: KFXM, San Bernardino, boost day power from 100 watts to 250 watts, KCFJ, Ben S. McLaughlin, Los Angeles, change frequency from 1200 to 1170 kc. power boost from 100 watts to 250 watts nights, 500 watts days, and install new antenna (to be heard before Broadcast Division).

Maryland: Frank M. tears, Salisbury, new station to be operated on 1200 kc. with 250 watts, days only. Minnesota: George W. Young, St. Paul, new station to be operated on 920 kc. with 1 kw. ights, 5 kw. days, using directional antenna nights.

Nebraska: Clark Standiford and L. S. Coburn, Fremont, new station to be operated on 1420 kc. with 100 watts.

New Jersey: res-Union Publishing Co., Atlantic City, new station to be operated days on 1200 kc. with 100 watts.

Ohio: Summit io Corp., Akron, new special broadcast station to be operated on 1530 kc. with 1 kw. WHK, jump day juice from 2½ to 5 kw.

Oklahoma: G. Kenneth Miller, Tulsa, new station to be operated on 1310 kc. with 100 watts.

Pennsylvania: Philadelphia Radio broadcasting Co., Philadelphia, new special station to be operated on 1570 kc. with 1 kw.

South Dakota: KGDY, Huron, authority to transfer control from F. Koren, Robert J. Dean and M. W. Plowman, to Greater Kampeska Radio Company.

Texas: KTEM, Temple, change power from 100 watts days to 100 watts days; 250 watts nights.

Virginia: Arlington Radio Service, Inc., Arlington, new station to be operated on 850 kc. ith 250 watts, days only.

### New Petitions

Alabama: W. Page Corp., Phenix City, new station to be operated on 1240 kc with 250 watts.

California: KRE, Berkeley, change frequency from 1370 kc to 1440 kc, increase power from 100 watts nights, 250 watts days, to 500 watts nights, 1 kw days.

Hawaii: Honolulu, change frequency from 1320 to 580 kc.

Illinois: Key City roadcasting Co., Kankakee, new station to be operated on 1500 kc with 100 watts.

Iowa: Leon M. Eisefeld, Burlington, new station to be operated on 1310 kc with 100 watts.

Maryland: WBBO, Cumberland, authority to transfer control of corporation from Roger W. Clipp and Frank V. Becker to Delaware Channel Corp., 250 shares common stock.

Michigan: Washtenaw Broadcasters, Inc., Ann Arbor, new special broadcast station to be operated on 1550 kc with 1 kw.

Montana: Gallatin Radio Forum, Bozeman, new station to be operated on 1420 kc with 250 watts, daytimes only.

Pennsylvania: WKOK, Sunbury, boost power from 100 watts to 100 watts nights, 250 watts days.

Texas: North Texas Broadcasting Co., Paris, jump power from 100 to 250 watts.

Utah: ichfield Broadcast Co., Richfield, new station to be operated on 1370 kc with 100 watts; Provo Broadcast Co., Provo, new station to be operated on 1210 kc ith 100 watts.

West Virginia: George W. Taylor Company, Inc., Williamson, new station to be operated on 1370 kc with 100 watts daytime power.

### Examiners' Reports

California: Establishment of a new station in Pasadena was nixed by Examiner Ralph L. Walker on the ground the Los Angeles section already is amply served by existing transmitters. Pointing out 14 stations now lay down satisfactory signals in the suburban city, Walter recommended denial of the application of Loyal E. King, newspaper publisher, for permit to erect station using 1320 kc with 250 watts days. No need for additional service was visible.

Flori Daytime power jump for WCOA, Pensacola, was favored by Examiner Melvin H. Dalberg. Suggested commish let the station, subsidiary of the News Journal, jump from 500 watts to 500 night and 1 kw days in order to cover rural sections and meet evident needs for additional service.



**MARIO BRAGGIOTTI**  
WITH HIS ORCHESTRA  
Opens Limited Engagement at  
Normandie Ballroom, Boston  
March 27th  
Soloist with Providence Philharmonic Orchestra—March 1937  
"SPANISH RAPSOODY"  
(HEARD ON NBC NETWORK)  
Mgt. CONSOLIDATED RADIO ARTISTS, INC.

**CARL HOFF**

**LUCKY STRIKE**

"Your Hit Parade"

Saturday, 11 P.M.  
WABC

**JACK PEARL**

RALEIGH and  
KOOL CIGARETTES  
WJZ 9:30 P.M. E.S.T.—Mondays  
NBC Network  
& S. LYONS, Inc.

# Won't Ask, but Would Like to Receive

## Music Biz, Facing Code, Thinks Orchestra Leaders' Opinions Might Be Helpful

While it will not make any formal bid for the information, the music industry committee—which has charge of negotiating a code of fair trade practices with the Federal Trade Commission would like to get the views of orchestra leaders and radio singers on the anti-bribery pledge which went into effect last August. Committee feels that the bandleaders and vocalists might have suggestions dealing with the proposed federal code which ought to be considered.

There will be some sort of meeting with the F. T. March 3. It will be in either Washington or New York and it is yet to be decided whether the industry's delegation will be composed of members of the code committee or a duo comprised of John G. Paine and Joseph V. McKee, board chairman and general counsel, respectively, of the Music Publishers' Protective Association.

Paine has found that some of the code violation complaints filed with him reveal misunderstandings on the part of performers which could easily be straightened out if the latter were made aware of the problems involved. Paine thinks that if these things were made clear to performers they could avert being mixed up in investigations of code violations and also probable court

actions. Committee concurs in these sentiments and it would like to make the leaders and singers conscious of their "concern" in the forthcoming F. T. C. code without making it appear that a stick is being held over them.

## IRVING MILLS' MASTER OUTFIT

Irving Mills, having severed his recording contract with American Record Co. (Brunswick, Columbia, Vocalion, et al.) has formed a partnership hookup with the Herb Yates organization whereby Master Records, Inc., will utilize the Brunswick recording laboratories and operate as a separate entity. Thus, former Brunswick, Columbia, Vocalion and other disk artists will be exclusively waxed through Mills' Master Records, Inc., outfit which will have two labels—a 75c. brand (Master) and a 35c. disk (Variety record).

First release slated for April 1 and already a catalog of some 200 numbers have been set.

Some of the artists, many of them new on the disks, who will can for Mills, will be Clyde Lucas, Cale Burke, Duke Ellington, Ben Pollack, Tommy Thompson, Lucky Millinder's Blue Ribbon, Jan Savitt and Top Hatters, Jack Denny, Ray Scott, Larry Lee from the Beverly-Wilshire hotel, Cab Calloway and those other Mills hands when their contracts lapse with the other recording companies.

Entire Consolidated Radio Orchestra's roster will go on the Master label. CRA and Mills are now partnered.

## Robbins-Metro Start Buildup of Its Olman And Miller Catalogs

With its recently acquired Leo Feist, Inc., now on a parity with the Robbins Music Corp., the Metro-Robbins management is now starting to build up the Abe Olman Music Corp. and the Miller Music, Inc., catalogs. Latter firm was a recent buy-out of Olman Music has been permitted to lie dormant while Abe Olman, v.p. and g.m. of Feist's, devoted himself to that catalog. Now they're ready to expand both firms.

Among the new tunes which Olman will tee off will be "Everything You Do," just acquired from Irwin Dash Music Co., Ltd. of London. Dash is now in America. Song is by Newell Chase (American) and Holt Marwell, nom-de-plume for Eric Maschwitz, director of variety entertainment for the British Broadcasting Corp.

## Henry King's Wax Quickie

Hollywood, Feb. 23. Decca Recording Co. planned Henry King's ark down from San Francisco for an all-day session with the discs yesterday (Monday). Band had to make quick in-and-out due to engagement at the Fairmont hotel.

Decca also completed four platters with Connie Boswell do-re-me-ing to Ben Pollack's accompaniment.

Mal Hallett's orchestra set for Junior Hop at Lafayette College on March 12.

## Most Played on Air

To familiarize the trade with the tunes most on the air around New York, the following songs were most played on the networks last week. Combined plugs on WEAF, WJZ and WABC are computed for the week from Sunday through Saturday night, Feb. 14-20.

- \*This Year's Kisses
- \*Goodnight My Love
- On Little Bamboo Bridge
- \*May I Have Next Romance?
- \*With Plenty Money and You
- When My Dreamboat Comes
- \*I've Love to Keep Me Warm
- Trust in Me
- \*Please Keep Me in Dreams
- I Can't Lose That Longing
- Serenade in the Night
- \*There's Something in the Air
- He Ain't Got Rhythm
- \*Stumbling on Park Ave.
- \*Night Is Young
- When Poppies Bloom Again
- \*You're Laughing at Me
- \*Smoke Dreams
- Gee, But You're Swell
- Boo Hoo
- \*Little Old Lady
- Swing High, Swing Low
- \*Pennies from Heaven
- Mood That I'm In

\*Indicates financial song.  
Indicates stage production song. The others are pops.

## General Motors Shows Up Again As Strike Ends

Chicago, Feb. 23.

General Motors, now that the sit-down strikers have gotten on their feet, has gone into a huddle on renewing its plans for orchestras and name talent for its various individual auto shows throughout the country. Have been in confab with Maurice Lipsey of Music Corporation of America which was to have handled the spotting of \$175,000 worth of band and p.a. talent.

General Motors has unqualifiedly called for any and all auto shows for the time being—its major problem at present being to supply the orders now on the books, and not how to sell 'em. This being the case the auto firm is planning a series of auto shows this coming fall, around September and October.

Also understood that the shows will be on a somewhat smaller scale than originally set up, and will call for an expenditure of around \$85,000 for about six weeks of shows.

## ONLY TWO NEW FACES ON ASCAP COMMITTEE

Official electees to the publishers availability committee of the American Society of Composers, Authors and Publishers will not be known until tomorrow (Thursday) though the ballots are in and the count has begun. Election's results will come before the regular monthly meeting of ASCAP's directorate which is slated for tomorrow.

Indications are that the new availability committee will consist of: Saul H. Bornstein, Walter Douglas, Louis Bernstein, Gustave Schirmer, Carl Fischer, Max Dreyfus, Jack Bregman.

Last two would make the only newcomers to the committee, with Dreyfus replacing Bobby Crawford, who sold out his company to the former some time ago, and Bregman moving into the spot formerly held by Edward B. Marks.

## Self-Perpetuating

Considerable number of the smaller publishers took no part in the balloting, contending that their votes would be of no marked significance since each ballot would be valued according to the number of points the voter rated in the way of catalog availability. This insurgent group has charged that members of the availability committee controlled among them 84% of the available

## John Paine Reminds Publishers That M.P.P.A. Is Their Organization

### 'Moon and June' to Order

Philadelphia, in Pan Alley prize-for speed in grinding them out.

On "Music Box Revue" program over WFIL each week he asks listeners to suggest song titles. Picks best one and writes music and lyrics for it. Following week Howard Lanin ork plays it on program.

Rorbaugh has brainstormed four this way to date.

## PUBS LEERY OF DISC SET-UP

Board of directors of the Music Publishers Protective Association refused last week to give its blessing to the amendment to the copyright law as drawn up by counsel for the National Association of Recording Artists until it has seen the final draft of the amendment and had time to study it. Maurice Speiser, counsel for the NARA, had sought this formal approval before submitting the amendment for introduction in both houses of Congress.

Publishers want to take their time about consenting to any support of an amendment which would give the performing or interpretative artists recognition under the copyright law. They are leery about another licensing system being added to those now in existence. Speiser has assured them that his bill will not in any way encroach on the rights of the copyright, but merely reduce to tangible form the right of an artist to property ownership of his interpretation.

Speiser rates his new bill as somewhat softening the demands for rights which were contained in the amendment that was introduced last year in the House of Representatives. Through recognition under the law the NARA hopes to have a weapon which will prevent radio stations from broadcasting phonograph records without first obtaining permission from the artists involved.

## Salabert Due March 15

Paris, Feb.

Francis Salabert, French music publisher, will arrive in New York March 15 for two weeks' stay, to negotiate new contracts for French rights of American tunes. Heavy load of pic tunes makes a jaunt out to Hollywood a possibility, though at present Salabert believes he can handle everything from New York.

Mme. Salabert, who has been in Hollywood for past couple months, joins her husband in New York, to return to Europe with him beginning of April.

points and that they suspected that the next move of the committee would be to toss the whole matter of determining this phase of royalty allocations back into the publishers' faction on the ASCAP board.

Proponents of the system of availability committee voted by the number of availability points asserted that this only can serve as the logical and businesslike method. They base this argument on the usual procedure in corporations whereby votes are counted according to the number of shares held by each stockholder.

In a circular letter addressed to the trade, John G. Paine, chairman of the Music Publishers' Protective Association, last week chided publishers who make a practice of clearing synchronization rights directly to the picture producer or through a Hollywood clearance agency. Paine scored the procedure as unfair on the part of the publishers since it is to the MPPA's mechanical rights bureau that they invariably look for protection when it comes getting full performing credits from the American Society of Composers, Authors and Publishers or obtaining license recognition in foreign countries.

Stressing the foreign angle as an important one, Paine's letter reminded the publishers that the MPPA's bureau follows up the issuance of a license by filing a copy with the various mechanical or performing rights associations in Europe and other places so that the film company licensed will not be embarrassed by having the picture held up at the port of entry. Or refused distribution until the music clearances have been certified.

**Publishers' Own**  
Paine also reminded the pubs that this class of service requires a considerable amount of clerical work, large expenditures for material and trained and experienced clearance personnel. He wrote that the publishers ought to realize that the MPPA's clearance bureau was their own organization, not part of a film organization, and that it could be depended upon to do best by the publishers' interests.

Paine's letter recalled the jam that the publishing industry found itself in 1932 when the agreement with ERFI expired and how the MPPA stepped into the breach and by sending reps to Europe and Australia straightened out the mess.

## Witmark Presents

The Sensational Ballad

## When My Dream Boat Comes Home

From "CHEROKEE STRIP" Starring Dick Farn, "The Singing Cowboy" The Greatest Western Ballad in Years.

## MY LITTLE BUCKAROO

M. WITMARK & SONS 1220 Sixth Ave., RCA Bldg., N. Y. CHARLIE WARREN, Prof. Mgr.

## Remick

Warren and Dubin at Their Best in These Two

## HOW COULD YOU?

## SUMMER NIGHT

A New, Terrific Hit!

## GEE! But You're Swell

from "SING ME A LOVE SONG" Composed and Produced by WARREN and DUBIN

LITTLE HOUSE THAT LOVE BUILT EYES HAVE TOLD ME SO

REMIK MUSIC CORP.

1220 Sixth Ave., RCA Bldg., N. Y.

CHARLIE WARREN, Prof. Mgr.

Gordon & Revel's Greatest Score . . . From 'Head Over Heels In Love' . . . A Gaumont-British Picture

'May I Have the Next Romance With You'  
'Lookin' Around Corners for You'  
'There's That Look In Your Eyes Again'  
'Head Over Heels In Love'

LEO FEIST, Inc. 1629 BROADWAY NEW YORK

To paraphrase the saying—"Good Things Come in Pairs." For example, here are 4 big songs from 4 big pictures:

## A THOUSAND DREAMS OF YOU

From the Walter Wanger production, "You Only Live Once"

## SMOKE DREAMS

from the Metro-Goldwyn Mayer production, "After The Thin Man"

## GOODNIGHT MY LOVE

From the 20th Century-Fox production, "Stowaway"

## THERE'S SOMETHING IN THE AIR

From the 20th Century-Fox production, "Banjo On My Knee"

ROBBINS MUSIC CORP. • 799 7th AVE. • NEW YORK

**TWO TOP TEMPO TUNES**  
Written and Arranged by WILL HUDSON  
**MR. GHOST GOES TO TOWN**  
ORGAN GRINDER'S SWING  
EXCLUSIVE PUBLICATIONS INC.  
1817 BROADWAY, NEW YORK, N. Y.

**FOX FLASHES**  
THE BALLAD SENSATION  
**THE WORLD IS MINE**  
(TONIGHT)  
NOW THRILLING THE WORLD  
SAM FOX PUBLISHING COMPANY  
1250 SIXTH AVENUE  
RCA BUILDING, RADIO CITY, NEW YORK

**MUSIC PRINTING**  
ALL DIVISIONS OF THE  
**AMERICAN DECALCOMANIA CO.**  
4326 W. 11TH AVE., CHICAGO, ILL.  
quality music & title printing & engraving  
AT REASONABLE PRICES  
WORK DONE BY ALL METHODS  
ESTIMATES FURNISHED WITHOUT OBLIGATION

## ACTION ON WAX EXPECTED AT MIAMI

Miami, armed with a pocketful of data on local musicians' ban against recording and backed up with resolutions and the good wishes of locals throughout the country, James C. Petrillo, head of the Chicago Federation of Musicians, is in Miami this week to attend the meeting of the Executive Board of the American Federation of Musicians. Reported that he will make a terrific campaign to secure an im-

mediate national resolution of the recording matter.

Petrillo has messages of cooperation and the adoption of anti-recording resolutions from locals in New York, Pittsburgh, Buffalo, St. Louis, Denver, Minneapolis, St. Paul, New Orleans, Detroit, Cleveland, Boston and San Francisco.

Petrillo has also been flooded with requests from locals seeking to find out just how the Chicago local is going about its anti-recording campaign and what rules and regulations the local is setting up to handle those recordings which are to be permitted. Petrillo himself had not settled the final details: these rules and regulations, and it's likely that he will hold off the final decision on this setup until he has discussed the matter fully with the rest of the members of the national executive committee.

### Awaiting Petrillo Meet

Local recording organizations are sitting back waiting for the general meeting of the James C. Petrillo to find out just where they stand in the recording affair, and under what conditions they will be permitted to make musical platters. Meeting of recorders and the Musicians' Union has been on the schedules for a couple of weeks now but has been postponed from time to time due to the absence of several of the leading recording men, particularly Jack Kapp, head of Decca, who has been detained the Coast and who has asked that the meeting be delayed until he would be able to sit in. That being the case, it now appears that the Petrillo-recorders round-table will not be held until after the meeting in Miami.

Meanwhile the general recording ban has had little effect on the commercial radio disk in Chicago since most of the recordings now being turned out were contracted for prior to the time when the local nix order went into official effect, and Petrillo has flatly stated that where the Union had previously okayed recording contracts that these deals would be permitted to run the full length of their agreements and would not be killed off because of any later Union ruling to the contrary.

Popular recordings have been stopped entirely for the time being and the Chicago bands at present are making no pop phonograph discs. However, several of the recording companies and orchestra leaders are ready to go to the Union in an effort to obtain permission to make additional pop discs. This is perfectly within the rules originally set up by Petrillo, in that permission would be granted in specific instances for the making of certain recordings where such discs are justified.

Shapiro, Bernstein & Co. is not planning on a coming-out party for the 80-foot mural which adorns the publishing firm's home offices. Louis Bernstein cut his Florida vacation a few days short for a look-see at the completed job.

## Last Week's 25 Best Sellers

[The trade will be interested in comparing the selling ratio to the most-played-on-the-air tabulations, shown elsewhere in this department. Song title and publisher of the best selling 25 are included; only the title of the song is recorded in the air plugs.]

When My Dreamboat Comes Home.....	Witmark
*Goodnight My Love.....	Robbins
Trust in Me.....	Ager
Chapel in the Moonlight.....	Shapiro
*This Year's Kisses.....	Berli
*Rainbow on the River.....	Select
*Pennies From Heaven.....	Popular
*Moonlight and Shadows.....	Feist
*May I Have the Next Romance?.....	Berli
*I've Love to Keep Me Warm.....	Feist
On a Little Bamboo Bridge.....	Morris
*Little Old Lady.....	Chappell
*With Plenty Money and You.....	Harms
Serenade in the Night.....	Mills
*You're Laughing at Me.....	Berlin
*Night Is Young.....	Words & Music
*There's Something in the Air.....	Robbins
*Love and Learn.....	Chappell
*Slumming on Park Ave.....	Berlin
When the Poppies Bloom Again.....	Shapiro
What Will I Tell My Heart.....	Crawford
*One, Two, Button Your.....	Select
Girl on Police Gazette.....	Berli
Boo Hoo.....	Shapiro
*Who's Afraid.....	Hollywood

\*Indicates film musical song others: pops.

### Joe Gerlach Dies

Pittsburgh.

Joseph J. Gerlach, 36, professional manager for Shapiro, Bernstein & Co., the Cleveland-Pittsburgh area, died Feb. 18 from cancer of the spine. Louis B. Bernstein, S-B prez, had him flown to New York last November for treatment after Pittsburgh medics had failed to diagnose the case.

Gerlach had been with Shapiro-Bernstein for four years coming from Famous Music Corp. He is survived by his wife.

Cleveland music boys have a benefit show set for Gerlach's family at Trianon Ballroom, Cleveland, March 3.

is doing a series of special arrangements for violin and piano. Mills Music, Inc. First two, now on the press, involve 'Sophisticated Lady' and 'Stardust.'

Simon Van Lier, head of the popular music division of Keith-Powers & Co., is due over from London Mar. 9. During his stay he will contact various American publishers.

### Dallas Band Shifts

Dallas, Feb. 23.

Will Osborne's orchestra opens month's engagement today (24) in Century Room of Adolphus hotel, succeeding Joe Venuti. Latter doesn't have immediate date in sight, due to agent snarl, so will one-night for time.

Herbie Kay brings his band to Baker's Mural Room Saturday (27) night, following Joe Reichman. Reichman goes to San Antonio for two weeks, then goes to Cocanut Grove in Los Angeles.

### Sonny Schuyler Bankrupt

Sonny Schuyler, musician, in private life Selif Shaftel, filed petition in bankruptcy in Federal Court N. Y., listing liabilities of \$4,289 and no assets.

Debts are both personal and also in connection with a clothing firm of which he was a partner.

### Morris to L. A. in April

Edwin H. (Buddy) Morris, gen. mgr. of the Warner Bros. music publishing interests, will swing back to Hollywood the first week in April. He returned last week from a several weeks stay around the producer's studios.

## Inside Stuff—Music

C. W. Clay, president of the National Typprint Co., declares that his organization has developed a complete and practical music typewriter on the market which is manufactured by Remington Rand, Inc. His company, he says, is also distributor for the Rundstatler Nototyp (music typewriter), a German mechanism, in this country. Clay adds that although the various models of the Nototyp are slightly faster in operation than the Remington, the German machine does not contain the alphabet for writing words to music. This is in line with a recent story in VARIETY on a new German musical typewriter.

Lou Diamond, Paramount's shorts head and music impresario, figured out something new as an exploitation gag for a song number that's coming in 'Waikiki Wedding.' He sent out telegrams on Valentine Day forms to around 200 people in and out of show business. Those to the femmes were signed Rudy, those to the men were signed Virginia, text of the message simply being title of the song, 'Sweet is the Word for You.'

In some cases there were squawks so Diamond is now following the wire up with sheet copies of the song.

Some songsmith-members of the American Society of Composers, authors and publishers have raised a squawk at an alleged short dividend payoff on British Performing Rights Society income, due to a discrepancy between the ASCAP point system and the actual revenue which the British PRS turns over to ASCAP on songs by American writers. The reconciliation doesn't jell due to ASCAP's own idea of divvy via the point performance system.

Info has been received by Emanuel Cohen on the Coast from the London rep of the Select Music Co. that more British orks have recorded the title song from Bing Crosby's starrer for Cohen, 'Pennies From Heaven,' than any other since the advent of sound pictures. Companies made 14 recordings. Written by Arthur Johnston and John Burke, 'Pennies' has never fallen below fifth place in sheet music records during time picture has been released and for 10 weeks was never below third place.

From the business that the score has done already Irving Berlin, Inc., figures that the sheet turnover on 'On the Avenue' will go considerably over that of 'Top Hat.' Latter score sold around 600,000 copies. In the first four weeks of release, 'Avenue' has almost reached the 200,000 mark. 'This Year's Kisses' led the six numbers in the 'Avenue' score last week with a call of 29,600 copies.

Sam Coslow's Mr. Paganini's song ('You've Got to Swing It') introduced by Martha Raye in her first Paramount film musical chortle 'Rhythm on the Range,' was originally titled 'Mr. Toscanini,' and the studio was intent, for a while, on getting formal permission from the maestro for the use of his name. It was later decided as not worth the bother.

James C. Petrillo last week revealed that he had given William Green, president of American Federation of Labor, a membership card in Chicago Federation of Musicians, following Green's rumpus with United Mine Workers union.

## REG CONNELLY DICKERS FOR CATALOG RIGHTS

Back from a flying trip to the Coast Reg Connelly, head of Campbell-Connelly, London music publishers, is slated to return to England next week. While in Hollywood the pub huddled with Jack Robbins and there's every likelihood that C-C will become British agents for Robbins' recently acquired Miller-Music and now the Olman Music Corp., both of which catalogs are to be developed to approach the present parity of the Feist and Robbins music companies.

Since the split with Jimmy Campbell, the latter is concentrating on Cinephonon Music Corp., the Gaumont-British subsid. Connelly controls C-C exclusively and is also interested in Dash Music Ltd.

## Harms Presents

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### Cafe Continental

### Vienna Dreams

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### Trouble Don't Like Music

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It's Fair in Love and War  
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MACK GOLDMAN, Y.

THE  
Love Song of  
Two Continentals

**SERENADE  
IN THE NIGHT**

Smart Dance Music—Just Released.

**SUPPOSING**

From Will Hudson:  
The Spirit of Rhythm  
I'LL NEVER TELL YOU  
I LOVE YOU  
THE MOON IS GRINNING  
AT ME  
"With Love and Kisses"  
TROUBLE WITH ME  
IS YOU

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**'ONE IN A MILLION'**  
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**"THE MOONLIT  
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RCA BUILDING-RADIO CITY-NEW YORK  
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SAY, CAN YOU  
SWING?  
AT A BLAZI  
FIRE  
YOU'RE JUST A  
LITTLE DIFFERENT  
IT'S STILL  
BEING DONE  
TRY TAPPI  
IT'S NO SECRET  
THAT I LOVE YOU  
(Waltz)  
THE LADY LIKES  
TO LOVE (Rumba)

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IRVING BERLIN'S GREATEST SCORE

**"ON THE AVENUE"**  
(20th Century-Fox Release)

**THIS YEAR'S KISSES**  
**YOU'RE LAUGHING AT ME**  
**I'VE GOT MY LOVE  
TO KEEP ME WARM**  
**THE GIRL ON  
THE POLICE GAZETTE**  
**SLUMMING ON PARK AVENUE**  
**HE AIN'T GOT RHYTHM**

**THERE'S A SILVER MOON  
ON THE GOLDEN GATE**

**IRVING BERLIN, Inc.**  
799 Seventh Ave., N. Y. C. HARRY LINK, Gen. Prof. Mgr.

# Lipstone (B&K), as Chi Booker And Agent, Drawing Fire From Other Salesmen; Old Keith Tactics

Chicago, Feb. 23. Tactics of the old Keith regime, as far as handling actors and agents is concerned, seems to be the vogue with the booking office of Balaban & Katz, of which Lou Lipstone is the nominal head. Stalling on auditions and other things not to create good will are being created. Lipstone, as B&K booking head, is trying to ride two horses, both as buyer and seller at the same time. As head of B&K's booking office, he is also head of the Theatre Booking Office agency, which is representing

Starting off the agency, Lipstone sent for all the other agents in town, and made various promises. But, from subsequent agents' complaints, Lipstone failed all around. Through his own agency, he learned the various salaries of performers, as working independent dates, and the amounts they asked, or were willing to take, for club and hotel dates. A performer's salary, which Lipstone fully knows, is flexible, especially when they can get a cafe date and work four or five weeks without transportation or expense.

Lipstone has been using this knowledge of salaries as a lever to force the acts into one of his two theatre spots, Chicago or the Oriental, at their cafe or club salaries; or he could have his agency office hold out a cafe or hotel date to the actor, and refuse to give it to them unless they played a B. & K. house at the same salary.

Lipstone personally promised rest of the agents around here that if they gave his agency the right to represent their acts in nite clubs, cafes and hotels, that those acts would not be kept, or induced to leave for theatre bookings. According to the agents, however, this agreement has been broken many times.

Quite a few complaints have been entered direct to Lipstone. The last complaint was a letter written by an agent direct to the B. & K. officials, with the letter turned over to Lipstone.

Although VARIETY knew that this letter was on Lipstone's desk, and that he had sent for and had a meeting with the agent, VARIETY queried him as to the latter and as to his opinion. Differences over the act were that it was booked and handled by an independent agent, and had signed contracts for the Tower theatre, Kansas City, while the Lipstone booking agency had set the same act for a night club.

Lipstone, when interviewed, denied that he had received the letter, denied that he had a meeting with the agent, denied that he had sent for the act, or the act's personal manager. In fact, Lipstone denied knowing anything about the matter, although it was necessary to call in an attorney to protect the Tower theatre and its contractual rights. After getting legal help, the act is playing the Tower, Kansas City, and will play four weeks at a local night club.

## Virginia Bacon Flash

Sails for Aussie Dates  
Virginia Bacon and Co. flash, which also contains Blanche Lewis and the Fella Sisters, sailed last week from Vancouver, B. C., for 10 weeks on the Tivoli time in Melbourne and Sydney. Opens late in March.  
Another Hal Sands' flash, Don Smith and Loretta Twins, opened in Australia this week for a course over same route.

## Ray Dawley's 15G Suit

Denver, Feb. 23. Raymond E. Dawley has sued the Denham here for \$15,000 damages he claims to have incurred when he tripped over a loose iron pipe at the rear of the stage.  
Dawley, stage manager of one of the units which recently played at the theatre, claims to have been severely injured as result of the accident.

## Jane Miller's Divorce

St. Louis, Feb. 23. Mrs. Jane DiPardo, 19, local niter dancer, was awarded a divorce and \$500 alimony from Anthony DiPardo, tooter of the Hotel Chase niter band by Circuit Judge Padberg last week. She charged husband was cold and indifferent and forced her to live with his parents. Couple met while she was doing dance act at Mounds Country Club, East Side niter and were married Oct. 8, 1935, separating Nov. 25. Her maiden name, Miller, was restored.

## STEEL PIER'S EASTER NAMES

Steel Pier, Atlantic City, is splurging over Easter weekend. Set so far are Hal Kemp and Sheep Fields and Sally Rand unit, which, aside from the fanter, embraces William and Joe Mandel, Nell Kelly, Royce and Maye and line of 20 girls.  
Five additional acts, one of which will be a name, are yet to be set. Show will play a two-day stand, Easter Sunday (March 28) and day previous.

## ITALIAN VAUDEFILM AT BROADWAY, N. Y.

Broadway theatre, N. Y., formerly B. S. Moss' Colony, will reopen Feb. 27 as the Cine-Roma by the Nuovo Mondo Film Co. with a full week policy of Italian vaudeville and pictures. Initial pic is 'Loyalty of Love' with Marta Abba, who is now appearing on Broadway in play 'Tovarich.'

Italian government - ized Nuovo Mondo has been looking for a showcase for its importations since losing the original Cine-Roma, erstwhile Warner theatre to Mort Minsky. Theatre is now the Oriental, burlesk. Nuovo acts as exclusive American agent of all Italian product and as such is assured of a choice as well as a supply of product.

Understanding is that the government is also aiding in maintaining the house since it is anxious to retain Broadway exhibition of native product for the 2,000,000 Italian speaking people of N. Y. C. and to attract American audiences. 'Loyalty' has superimposed English titles.

Spot was last occupied by Gus Edwards with a two-day vaudeville policy last year which lasted about a month. Since that time it has been dark.

## Sheila Barrett to Double From Det. Club to Vaude

Sheila Barrett opens two-week engagement at the Detroit Athletic Club-Friday (26). Mimic will double into the Fox theatre there during the second week of her stay.  
Dick Krakeur, of Leo Morrison office, agented.

## Stripper's Vaude Dates

Chicago, Feb. 23. June St. Clair, burly stripper, under option to Paramount, has been booked into the Balaban & Katz Oriental here week of March 12, following March 5 and 6 at the Stratford (Warners).  
Both deals negotiated by Milton Schuster.

## SALT LAKE'S NEW SPOT

Salt Lake City, Feb. 23. Harry McKenzie, former operator of the Blue Danube at Seattle has been named manager of the Rendezvous, Hotel Utah taproom. Besides introducing change in policy, Frank Del Mar's four-piece combo, replaced Wally Williams' music.  
Spot is one of three night haunts operated by hotel.

## Ellington Ork, Waters Set for New C. C. Show

New Cotton Club show opening March 14 will have Duke Ellington's orchestra succeeding Cab Calloway, with Ethel Waters and the Nicholas Bros. also going in. Ellington and Reginalde Foresythe, West Indian composer, are fashioning the new tunes.

Herman Stark, managing director, is currently in Chicago, seeking over the field for further colored talent and choristers.

## DET. OVERRUN WITH EMBRYO ASTAIRES

Detroit, Feb. 23. Although less than 1% ever reach vaude, legit or pi more than 10,000 persons are taking dancing lessons in Detroit, at rates ranging from 50c to \$10 weekly. Three schools of more than 25 in town have more than 500 students. One institution has an enrollment of 1,120.

There are 50 individual instructors with studios, in addition to the 25 schools with regular staffs, the survey shows. Approximately \$150,000 is invested in dancing school equipment, exclusive of that used in high schools, universities and private educational institutions, which are not included in any of these figures.

In the larger schools, this equipment includes wardrobe mistresses, two to four piano players, dressmakers, six to eight instructors, director, office help, stenographers, etc. Students are enrolled from practically every town in Michigan and many from Indiana, Ohio and Ontario. A single amateur stage presentation last year employed more than 350 students.

## Vaude Going Back Into 3d Run Denver House

Denver, Feb. 23. Vaude is going back in the Tabor after being out for several months. Seven acts will be used. Howard Tiltonson, old-time vaude pix director, will lead a six-pieceer.  
Tabor is 2,000-seat downtown third-run.

## Leon-Mace Re-Marriage

Detroit, Feb. 20. Editor, VARIETY:  
Last week you carried a statement about Gary Leon and Marcia Mace. We sincerely wish that you will publish our explanation on said article as, while it is true we were married in Buffalo, it is a re-marriage as we were married in Mexico two years ago last Feb. 10. I was divorced from Mary Mitchell three years ago.  
As you know, some states do not recognize a Mexican marriage and so we were merely being on the safe side.  
Gary Leon and Marcia Mace.

## WB Stanley, Pitt, Willing But Can't Find Suitable Names for Vaudfilm

Pittsburgh, Feb. 23. Efforts of Warner bros. to return deluxe Stanley to stage shows Friday (26) after a month of straight pix were balked here over weekend when Harry Kalmine, zone manager for circuit, admitted he was unable to book a name attraction. House was unwilling to book in ordinary show for the occasion, feeling something meaty for marquee was essential.

As a result, Stanley will go back to flesh just as soon as bookings can be arranged. Pittsburgh is a peculiar situation for presentations since only a name means anything. Regular units have been consistently unprofitable and Kalmine is determined to keep policy flexible so films

## Hungary's Trick Pengo Payoff Joins Reichsmark in Complicating Things for Acts Playing There

## Kruger, Jory Due Back

Otto Kruger and Victor Jory sail from London Feb. 24 after completing their assignments for British International Picts. Kruger will remain in N. Y. on his arrival to negotiate with John Golden regarding a role in the new Rachel Crothers play 'Susan and God,' opposite Gertrude Lawrence.  
Jory will proceed directly to Columbia studios in Hollywood. He made three pictures for B.I.P. with Kruger doing his bit in the last of the trio.

## CALLOWAY'S 12 VAUDEFILM WKS.

Longest vaude laid out in many seasons advance booki Calloway through the east and midwest starting March 18.

Opening at the Memori Boston, on March 18 he follows with Apollo, in Harlem, N. Y., March 28; Earle, Philadelphia, April 2; Capitol, Washington, April 9; State, N. Y., April 22; Loew's, Montreal, April 30; Shea's, Toronto, May 5; Fox, Detroit, May 14; Palace, Cleveland, May 21; Palace, Chicago, May 28; Mainstreet, K. C., June 4, and Orpheum, Minneapolis, June 18.

Spaces between several dates will be filled with dance dates. All but the Kansas City, Toronto, Montreal and Apollo, N. Y., dates net straight figure of \$7,000 for the week. Other four are for a lesser guarantee and a percentage.

Calloway closes at The Cotton Club, N. Y., March 15.

## PARTY-ACT BOOKINGS ON UPBEAT IN DETROIT

Detroit, Feb. 23. Talent bookings for banquets and private parties, brutal during the 44-day General Motors strike, appears to be picking up. With coin scarce and future uncertain, this phase of show biz was practically nil for six weeks. Sales meetings, conventions, etc., chief users of talent, poured cancellations into the booking offices.

Bookings for floor shows and bands have more than doubled since strike. A record number of conventions are set for Detroit this spring and summer.

London, Feb. 14.

Recent expose of the money ramp for acts working in Germany caused plenty of talk in the busi and position has now reached a stage where even the lethargic Variety Artists' Federation has decided that something must be done.

It is now practically certain that any future acts booked in Germany will only go over ition that at least 70% of their salary will be deposited in a London bank with the balance held in Germany for acts to use as living expenses while working.

Germany is not the only culprit. Hungary, which consumes a fair amount of medium-priced acts from other countries, what has become known as the pengo racket. Acts are paid in pengoes, the local currency. When they leave the country they are allowed to take the pengoes with them. But that's where the sleight-of-hand happens. They are given a different kind of pengos, of much less value than the pengos used in Hungary.

This, they generally find, after they try to change them into other monies. But then it is too late, and nobody, except the artist,

## Vienna House Folds

Continental bookings for vaude acts continue to be troublesome, especially where independent houses are concerned. Trouble seems to be spreading throughout European capitals. Latest is the Ronacher, Vienna, which has been running for the past three years, booking independently, and employing numerous foreign acts, including Americans.

While playing Paris the current month, the Dollfoss received a wire notifying them the Ronacher is closing down and their date for next month is off. Act immediately got in touch with the Variety Artists Federation, which is taking up the matter on its behalf.

Law which does not permit taking out of part earnings from continental countries by foreigners now seems to be prevalent. Italy is apparently more amenable than most, there being two examples at the moment. Maria Gambarelli, dancer, is wanted for a leading part in a film depicting the history of that country, and it is understood Mussolini offers to forego the ruling to the extent of permitting her to take all her earnings out of the country.

Another instance is that of Ribaldi, prominent producer of Milan, who offered Cinda Glenn a six month contract to play in a show at his house and indicated a willingness to deposit the full amount of the contract in a London bank in advance.

## Niter Op's Shootings

Fitzgerald, Ga., Feb. 23. Horace Bagley, 40, former niter operator here, fatally wounded Ruth Browning, 18, with a shotgun and then ended his own life with a blast from the same weapon.

Described as 'a jealous suitor,' Bagley is said to have driven to Miss Browning's home, called her to his car and shot her in the abdomen. He then turned the gun on himself.

## Jay Howard, Ex-Booker, Forms Kan. City Agency

Kansas City, Feb. 23. Jay Howard, former Chicago Booker and publicist, has opened theatrical and publicity offices here in association with Hubert McClain. McClain rates as one of the top news cameramen in the midwest.

## Wedding Rings, And Out

Chicago, Feb. 23. Lorrai Santachi and Josephine Buckley, now at the Chez Paree, are 'quitting the business with the culmination of their present engagement, to get married.

Josephine is marrying Edward J. Buckley, a Francisco lawyer. Santachi is marrying Francis Patrick, same house, same city. Buckley is \$1,750.

## Night Club Reviews

### SCHEHERAZADE (PARIS)

In the swanky, upper-reaches of the night clubs in this town, the Scheherazade still holds the lure it has always possessed for a distinguished clientele who wish to pay the tops for champagne, dance and be entertained in an intimate, classy little spot.

Little known and less frequented by the greater raft of those seeking after-dark amusement, this exclusive club grabs for the money boys who demand and usually get the best of entertainment.

On the entertainment side, singers fill the bill, with dancers, outside of the customers, being given the cold shoulder. Hachem Khan, just back from America, tops and pleases with Russian, German and English offerings, but fails to put over the enthusiasm expected with an American number.

With him go six other singers who represent four nationalities and present as many more interests. Yolanda, Italian, Italian, just back from America, has always been liked in this club with her songs, along with Raphael Medina, Spanish guitar player and singer who specializes in numbers from his native country.

Then there is Anna Marly, young Russian girl, who composes her own numbers in three languages and accompanies herself with a guitar; Lebedeva and Zaroudina, two Russian femme singers, and Jeanne Manet, who is French. Mile. Marly under new acts.

For entertainment that is made up entirely of singing, the bill offered here is just about as diversified and interesting as can be found in this town and tops most in quality. A six-piece Roumanian string band, batoned by Popsco, furnishes another example of diversification, producing the types of music needed for the attending international clientele.

Under present arrangement, show is broadcast every Thursday night over Poste Parisien, a hook-up few cities here have.

Hugo.

### Leon & Eddie's, N. Y.

With Eddie Davis, chief fruster of L&E's first madcap, on vacation, Leon Enken has groomed a bright variety show to take up the slack paced, as ever, by the indefatigable Billy Reed. This layout evidences anew to what extent vaudeville has gravitated into the nineties or, rather, to what degree the prime salvation of the vaudeville's future is in the hoof-and-quiet joints.

If not the nineties, of course, the big league variety acts have their innings on the air and in films. But certainly for direct audience values, and a barometer on the immediate flesh-and-blood values, there's nothing like a madhouse nitty to best gauge things both from the acts as well as the managerial viewpoint.

This show, of course, is primed for



Selected as the Official Dancers for the San Francisco

'1939 Golden Gate Exposition'

### 'PLEASURE ISLAND'

Home Prologue presented on Thursday, February 18, 1937, to members of Senior and Junior Chambers of Commerce and exposition officials! Now 80th Week, San Francisco's Exclusive CLUB DEAUVILLE

## BILLY and BEVERLY BEMIS

"Youthful Sophisticates of the Dance"

NOW

DETROIT ATHLETIC CLUB

ALSO APPEARING AT FOX, DETROIT

Exclusive Management WM. MORRIS OFFICE

## Nitery Placements

Andy Iona and his Hawaiians move into New Yorker hotel Feb. 25, replacing Arthur Ravel's band. Peppino and his orchestra, terps, succed Wilkins and Walters, who move to the Congress hotel, Chicago, same week. Leon Belasco's crew take the baton from A. Lyman's band March 4 at same spot.

Jack Denno band returns to French Casino, N. Y., March 1. Currently doing shorts for Warner Bros.

June Lorraine, mimic, joins Ray Noble's band for vaude dates at Leob's, Montreal, and Shea's, Toronto.

Chuck Endor and Charles Farrell bow at the Hollywood Country Club, Hollywood, Fla., tomorrow (Thursday).

Terp Lee baritone, joined Joseph Zatur's band at the Shelton hotel, N. Y.

Corothy Jeffers added to show at the Park Centre, N. Y.

George Snowhill, vocalist, has returned to Ray O'Hara's band at the Governor Clinton hotel, N. Y.

Marion Morgan, the girl over at Harry's New York Bar, Chicago.

June St. Clair replacing Faith Bacon at Colosimo's, Chicago, March 19.

Mario, Bargiotti follows: Shep Fields into the Normandie, Boston, March 7.

Charlie Agnew's band succeeded Jimmy Carretti's at the Casino, Parisien, Chicago, this week. Lou Breese stays on at Casino as the show band.

Barney Rapp opens at Chase hotel, St. Louis, March 9, for four weeks.

## A. B. MARCUS SHOW'S AUSTRALIAN TOUR

Snider-Dean, local indie film chain and the Fullers, have combined to import the A. B. Marcus unit for a tour of New Zealand and Australia.

Will go on from here to Japan and then China.

ago, has plenty to offer in the way of song salesmanship.

Comedy punch of the show goes to Barto and Mann and they take it in stride. Vet vaude male team loses some of its luster on a nitery floor, difference in height between the two boys being less exaggerated up close, but not enough to really hurt them. Their knockabout bit, in fact, appears better suited for the niteries than it ever did for vaude.

For one thing, some of the little girl bits, which perhaps were a bit rough for family audiences, are legitimate howls for the sophisticates or would-be sophs who make places like the Paradise. It's not improbable, in fact, that Barto and Mann will find a better living in niteries than they ever did in vaude, where they always worked steadily.

Shy box-office novelty is a 99% nude dance of Janice Andre, winding up in a Lady Godiva nose up stage horse running a treadmill on stage. Her dance isn't much, and it's all about a publicity angle that usually works in favor of a spot which attracts so many hinterlanders as this one does.

Costuming is neat, never attempting to show everything and always in good taste. It differs from shows here in the past in that the girls are never actually stripped through some of the bra-and-panties effects give a pretty good idea.

Jack Freeman's orchestra continues on musicians' hotel for the show and customer-hoofing, and turns in a forte job.

Scho.

MAISONETTE RUSSE

(ST. REGIS, N. Y.)

Now that the competitive Maisonette Russe (nee House of Morgan) has gone Merry-Go-Round, under Nick Bates' direction, the Hotel St. Regis' Maisonette has the field to itself again. And it remains, with the Russian Eagle in the Sherry-Netherland, the two classic vodka environments in town.

Aki to the original Parisian Maisonette Russe, where international divertimento obtained, a new policy notes the vodka giving away to today, the blinis, paprikash, for 'Budapest Soires' is the new motif. Later, it is promised, it will shift to Arabian, thence to Spanish, etc. in all a good and showmanly idea of switching things about to relieve the straight Russian background.

It's another wrinkle in the showmanship which has distinguished this Vincent Astor property ever since his ex-brother-in-law, Prince Obolensky became director of entertainment and general manager of that phase of it.

With the Maisonette now gone Magyar, Charles Nary, formerly of the Royal Opera in the Hungarian capital, since native son, Cornelius Codolban, Roumanian Epsys, again maestros, manifesting excellent showmanship and versatility as he switches from straight American

(Continued on page 58)

## Unit Reviews

### BOB CROSBY ORCH (HIPP, BALTIMORE)

Baltimore, Feb. 19. Rockwell-O'Keefe is presenting Bob Crosby and his orch as a complete vaude unit. Working in a house set and carrying a workmanlike combination of four sax, four brass, four rhythm, and a fiddle, Crosby has a sidekick, Kay Weber, capable songstress, Paul Wences, Continental juggling ventriloquist, and Dimitri, Karel and Andre, comedy triple actio trio. Viewed here opening show setup makes for 47 minutes of fair entertainment.

It's a good name, Crosby, and announcer flash gets a nice receipt. Granted, Crosby has built up some rep for himself over the air waves, nevertheless in a song bit with Miss Weber her answer to his query of 'Why did you marry me?' 'I wanted to meet Bing,' brings a sizable hand. Likewise his announcement of 'Pennies from Heaven.' However, it must be said in all fairness, he gives the customers a good run for their money and his appearance on a bill should prove satisfying.

Opening with a swingy arrangement of 'I'm the Fellow Who Leads the Band' he changes pace immediately with Kay Weber doing an interesting version of 'Stormy Weather.' A little old but nicely done it goes over well. Piano solo next by Bobbie Zirkie of the band, 'Hobson St. Blues' announced as his own composition, and nimbly performed.

Show gets a decided lift here with Dimitri, Karel and Andre doing a comedy trio adagio and off to a swell hand. Bob gives out next with a flip rewrite of 'Plenty of Money and You' ably assisted in the vocalizing by Nappy Lamare, guitar player. Kay Weber on organ does 'Goodnight My Love' to good returns.

Band boys take over here, Ray Baudauc, drummer, coming through with a snakehips announced as a 'Hobson St. Blues' announced as his own composition, and nimbly performed.

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### International Fantasies (CAPITOL, ATLANTA)

Atlanta, Ga., Feb. 21. Novelty marks this unit, which features Louise Chinese Revue, group of talented Orientals, thoroughly Americanized and brought up apparently in the old vaude school. Unit belongs to Carl R. Molliston, juggler, who has been featured in Robert Ripley cartoons as the 'Human Billiard Table.' Molliston acts as emcee of show and is assisted at the starter by personable Yit Moy, who introduces her talented family.

Gamm and May Sen, brother and sister, step out for a fast tap routine for a good band and are followed by Gamm Gee, Toy Young and Yit Moy, who do a 'College Rhythm' number to that tune. Kids, who warble a la Boswell sisters, should use make as their voices are weak. Dancing made up for lack of vocal talent.

Molliston follows with his juggling act and plenty good, too. He mixes patter with a fine exhibition and gets a hand.

Roddy Jordan and Jean, in a blackface skit, add a bit to the international flavor. Jordan, formerly with Al G. Fields minstrels, plays an enormous sax and does a telephone monolog that's a wow.

Bubbles, chunky little Chinese, follows with an impersonation of Sophie Tucker—not half bad, but weak-voiced.

Gamm Gee and Toy Young are then back for a Chinese Rhythm dance number, in which they are joined by Baby Nere, 7-year-old moppet with a couple of teeth missing. The youngster never missed a step and hoofed right along with her elder sisters, taking the bow for the act.

Molliston then introduced im Shean, pianist and composer, who directs the 14-piece band, seven house tooters and rest, including Nell Marie, pianist, banjole, who the unit. Shean plays a rather peevish 'St. Louis Blues,' finally maneuvering himself with his back to the keyboard for a few bars, which brought down the house.

Shean took over as m.c. at that point and Yit Moy came back for a creditable acro dance, considering the amount of clothing the gal wears for the act.

Ezra Whittaker, who is really Molliston, in Civil War veteran get-up and made up so well as an old-timer that he even had the house's standby tooters fooled, cracks some jokes with Shean and is then joined by Nell Marie, now in hillbilly gal garb, and they crossfade and go into an old-time ballad, winding up with a nimble knockout dance number, that scored.

A Chinese song by all the members of the Louise family, leads into the finale with whole company coming on and Baby Nere doing flip-flops as the curtains close.

Unit, which is clocked in 45 minutes, has diversity and pleased Cap's patrons. It moves fast as it is, but its tempo could be speeded by eliminating some of the announcements.

Pic is 'With the Croc' and after first show broke Sunday house was full and at least 500 were waiting for seats.

Burn.

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## Add: Variety Street

Variety bar and grill will be the newest midtown spot of the kind. It is opposite VARIETY's office on W. 46th street, N. Y. There is also a Variety barber shop on VARIETY street. About \$10,000 will be spent in fixing up the place, which has been a cafeteria under numerous names and managements.

Vendome was most recently called the Vendome and for a time it attempted to operate as a night club during the evening, with the yourself

polity in daytime.

Iris Adrian heads new show at Leon & Eddie's, N. Y. Lane, Tree and Edwards, Billy Reed, dancer; Haywood and Allen and Lee Perrin, burlesque stripper, complete lineup.

Saves time, travelling cost  
washes, dries, irons  
Eliminates delayed or  
missed baggage. Comfort-  
able in any weather. Hot  
spring beds—bath—cool-  
ing facilities—plenty of  
cupboards and storage space for wardrobe  
and props. Accommodates 2 to 5 people.  
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"INTERPRETATIONS IN TEMPO"  
PARAMOUNT, NEW YORK  
Last Week (Feb. 17) and This Week (Feb. 24)  
Just Concluded 10 Consecutive Weeks at the Hotel Baltimore, New York

# NEW ACTS

## JACK SHERR ORCHESTRA (6) Versatile Band St. Moritz Hotel, N. Y.

Jack Sherr evidences his Meyer Davis-Joe Moss training in dancability. He heads a smooth, sprightly sextet who dispense not only undeniable terp music, but also augment their efforts with versatile interludes. But primarily they give out good dance music and hark back to the speakeasy era when the icier ones had such quintets-and-sextets who did everything but mix the drinks for the quaffers. Now, in the new restaurants, the Paix room of the Hotel St. Moritz, they inspire to the hoof (although the hoofers now aren't as sluggish as they used to be under the influence of the dynamite that used to pass for likker) and also cut up constantly. It's a type of band which proves anew that the small rooms can well outdo the big ones in the way of without going broke with name setups. Latter are okay for the big grills in the bigger hotels.

Besides, Sherr's versatile performance as director-accordionist-pianist-saxophonist-flutist-piccolist-clarinetist, etc., the others in the team are okay too. Ralph Napoli, alumnus of the Commanders and other combos plays guitar and vocalizes as suavely as ever. George Flores, drummer-singer, is another good mike warbler. Norman Small, bass, doubles into novelty songs. Sid Prussin, sax and bass clarinet, also on novelty songs. Sam Mineo, pianist, Sherr, accordion, directs mostly, but plays a mean piano also and does hybrid reed work such as fooling a flute and a sax simultaneously. It's good and showmanly nonsense. No radio wire at the St. Moritz, but Sherr could clock the record-of-mouth. Band is a cinch for any dance job, and also lends enough for a vaudeville routine, if occasion to double arises. Abel.

## MARION AND ERMA Control Aerobatics 5 Mins. Music Hall, N. Y.

Foreign twosome just over. Girls are half-way between acrobats and contortionists; more perhaps of latter than former. Either way, they're near tops for what they do. Their angles of balance are of a character calculated to draw gasps. Even in this big house, the exclamations were audible. The smaller theatres they will be even more effective. A cinch for a café. One-legged balance on under-stander's head, with top mounter into an over-the-top, self-accompanied fore-head is a sample of what they accomplish. Stomach leverage while floor gal does the impossible and the upstairs member applauds they will be even more effective. A cinch for a café. One-legged balance on under-stander's head, with top mounter into an over-the-top, self-accompanied fore-head is a sample of what they accomplish. Stomach leverage while floor gal does the impossible and the upstairs member applauds they will be even more effective. A cinch for a café.

## ANNA MARLY Singing 12 Mins. Scheherazade, Paris.

Anna Marly, singing her own compositions to the self-accompanied accompaniment of a guitar, is an absolute newcomer in the night life entertainment of this town. But, from the showing this 19-year-old composer and singer has made here, she should do well practically the world over, in any of the higher-class, intimate nighteries. Miss Marly's songs run the gamut from the sad and mellow to the rumbustious and the Russian through French numbers, and on to more lively American ones. All three languages oke. Although not strong, her voice possesses sufficient character to inject a great deal of feeling, while her personality switches from sad to gay in just as long as it takes to finish one number and commence the next. An enlarged, more versatile repertoire would be necessary if she stepped out of Paris, but that should be easy for her. Hugo.

## DIANA WARD Songs 8 Mins. LaRue, N. Y.

Diana Ward is a polite songstress for the class rooms. She came back from London and the Riviera with a mild Continental rep for her U. S. return last fall into the Rainbow Room. Since then she's been at Zelli's, and now at the Restaurant LaRue (Park avenue), she seems surer of herself. Her style isn't socko nor her personality punchy, but she's suave, svelte and smooth in her songalongs and that gets her over. She's a thin girl nicely shaped; more musical comedy than niterly in calibre (she did a Merman role in a London musical, in fact), hence her scope, in the nite spots, is perforce limited to the niter environments. She opens with 'Begin the Beguine,' then 'I Love You, Beaucoeur,' Anglo-Frenchy ditty, next 'Sorrento,' then 'Riding High' (from 'Red, Hot and Blue') and concluding with 'Good Night, My Love.' Latter might have been skipped. What she does she does smartly, but something really different in song style is needed, even more. In her favor, also, is that she works sans mike. Abel.

## JESSE OWENS' ORCHESTRA (15) Savoy Ballroom, N. Y.

The champ sprinter doesn't impress before a band as he does on the cinder track. Personally managed by Marjorie Finkles, he's fronting a pick-up musical aggregation booked by Consolidated Radio Artists. Going out on one-nite tour, ore should get some coin through Owens' name in colored localities, but he's greeting his debut at the Savoy, in New-York's Harlem, wasn't too good. Though possessing no small popularity, Owens did lose some prestige among the colored by openly championing London in the '36 presidential campaign. The ore is fair enough. Needs a saxophone warbler. Trio from brass section plait their pipes on some vocals. Though billed and promised as a sax player, Owens didn't handle a horn when caught. Spent half his time methodically and stiffly brandishing a baton in unrelieved series of down-bet strokes, and other half squiggling autographs. Frank he could try to appeal more like he is really directing his musickers. Bert.

## IRIS ADRIAN Songs 6 Mins. Leon & Eddie's

Irish Adri is Hollywood restaurant chorine, later doing stand-out bits, and eventually doubling with Jack Waldron, m.c. now in his third year at the Joe Moss spot, in the girl routines. From that Miss Adrian wisely has developed on her own. Dave Oppenheim, author of much of the Hollywood restaurant music material, outfitted her with four special songs. Miss Adri is an attractive looking-redhead (billed here, for some reason, as 'California's song lyricist'), who goes with a Bowery number and thence into three other pops, more or less of like genera. That she makes the same lyric burden sound interesting, despite the repetition, is perhaps the more to her credit, for they're all in the same vein. However, this is a cautiousness that depends chiefly on her author, for Miss Adri should gather momentum with experience. And certainly for a floor-show chorus alumna she's doing a highly credited job. Abel.

## ROYAL DUO (2) Roller Skaters 4 Mins. Leon & Eddie's, N. Y.

Two-man combo work on a four-by-four mat of pliable wood makes for a bit like a rug, but the minimization of space certainly doesn't handicap their stuff. Looking well in white tails, the team whirrs and whizzes through an arresting routine, the feat of which is a tennis racket contortive stunt. Stripped of its gut, the light of the team, while in an angle-hold around the anchor, they squirm and squint through the tennis racket. Calls for much muscular control, plus speed, precision and not a little daring. Close-up in a niterly it's a type of act that looks even better on a café floor. They zowied here. Abel.

## ILLIS DEON Songs 5 Mins. Hotel St. Moritz, N. Y.

Illis Deon is a chanteuse who could well carry out the Continental illusion if properly pacing her stuff. She opens here with a pop, then a maygar air, and thence 'Serenade in the Night' in French, and desists. She's a wholesome type songstress, working with mike, and fits in nicely in the politer atmospheres. Abel.

## MIACIO Magic 4 Mins. Hotel St. Moritz.

Miacio is another sleight-of-handist who well fits the niterly scene with his legerdemain. It runs the gamut from kerchiefs to cigars to palming of red and white balls. Also includes a disappearing rabbit trick. He acts fast, deftly, and desists. The close-up intimacy on a café floor is amazingly fast and detection-proof. A femme aide (looks like his sister) foils briefly for him. Miacio works in dagger white tie and tails, dresses the scene suavely and performs very effectively. A cinch for any hotel or café floor. Abel.

## RICHARD AND CARSON Dancing 8 Mins. Paradise Rest, N. Y.

Paradise is a new mixed dancing combo and okay. Boy and girl indulged in novelty buck-'n'-wingin' that shows slight ballroom influence and is wholly apart from the average mixed straight dancing teams around. Their tap work, in fact, is to a great extent, along acrobatic lines, and is wholly apart from their hurdle routine, which is also the strongest of their two numbers delivered in this show. Clear appearance of the team is also to their advantage, especially on the niterly circuit. Scho.

## Saranac Lake By Happy Benway

Melitta Brunner, professional figure skater, James A. Creelman, Harry Keller, Bill Morris, Jr., Mrs. Wm. (Mother) Morris, Aunt Ella, were all gazers at the Ice Carnival here, a three-day session that Old-Sid came out and ruined everything. Carnival called off after first day on account of heat and no ice.

Tommy Vicks, in Boston for two months, back here resuming the zozing.

Feb. 16 marked Benway's 10th Annl in Saranac.

Among the many doing well after the ice are, Chris Hagedorn, Manny Lowy, Ford Raymond, Doris Schrage, Joe Parker, Tommy Abbott, Frank Newcome.

Frank C. Gaylords here for a month, itto for Lester Gilchrist and family.

Write to those you know in Saranac and elsewhere who are sick.

## TEDDY JOYCE'S BKPTCY.

## \$18,000 Debts Ingles on Flop London Niterly Venture

Bankruptcy proceedings brought against Edmund John Cuthbertson, U. S. band leader and m.c., professionally Teddy Joyce, resulted in order of adjudication, and the matter was turned over to the official receiver, who will act as trustee. Gross liabilities are \$18,000.

Joyce stated he was approached 18 months ago to open the Continental Club, just before Christmas, 1935. According to Joyce's statement, he advanced between \$20,000 and \$30,000 to the club. Alleging his ex-partner in the café was deported to Belgium about six months ago, Joyce announced to the press he intended to pay in full as rapidly he could earn the money.

## EDWARDS, LANE AND TREE Comedy 5 Mins. Leon & Eddie's, N. Y.

This is a combo of several different vaudeville combinations which, like many another vaude act, has gravitated into the niteries. Working along the Mells-Kirk-Hard and Ritz Bros. routines, without in any wise infringing on either, their knockabout come is fortified by some special lyric material. Some of Weston's come n.s.g. They are trying to find a happy medium, and they should achieve that eventually. They open with a 'Talent' number; then a 'Talent' number, which, as they work along, will catch on. At present it's still rather hit 'n' miss, but certainly never boring. Abel.

## THE BARANCOS (3) Rumba 2 Mins. Leon and Eddie's, N. Y.

The Barancos are a Negro rumba combo with a male assistant banging the bongos (native Cuban twin-drumheads). Act is patterned after Rene and Estela, who came to attention at the Club Yumuri. They do a fast, fast Cuban tempo, interspersed with the girl's muscular calisthenics, a la Kaloah, the amazing colored terper at the Cotton Club, who can make her tummy muscles weave into weird ripples. Miss Baranco, combed with this with the maracas movements, shapes up as a fast opening course. Team teed off here, and strongly. Abel.

# 5 Employment Agcy. Bills Up Before N.Y. Assembly Exempt 10%rs, Bookers

## 15 YEARS AGO

Kansas ity tar staged radio concert at the Ashland theatre, and a lot of people wondered if the device would displace the regular orchestras.

ix in a bad way. Bank loans were tight and indies couldn't even talk to the monied men.

Announced that with the induction of Will Hays a new system of film distribution would be set up. If exchanges would be abolished and film distribution handled by American Railway Express. If to save \$50,000,000 a year, right dream, not worked to a tryout.

Dolly sisters topping the N. Y. Palace bill and hurt by too much dancing before they came along. Bill was weak, but the Dollys sold out the house opening mat and night.

Shubert put a cut-down version of 'The Rounders' into the N. Y. Winter Garden. Had starred Eddie Cantor on the road and Cantor claimed a lot of the material as his own. Some was cut in deference to his wishes. Sam Hearn was in the same show and his fiddle counted for more than his stories.

Mildred Harris, recently divorced from Charles Chaplin, took a dip in vaude, displaying rather limited talent. She got better later.

Club Royal was getting attention because its Saturday night couvert was \$3, tops for B'way. No floor show, merely a dance band; but it wanted to be exclusive. Evening clothes required, too.

Pool in Famous Players stock was giving plenty of people headaches. Sticking around \$1.

Garry, a Times \$5. bootblack, was offered a job in 'To the Ladies.' Asked \$250 a week, but compromised at \$25. Just for local color.

icago song pluggers told not to pay money to acts for using their songs. In one instance compromised by donating a bottle of scotch for each song used by one singer.

Reformers were trying to revoke the license of the Eltinge theatre, N. Y., because of the Al-Woods play, 'Demi Virgin.' Woods took the matter to court and obtained a decision restraining the Commissioner of Licenses from such action.

Out in Chicago Edna Wallace Hopper was splitting her time between a vaude date and a dept. store. Put in two hours a day telling the women how she got slim and youthful.

Figured the last six months of '21 showed a \$60,000,000 drop in theatre receipts. Figures taken from the tax returns, so reasonably correct.

# Chi Dailies Tighten Up on Niterly Ad And News Copy; Aimed at the Joins

After three years of ide open columns to all types of niterly and tavern news and advertising, local newspapers are begi ng to tighten up considerably. The strict supervision of tavern niterly copy, and which will ban from the paper entirely a good many of the side-street cellars. This ban takes in not only editorial space, but also advertising. Daily News also tightening rules considerably along same lines. Chicago Tribune has had a setup on the nite club and amusement advertising and news columns from the begi ing.

Only the two Hearst papers remain on the old-time basis, but it's understood that the Herald-Examiner and the evening American are looking over the situation and may follow the parade.

And in addition, gave these same joints plenty of free editorial space. Times has put through a new setup, which calls for strict supervision of tavern niterly copy, and which will ban from the paper entirely a good many of the side-street cellars. This ban takes in not only editorial space, but also advertising. Daily News also tightening rules considerably along same lines. Chicago Tribune has had a setup on the nite club and amusement advertising and news columns from the begi ing.

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Albany, Feb. 23.

Theatrical agencies and bookers are specifically exempted in each of five bills before the legislature seeking to amend the state labor law to provide for licensing of employment agencies.

Assemblyman Salvatore Farenaga, of New York, is author of two of the measures now in the Ways and Means Committee; Harold C. Osterlitz, of Ithaca, is sponsoring two like bills, which have been referred to the Assembly Committee on Labor and Industries, while the fifth is by Senator John J. Howard, of Brooklyn. The latter is before the Senate Committee inance.

The provision exempting theatrical agencies in each bill reads:

'This article shall not apply to a theatrical employment agency or to a theatrical or radio broadcast booking office engaged in booking or contracting for acts, artists or attractions for vaudeville performances, concerts, orchestra engagements, private entertainments, circuses, radio broadcasting or motion picture presentations, nor to the personal representatives and managers of such acts, artists or attractions.'

The Osterlitz bills are most specific in interpreting the term 'theatrical employment agency,' saying:

'The term "theatrical employment agency" means and includes the business of managing, advertising, procuring or offering, promising or attempting to provide engagements for circus, vaudeville, theatrical and other entertainments or exhibitions or performances, or of giving information as where such engagements may be procured or obtained, whether such business is conducted in a building, on the street or elsewhere; and such term shall also include and apply to any person who sells, produces, supplies, presents or furnishes entertainment other than his own personal services at any function, banquet or similar affair, or hire or pay, or any person in the business of managing entertainments, exhibitions, or performances, or the artists or performers or attractions constituting the same; and shall further include an artist's or performer's representative or manager, or any person who shall in any way represent such artist or performer in any negotiations for such person's engagements, appearances, exhibitions and services in any branch of the theatrical, amusement, motion picture, radio, operation or concert fields, including television and recordings, and representing any such person in any and all matters involving such professional engagements.'

'The term "theatrical engagement" means and includes any engagement or employment of a person as an actor, performer or entertainer in a circus, vaudeville, theatrical and other entertainment, exhibition performance.'

'The term "emergency engagement" means and includes an engagement which has to be performed within twenty-four hours from the time when the contract for such engagement is made.'

'The term "fee" means and includes any money or other valuable consideration exacted, charged, paid or promised to be paid for services rendered or to be rendered by any person conducting an employment agency of any kind under the provision of this article. Such term includes any excess of money received by any such person over what has been paid out by him for the transportation, transfer of baggage, or board and lodging for any applicant for employment; such term also includes the difference between the amount of money received by any such person who furnishes employees, performers or entertainers for circus, vaudeville, theatrical and other entertainments, exhibitions or performances, and the amount paid by him to the said employees, performers or entertainers whom he hires or provides for such entertainments, exhibitions or performances.'

## John McCormick As Is

Hollywood, Feb. 23. John McCormick remains with the Lyons, McCormick & Lyons agency. He was to have gone out on his own but a new deal was worked out and the firm remains as is.

## Night Club Reviews

(Continued from page 56)

dansation to the czardas and Danubian waltzes.

The reason for the new switch is because of the globe-trotters, who patronize the St. Regis, having come back with reports of Budapest's current gaiety, as the brightest spot on the Continent, out-Parisian the French capital.

Codolan has Sarocery, a corking cymbal soloist, with characteristic magyar moustachios, in his orchestral personnel. Mlle. Capell does Magyar terps. Yascha Narenko, one of Obolensky's cronies, is confederer.

The menu remains basically Russian, but with enough switch to the Hungarian motif. A special Hungarian wine card is also an appropriate feature.

B. S. Bercovici, advertising and publicity director of the St. Regis, has inaugurated an idea of gay hunting and streamers to adorn the vintage, as they're served, and another in the form of a decoration for the wrists of the femme patrons.

With result that they leave the Maisonnette and wander on too the Morocco, Storks and kindred spots, these streamers serve as a constant walking ad for the Maisonnette's Budapest Galas, at least for this particular night.

The St. Regis' main floor room, the formal ballroom, has a new show with Medrano and Donna and Paul Gerrits succeeding Jack Powell. Emil Coleman's orchestra continues.

### ROYAL PALM CLUB (MIAMI BEACH)

Miami Beach, Feb. 21.

This spot continues as the town's No. 1 niter, continuing the same policy of offering name stars for the amusement of visiting gentry. With gambling wide open under the legal slot licensing law, capacity biz is being done nightly. Sat. (20) it was necessary to close the doors with everything sold, including a.r.o. It's the biggest hit here in many years.

Harry Richman gets top billing in the current show and well he should. His performance is far superior to anything else in the show. A rather weak prod. number starts

festivities, followed by Ruth Terry, a young songstress with a good voice but badly in need of new songs. She has been doing the same numbers here all season, being at Jack Dempsey's prior to opening here. Gomez and Winona are a better-than-average dance duo whose routines are smoothly executed and somewhat different. The Yacht Club Boys sing and kibitz in a rowdy, slightly smutty manner that isn't particularly clever.

The big bang in the revue is Richman. He works with the same verve and enthusiasm that have made him America's top niter personality. He never lets the customer down. For a not finale the girls and Richman do a number to "I Love a Parade." Charlie Dornberger and his music are a better dance band than they are a show band. Thom.

### MAYFAIR CASINO (CLEVELAND)

Harry Propper's second stage revue since his return to Mayfair Casino as manager tops his first one by a mile for slick professionalism and novelty. Both qualities can be traced directly to neat efforts of Valentine Vox and Emily Walters, veteran ventriloquists, who jumped from vaude bill at RKO Palace into niter, tour starting at Mayfair this week.

Team has been doing their double-voice stuff for about 23 years in variety houses, but this their bow in a theatre-cabaret. Niter customers here have seen nearly every type of act except ventriloquists, which is one reason why they seem fresh and such a sock-hit.

Another is because Vox and Walters who rate as the only mixed duo of its kind, have revamped their material. It's now more sophisticated, wise-cracky and timed faster. Closeness of their patented mike-stand for puppetry to the diners also gives it an intimate air. Vox in talk opens with his Buttons flipping out nifties about his niter debut. Waters drinking and cig-smoking, bits by Valentine over stronger here than they did in vaude. Blonde wife comes out with doll for more repartee, which builds up her baby-crying stunt as final wow.

Benny Strong inherits the thankless job of m.c., but doesn't abuse the privilege too often. His announcements are usually short, not too flattering. Handles a song and dance sharply, but his nose-holding impression of Vallee almost kills his swell one of Jolson.

A duo of eccentric hoofers, who exhibit particular promise and comedy ability, are Jerry and Turke. Lad in gooty, tight gray suit keeps a dead-pan throughout, his take-off of a lazy dancer, occasionally flashing into a clever, slithering step. Short, fuzzy-haired girl skips around him, but the boy's pantomime is what stands out.

Evelyn Royce, formerly of Ted Lewis' and Joe Candulla's bands, not so torchy in looks, yet knows how to swing ballad. Eleanor Christenson has plenty on the ball, besides a swell chassis, in leading line of Dorothy Byton's girls brought back for two weeks. Chorus is best-trained ensemble imported by Mayfair this year. Fine in acrobatic routines, each doing a quick specialty. Fencing ballet and a fan number are outstanders.

George Duffy's band for revue and dancing, plus Clinton Noble's be-

tween sessions, are holding over. Number of smart changes by Propper are yanking back the crowds. Instead of only two \$1.50 minimum dinners, which was previous policy, Propper has put even of that price on menu. Ben Silverman and Isack Gold are again in charge of dining room to its benefit. Unique business-getter is a new feature. At that time any cocktail priced less than 40c is chopped to one cent, and the long cocktail lounge is lined ten deep with thirsty femmes. Pullen.

### YACHT CLUB, N. Y.

No. 3 money-maker on the West 52nd street niter front—Leon & Eddie's and the 21 Club rate up front in the order—switched its show around last week, adding Mells, Kirk and Howard and Doris Rhodes to its talent lineup in place of the departing Frances Faye. Holdovers are Carson Sisters, dancers, and Henny Youngman, whose flip m.c.'ing here has already brought him considerable attention in the trade and the public.

Net result of the show changes is a steady, sock entertainment, both the male trio and the femme singer (who will soon be the ex-Mrs. Samany Cohen) attract the crowd room and its New York clientele perfectly. Like Youngman, both Mells, Kirk and Howard and Doris Rhodes may well gain in prominence through their hooking in this spot, they show up so well.

M. K. and H. are gaining in stature as zany comics with every appearance. Their excursions in niter thus far have been infrequent, but on the strength of their performance here, it is from the nite clubs that they'll spring-board to better things. Using most of their vaude in the Yacht Club, the Hitler, Salsie, Mussolini travesty going best of all.

Doris Rhodes is also chiefly from vaude, but also not a complete stranger to the niter hangouts. She used to aid and abet Samany Cohen in the latter's vaude acts, but since their separation she's been singing solo. She's gifted with a swell voice and an average amount of charm to match. Being able to bear up-close scrutiny and listening, she should be a cinch for any type of room.

Opening act in the show is the Carson Sisters, fast tempers, with Henny Youngman introing between acts and holding down his own spot later on. He's in his third month at the Yacht Club and still going strong. A flv-comic, with a terrific flair for ad-libbing, he's at home in a spot where wise-cracks from the customers are not infrequently invited.

Yacht Club's chief appeal is in its intimate atmosphere, floorshow and the liquor. There's no covert, nor is there a minimum, so it's strictly the entertainment, rather than the dancing on a handkerchief floor to music from a small, nameless, but okay, crew. Scho.

### ITALIAN VILLAGE

(ST. GEORGE, B'KLYN)

Recent switch from a straight dinner and supper dance room to entertainment doesn't augur much for the Italian Village if the current show is any indication. Homey atmosphere and smooth tempo of surroundings attracts a conservative clientele. The brassy vaude show of tommy-gun tempo strikes a discordant note and should be replaced by something more continental.

Presuming that the show was installed to attract more business it would be advisable to alter the incumbent entertainment. Spot has a pretty steady trade at \$1. minimum from Brooklyn natives and house guests. Policy of changing the show weekly can be figured to attract a repeat trade if shows are okay. As a whole, current layout is not only incongruous in location, but would also be pretty bad elsewhere. Performers all try hard, but only half get anywhere.

Jay Johnson, m.c. and accordionist, opens the show rather tepidly with "You know what I mean" gagging and introductions. However, Johnson redeems himself with his music box later, displaying an ease that is entirely absent in his m.c.'ing. Femme vocalist, Mickey Feeley, with two pop numbers, is okay in second rung. Fay Kathryn, acro dancer, missed several times in her calisthenics with a pretty poor net result. Billy Wells, comic dancer, adds little in his turn.

Standout among the acts is Billy Ames, mimic, who specializes in voices. In an offstage introduction Ames gets plenty of attention with his voice versions of F. D. R., Father Coughlin, et al., as emanating from a radio receiver. Pat and Jacqueline, in two tumble turns, are okay for vaude or smaller niteries, but not here.

Allen Leifer's band furnishes the dance music and rhythms for the show. No sensation in this division, either. Eli Dantzig, long a favorite at the spot before it went niter, returns next week, replacing Leifer's crew.

Prices are moderate, food is good and spot, with its three shows nightly, should improve in attendance over its former straight dinner-dance policy. Hurl.

### Blue Fountain Room (LA SALLE, CHICAGO)

Chicago, Feb. 20.

Intimacy and friendliness of this room pervades even the show, with band and acts hand-picked to carry out the atmosphere which the La Salle has selected to go with its newly made Blue Fountain Room. Space occupied has been dead for over three years, but of the \$700,000 spent to remodel the hotel, \$25,000 was allotted to turn the dead space into a dine and dance spot with a capacity of 350.

Glenda of room is away from the tin-horners and high-schoolers, the bulk of the dine-and-dancers being what is termed the solid middle class.

Selection of the King's Jesters as the band for such a spot showed plenty of wisdom on the part of somebody. A larger organization, or one less friendly, couldn't go along with the atmosphere the management has decided to build around the room. Only six men in the band, and each one is a showman, and a show by himself.

Scarcely any tune is played without some sort of a novelty. Boys work in solo, trios and quartets. Marjorie Whitney, blues songstress, works with them, alone, and with the different combinations to get the most out of every number done. Bandstand is built for a 16-piece organization, but because of the constant changing for the novelty numbers, it is filled at all times.

Besides the Jesters, there are only three acts on the show, and all are in the vaudeville style popular in cafes at present. Show opens with Wayne and Lorraine doing two quick, hot, tap routines. Dressed in form fitting, white, and having youth, this clean-cut pair sock the opener hard. Marjorie Whitney clicks in her own spot on the show, despite the fact that she's been working with the band.

Fanchon and Fanchon occupy the next-to-closing spot with slow motion hand-to-hand balancing. Work clear and neat all the way through, making difficult stuff seem easy. King's Jesters take over after Fanchon and Fanchon finish.

Jesters use all special material written by Bill Hammon. If lyrics to "Annie's Cousin Fannie" are a sample of his work, both the Jesters and Hammon have something. Policy of the room is to change the acts every two weeks, but the Jesters will probably remain for a long time. Loop.

### DON JULIO

(NEW YORK)

Unique in that it's the only Mexican cabaret in New York, this Greenwich Village spot has Don Julio m.c.'ing and generally supervising the performance. A two-by-four room, it's an intimate spot with 50-75 capacity or so, and yet there's no covert nor stiff rap. The top dinner is \$1; the Mexican type (simple) table d'hôte, \$1.75. The wine card augments it of course (no hard liquors sold), with a native Mex combo of Juanita (at the piano) augmented by three men. She's the nominal head of the dance combo and the men double into strolling guitar solos, and the like, thus augmenting the band's end of it.

Julio is a Paulwhiteman-esque personality in build and face, and cuts up with a stock routine of a small-talk and nonsense. The other acts comprise a castenening femme and a

### ALMOST 100% MORRIS AGCY. BILL AT STATE

William Morris office booked four acts out of the five going into the Leew's State theatre, N. Y., week of March 11. One engagement is still tentative, the fifth filler still unset. Those set are Belle Baker, Henny Youngman, Bob Easton and possibly the Cossacks. Youngman goes into vaude for first time at salary of \$900 for the week, accountable for by radio—guest—appearances—the niter m.

### Met Tour

(Continued from page 1)

where a two-day stand will March 29.

The Met is always guaranteed against loss in all towns it touches on its tours. Opera addicts in the various cities chip in the coin in order to get the Met backed up to their front doors for inspection. Guarantees vary, according to transportation costs and cash expenses, but average for each performance is \$12,000. That the out-of-town spots are, this year, more willing to put up the money for the guarantees convinces the Met that that corner has been turned for the High C's industry.

Detroit, Feb. 23.

Nine soloists, including seven from the Met, have been signed for the annual May Festival to be held in Ann Arbor May 12-15. Six concerts will be offered, with the Philadelphia Symph featured for the second successive year and Jose Iturbi directing.

Topping the list is Kirsten Flagstad, who opened the Choral Union concert series last fall. There's Lauritz Melchior, tenor; zio Pinza, bass; Elisabeth Rehnberg, soprano; Marion Telva, mezzo; Arthur Carraro, tenor; Carlos Morelli, baritone; Eugene List and Joseph Kertner, violinist. All but latter two are with the Met.

balladeering guitarist, not count the band's strummer.

It's atmospheric, terrifically inexpensive and stands a good chance to connect. When and if it does, Don Julio may be compelled to ante the tariffs in view of the very limited quarters. Abel.

### LARRY THORNTON

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## Knockabout Act From U.S. Steals Panto Applause

"Where Was The Scots Comedy?"

Prince Littler's "Jack And The Beanstalk."  
Stars: Shaun Glenville, Ivy Treasman, Marjorie Browne.  
Theatre: Royal, Glasgow.

By COLIN NEIL MACKAY

HOW can I properly describe this show? Perhaps, as it comes direct from Drury Lane, what the English call pantomime, and I am being too narrowly Scottish.

But who would have expected in a Royal pantomime (famous for half a century for its Scottish tradition) applause stolen an American knock-about song-and-dance act with comedy cyclist as runner-up?

Do not misunderstand me. The Four Franks, in the Garbo-Barrymore love scene from "Grand Hotel," playing the saxophone, or giving impressions of coloured tap dancer ill Robinson, are the most brilliant whirlwind performers of the kind I have seen.

European Reps.  
FOSTERS' AGENCY  
London

Edmund Ore	Dor. Bashor
Allen Lenoer Ore	Al. Golshakoff
Johanna	Grady Nima
Isidore Howell	Wm. Hill
William Wick	John P. Heddina
3 E. Ore	Antony Grosheff
Jay Johnson	

(Continued on page 67)

Harry Bens and company (4) is a spacy act—little fellow who makes good and a fellow who takes lessons from him. Outstanding is a blonde stogie, even if your taste doesn't run to them for-leaved friends, you'll like Cilly Feindt's unusual equine act. Animals do intricate dance steps in perfect time. Two horses used, one on the stage at a time. Cilly Feindt, the mountie, is an okay looker. Is short and sweet, ich adds to the



## Broadway's Legit Press Agents Organize; No Road Show Members

The New York Theatre press Agents is the name of the new organization formed at a meeting Sunday (21) at the Algonquin Hotel, N. Y., by the publicity people of the legit theatre. One of the objectives of the p.a.'s is a contract with the managers, the instrument to establish minimum salaries. It is likely, too, that a list will be placed on the number of attractions, any one p.a. may handle, unless produced by the same manager.

The NYTPA membership will be closed to agents engaged with Broadway attractions, a proposal to include men who primarily work with road shows being voted out. By holding down the membership to New Yorkers it is believed the association will be more effective. Explained that the problems of roadway show agents are entirely different than those advance men. P.a.'s who occasionally go in advance will, of course, be eligible.

It was expected that there would be ructions at the formation meeting because some press agents favored joining the Ad Writers Guild which aims to unionize or affiliate with the Newspaper Writers Guild. The roadway p.a., however, failed to see how they have anything in common with commercial press agents, space buyers and agency men. Those resent Sunday's action, however, the guild idea apparently changed their minds and voted in temporary committees which will write a constitution and by-laws.

The proponents of the new organization proposed a resolution, said to have been unanimously adopted, to the effect that all present agreed not to attend any other meetings of press agents in other groups until the NYTPA's election of officers. This move was taken with the idea that none present would be persuaded from sticking with the new organization.

Whether the NYTPA will have an affiliate or not will be decided later but there will be no connection with (Continued on page 64)

## DECISION ON 'DEAD END' SUIT EXPECTED TODAY

Decision on the \$2,000,000 plagiarism suit brought by Edna Buckler playwright and scenarist, against Sidney Kingsley and Norman Bel Geddes, author and producer of play 'Dead End', current at the Belasco, N. Y., is expected to be handed down today (Wednesday) by Federal Judge John M. Woolsey. Miss Buckler testified at the trial of the action yesterday (Tuesday) that the play had been lifted from her own theme and character which she used in her production, 'Money'. She asks for an accounting and injunction to restrain further production of the play, stage and film. Samuel Goldwyn is currently preparing to film it.

Under questioning by Horace Menges, attorney for Random House, the publishers, another defendant, Miss Buckler said she had authorized her attorney, the late Joseph P. Bickerton, Jr., to submit her manuscript to Kingsley.

Kingsley on the stand said he had never met the plaintiff nor heard of her play, 'Money'; that he had never seen Bickerton until more than a year after his play had been produced and the present suit instituted.

Under cross-examination Kingsley admitted he had been threatened with suits before the present action was begun. Kingsley was asked whether Frederick Irving Anderson, author of a story entitled, 'Dead End', which appeared in the Saturday Evening Post, had not threatened him with a suit. He replied that a Hollywood publication had stated that his play and Anderson's story were similar, but that the Dramatists' Guild had decided otherwise.

## Western Professor Wins \$2,500 Play Fellowship

Salt Lake City, Wesley A. Coutts, drama instructor at the University of South Dakota, a native Utahen, was awarded a \$2,500 fellowship in an amateur play-writing contest sponsored by the Bureau of New Plays.

Coutts is the author of numerous religious plays presented by local Latter-day Saints church (Mormon) wards.

## Another 'Ladder'?

Edgar Davis, who produced 'The Ladder' and ran it more than a year on Broadway without charging admission, reported on his way to other oil fortune. About years ago Davis brought in a gusher and estimated his new holdings at \$20,000,000. His affairs took a bad turn however, after a deal with Standard Oil fell through.

Davis is known as the greatest of ladderists among oil men. He is located at San An-

## 'WHITE HORSE INN' NUT DROPPED TO \$25,000

Operational cost of 'White Horse Inn', Center, N. Y., has been reduced about \$5,000 and the show can now break even on a gross of \$25,000 weekly. It easily exceeded that figure last week.

The ensemble was reduced by 19 persons and six men were cut from the orchestra. Another revision was the rental item and instead of a minimum of \$3,000 to the house, it is now \$1,500. House end calls for a sliding scale share of the takings.

## Lloyd Nolan Augments Equity Suspensionists

Lloyd Nolan has been added to Equity's bad boy list for refusing to join the Screen Actors' Guild. The total suspension for that reason has mounted above the 30 mark and includes number of well knowns who must secure reinstatement before appearing on the legit stage and must pay fines at the rate of \$100 yearly.

In its monthly house organ Equity declares suspension for such cause a serious offense. Membership in the Guild is obligatory for legiters because of Equity's working agreement with the Screen Guild. Actors association warns the recalcitrants that it will become increasingly difficult to obtain good standing and that at the rate the Guild is gaining strength a trend to 'continue indefinitely to ignore it' might result in 'endangering their careers in motion pictures.'

Equity also warns when holdouts apply for reinstatement to the actors' association, they will be required to be 'kissed by or settle with the Guild since the agreement between the two bodies stipulates that neither can make reinstatements of players in bad stand in either organization.

## Gaynor or Bennett As Sub in 'Stage Door'

Although the closing of 'Stage Door' is tentatively set for March 20 at the Music Box, N. Y., the Kaufman-Ferber comedy may continue through the season. Margaret Sullivan who is withdrawing from the show because of impending motherhood is expected to appear until another lead is released. Understood that Janet Gaynor has been chosen to succeed Miss Sullivan, in private life Mrs. Leland Heyward. Another name, Joan Bennett, is also mentioned for the part.

## Treasurer's Benefit Grosses Almost \$12,000

Of this season, was re-lighted Sunday (20) especially for the annual benefit-show of the Treasurers Club, attendance being the highest in years. The affair nearly \$12,000 between the ticket sale and programs, proceeds to go to the organization's sick and burial fund. There was a collation back stage after the show with a number of out-of-town box office in attendance.

## COMICS' HEADACHE

'Glory' Kirkland

The \$20,000 bankroll supposed to have been in back of 'Glory For All', Inc., which means George Jessel, Jack Benny, Bert Wheeler, George Burns, Kalmar and Ruby, et al., may still be used up, although 'Glory For All' played but one week (in Philadelphia) and then closed for repairs, the red being around \$12,000. Sam Grisman and Jack Kirkland are in the corp. because the show failed to open at their 48th St. theatre, N. Y., where it was booked.

The all-comedian-backed production by not opening caused a loss to the theatre, its operators claim, and a technical sum of \$10,000 is sought as damages. They state that, after the booking was made, offers for other attractions were declined. Show was to have played the house on straight sharing terms which means it would have stayed at least two weeks since not a satisfactory complaint would be satisfactory. Service was made on Robert Milford, representing the backers.

## 'Appearance' Overseas; Greene-Cochran Combo, Dot Mackaill Stars

Luther Greene, in association with Charles B. Cochran, will present Lawrence Riley's, 'Personal Appearance' at the St. James theatre, London, on April 11. Dorothy Mackaill will star in the Gladys George role.

All-American company will sail for London on March 31. Greene, two minor roles will be cast in London to fill required 12 characters. Although Miss Mackaill is English, this will be her first appearance there. She just completed film for British International.

Harold E. Horowitz, representative of Greene, sailed for London today (Wednesday) to complete negotiations. Play is considered a likely attraction for the coronation period.

## BOLGER OK'D TO STEP OUT OF 'TOES' FOR PIC

Iterations were completed last week, one having to do with Ray Bolger claim that under his contract he had the right to 'On Your Toes' March 20 to start a Hollywood commitment for Metro. Actor agreed to continue another two weeks, and he will bow out of 'Toes', touring, April 3. Bolger's contract stipulated his privilege to withdraw on the earlier date, but riders tended to be clouded other clauses.

Minor case decided also was a claim of Lucille Beaumont, a junior member, who was in 'Behind Red Lights', Mansfield, N. Y. After rehearsing for several weeks the actress was taken ill and did not report for six days. She insisted on appearing on the opening night, Jack Curtis, who produced the show, nursing that idea, but promising that she could play further rehearsed. When she demurred the girl was dismissed. Her claim for \$50 was disallowed.

## Great Neck Ambulance As Hazzard Memorial

A fund for the purpose of securing an ambulance as a memorial to the late N. E. (Jack) Hazzard, Theodore J. While, the village, who sponsored the comedian during the several years of illness, in charge of the movement. The ambulance will be completely equipped for all kinds of emergency treatment and will be available at all times for any physician in the section. Cost is estimated around \$7,500, which sum will be raised by donations and a ball to be held at the Lakeville Country Club.

## 'Daughter' Shunned by Showman Before Clicking on Broadway

### Things to Worry About

Rome, Feb. 12. VARIETY publication of b.o. grosses for 'Show Is On' led an Italian paper to a comparison of returns by theatres in Rome and New York. Point was made that a piece like 'Show Is On' could gross in less than two weeks in New York that it takes one of the Italian companies here its entire eight-month theatrical season to garner.

Discrepancy, paper commented, is too immense.

## CHL GROUP THEATRE EXITING FOR SEASON

Chicago group Theatre which, last year, had a five months' run of 'The Old Maid', may to drop out of the field for the present, despite the fact that five productions are scheduled for the coming season. Organization unable or unwilling to pay the prices asked by theatre managers for their houses, and there being few to choose from during the present shortage of legit houses.

Studebaker and the Civic are the only theatres not now occupied, four being used by the WPA, and the other four doing business on legit and musicals. Studebaker insists upon nothing less than a three-months lease for the Group, and even to think about opening up for a two weeks' tryout. Civic Theatre is asking \$1,250 per week, the renter to staff the house himself, so it looks like a case of pay or drop out for the Group.

Intended putting 'Angel' into rehearsal next week, but unless the housing situation is up, everything may have ended.

## FOUR PLAYS EXIT

Four shows are on roadway's exit list, having been abruptly withdrawn last Saturday. One was 'London Assurance', a revival which was panned and lasted but four performances at the Vanderbilt. The other was 'Idle Rising' which closed at the 48th Street after four mild weeks, two of which were played at the Lyceum.

'And Now Goodbye' was closed at the Golden (Masque) Tuesday (23) night. Play drew a mixed press and only modest grosses, during its three weeks plus two-three performances.

'AND NOW GOODBYE' Opened Jan. 2, '37. Opi were strictly against this one's chances. Anderson (Journal) called John Golden's drama 'too dreary.' VARIETY (Ibee) said: 'Questionable.'

Another definite withdrawal is 'An Enemy of the People', a revival aimed for the road (Walter Hampden). It was listed to two weeks at the Hudson.

## Canton Tries Legit

First legit here in more than five years is due at the old Grand Opera House, March 5 and when 'Tobacco Road' with Taylor Holmes, will be presented for three performances.

Bob Burch, lessee of the house where a 20-week run of stock burlesque recently ended, said this booking was made as a feeler, and that the b.o. draw warrants, other road shows will be booked for later in season.

## ENGAGEMENTS

Kent Smith, Morgan Farley, Robert Harris, 'Candida', Tenen Holtz, Bob Lewis, Stuart Chase, 'His Excellency', Francesca Brunning, 'Sun Kissed', Joseph Michael Dowling, Vaughan Glaser, Roland Bottomley, Austin Fairman, Herbert Warren, Fraye Gilbert, Mary McCormick, William B. Friedman, 'Once Upon a Time'.

Legit show business is constricted and may never reach the proportions of the boom seasons; but it is running true to form in the matter managerial judgment. Broadway's newest hit 'Yes, My Darling Daughter', under the title of 'All About Love', was kicked around by at least three other producers before it reached the hands of Alfred de Liagre, Jr.

Crosby Gaige first had the scri and liked it, going so far as to select the leading players. He needed backing however, and asked the Shuberts to become associated in the presentation. Milton Shubert, however, did not okay the cast suggestions, and proposed getting London leads. The two feminine leads suggested by Gaige are appearing in the show at the Playhouse, N. Y., however, they being Lucile Watson and Conklin.

'Daughter' was turned down also by the young managerial team of Pearson and Baruch and by William A. Brady who operates the Playhouse. Understood the show is guaranteeing the theatre, latter end participating in the takings over a certain mark.

## ANNE NICHOLS SUES JONES ON 5G CHECK

An extended hearing in the matter of a \$5,000 bouncing check given Anne Nichols for an interest in 'Hey Diddle Diddle' by Martin Jones, was conducted before Magistrate Katz in the West 54th street court, N. Y. The magistrate continued the case, ordering another summons, because Miss Nichols' name was not attached to the complaint.

Frederick E. Goldsmith, acting for Miss Nichols, will ask for a discontinuance in the magistrates' and plans to sue civilly for recovery. Actual defendant will be the Vandolmar Corp., in which Jones is interested and which operates the Vanderbilt theatre, N. Y. Check which failed to clear because of uncollected funds was made out in the corporation's name.

Deal whereby Jones was to have bought in on 'Diddle' called for him investing \$7,500, and that the amount which the suit will seek. Show, which is laying off, may reach the Broadway boards soon.

## Adams Set to Stage Two Campus Legits

Schenectady, N. Y., 23. Bruce Adams has arrived Schenectady to direct the final three weeks' rehearsal of the Union College Mountebanks production of 'Winterset', to be presented March 12-14.

He also has been engaged to stage 'The Wind and the Rain', final production of the season, slated for May 14-17. Miriam Doyle, of Lawrence Rivers, Inc., put on the Mountebanks' opening piece, 'Squaring the Circle', last November.

## Philly 'Mulatto' Defender Reinstated by Mayor

Philadelphia, Feb. 23. Mrs. Upton Favorite has been reinstated as a member in good standing of the city's Board of Play Censors. Announcement was made very quietly late Saturday afternoon (20) from the Mayor's office.

Mrs. Favorite was asked by Mayor S. Davis Wilson to resign from the Board as a result of criticism of his action in banning a local engagement of 'Mulatto', sketched for the Locust. An interview with press, Mrs. Favorite declared thought the Mayor unfair in allowing Jack Linder to bring his show into town and spend considerable advance money and then to close the show. The Mayor was much provoked when Mrs. Favorite attended a private showing of 'Mulatto' and cast her vote with two others of the censor-board as well as three specially selected judges, the Mayor threw her vote out.

With it, the vote had been 3-3 and that the cancelling of her vote allowed Mayor Wilson to finally and definitely ban 'Mulatto' as far as any local showin

# BRITISH ACTORS' INFLEX

## HOWARD'S TOUR ENDS MARCH 6 ON THE COAST

Leslie Howard's 'Hamlet,' in its second week in San Francisco, will close after another week during which coast one-nighters will be played. While the actor-manager's tour has been successful, the attraction will wind the red for about \$25,000.

The star backed himself, production approximately costing \$75,000. Prior to Broadway, 'Hamlet' earned back around \$18,000 playing Boston and Philadelphia. The Broadway date at the Imperial was something of a disappointment, following critical press comment not flattering to Howard.

While Howard's 'Hamlet' drew moderate grosses in N. Y., reaction to the notices and comparison with John Gielgud, actually, made the latter's 'Hamlet,' presented by Guthrie McClintic. Attendance for the latter attraction jumped to capacity and the attraction went on to establish a new record for that Shakespearean drama on Broadway. It moved from the Empire to the St. James, where the date was extended twice.

Upon the closing of 'Hamlet,' Howard will report to the Warners lot to fulfill a film contract with the firm.

## Theatre Seeks Com As 'Be So Kindly' Backers Retreat

Richard Aldrich and Richardson Myers, socialite showmen, abruptly withdrew from 'Be So Kindly' which failed to delight at the Little, N. Y., Monday (15) last week, and the theatre, operated by at least \$2,000, seeks the sum of \$4,000 from them.

Play which was first called 'In Gold We Trust' was presented by Hope Lawder and Robert Skinner, with Aldrich & Myers associated producers. had the latter names over of the former. Aldrich & Myers assured the theatre management that they would be responsible for the finances, but after lamping the statements on the single week's business, appeared to lose interest in the show.

'Kindly' got \$1,400 on the week. Booking was to have been for three weeks; house to get at least \$2,000 weekly. Claim against Aldrich & Myers is for two weeks at the figure plus \$900 which the attraction was shy on the first week.

It was a first managerial venture by Miss Lawder, actress and script reader, and Skinner, connected with the Washington, D. C. Civic Theatre. Aldrich & Myers have produced three plays recently, all having closed. Shows were 'Aged 26,' 'Tide Rising,' which was withdrawn from the 44th St., N. Y., Saturday (20) after a short engagement and 'The Deal Ticket,' which was roughed back to New York after trying out in Philadelphia last week.

'Ticket,' written by Herman J. Mankiewicz, is announced to debut on Broadway next Sept. 20. Author has returned to Hollywood, where he will revise the script.

## Easton Feels Slighted By Detouring Legit

Pa., Feb. 23. Letters are pouring in to local newspapers asking why legit shows are passing up Easton. Most letters speak of good old days when two and three legit companies visited this city weekly and mentioned famous actors who appeared here.

Some letters urge the organization of WPA dramatic club and have promised support to such a project. Strong little theatre movement is urged for this section.

## British Retaliation

British Equity will soon adopt alien actor rules along the same lines Equity's. American players and other aliens will be nicked for a percentage of their salaries. Up to now aliens have been required to pay British Equity pound sterling for each engagement in legit shows. Equity installed its alien actor rules in 1932. Aliens are required to pay 5% of salary minimum weekly payment being \$10. Managers are required to extract the coin and remit to Equity.

## NOW TALLULAH HAS THE BARD BUG

Pittsburgh, Feb. 23. Broadway successes this season of Gielgud in 'Hamlet' Maurice Evans in 'Richard II' has iven Tallulah Bankhead the Bard bug, too, she told newspapermen here last week. For her debut in Shakespeare, star said she plans to do 'Antony and Cleopatra,' although she admitted that it would probably be a couple of years before she got around to it.

Actress further stated that she'd like to have Bri Aherne for her leading man, in although latter hasn't yet been approached.

Miss Bankhead's plans next season still indefinite. Shuberts sent on 'Mrs. Aphra Behn,' by Eleanor Holmes Hinkley, for her to read here last week and she said she was interested in the restoration comedy as a Broadway possibility, although John C. Wilson wants her to do her current vehicle, 'Reflected Glory,' in London this fall.

## EQUITY SIDESTEPS 'LUTCHINUSKA' CASE

The proposed Russian revue called 'Lutchinuska' assumed an undetermined status early this week. Plan is to use Muscovite players and singing chorus and in addition a group of 12 American girl dancers. Equity decided it would have no jurisdiction over the import and Chorus Equity followed suit.

By that decision Dorothy Bryant of the chorus branch eliminated the question of split jurisdiction but she sought a bond guaranteeing the dancers' salaries. Such guarantee had not been posted up to Tuesday (23) and the chorus members were so notified. While Chorus Equity people would be allowed to join the show, despite the absence of the guarantee, few appeared illing to take a chance.

In the event Equity girls join the show and it is stranded, no aid will be forthcoming from the association unless the bond is filed, with transportation included.

## Carnegie Tech Play May Be McClintic-Meredith's

Guthrie McClintic is interested in 'God Innis,' comedy by Helen Rowne Williams, and George B. Dowell, for Burgess Meredith's next play. how was produced Jan. 16 by Carnegie Tech drama department, Pittsburgh, with an amateur cast.

Meredith is featured in McClintic's production of Maxwell Anderson's 'High Tor,' in its eighth week at the Martin Beck. Producer hopes show will finish season, with possibility of tour to follow. 'God Innis' would probably be done in the middle of next season, after Meredith fills picture contract with RKO.

## MORE THAN 1,000 WORKING IN U. S.

Equity, Supplying Figures, States That, a Season Ago, the Number Was Greater—Mostly in Legit—Also in Hollywood, Radio, Nite Clubs, Etc.

## FEWER IN ENGLAND

More than 1,000 British actors appearing in various amusements in America, about twice as many as in England. In the legit field, however, there are fewer than last season, according to Equity, regardless of the attention given the visitors on Broadway recently.

It appears that successes scored by English players over here this season, also their seizures as shown by the applications to Equity for concessions on the alien actor furnished fresh reasons for Representative Samuel Dickstein to haul out his pet bill in Washington.

According to Equity's figures, there are 49 Britishers working in the legit at present, as against 53 last season. In 1929 there were 137 English players over here in legit. However, there were more than twice the number of attractions on the boards and on a percentage basis there is a handy group of Britishers over here. Not included in Equity's figures are the D'Oyly Carte opera troupe of about 60, but, so far as the association goes, such imports are rated as units and not figured to oppose American attractions, nor do they offer engagements which could be filled by Equity members.

## D. C. Hearings

While Equity has been in favor of the Dickstein anti-alien actors' bill—although Frank Gillmore admitted should be subject to certain modifications—the Washington, D. C. colonos look upon it as a dead duck. Hearings are slated to be resumed today (Wednesday), but it's generally conceded that the bill will die in session. Films, radio and other branches of the show business apart from legit, have appeared at committee hearings to present their reasons why there should be no embargo on talent. Full details on page three of this issue.

pose American attractions, nor do they offer engagements which could be filled by Equity members.

200 Resident Britons Not included in Equity's alien list either are the resident alien Britishers of which there are around 200. It is estimated that the bulk of the English contingent is in Hollywood. It was stated last week at a Dickstein bill hearing that 61 English players are under contract in Hollywood but there was no mention of the fact that around 500 Britishers are in Hollywood and are occasionally in "care making."

ance of the visiting players are in radio, night clubs and other amusements. At the Washington hearing it was mentioned that the English contract players are her visitor's visas but the rules are not supposed to permit such persons to accept employment over here. Equity does not permit alien's visitor's visas to appear in legit. Time after time, English actors over here, with their passports have been detected in casts and forced out. Only a few are under the quota brought over under contract are allowed to take stage engagements under equity rules.

Differ the number of American players in England as against the Britishers over here, is readily explained: England cannot absorb as many alien actors, par-

## British Players Seek Security To Act Here, With Citizen Papers, If Dickstein Bill Goes Through

### HARRIS IN 'CANDIDA'; THEN HE MUST LEAVE

ert Harris, English actor who played the lead in 'Aged 26,' which had a brief engagement on Broadway, will appear in 'Candida' which Katharine Cornell is readying, although he will not be permitted to accept another legit engagement over here before one year after the show stops.

Actor appealed to Equity who had granted a concession, the months' lapse for aliens, in the one year period was too severe a restriction because 'Candida' would be a part-time engagement. It is to be played three times weekly. Ity replied it would not change the ruling but Harris, regarding it as an important appearance, decided to remain with Miss Cornell's company.

### Gielgud, Departing, Says He Never Wants To Play Hamlet Again

Philadelphia, Feb. 23. John Gielgud, who two months ago broke John Barrymore's record of 101 consecutive performances of Hamlet, said he never again wanted to play the part when the show closed in Philly Saturday (20) night. Despite the fact that the youngest to achieve star billing, Gielgud, said he feels he is 'getting too old for the role.'

'I believe most of the real Hamlets have been over,' he declared, 'many have been over 50, and some, I understand, have played Hamlet at 70. It's an admirable thing to do, but it isn't right. Hamlet is a young man in his twenties, and I feel that at 32, I am already too old.'

Gielgud left Philly for N. Y. and thence to England. He hopes to return to America, he said, with a company alternating with 'Macbeth,' Chekhov's 'Uncle Vanya' and 'The School for Scandal.'

Gielgud is definitely not headed Hollywoodward. 'Charles Laughton three years ago told me to go to Hollywood for six months, so I could earn enough money to indulge my wildest ideas of repertory company,' said. 'But not me. He said you could take Hollywood or leave it alone, you could return to it whenever you wished—but I see he hasn't come back. Perhaps he doesn't want to, I don't know. But I do know that I should want to and I'm afraid I might not be able to.'

ing Hamlet on Broadway in opposition to Leslie Howard was very embarrassing, he said, because of the unavoidable sense of rivalry. Howard never approached him and he never approached Howard, once 'there is a certain amount of vanity in every actor, isn't there?' he smiled.

### LIBBY HOLMAN'S CONN. HOME

Hartford, Feb. 23. Word reaches here that Libby Holman Reynolds, low iced star of musicals, has started construction of a \$100,000 home in North Mianus, near Greenwich.

Report says she plans to make her permanent home there. House is being built close to home of Guy Lombardo, and will be of colonial design.

icularly in the film end, because not as many pictures are made there. England's alien actor laws, too, are more stringent. There are none over here except for the immigration regulations and Equity's rules.

Whether Washington will ever adopt the actor-exclusion act known as the Dickstein bill which has been in committee for years, the occasional flurries over Congressional aliens have had a definite reaction. Britishers are starting to take out citizenship papers and their children are doing likewise upon reaching maturity.

Five years must elapse after original declaration to become American, as against three years in England but some English players have already secured second papers and will soon be able to swear allegiance as citizens. It was formerly a notorious act that most British actors over here steadfastly refused to become citizens although having spent most of their careers over here. That is particularly true of resident aliens who do not come under the restrictive other governmental or Equity's.

Equity has explained its stand on the Dickstein measure. It came out in favor of the bill upon occasions but recently has changed its attitude. Frank Gillmore appearing before the committee last week, it might interfere with presentations at New York's World's Fair in 1939 because foreign artists could be barred and unit shows from abroad similarly shut out.

However the real cause of Equity's change is based on the amendments to the bill and the association would like to see all such clauses clarified before it again okay the proposed exclusion act. Managers are against the Dickstein bill because it would place the Department of Labor in the guise of being casting agents and it would be upon the discretion of that department whether an alien actor or artist could enter for professional appearances. That persons not qualified to participate in such pros appears obnoxious to the stage and the picture showmen.

So far as its rules apply, Equity considers itself fully competent to control alien players, who must pay a percentage to the association and lay off for six months after each engagement. But that only applies to the legit and for that reason was inclined to favor the Dickstein measure. Equity people say that when aliens come over for a contracted engagement, they should return home and not enter other fields—film, radio and night clubs—because it is likely they thereby keep Americans out of such engagements.

Equity too, states it has not granted too many exemptions to the six months' lapse rule. Each concession was warranted it is contended. Rule was waived in the cases of Gladys Cooper and Frank Lawton. They were slated for 'The Rite of Spring' but Lawton changed his mind and the play will probably be called off. He came over to appear in the short lived 'Promise.' Robert Harris who was in the similarly brief 'Aged 26' secured the concession to appear in 'Candida' but if he appears, will not be again permitted to play legit. Equity applied to Equity for reconsideration since the revival will be short lived and he therefore should not be barred for a year. Equity, however, declared that is the way it would have to be.

### St. Paul Acoustics NSG

St. Paul. When balconists were allowed to move downstairs to hear Ruth Draper here last week in the theatre section of the muni aud, indignation grew hot over house's poor acoustics. Still squawks followed week's 'The Great Waltz,' the previous week.

Two experts will be employed to determine causes of faulty acoustics and suggest remedies. A cinch that adverse newspaper comment is not to affect Katharine Hepburn's one-night stand in 'Jane Eyre' Monday (22).

# Plays on Broadway

## Having Wonderful Time

Comedy in three acts (9 scenes) by Arthur Kober presented by Marc Connelly at the Lyceum, N. Y., Feb. 23, 37, by the Theatre Union, Inc. (Theatre Union, Inc. presents the play, formerly staged by George S. Kaufman in playwriting. Latter came in during final rehearsals and tied up some of the scene finales.

MacPhee, opposite, is another excellent choice. He is from the group theatre and has shown his range in this type of role previously. There are quite a number of recruits from the Second Avenue legit, among whom Wolf Barzell, Shimen Euskini and Judd Bleich are best. Other support outsiders are Sheldon Leonard, Janet Fox and Muriel Campbell.

## MARCHING SONG

Melodrama in three acts. Presented at the Bays, N. Y., Feb. 17, '37, by the Theatre Union, Inc. (Theatre Union, Inc. presents the play, formerly staged by George S. Kaufman in playwriting. Latter came in during final rehearsals and tied up some of the scene finales.

They keep telling you (the producers) that there is no talent around. So Marc Connelly bows in as a producer on his own for the first time (in a play which he has played in London previously) with a first play by a new author and shows off a new name in the ingenue lead, Katherine Locke. And all three are probably to have a show worth a smash, but it should be okay for a while at pretty good business. And the Locke eye is most definitely in; she's got all the makings of a legit star—it Hollywood doesn't grab her first.

It seems a shame that Connelly didn't take this show out on the road for a while. The play is not playing time would have done wonders for it. Even after almost a full week of invitation previews the seats didn't function on the opening night, considerably slowing up the action and handicapping the play's chances. Connelly didn't stint on production; being a reformed author, if only temporarily, he believes in giving the writer a break. The break is available. There are a lot of actors on the stage and a lot of scenery. Stewart Chaney, who designed the sets, is a good man for the kind of show that hasn't had experience enough with rollers, merry-go-rounds or jackknives. There are long waits between the scenes of this play which are entirely unnecessary. Also, a couple of the scenes at the opening had to be dropped off.

Probably the audiences won't know all that, and, what will count to them is that there is a lot of comedy and some genuinely honest action on the stage. The stiffness and slow-down the opening night should disappear in a day or so and the paying customers should not be hampered by it.

Kober's play itself is a comedy hewn closely to life. There is practically no story, but that is not important. It's a wide-canvas analysis of, as one of the characters in the play says, "the breakdown of the family." It is genuine and stirring writing by someone who, very obviously, knows whereof he speaks.

Taking up the play, it is a nice little persons of second and third generation Jews in the U. S. Arthur Kober sets them down in a summer camp in the Catskills and then meets up with biology. With the usual minor explosions.

Teddy Stern is a nice little girl. She says, isn't that a beautiful moon, excuse me for pointing. She never would think of turning her back to someone, in the most crowded of rooms, without saying "Excuse my back." She works for a living as a stenographer and dreams of going to Paris on a honeymoon. And at Camp Karefree, where she goes for a vacation, she meets Charlie, a handsome LL.D., no job and who is working his way as a waiter in the camp in order to have a vacation. So boy has met girl and after a few minor misunderstandings and difficulties, the two agree to get married and try to face life.

There are gag lines and gag situations throughout, but it is not just a comedy. It is a steady and constant analysis of a cross-section of life. The satire is not barbed, either, because it is very obvious that Kober has a sincere liking for his little puppets; he sometimes thinks they're fools, but he doesn't spunk them for it; he commiserates with them; he feels sorry for them.

Connelly has directed the play excellently, bringing out all the fine points and nuances. If it lacks pace occasionally, this is directly traceable to the mechanical difficulties. As for actors, Connelly has peopled the show copiously and well. Katherine Locke has shown previously in nothing more than a series of flops on Broadway, has been under a Paramount contract for sometime, but hasn't been

producer. It is puzzling to fathom the reason for this attitude braving a return visit, except that it might be considered a comic valentine. Play has been tricked out in some pretty ravens scenes and in bright costumes, but as diversion, in 1937, it is a dud.

For this revival, first in N. Y., since 1910, special lyrics and music have been added by Ethel Barrymore. Col and Ray Ellis. Former figures also in the adapter, besides playing the ingenue lead. Both are neat jobs that impress favorably.

Unlike Boucicault's "After Dark," hoked in Hoboken recently, this play is not one of those villain-still-pursued her operas. Nary a perfidious gent is on hand to encourage mass hissing. Instead, the story is content to follow a few sentimental paths with a bit of mistaken identity and mixed romance thrown in for good measure.

Within five years' time "London Assurance" will be a century old and its period actors will not cause any noticeable celebration. It is a play that can be laid away permanently, as far as today's audiences are concerned.

Cast in addition to Miss Colt is no doubt better than the occasion demands. Douglas Rowland is only fair in the fat part of Sir Harcourt. John Raby acts Young Courtly with enough and other roles are projected in rather routine fashion by Lewis L. Russell, Henry Vincent, Matthew Smith, Jack Harling and Don McClure. Most expert in the company is Ellen Love who brings a spirited zest to her assignment. She shares first honors with Miss Colt, whose famous mamma was a looker-on at the debut.

Play was staged by Robert Bell, husband of the producer and Louis Kennel rates a nod for the attractive decorations, with a suggestion or two from John Raby.

Limited engagement is all that can be hoped for. Too few people go for this sort of thing without beer and skittles on the side.

(Closed Feb. 20 after three days; printed for the record)

## Plays Out of Town

### Amazing Dr. Clitterhouse

Toronto, Feb. 23. Melodrama in three acts presented by Gilbert Miller at the Royal Alexandra, Toronto, N. Y., Feb. 23, 37, by the Theatre Union, Inc. (Theatre Union, Inc. presents the play, formerly staged by George S. Kaufman in playwriting. Latter came in during final rehearsals and tied up some of the scene finales.

Brilliantly acted cops-and-robber meller, with a touch of Mayfair, got off to a fast pace here and should draw downtown Broadway in N. Y. Dr. Clitterhouse, London doctor, gets a year to do up the mental, physical and psychological reactions of a criminal in the very act of committing a crime.

His research drags him personally into crime first on his own, then with a small compact gang he links with through a fence. They pull off a larger and bigger burglary jobs, making generous splits of the dough, with the doctor, who's identity is unknown to the gang, giving his cut to charity.

Comes the girl trouble. The doctor sets up Daisy, only femme in the mob, in a Bloomsbury flat and she sours on Benny Kellerman, the fence who's been her previous lover. He burns up, traces the doctor down, blackmails him, and is bumped off via the poison route.

In his pocket is found the doctor's telephone number and this brings the cops. Meanwhile the doctor, seeing his self jammed up, has consulted one of his patients, who is a top shot lawyer, as to what would happen in court if a man was dragged up under such circumstances. The lawyer says that would be no problem, to it—the doctor is nuts. That's tip off for the doctor to go into an insanity act and he's getting ready for a brief stay in the bobby hatch when the gendarmes take him away.

In less capable hands this could be just one more who-unit, but as based here is excellent fare for class theatre.

Sir Cedric Hardwicke, never before in Canada and billed minus the knighthood tag at his own request, finished actor. Having set out in life to be a medical student, he has come better than normal in this part; a skillful dignified and convincing performance throughout. Clutterhouse, the fence, plays a workmanlike heavy, and the scene was for bit players of whom Victor Recroft is a stand-out. Only two women in cast, and neither has much to do. Although Helen Trenholme takes full advantage of her spot as a hysterical nurse when the "witch" is due. Alexander Field seemed nervous as one of the crook

# Inside Stuff—Legit

Difficulty with the settings of "Having Wonderful Time" caused the show to be twice postponed last week, show finally opening Saturday (19) night, with the box office switching tickets sold in advance for that night to later dates. Four truck loads of scenery, designed by Stuart Chaney, were discarded. Rehearsal expense was upped through delays, stagehands' bill for two weeks being \$6,700, there being 26 men in the crew. After the premiere the first scene was dropped entirely.

"Time" was written by Arthur Kober, former press agent, the play being produced by the New Yorker stories. Marc Connelly, who produced the comedy, formerly teamed with George S. Kaufman in playwriting. Latter came in during final rehearsals and tied up some of the scene finales.

One of the Theatre Union's people probably made the drawing which appears on the programs for "Marching Song" which opened on the Bays Roof, N. Y., last week. It is a map of the fictitious city of Brimington, U. S. A. State is not mentioned, but one avenue is marked "To St. Louis," establishing the locale at the middle west. Various factories are set forth, also other points or spots mentioned in the play. Included is the red light district.

There are 30 speaking parts programed, plus 16 extra people in cast are Lester Loneragan, Jr., and L. L. 3d, latter playing a ki

For years it was only in N. Y. that show folk and newspaper crix complained about the so-called fashionable theatregoers who arrived late and made noisy nuisances of selves in order to attract attention. Lately same conditions have been mushrooming in Washington, with situation worse in the Capital in that it is a nightly occurrence.

The highly-starched folk with the big social and political backgrounds are the offenders in Washington.

Ernest Truex, comedian of Franz Lehar's operetta, "Frederika," at the Imperial, N. Y., has three other members of the family in current Broadway shows, he revealed in a guest date on the department store Thursday morning commercial over WOR and affiliated stations. They are his sons, James, in "Tovarich," Philip, in "Richard II" and his wife, Mary Jane Barrett, in "Frederika." The only "layoff" is two-and-one-half-year-old Barrett.

Recent collapse of a models' organization is blamed on irresponsibility of officials seeking to decrease the overhead of org's offices.

To forestall shuttering because of curtailed membership fees, official permitted the installation of a racetrack ticker machine for bookies. Touts paid the rent for the office which was a good front until the law stepped in and attached the padlock. Outfit has now folded completely.

r. Harry Shaw of Philadelphia is the backer of "Behind Red Lights" presented by Jack Curtis at the Mansfield, N. Y. He operates a string of drug stores in Pa.

After watching the show for several weeks he went to Flori

ing for a vacation too.

Switch of "Tide Rising" from the Lyceum, N. Y., to the 44th Street Theatre, was a last minute decision. Play was presented by Aldrich and Myers who announced its withdrawal after two weeks. George Brewer, its author, however wanted it to continue and it is understood he dug up fresh money for that purpose. "Tide" stopped Saturday (20).

Revival of "Dr. Faustus," the WPA's outstanding attraction is season in N. Y., is regarded as impractical for commercial presentation. At 55c. top it is drawing capacity with the gross approaching \$2,000 weekly. Any number of theatre parties are sold at rates under the scale, otherwise the pace would be about \$1,000 more.

Perhaps a new low was reached on Broadway after the opening of "Call Me Ziggy," when the reviewer for the N. Y. World-Telegram devoted only one sentence to the play. Called it "a cypher" and went on to talk of other plays of the week.

## Broadway P.A.'s

(Continued from page 62)

The Agents and Managers Union, formed by Theodore Mitchell some years ago. That union has been as dormant as has the old Theatrical Press Representatives Association. Latter body had a contract with the managers but during the depression when the number of shows on Broadway and the road dropped away down, the organization wanted and the contract was forgotten.

Following last Sunday's activities, the Theatrical Press Representatives of America, spoke up stating that it still had offices and officers and declared that since inception it has been the official organization for legit press agents. State too, that the TPRAs, which formerly restricted to the legit field, is now open to those who have agent or managed any amusement enterprise for two years. Dues have been lowered and there is no initiation. Road agents and managers have always been eligible.

The new group of p.a.'s will meet again at the Algonquin March 7 at which time officers are expected to be elected and the NYTPA will then start functioning.

## Shows in Rehearsal

in Arms—Dwight W. Cornell. "Candi" (revival) — Katharine Cornell. "Amphytrion" on tour—Theatre Guild. "Once Upon a Time" ("Bumps Malone")—Marty Forki. "For Venus"—Mary Hone. "Sun Kissed"—Bonfils and Sommes. "His Turk". "Star over Palsy"—Theatre Guild. "Excursion"—John C. Wilson. "Driftwood"—Eugene Kerry.

## Current Road Shows

(WEEK OF FEB. 22)  
Ballet Russe, High School, Little Rock, 22; Murphy High School, Mobile, 23; Lenier Aude, Montgomery, 24; Munny Aude, Savannah, 25; Gevy, Atlanta, 26-27.  
'Boy Meets' Convention Hall, Tulsa, 22; Warner, Oklahoma City, 23-24; High School Aude, Little Rock, 25; Auditorium, Memphis, 26-27.  
'Other Rat' Plymouth, Boston, 27.  
'Dead End,' Ford's, Baltimore. 'D'Oyley Carte Repertory, Erlanger, Chicago.  
'First Lady' (Jane Cowl), Biltmore, Los Angeles.  
'Follies,' Grand, 'Great Waltz,' falo.  
'Hamlet' (Leslie Howard), San Francisco.  
'Idiot's Delight' (Lunt Fontanne), Colonial, Boston. 'Jane Eyre' (K. Hepburn), Auditorium, St. Paul, 22; Parkway, Madison, 23; Pabst, Milwaukee, 24-27.  
'Leaning on Letty' (Post Selwyn, Chicago.  
'Mulatto,' Belasco, Washington. Nazimova Repertory, Chestnut Street, Philadelphia.  
'On Your Toes,' adelphia.  
'Fried and Prejudice,' Nati Washington.  
'Reflected Glory,' Ruth Francisco.  
San Carlo Opera, Philharmonic Aude, Los Angeles, 22-24; War Memorial O. H., San Francisco, 20.  
'Steel,' Beach, N. Y.  
'Tobacco Road,' Ni burgh.  
'The Amazing Dr. Clitterhouse,' Royal Alexandra, Toronto.  
'You Can't Take It With You,' Chicago.

# Loop Biz Still Hotcha; 'Follies'

## \$25,000; 'Take' \$16,400 and In for Run

Chicago, Feb. 23. Town could use a couple of more shows; all the current pieces are doing excellent trade.

'Ziegfeld Follies' has decided on March 20 as its closing date in Chicago, which will make it 11 weeks in town, excellent run for the first \$3.85 show here in years.

WPA opened 'Good Old Summer-time' at the Blackstone on Friday (18), this being the show formerly known in the east as 'Around the Corner.' Not much coin hope for it.

**Estimates for Last Week**  
'Leaning on Letty,' Selwyn (1,000; \$2.75) (14th week). Will stick to April, at least, on present pace. Again around \$2,500, fine.

'You Can't Take It With You,' Harris (1,000; \$2.75) (3d week). Up near \$16,400 for the second session. Advance sales strong. Will stick around for a long time.

'Ziegfeld Follies,' Grand (1,300; \$3.85) (8th week). Held to excellent \$25,000.

**Other Attractions**  
'D'Oyle Carte Gilbert and Sullivan' Rep., Erlanger (1,400; \$2.75) (3d week). One more session after this one. Last week net at \$11,000.

**WPA**  
'In Good Old Summer-time,' Lackstone, Martin Flavin show opened on Friday and expected to stick for four weeks, with 'Lonely Man,' new lay by Howard Koch, to replace.

'Oh Say Can You Sing?' Great Northern, Mitchell, setting road play from growing word-of-mouth.

# Gielgud 'Hamlet'

## Only Fair 24C In Philadelphia

Philadelphia, Feb. 23. Couple of weeks ago Philly was proudly boasting of four legit houses open and doing big business. Now it looks as if two will be the limit, and a distinct possibility that the city will have to be content with a single show by the middle of next month.

'The Meal Ticket,' which opened last Wednesday (17) at the Erlanger, closed Saturday (20). House had skedded a return of 'Dead End' to follow, but that's not now and there is no a book in sight.

Locust, which had regular shows for a few weeks, is now offering a roadshow film, 'Good Earth.' Chestnut becomes competitive on March 7 with 'Lost Horizon' (Col).

That leaves only the Forrest with a chance of getting legit shows in late March and April. House has 'On Your Toes' now for two weeks and follows with 'Great Waltz' (return). Prior to 'Lost Horizon,' Chestnut has a short spurge of Ibsen, Nazimova's 'Ghosts' this week, and Walter Hampden's 'Enemy of the People' next week.

Last week's failure was Gielgud's 'Hamlet' at the Forrest. Despite disappointing opening and lower floor weakness during the first half of the week, this revival hooked a healthy \$24,000 for the benefit of a \$3.30 top. That, however, was a long way from capacity.

Return of 'Pride and Prejudice' at \$1.50 top didn't mean much. Second and final week at the Chestnut gave it \$7,000. 'Meal Ticket' was brutal in four-day stay at the Erlanger, after savage notices.

**Estimates for Last Week**  
'Hamlet' (Forrest). While good at \$24,000, far from capacity at \$3.30 top. 'On Your Toes' (Chestnut, 2d week). Return of this one at \$1.50 top not so hot. Scant \$7,000. 'Ghosts' with Nazimova this week. 'Meal Ticket' (Erlanger), r-r-out which opened in mid-week and closed Saturday. Biz neg'gible.

# 'Dead End' Fair \$13,500, 'Road' \$8,500, W'hington

Washington, Feb. 23. Plenty of publicity, plus good notices, helped 'Dead End' to a satisfactory week at the National last week. Figure, however, was below houses due largely to the fact that the Capitol keeps pretty hep to what's what and won't take road companies unless original. Also the o'clock curtain, forced by the local child labor law.

Belasco made good in the second week of a new try at legit with 'To-

# LES HOWARD'S 'HAMLET'

## FINE \$17,000 IN FRISCO

San Francisco, Feb. 23. Leslie Howard had an excellent first week in 'Hamlet' at the Curran theatre, where he opened a stay of six days last week. Well received by critics, there has been a predominance of femmes in the audience, especially at the matinees.

'Battle Hymn' at the Columbia theatre, where this RTP offering got off to a bad start, is building.

**Estimates for Last Week**  
'Hamlet' (Curran) (1st week) (1,500; \$2.50). Natives eating up Howard's production; \$17,000 take during the first week is swell.

**WPA**  
'Battle Hymn' (Columbia) (3rd week) (1,700; 50c). Two days after the strike was over, biz started to pick up. Did \$3,250 during third week. 'A Touch of Brimstone' next.

# LUNT-FONTANNE

## 19C'S 4 DAYS IN BALTO

Baltimore, Feb. 23. Town was given only four days of the Theatre Guild's Lunt-Fontanne 'Idiot's Delight,' and the customers stormed the doors of Ford's in such numbers that the good old house must have thought it was back in the palmy days. With a record-breaking advance sale, show opened Monday (15) night to plenty of standees and continued the pace through the next three nights and Wednesday matinee. Chalked up \$19,000 on the run, terrific.

'Dead End' is in this week for a full session. Indications point to a very early week. Nothing slated to follow as yet, and no word from the Maryland, town's other legit house.

**Estimate for Last Week**  
'Idiot's Delight' (Ford) (1,988; \$3.35). Theatre-Guild production with Lunt and Fontanne in leads in sure-fire four-day engagement; had 'em standing every show and rang up a terrific \$19,000.

# BANKHEAD IN 'GLORY'

## MEAGRE \$12,000, PITT.

Pittsburgh, Feb. 23. First visit of Tallulah Bankhead to Pittsburgh didn't produce an unusual rush at the Nixon last week, but both the show and house were well received. After a good opening break at \$12,000. Critics tossed caution to the winds by going into raves over the star's performance and, rather, lukewarm about 'Reflected Glory,' they admitted it was a suitable vehicle for the actress in her first tour of the country.

Curiously enough, Miss Bankhead has quite a cinema rep in the hinterlands, although she's been off the screen for several years. That was reflected in consistent balcony and gallery call all week.

Nixon has 'Tobacco Road' currently at the lowest top of the season, \$1.50, show opening with a matinee yesterday (22), first time this has ever happened around here.

**Estimate for Last Week**  
'Reflected Glory' (Nixon), 2,100; \$2.85. Up to \$12,000, company chalks up both show and house can take up some profit at that figure. Downstairs considerably off, but big balcony and gallery trade.

bacco Road,' starring Taylor Holmes. Henry Hull played the same piece here three weeks last spring, but \$2 top this time got plenty of new customers.

Current are 'Pride and Prejudice' at the National and 'Mulatto' at the Belasco, with 'Storm Over Patsy' and 'Night of Jan. 16,' respectively, to follow.

**Estimates for Last Week**  
'Dead End' (National), \$2.75. Good notice helped, but the Cap's proximity to Broadway held the road company down to approximately \$13,500.

'Tobacco Road' (Belasco), \$2.00. Not a o'clock curtain, forced by the local child labor law. The fact that Henry Hull played the same show here three weeks last spring.

# 'RAT' \$14,500, BOSTON

## Hub Likes Military Comedy—in for Indef Run

Boston, Feb. 23. 'Brother Rat,' only legit show in town last week, found the trading very favorable. Local players seem to like the play and critics gave it a good send-off. Booked in for an indef run.

'Idiot's Delight' opened Monday (22) at the Colonial for a two-week stay under Guild auspices.

**Estimate for Last Week**  
'Brother Rat' (Plymouth), \$2.75; 1st week. Garnered about \$14,500 on the initial stanza, very good.

# Hepburn's 'Eyre'

## Doing Sock Biz In Midwest Tour

How hungry this town is for stage fare was evidenced by the fact that the Metropolitan was completely sold out for 'Jane Eyre,' the season's first legit attraction, three days before the show hit town. For two nights and a matinee at \$2.85 top, the gross approximated \$8,000. Chairs were used in the orchestra pit and extra seats placed in the balcony loges for all three performances. Manager Dick Horgan tried in vain to induce Katharine Hepburn to play an additional Sunday night performance before going into St. Paul for a one-night stand.

Except for the southern road situation, which necessitated re-routing of 'Jane Eyre,' the Twin Cities would not even have had this attraction. Only other definite Metropolitan booking is 'First Lady,' due in April.

Kansas City, Feb. 23. 'Jane Eyre' woke this town from a legit slumber with trip-hammer alacrity during a three-day dusting at the Music Hall, Feb. 15-17. Hepburn piece grossed fine approximate \$10,000 at \$2.20 top. Press, while courteous, judged that a rewrite was in order if and when it hit Broadway.

# SMASH \$12,000 FOR COWL, 5 SHOWS, L. A.

Los Angeles, Feb. 23. Jane Cowl is dragging 'em into the Biltmore theatre in droves on her 10-day tour. The show has complete sellouts registered on the initial five performances. House is tarified at a stiff \$2.50 scale, but has plenty of advance reservations. 'The Captain and Belasco's continue dark, with the Federal Theatre Project bringing in one new attraction this week and moving two others to one house.

**Estimates for Last Week**  
'First Lady,' Biltmore (C-1,658; \$2.75) (1st week). Opening night went clean and, with several hundred turnaways, first five performances brought a sweet \$12,000. Heavy advance for the current week.

**WPA**  
'House of Connelly,' Mayan. Social drama of the old South debuts Friday (26). Cast headed by Phyllis Laylay, Kenneth Patterson, LaVole Hughes, Howland Chamberlin and Adda Gleason.

'Roaring Girl,' Hollywood Playhouse. Musical comedy (24). After several weeks downtown. Newspaper meller by John C. Moffitt.

'Revue of Revues,' Mason. Musical satire opening Tuesday (25), after a long stay at the Hollywood Playhouse.

'Lars Killed His Son,' Musart. Tragedy winds up Sunday (28) after customary two weeks' stay.

# 'Nutshell' New Low \$2,800 in Cleveland

Cleveland, Feb. 23. Lula Vollmer's 'In a Nutshell' was just an old acorn for the Hanna last week and its few customers, who didn't seem to think the shell was lousy cracking. That was done by the three local critics, who thoroughly roasted the comedy. Show's major achievement was hitting a new low gross in the theatre's history, \$2,800 for six days of the week. Rest of the new play's tour has been cancelled. Miss Vollmer was here for the week making minor changes, but they weren't enough.

House is dark this week, and next, reopening March 8 with Katharine Hepburn in 'Jane Eyre' followed by the Lunts in 'Idiot's Delight' March 15.

**Estimate for Last Week**  
'In a Nutshell,' Hanna (1,435; 55c; \$2.20). Less than \$2,800, a new low for the house. Hurt the theatre's rep as much as the playwright's pride.

# Legit Biz Booms With Holiday Weekend; 'Daughter' Grabs \$15,000

Early half of last week was markedly weak among Broadway legit biz by Saturday business was booming what with the expected visitor influx for the Washington's Birthday week-end. Grosses had dropped so much that the capacity Saturday attendance did not fully offset the earlier declines, and in most instances grosses were under the previous week's marks.

The out-of-towners went for some of the long runs shows in a big way. An instance is 'Victoria Regina.' Demand was so keen that the agent said tickets would have brought \$8.80 but advance sale for both Saturday performances left few pasteboards on hand.

Monday's (22) hall (1th clear weather after a rainy Sunday) brought the throngs mainly to the amusement district. All but one show ('Regina') played the matinee and many of the 16 performances were capacity. Evening trades were under the afternoon, as figured. Flock of attractions have added extra matinees this week, the final session which good business may be expected this side of Easter.

'Having Wonderful Time' did not open at the Lyceum until Saturday. It drew fairly good notices and appears to be box office, judging from Monday's attendance. 'Marching Song,' which opened at the Bayes, was well regarded by the press but limited appeal indicated.

First full week of 'Yes, My Darling Daughter,' topped \$15,000 at the Playhouse. 'Yes' made capacity for seven out of the eight performances. 'King Richard II' topped \$18,000.

'And Now Goodbye,' Golden. Withdrawn last night (23), after playing three weeks to mid business; next attraction, 'Susan and God.' 'Boy Meets Girl,' Cort (16th week) (C-1,059-\$3.30). Better than estimated with gross around \$8,500; management figuring on run-go into another summer.

'Behind Red Lights,' Mansfield (7th week) (D-1,097-\$3.30). As good as previous week, not counting added matinee; \$9,000 quoted, and meller looks in for a stay.

'Brother Rat,' Biltmore (11th week) (CD-90-\$3.30). Better than indicated; \$18,000 for Lincoln's Birthday week and about \$16,000 last week.

'Fulton of Oak Falls,' Morosco (3d week) (C-961-\$3.30). Moderate meller sell, but called 'a thing' around \$7,500; must improve to make a run of it.

'Having Wonderful Time,' Hudson (1st week) (D-1,094-\$3.30). Opened Saturday (20) night fairly favorable press; strong Monday.

'High Top,' Beck (7th week) (1,214-\$3.30). Lively at box office; indications for continuance into warm weather; round \$13,000 last week.

'Howdy Stranger,' 46th St. (7th week) (C-1,375-\$3.30). Costs little to operate; meller, and a taking are approximating \$5,000.

'Masque of Kings,' Shubert (3d week) (D-1,382-\$3.30). Moved upward, although trend was down last week; around \$14,000; will probably last well into spring.

'Now You've Done It,' Miller (1st week) (C-944-\$3.30). Presented by Brock Pemberton; written by Mary Coy. Characters called 'The Third' and 'Pillows of Society'; opens Thursday (25).

'Red, Hot and Blue,' Alvin (18th week) (M-1,355-\$4.40). Limited number of musical aidings; business steadily profitable, with last week bit off; \$26,000.

'Show Is On,' Winter Garden (10th week) (R-1,751-\$4.40). Eased off with held last week; took a knock on Saturday; takings around \$36,000; still top grosser.

'Stage Door,' Music Box (19th week) (C-1,012-\$3.30). Always in the money; house under earlier pace; around \$14,000 last week.

'The Eternal Road,' Manhattan O. H. (8th week) (M-2,780-\$4.40). Now operating to profit, but attendance not up to expectations; round \$29,000 last week.

'The Wingless Victory,' Empire (10th week) (D-1,099-\$3.30). Off early part of last week, like nearly

all of list but strong Saturday helped gross to approximately \$14,000.

'The Women,' Barrymore (9th week) (C-1,048-\$3.30). Cleaning up demand in agencies strong as expected and should be a summer stayer; \$21,500; capacity.

'ide Rising,' 44th St. Withdrawn Saturday, after playing four weeks to mid money; house dark.

'Tobacco Road,' Forrest (16th week) (D-1,107-\$1.85). Run leader continues to pile up profits at moderate grosses; approximately \$7,000 last week.

'Tonight at 8:30,' National (14th week) (C-1,132-\$4.40). Always one of list's top grosses; over \$20,000 weekly and slated through March.

'Tovarich,' Plymouth (20th week) (C-D-1,036-\$3.30). Another socko attraction; eased off early last week, although capacity again by Saturday; little under \$20,000.

'Victoria Regina,' roadrunner (re-summed eng.) (52nd week) (D-1,110-\$3.30). (Visitor, industry, critics) topped last week's gross; got fancy paces for year-around attraction, which got nearly \$18,000 again.

'White Horse Inn,' Center (22nd week) (M-3,321-\$3.85). Easy exit off again, with takings around \$28,000; operating costs revised downward, however, so turned a profit.

'Yes, My Darling Daughter,' Playhouse (11th week) (C-1,097-\$3.30). New laugh call; strong call in agencies indicates cinch run; capacity nearly all last week with takings over \$15,000.

'Yes, My Darling Daughter,' Booth (11th week) (C-704-\$3.30). Can't get higher grosses; all performances to standee attendance, with gross around \$15,000.

'Marching Song,' Bayes; labor melodrama on roof drew favorable press; \$1,500 top.

'Naughty Naught,' American Musical Theatre. Meller in night club surrounding.

**Revels**  
'King Richard II,' St. James. Shakespearean work drawn off week; money; quoted over \$18,000 last week.

'An Enemy of the People,' Hudson; goes on road after this week; 'The Amazing Dr. Clitterhouse,' WPA offers two new plays this week: 'Power,' Ritz, and 'The Sun and I,' Adelphi.

**WPA**  
'Dr. Faustus,' Elliott; tops federal theatre shows in N.Y.

'Bassa Moona,' Daly's 83rd Street. 'The Sun and I,' Adelphi; due to open Friday (26).

'Sent money' opened Tuesday. 'Sweet Land,' Lafayette; final week.

# TOES' O.K. \$14,000 ON H.O. DETROIT

Detroit, Feb. 23. Continuous record of the Cass this season, since the house opened last fall, is broken currently due to cancellation of 'In a Nutshell,' which folded in Cleveland last week. Unfortunately 'On Your Toes,' which closed a two-week stand with a fine box, \$14,000 last week, had been booked elsewhere for this stanza. Musical could have stuck around a third seven-days to profit.

After grabbing off a healthy \$19,500 on the first week, 'Toes' held up remarkably well for the second session, usual drop-off here being around one-third. As is, the play held to a good 75% of the opening stanza's gross. After the mad business in view of the fact that the play brought the season's top price, \$3.30, and the continuance of strikes in a number of plants around town.

Next attraction, Tallulah Bankhead's 'Reflected Glory,' moves into the Cass Monday (28), to be followed by the D'Oyle Carte opera troupe March 15 and 'Idiot's Delight' March 25.

**Estimate for Last Week**  
'On Your Toes' Cass (2d wk) (1,400; \$3.30 top). Town was plenty excited over this musical and laid a nice \$14,000 on the line for the second session, following a hefty \$19,500 for the opening week. Could have held for at least another week, but for previous bookings. House is dark for the first time this season currently.

# Phelps Raps Hartford Setup

Hartford Feb. 23. Prof. William Lyon Phelps of Yale deplored fact a lecture that Hartford did not support a professional stage troupe.

Said government should support a stock company here instead of leave 'all theatricals to amateurs.



# Bills Next Week

(Continued from page 59)

**Oke Moskova**  
Zachary Martinoff  
Yasha Datsko Ore  
**Sapphire Room**  
Vernon Ransom  
Ann Seton  
Barry Wilson Ore  
**Stark**  
Sonny Kendis Ore  
Bobby Paris  
Gus Martel Ore  
**Tokay**  
Alme Iona-Thury  
Johnny Carter  
Maria Karolyi  
Dorothy Ferry  
Lou Hegedus  
Bela Gales  
Merrill & Zena  
Lillian Kanne  
Louis Kovacs  
Gypsy Roshia  
Eddie Ashman Ore  
**Ubanat**  
Glady Bentley Rex  
Bronnfeld & O  
Avon Long  
Evelyn  
Babe Matthews  
Edna Holt  
Ole Austen Ore  
**Valhalla**  
uncho & Dolores

## MIAMI

**Isagene Kennel**  
Club  
Ted Lewis Ore  
Club Bagdad  
Murray & Alan  
Jack Irving  
Virginia Gibson  
Rosa 2  
Ann Sherwood  
**Dessuville**  
on & Blair  
mund Spaeth  
Yule Dolan Ore  
**French Casino**  
"Folies Parisienne" R  
Jolly Cabaret Ore  
Duke Miller Ore  
**Frolics**  
Phil Mall  
Honey Mae  
Ann Seymour  
3 Rays  
Selby  
Eliz Covato Ore  
**Hollywood Country**  
Club  
Minor & Root  
Rodney McLennan  
Xavier Cugat Ore  
4 Emulors  
**Hollywood Yacht**  
Club  
Benny Fields  
Ordin  
Harrison Manners  
Jenn Sargent  
Howard Lally Ore  
**Joe's Supper Club**  
Erant & Fowler  
Adrienne Andre  
Howard Brooks  
Gomez & Winona  
Val Olan Ore  
**Jack Dempsey's**  
Beck Melton & B

## LOS ANGELES

**Ball**  
Jeanne Teller  
Charles Lawrence  
Beverly Walsire  
Ruth Robin  
Larry Lee Ore  
**Illmore Bowl**  
Crane 2  
Eddie Rio Ore  
Tommy Wonder  
Dick Webster  
Joy Hodges  
Marion Daniels  
3 Rhythm Rascals  
Harry Stockwell  
Enrico Riba Ore  
Jimmy Grey Ore  
**at Casanova**  
The Girls  
B Grey & J Berge  
Casanova Ore  
The Theodoras  
**Cafe La Muse**  
Park Ave Boys  
Stan Clair Ore  
**Clover Club**  
Bob Grant Ore  
Rhumba Bd  
**Cocacola Grot**  
4 Playboys  
Ray Hendricks  
Samuel Roland  
Billy Wilson  
Col Manney Prager  
Ben Bernie Ore  
**El Mirador**

## CHICAGO

**Alfrent DeWitt**  
Al Williams Ore  
**Minnet**  
Tonya  
Alvina Brown  
Pinky Tracy  
Lola Lawrence  
Jerry Glidden Ore  
**Colony Club**  
Pat Kennedy  
Trudy Davidson  
Lewis S  
Ruth Howler  
Pauline LaPiere  
Jack Richman Ore  
**Coliseum**  
Felix Baber  
Tracy, Gable & L  
Robinson 2  
Mildred Rice  
Bertha Hargan  
Hobby under

**Bankoff & Cannon**  
Congress Hotel  
(Casino)  
Ethel Shantz  
Stan Kavanagh  
Bernhardt & Gr'm  
Bob Hall  
Gus Arnel  
**Gay 80's**  
Julius Novitsky Ore  
Colleen  
Marion Parker  
Marion Miller  
**Grand Terrace**  
Floater Hendson Ore  
Henny Hall  
Calhoun  
Buddy Walker  
Lester Hoffman  
Jane Ruby  
Buddy & Selma  
Marion Morgan  
**Ill-Hat**  
Edith Griffith  
L. B. Bolter  
Judith Dunn  
John Walker  
**Hotel Hunsack**  
(Walnut Room)  
Phil Levant Ore  
Gertie  
Gretchen Lee  
McNeillie Sis  
Don S. Hargis  
Bert Granoff  
Tom Lanning  
Terry Howard  
**Hotel Hunsack**  
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McNeillie Sis  
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Bert Granoff  
Tom Lanning  
Terry Howard

**Philadelphia**  
Anchorage Inn  
Don Nichols Ore  
Pamela Belmont  
Helen O'Shea  
Mann, Hastings & M  
Rosa Star  
Marie Villani  
Arcadia Hotel  
Emerson Gill Ore  
Pamela Belmont  
James Hall  
Daval, Martin & I  
Marion  
**Barclay Cafe**  
Chico & Dolores  
Don Antonio Ore  
**Bellevue-Stratford**  
Meyer Davis Ore  
Ben Franklin Hotel  
(Gloria Room)  
Mos Jaffe Ore  
**Benny the Bum's**  
Earl Lane Ore  
Carlos & Marchan  
Belle Ann  
Fatty O'Brien  
Harry Rose  
Marion Furst  
Mickey Pamilton Ore  
May King  
**Chet Michand**  
Johnny Graf Ore  
**Colony Club**  
Harry Adler's  
Margie Richmond  
Ruth Ford  
Dot Sperlin  
Ruth Maudie  
Phyllis Latue  
**Embassy Club**  
Brook Adams  
Cecilia Brown  
Nayana Dexter  
Jimm Hope  
Joyce Hine  
Billy Jentles  
Freddie Hargre  
Cliff

**Frank Calumbe's**  
Lyle Allen, Lucille  
The Rhythmettes  
M. Monticelli  
The Mores  
Joe Smith  
**Hotel Adelphi**  
(Cafe Margers)  
3 Stars  
Jean Travers  
Jimmie K. Co  
4 Venues  
L. Amour & Toulou  
Rosa McLean  
Agnes Tulle  
Anna Jean Ore  
Bessie Knight Ore  
Evan B Pontian  
**Stung's Cafe**  
(Miror Room)  
J. Frazette Ore  
Dancing Kennedy's  
Marty Lanthier Ore  
Joanne Andrews

# Japanese Ban Forces Jooss Ballet to Cancel Orient

Shanghai, Feb. 2. \*  
Jooss Ballet, booked in Shanghai Feb. 24, has cancelled its entire Oriental tour.

"Military gendarmerie in Tokyo has prohibited performances without any official explanation," is the only available explanation.

# MYRA HESS' BALTIMORE DATE PACKS 'EM IN

The Bach Club, in Baltimore, is group of music lovers promoting appearances of lesser-lit classical artists for one-nights in a small hall seating no more than 300. Past couple years have just about kept out of red.

Last week pi Myra Hess, did a stint and house peddled all seats and standee accommodations two days in advance. First time for such boom biz for the Bach Club, so group splurged by taking newspaper ad space announcing chairs were gone and standing room 'was not available."

# Stravinsky Batoneers Cleveland Symphony

Finishing a two-week trek in which it gave concerts in 10 cities, the Cleveland Symphony orchestra returns home to Severance Hall to begin rehearsals for two concerts this week under Igor Stravinsky as guest-conductor. Russian composer joined tour in Princeton, N. J., leading recitals there and in Allentown, Pa.

Stravinsky is first of series of series of guest-directors who will pinch-hit during Dr. Artur Rodzi's leave of absence. After a rest in Atlantic City, Rodzinski will become guest batoneer of Philharmonia symphony in New York for eight weeks. Clevelander also has been invited to conduct concerts at Paris international orch, ith Padrevski as piano soloist and orch of 120 this summer.

# 'Sybil' Revived in Buda

'Sybil', one of the great-hits of the pre-war heroic age of opera, has been revived at the Budapest Opera House, which makes a point of featuring classical comic opera, to give occasional relief to its repertory of Wagner, Verdi and other high-hats.

# Czech 'Bartered Bride' Sung in Amsterdam

Under auspices of the Wagner Association at Amsterdam, the Czechoslovakian state opera gave two performances there of Smetana's 'Bartered Bride'. It is, of course, the specialty of that country, as since its premi at Prague in 1866, this opera - about 1,300 times.

The whole national company came over from Prague, including artists, chorists, props, etc., but the orch, in attendance was the Concertgebouw, conducted by the Czech batonist Vlacak Talich. The title role was sung by Ota Horako a.

# Stoki's Jap Jaunt Off

Philadelphie, Feb. 23. Leopold Stokowski, batoneer of the town orch, has announced that he will again have to postpone a projected trip.

# Toscanini's Dutch Dates

The Hague, famous conductor, signed on to conduct two concerts in Holland (Hague, and Rotterdam) early March, to be given by Hague residential orchestra. It is the first appearance on the platform in Holland of the maestro.

# PHILLY BALLET FOR PARIS EXPO

Paris, Feb. 15.

The Philadelphia Ballet, headed by Catherine Littlefield, ill open the program of international dance recitals, which are to be given here during the Exposition.

Some 10 nations, including America, England, Germany, Russia, Japan and Italy, have already officially agreed to take part in the recitals, which will begin early in June.

This appearance, which will be made at the Theatre des Champs-Elysees, will be the first this American company has made in Europe.

# PHILA. TEMPLE PLAN WORRYING MANAGERS

Proposals for new Temple of Music in Philly brought hurried squawks this week from managers of existing houses. John F. Lewis, Jr., president of Academy of Music, admitted his outfit might as well fold if repositioning fails.

"The plan," he said, "would result in erection of still one more magnificent theatre, when standing idle we already have the Metropolitan Opera House, the Erlanger and the Mastbaum theatres."

Academy is Philly institution, housing Metopera when here, dancers and other arty stuff. Four thousand seat Metropolitan opera house has been, virtually shuttered for past five years. Attempts to use it for films were a turkey. Mastbaum, 3,500-seater, is another flop. Erlanger has been used recently as testing place for legit.

# Mpls. Symphony Names Mitropoulos, Conductor

Minneapolis, Feb. 23. Dimitri Mitropoulos, who has been conducting his own orchestra in Athens, Greece, has been appointed conductor of the Minneapolis Symphony orchestra for the next two seasons, succeeding Eugene Ormandy who resigned to take the helm of the Philadelphia Symphony. He had appeared for two weeks this season as a guest conductor, being the fifth of seven such guest conductors engaged to conduct the local orchestra during this interim season.

Mitropoulos, pure Greek on both sides of his family, is 42, bald-headed and bachelor. He made the biggest hit here of any of the guest conductors. Because he wishes to conduct his Athens orchestra until the middle of December, the first few concerts of next season here will be handled by another conductor.

# Boston Symp Estate Skeds Music Fests

Philanthropic gesture has been the Boston Symphony orch, "Tanglewood," 20-acre rural estate on fringe of Stockbridge, Mass. Spot will be used for annual outdoor Berkshire symphonic festivals orch holds late each spring.

"Tanglewood" has long been sort of a literary shrine in New England. Nathaniel Hawthorne scribbled several of his books on premises.

# ALTER SALZBURG FESTHAUS

Vienna, Feb. 12. Governor Franz Rehl of Salzburg is taking an active hand in the planned reconstruction of the festival house. Toscanini has advocated it two years. Rehl said that there are five points to be considered.

1. The building must stand on the same place for traditional reasons. 2. Architecture must correspond to the surrounding houses. 3. The view must not suffer. 4. Money invested in the old building must be repaid. 5. No interference during the festival season. Rehl has proposed to change the name of the square from Toscanini to Toscanini.

## Broadway

D. A. Doran off to the Coast again. Charlie Freeman back from Texas trek.

Jean Sargent back after Florida engagement.

National Music Week designated as May 2 to 8.

Bob (Television) Collier flew in from the Coast.

Matty Zimmerman away for rest after losing wife.

Jackie Coogan making the Broadway nitery rounds.

Frank Tours squawking about having teeth extracted.

Dr. Leo Michel arranged show for N. Y. U. Saturday (20).

Louis Berman has resi...

Arthur Hurley staging Harvard's Hasty Pudding show again.

Havana is the spot for Halsey Raines' vacation this winter.

Eide Dudley's son, Bronson, butting in Wiman kid musical.

Sally Benson and family to Hollywood to finish a new novel.

Arthur Hopkins about ready to call it a season. Script trouble the reason.

Laura Hays and her husband, Jean Lepauer, skiing up Montreal way.

Fred Zweifler celebrated birthday Saturday but held out on the exact year.

Henry Hull has kayosed that cold that marred his first performance for Guild.

Sidney Harmon to Hollywood in search of a femme lead for 'Troy Trov.'

Walter Donaldson, the composer, did a one-riter in a Baltimore nitery Sun. (21).

Jack Lord and Ann Pritchard back from London and Monte Carlo engagements.

Spencer, Bettelheim's 45th street Yacht Club to have chowder at Piccadilly March 6.

Victor Samrock is general manager of 'Yes, My Darling Daughter.' Playhouse, N. Y.

Florence Allyn now executive secretary of Concert League, lecture and concert studio.

Dave Wallace ahead of No. 2 'You Can't Take It' troupe, now in Chi. Leon Soachner back.

Reg Connolly back from his Hollywood quickie and due to sail home to England next week.

Harry Schrader of Mc ride's ticket agency copped motor car in No. 1 Elks' drawing last week.

Collette at Murray Stone cafe for Barney Bowman, youngest member of Treasurer Club board.

Ivring Tishman bound for Hot Springs, where he will meet his brother, Sam, from Chicago.

Mary Mason in 'Brother Ratt' is wife of Carl Fisher, George Abbott's nephew and general manager.

Frank C. Kennedy, formerly at the Forrest hotel grill, now at Bucky Fitzgerald's establishment.

Frank Buckle in from the Coast to handle new contract of jungle denizens which arrived this week.

Three-day Washington's birthday week-end show exodus Friday (19) from New York to the film people.

Ben Grauer back from Philadelphia, where he played a week as emcee with NBC unit at Earle theatre.

Oseood Perkins eyed 'Tovarich' mat' to her day to memorize fencing scene bit for Coast showing due soon.

Ivring Dash brought his wife and daughter over this time. London music publisher doesn't sail back until March 10.

Mr. and Mrs. Thomas Martin (Rosemary Derings) back from engagement at the Savoy hotel, London, this week left his orch at Royal Palms, Miami, for a quick three-day peek at Broadway. Maestro has now returned south.

Abe Minsky of the Gaiety and Gotham burley operations, back from Florida, where he's been on a three-week vacation.

Eddie Davis to Cuba, hibernating at a new resort development 110 miles distant from Havana. Just the beach is the main attraction.

The Jimmy Campbells (Betty Balfour) expect their new heir next month which means they won't be over this time until summer or early fall.

to Hollywood to collect props, costumes, etc., for annual Film Industry exhibit at the Steel Pier, Atlantic City, N. J., this summer.

Al Gold, cameraman for Fox newsreels, claims distinction of being first newsreel photographer to become a grandfather. His daughter, Mrs. Milton Goichman, gave birth to son.

Donald Friede goes back to Hollywood tomorrow (Thursday) after a week in N. Y. Started to drive in from the Coast but had to leave his car in Texas and train the rest of the way.

Vincent Travers, musical director of French Cafe, hosted the music publishers at luncheon at Leon & Eddie's yesterday, in celebration of his second year at the P.C. and also in appreciation to the music men.

This big and big amusement fire last week caught Virsi in Smith fore and aft. 'Informed' that it looked like she'd have to leave the building. Miraculously, she ran a few minutes, then singing, 'Can't You Stay Way from My Door.' It did.

## London

Frank Bernard's wife in hospital. Lee Sims to do six discs for Decca.

Teddy Joyce going through bankruptcy.

Vera Nargo off to Monte Carlo on a four week vacation.

Lucienne Boyer playing a return date at the Cafe de Paris.

Fred Sanborn over a severe bout of congestion of the left lung.

Four Franks already have two offers for pantomime for next year.

Walter Forde to direct 'Mr. Pickwick' for Capitol Films, based on Dickens' character.

Lee Sims doing television broadcast and nearly missing the matinee at the Victoria Palace.

Darlene Walders awaits the arrival of her mother, due in early April from Los Angeles.

Connie Russell, grand-daughter of Marie Russell, working here for three gramophone companies.

O'Donnell and Blair to the Alhambra, Paris; likewise Fred Sanborn, who plays a return date.

Dolnoffs and Raya Sisters, after seven weeks' panto at Bath, off to the Rex Cinema, Paris; Vienna next.

Bert Ambrose and Jack Harris dickering with Ethel Waters and the Swallow for their reconstructed Circo's.

Rimacs have four months consecutive bookings here, including 10 weeks with Paramount and Union Cinemas.

Kay, Katya and Kay in quick return at the Savoy hotel and doubling at Berkeley for the same management.

Val Gielgud and Felix Felton, British Broadcasting Corp. producers throwing a cocktail party to Broadway's coming season.

Walter Dore Wahl rushing from the Alhambra, Paris, to open at the Savoy hotel, in response to a cable from Eric Wolter.

Kate Rorke attended the premiere of Sydney Carroll's revival of 'The Road to Ruin'; she played the same role 51 years ago.

Windmill theatre celebrated its fifth anniversary of non-stop revue with a stage party and presentations, and the audience intermingling.

Franklyn D'Amour now touring his own unit on the continent. Has Paul Kirkland and Jack Lane with him, besides a line of continental girls.

Ben Little here for 10 days to line up talent for the Hollywood, ritzy nitery they are operating at Juan Lee Palace but finding it difficult to get acts.

Bob Robinson and Irigina Martin trying to get out of the Trocadero cabaret and make the new Robitschek-Mistinguet revue at the Alhambra, Paris.

Due to sprained ligament of Eddie Serat, the Sydney's Simon and Del are out of the Holborn bill, where they were intended to double from Shepherd's Bush Empire.

Queen Mary visited French Without Tears at the Criterion, Feb. 8, her first play since she came out of mourning, although she has attended two performances for charity.

Alfred, while fulfilling a date in Dublin, journeying to Galway, to see Mat McKeligue's folks, as reciprocity for McKeligue having seen his (Alfred's) people when last in New York.

Bill Mahoney is the Coronation attraction at the Victoria Palace. Owing May 2 for four weeks with option, on guarantee and percentage.

Mae Questel (Betty Boop) makes her English debut on the same bill.

Editha and Nelson returned to the Victoria Palace bill, after walking because they were made to close the show. Reason for overlooking the spotting was managements' threat to injunct them from playing Grosvenor House, where they are booked for six weeks.

## Sydney

Eric Gorrick

Perry's Circus a-clic in Sydney. Charlie Lucas back into the fight game here.

'Wild Violets' well in Melbourne.

Newsreel trade very good i Sydney at present.

Stan Crick of Fox readying to go abroad next month.

Sir Ben Fuller off on another voyage to New Zealand.

Hal Carleton, Metro, holidaying at Palm Beach with his family.

Stuart Doyle dickering with an idea for stage presentations.

Adelaide Boys Band a soli it at the Prince Edward, Sydney.

Stuart Codde, Fox exploiter, covering from a serious illness.

Film Guild getting ready to pick the year's best pic for over here.

Creswell O'Reilly, State censor, preparing for a vacation abroad.

Editha and Nelson lighting will be added to the State theatre, Sydney.

Jim Gerald will produce a series of revues in Sydney for Frank Neill.

Warner's 'Charge of Light Brigade'

## Melbourne for the press.

'Champagne Waltz' (Par) off to a nice start in Sydney and Melbourne.

Clarence Badger still around waiting for another pic to start at National.

M-G 'Libeled Lady' given an airing. Pie is doing very icely in Sydney.

Wirth's Circus will come in from the road at Lenton for its usual Sydney season.

Aileen Britton engaged to play the second femme lead in Cinesound's 'Tall Timber'.

Around the nabe centres biz has taken a fairly high lift during the past few weeks.

On the return of Frank Traut from above it is expected that W-T will introduce some new shows.

Frank Marden comfortably settled into new job of running Station 2UW for Commonwealth Broadcasters.

Canvas show of White Horse Inn will play the Victorian sticks before crossing the New South Wales border.

Charles Munro, m., of Hoyts, busy these days signing okays for renovations and erections on his circuit.

Stuart F. Doyle kept on the move planning new ideas for early introduction over the Greater Union chain.

Princess Charming's will follow 'Wild Violets' in Melbourne. Has already been produced in Sydney and Brisbane.

Two Sydney floppos, 'Little Lord Fauntleroy' and 'The Great Dictator' (UA) into fourth okay weeks in Melbourne.

Cinesound's 'It Isn't Done' will premiere at the Embassy, Sydney.

Stars Cecil Kellaway, Shirley Ann Richards and Frank Hawkey.

Cinesound's unit for 'Tall Timber' will live under canvas for several weeks in the timber country of the North Coast. Ken Hall megging.

Acts playing for Frank Neil include Jim Gerald, Frank O'Brian, Ross & Stone, Willie West & McGinty, Hadiji Ali and Murray & Walton.

British film tangle is holding up Ken Asprey's return from abroad.

Asprey and his unit are expected to try on behalf of British Empire Films.

Hot weather remains in Sydney and provides the outdoor men with plenty of cash. Theatres without cooling plants finding it hard to get customers.

Outdoor trade still remains at a pretty nice level. One Sydney outfit handling amusement park allows patrons in free and provides free ferry transportation.

## Miami

By Arthur Thomson

Charlie Miller very ill.

The Barry Devine's waiting for the stork.

Lois Holtz playing the bang tails at Hialeah.

Gene Tunney taking easy in Hobe Sound.

Dave Wilson, owner of Dave's lue Room a visitor.

Daniel Frohman a guest at Macfadden-Deauville.

AFM executive board convenes here Monday (22).

Billy Hill back to N. Y. after a brief vacation here.

Charlie Burns, N. Y. club here.

Lincoln Theatre world premiered 'Lost Horizon' Thurs. (18).

Mr. and Mrs. Sherman Billingsley enjoying Miami's sunshine.

Mr. and Mrs. Dave Wilentz vacationing at the Roney Plaza.

Gary Cooper and Sandra Shaw, his pretty wife, vacationing.

McClelland Barclay and bride honeymooning in Palm Beach.

Jim Farley and his smile in evidence at all the smart gatherings.

Enric Madriguera resting on the sands prior to organizing a new band.

Hannah Williams Dempsey convalescing from an appendix operation.

Artist and Writers club dinner to be held Sunday (28) at Royal Palm club.

Walter Huston and wife expected at the Roney Plaza, coming from Jamaica.

Joe Lewis and Harriet de Goff doing right well at the Hollywood Yacht club.

Eddie Hay, local scriber, wrote next Federal Theatre offering, 'Rhapsody in Two.' (22).

Harry Richman the victim of a robbery at his home. Culprit captured by local sleuths.

Benny Goodman and Blossom Seeley here for Benny's engagements at the Hollywood Country Club.

Rudy Vallee slated for another five-day engagement at Macfadden-Deauville commencing March 5.

Paul Whiteman and band opened engagement Mon. (22) at the Biscayne Kennel Club following Ted Lewis.

Winona and Gomez ran out on contract at Ira's Supper Club and are now at Royal Palm club with Harry Richman.

## Paris

Jo Mehu moving.

Marie Glory off to Brussels.

Ray Goetz back to London.

Jacques Dufray back from vacation.

Jo Bouillon at the Cirque Medrano.

Dorothy Griston in British hospital.

Peggy Taylor a new act.

Joan Barron captain of the Chatelet girls.

Jean Tranchant topping the next Alhambra bill.

Newspaper hold a three-hour strike.

Dormonde the Casino de Paris.

Colette Vernon bringing her mother from Glasgow.

Hachem Khan back from America and at the Sphera unit.

Annabella in from London with her husband, Jean Murat.

Montparnasse nightie, 'A Lati' open again after redecoration.

Surete National' the name of the new spy film Walter Kapps will make.

Flora Robson flying over from England for the opening of the new Normandie theatre.

Sessue Hayakawa and Pierre Richar-Willm giving a mutual cocktail for the rival.

Shuberts bought the American rights to play 'Ecole de Contributions' by Louis Verneuil.

Unite Artists throwing an after-theatre dinner for Eric Pommer on opening of his pic 'Fire Over England'.

Both 'La Revue de l'Annee' at the A.B.C. and 'Montmartre's' 'Amuse' at the Trianon Music Hall reaching 100th performance.

Gaby Morlay will be the star of Andre Maurois' 'Victoria Regina', which will be presented at the Theatre de la Madeleine.

## Chicago

Ray Linton to Hot Springs.

Abe Kaufman, Balaban & Katz film boy.

Leo Black, district manager for Warners, in N. Y.

John Stein in ahead of the 'Greenwich Village Follies' unit.

Danny Graham in the John Benson office as an indie agent.

Burton Holmes lectures to capacity big orchestra Hall.

New show opened at the Morrison International Casino Tuesday (23).

Ashton Stevens due back from Mayo Brothers clinic early in March.

Dewey Michaels, Buffalo theatre operator, on way home from Coast vacation.

Arthur Clamage in town after winning legal battle for Empress, Cincinnati.

Harry Hopki WPA head, in town looking over FTP shows with George Kondolf.

Dave Lipton in town to set Major Bowes negotiations for the Chicago Charter Centennial celeb.

Gardner Wilson off to the Coast to arrange press details as new head of the A.T. Barnes circus.

Milton Berle and entourage of 28 from his radio program in town on way to Coast and pictures.

Lloyd Lewis back at his Chicago Daily News sports and drama desk after a four-week Mexico vacation.

Ivring Tishman, owner of Buster Shaver turn, brought act here, and left for Hot Springs with his brother, Sam.

Margery Williams (Mrs. Frank Dare) (of Equity) turning out scripts for 'Family Theatre', 'Grand Hotel' and 'First Night'.

Henri Elman, head of Capitol film exchange, previewed 'Smash the Vice Ring' picture for Balaban & Katz.

Great States bookings.

## Detroit

By Pete Weinhoff

'Ice Follies of '37' at Olympia.

William Walker again heads hotel association.

Sally Fields opens booking offices in Mich. theatre bid.

More than 100 Detroit film houses still running weekly serial thrillers.

John L. Nicholson, of Simons-Michelson, vacating in West Indies.

City Council to bar commercial photographers from downtown streets.

Boris Romanoff to play for wedding of Judge Christopher Stein's daughter.

Maurice Caplan, prez. Metropolitan Pictures Corp. recuperating in Johns Hopkins hospital.

Contract of Detroit Racing Association on State Fair Grounds is up for scrutiny again.

Leonard Reed, producer at Club Plantation, recovering from crash injury.

More than 200 requests received for free tickets to Nelson Eddy concert at Masonic aude April 18; aude seats only 5,000.

## Hollywood

Fred St. Onge is in from N. Y.

Al Lichtman Chieftain in from N. Y.

Perry Lieber is erecting a home in the valley.

Kurt Neumann has bought a sporting goods store.

Gene Austin lost 15 pounds the rubbing slab.

Victor Jory is returning from London next month.

Madeline Carroll on third jaunt to Sun Valley, Idaho.

Joe Calleja brought his family in from a N. Y. vacation.

S. J. Briskin has 41 writers working on 28 yarns at RKO.

Scott Adams showed Milton Berle the sights of Hollywood.

David Horsley has changed cognomen to David Allison.

Moe Singer trained cast with Republic h. o. exerts.

Joel McCrea and wife, Frances Dee, vacationing in Arizona.

J. P. McVoy and bride have left on a world-circling honeymoon.

Bill Moore has shifted his blurb activity from Paramount to Metro.

Bob Collier has breezed to N. Y. to work on television proposals.

Sam Abarbanel has succeeded Jack Hardy in Rep's publicity department.

With his 20th-Fox contract extended to 1940, Howard Sternberg is in New York visiting relatives.

Stephanie Howard has arrived from Broadway for a fling at pix.

Clarence Turley, St. Louis theatre mogul, huddling with Charles Skouras.

Richard Dix went to St. Paul, his home town, to appear at an ice carnival for the rival.

Bill Woolfenden has left the Small-Landau office to open an agency his own.

Stanley Mayer, 20th-Fox exchange manager in Des Moines, ogling the home lot.

Clark Gable and Jack Conway are station-wagging it for three weeks on a vacation in Ireland.

After a three-day siege with the flu, Merian C. Cooper left the Cedars of Lebanon.

Dorothy Stein Karloff, wife of the actor, recovering from an op at the Good Samaritan.

Upon completion of her present chores at Metro, Maureen O'Sullivan will head for Ireland.

Robert E. Sherwood arrived at Metro to adopt his stage hit, 'Idiot's Delight', for the screen.

Sophie Tucker has launched rehearsals for her song numbers in Metro's 'Broadway Melody of 1937'.

Eddie Mitchell, exploiter for the Columbia Pictures, Co. in Honolulu, o.o.ing the studios.

Max M. Kravetz, former F-WC exec, now assisting Penn Kimball, proxy of General Pictures, to leave of absence to attend the Coronation ceremonies in England.

Following a month's confabs with S. J. Briskin, RKO eastern story ed, hied to the east coast.

Former congresswoman, Ruth Pratt (L), has lunch at the Metro by Will Hays and Louis B. Mayer.

When Lee Tracy's mother came out from New York, actor took her to see Al C. Barnes' winter quarters at Baldwin Park.

Ashes of Wallace Smith, writer, were strewn over the coast at Malibu Beach for peace in compliance with his wishes.

Walter C. Temple has joined the editorial staff of National Screen Service unit on Balby. Formerly was with Warners theatres.

John Alfred Green in from New York to handle radio end-of-the Stanley Bergerman agency. Jack E. Hodder also joined the 100% crew.

Dick Powell and Joan Blondell suffered from poisoned food last week. Powell continued work while his wife was confined to their home.

Herman Bernie, with Arthur Gordon as his aide, is swinging his agency headquarters from N. Y. to the Coast to handle his other accounts.

Jack Moss, Gary Cooper's manager, has domiciled himself in a suite at the Goldwyn studio. Cooper will do 'The Adventures of Marco Polo' for Goldwyn first.

Ruth Clayton, secretary in the publicity department at Universal for 10 years, is resigning to become an aide to John L. Nicholson, new managing editor of Fawcett fan mags.

Pic mob turned out for the Vines-Perry tennis grow'er in the top hats, etc. so the 100% crew that 'Hollywood' people put on their evening clothes to attend a tennis match and go to a wedding in slacks and sweat-shirts.

## New Haven

Harold M. Bone

Ina Claire in visiting Billy Phelps.

Frances Joannes cruising to Brazil.

Tenth annual drama tour going April 5.

Ben Cohen has written a play due for local tryout.

Fire in the 100% time vauy left a sellout at Arena.

Jascha Heifetz is latest buy a Conn. farm home.

Wife of 20th-Fox exec, ed. Arthur J. Sloane died here Feb. 17.

Hal Welles, Yale drama faculty, directing Conn. made eight-reeler.

# News From the Dailies

This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. VARIETY takes no credit for these news items; each has been rewritten from a daily paper.

## East

'White Horse Inn' top from \$5.50 to \$3. Has trimmed nut to match. Figures more tickets can be sold.

'Dr. Faustus,' WPA production, to give an invitation professional matinee March 9.

Edda Ferber, George S. Kaufman, Sylvia Sidney, Donald Ogden Stewart, Philip Marlowe, Ernest Hemingway, Sinclair Lewis, Dorothy Parker and Fanny Hurst named as backers of an American writers' and artists' corps to supply medical aid to Spanish Loyalists. A contingent will leave for Spain early next month.

Nat. Assn. of Merchant Tailors, meeting in Phila. rate Clark Cable best dressed today. Others, in order are: Lewis Stone, William Powell, Robert Taylor, Robert Montgomery, Ronald Colman, Herbert Marshall, Adolph Menjou, Clive Brook, Francis and Tony Nelson. Latter two are tied for 10th place.

Jose Iturbi has signed for another year with Rochester Philharmonic.

Supreme court, N. Y., has a mystery case. Known merely as B. v. B., but understood to be an actress who married her manager after a year's tour. Now she asks an annulment on the grounds of fraud, alleging after marriage she was consummated. Last justice Bonynge skeptical. Later revealed as Sylvia Sirota, who's gone to more liberal Reno. He is Paul Berner.

Down in Miami John Golden tells reporters there will never be any great women dramatists since 'women do not know as much as men.'

Booksellers' League of N. Y., told by Marcia Davenport that radio 'has started a tremendous appetite for music.' Author of 'Mozart' figures that means an increased demand for books about music.

Rowland Stebbins said to Florida after expressing interest in 'The Astonished Ostrich,' the American rights for which are under negotiation. For full report see page 10.

Shirley Dahl Ails, wife of the comedian, suing in N. Y. supreme court for a divorce. Says suit was brought after she dropped in at the Somerset and found Ails and his stage partner, Betty Lewis.

Fannie Todd Mitchell again suing Leon Leondoff for divorce. Split once and shared Seymour Woolner, but that only lasted a year and she remarried the ballet master.

Novalty of the flood relief concert at Carnegie, Sunday, by Guild of Musical Artists, a concerto movement for two violins played by Jascha Heifetz and Efrem Zimbalist. Latter was on stage, but Heifetz was relayed from Philadelphia.

Gov. Earle, of Pennsylvania, bars film, 'Spain in Flames,' from any exhibition in that state. Objects both to its propaganda and its appeal for volunteers.

New School for Social Research giving fortnightly dance recitals in its auditorium. Second held last Friday. Jane Dudley, Virginia Rusk and Mary Starks soloists.

Fritz Blocki talking to Chick York and Andrew Tombs about taking lead in 'Bet Your Life,' written from an idea contributed by Willie Howard. Has Dennie Moore for the femme lead.

Ethel Barrymore Colt announces she'll drop her middle name in theatre usage. Wants to stand on her own.

Samuel French will put Mark Reed's 'Yes, My Darling Daughter' between covers.

Sunday Record, Yonkers scandal sheet, and its publishers under indictment in White Plains court.

Police suspended cabaret license of the Queen Mary for five days, charging misleading advertising. Club stated it would provide armed guards to protect jewel wearers. Figured on getting a laugh, but cops didn't find it funny.

Mary MacArthur, Helen Hayes' seven-year-old daughter, made a walk-on in 'Victoria Regina,' but that she's a year older than her mother who debuted at the same age.

Rev. John B. Kelly, of Catholic Writers' Guild, approves 'The Eternal Road' as Lenten fare. Says it's more than an amusement.

American Arbitration Assn. rules that Ray Bolger must stick to his job in 'On Your Toes' and not go Hollywooding.

'Brother Rat' to give a benefit for the Stage Relief next Sunday (28). Just a grease fire in the Cadillac restaurant last Saturday, but a combination of matinee time and seven engines packed 'Times Square' so solidly traffic was rerouted and six mounties, 15 traffic cops and nine men from the emergency squad needed to handle mass. Damage slight.

Reported that Sam Harris and Guthrie McClintic may double in production of 'Bright Rebel.' Never termed before.

Laneron McCormick has a new 'Wild Birds.' Been giving more

time to his plays lately.

Paul Whiteman reported to Jacksonville (Fla.) police loss of clothing valued at \$3,500 from his car outside hall where his band was playing a date.

Senator Reynolds, who was kissed by Jean Harlow during her visit to Washington, tells the home towners it did not compare with the North Carolina brand.

Local firm advertises it has disposed of 11,000 pieces designed for the coronation of King Edward. Largely cigarette boxes and cups. Mrs. John F. Wharton turned back 'Return Engagement' because it was too late for the season. Mervyn Le Roy bought it for films.

Stoopnagle and Budd the fall guys at Circus Saints and Sinners today (Wednesday) at the Commodore.

## Coast

Max Factor and wife have filed a \$75,000 damage suit in L. A. against motor company for injuries suffered by Mrs. Factor in an auto accident Feb. 20, 1936.

Martha Raye's mother filed an amended divorce complaint against Peter Reed in L. A. She merely changed her allegation from cruelty in favor of the assertion that Reed deserted her.

Photographs arrived in L. A. from London showing that Clark Gable is (Continued on page 70)

## Coast's Winter Boom

Hollywood, Feb. 23. Hollywood is lying in plush this winter what with the heavy influx of tourists from nearly every state in the Union and foreign lands.

Hotels are capacity. Santa Anita Derby and the \$100,000 handicap helped with the draw. With hostels unable to take care of the demands, apartments and rooming houses are getting a big play.

## SISTO'S COAST PICK

Hollywood, Feb. 23. Sisto, Daily VARIETY's pony prognosticator, was only Coast handicapper to pick Fairy Hill to win the \$50,000 Santa Anita Derby. Winner paid \$30.80 for \$2.

Picker's showing for the rest of the meet trailed way behind the ace guess.

## MARRIAGES

Freda Godfrey, actress, to Herbert Bishop, business man, in Johannesburg, S. Africa, Jan. 9.

Fanche Luria to Eddie Elkins Feb. 14 in New York City. Groom is orchestra leader.

Violetta Ellett to George Morse, Ozone Park, L. I., Feb. 10. Bride worked with her mother, the late Maude Ellett Chambers, as an aerialist. Groom is non-pro.

Mary Astor, film actress, to Manuel Del Campo, Feb. 18 at Yuma, Ariz. Groom is scion of wealthy Mexican family.

Wilma Kroeger, Viennese singer, to James P. Davis, B'way press agent, in N. Y., Feb. 23. Bride is now appearing in 'Naughty Naughty' at the American Music Hall, N. Y.

Viola Vale to Frank D. Pendleton, Feb. 5, in Los Angeles. Pendleton is president of L. A. Musicians local 47.

Beatrice Leiblee to Malcolm McCoy in Detroit, Feb. 16. Both bride and groom are members of Studio Players at WXYZ, Detroit.

Gwendolyn Griffith to George Tucker, Waycross, Feb. 7. Groom operates a dance orch and bride sings with same outfit. Ceremony was broadcast over WAXY.

Lillian (Polly) Malone, of WCAB staff, to Frank J. Lonergan in Pittsburgh, Feb. Groom is non-pro.

## BIRTHS

Mr. and Mrs. ictor Fleming, daughter, in Los Angeles, Feb. 16. Father is film director at Metro.

Mr. and Mrs. Edward Chodorov, daughter, in Hollywood, Feb. 19. Father is musical producer at Columbia.

Mr. and Mrs. Michael Fessler, daughter, Feb. 18 in Los Angeles. Father is a producer at Metro.

Mr. and Mrs. Schuyler Crail, daughter, in Los Angeles, Feb. 19. Father is a still photog at Warners studio.

## ADD: AMERICANA

Orchestra Leader in Musical Tour On Foot With Menagerie

Atlanta, Feb. 23.

Somewhere on the open road between here and Chattanooga, Tenn., is one Frank Piccininni, self-styled orchestra leader, musical coach, band conductor, etc., who is on a walking tour of the U. S., accompanied by a Shetland pony and a smallish sort of a dog. Piccininni, who calls Portland, Me., his home, started out in June and expects to keep heeling and toeing it cross-country until he reaches Portland, Ore., sometime in 1939.

The maestro attracts attention wherever he goes, as he now lugs around with him an eight-month growth of hair and whiskers. He is not, he explains, making his long trek for the exercise alone. No, indeed! He has an objective. En route he pauses wherever he finds the slightest encouragement to talk about music, the schools and to coach school orchestras or bands. He ultimately hopes, he stated, to stir interest in—and collect money for—a traveling symphony orchestra to carry good music into places where it is never heard except in the movies or over the radio.

Signor Piccininni headed his entourage northward from here, deciding to skip the 'season' in Florida, since he figured the tropical climate of the Alligator State and his luxurious attire would prove too hot a combination for comfort.

## FREDDIE STEELE'S WINNING DEBUT

By JACK PULASKI

Boxing's middleweight division hasn't attracted much attention in recent years but a couple of western parties now in the East may jack it up. They are Freddie Steele of Tacoma, who is the champ, and Fred Apostoli, of San Francisco, who would like to tote the crown.

At the Garden last Friday (19) Steele successfully defended the title by outpointing Babe Risko, from whom he won it. The gathering was disappointingly light considering moderate top of \$5.75, and the fact that it was a title fight. But the boys smelled something and as a contest it was tiresome.

Fight writers and fans could not make up their minds whether Steele has something unusual on the ball or not and that was mostly Risko's fault. He pulled a Bill Robinson by running backwards rapidly, about like Bob Fosse when he stayed 10 rounds with Joe Louis. How Risko expected to recapture the crown by such methods only he knew. Yet some ringside observers thought it a fairly even match.

Risko's exhibition did not support the report that he guaranteed Steele \$25,000 for the meeting. Steele was supposed to be paid out of his share of the gate, said to have been 60%. As the takings were only \$15,700, Risko was short a neat \$16,000 because his end was only about \$9,000. Any boxer of any weight should have put up a better scrap than he did, having that on his mind. It seemed that when Risko met Steele for the title, the latter had to do the guaranteeing and the sum also was 25 G's.

Indications are that Steele is a much better fighter than was indicated. He is known to have an effective right hand and when he caught up with Risko, the upstater was plenty jarred by such blows.

Apostoli fought Solly Krieger earlier in the week at the Hippodrome and displayed a corking left hand that had socking Solly bewildered. Apostoli will probably be matched with Steele outdoors next summer, if not before, and the mid-weight class should be clarified.

Frisco kid's first start here was against Ken Overlin and backward runner-awayed, that night, at least, but they gave him the wi Steele was figured to have had stage freight by Jack Miley, crack N. Y. News sports columnist, but the chances are that it was just one of those fights where one fighter makes the better man look ordinary.

At the Hipp tonight Gunnar Barlund goes against Nathan Mann. Both are sockers. At the Garden Friday (26) Pero Montenez meets Enrico Venturi.

Tommy Dorsey's crew now at the Commodore hotel, N. Y. Others in show are Edwy, vocalists, Jack Leonard, tenor, and the Thre Esquires. Dorsey replaced Mal Hallett.

# A Dude From Dixie Sees 'Em Stompin' At the Savoy 'n' Is Jes' Dumb-Struck

## Pa. Racing Bill Apt To Be Nixed March 2

Philadelphia

Public hearing will be held in Harrisburg, March 2, on Dent-Melchiorre bill to legalize horse-racing in Pennsylvania.

Bill will get a run for its money, legislature experts declare, but has no chance of becoming law. Possibly can get by both houses of Assembly, but Governor Earle says definitely he'll veto it. It lacks power to pass over gubernatorial nix.

Secretary of Revenue John B. Kelly, leader of Philly Democracy, is in favor of measure. Declares it will help solve budget problems and keep money in Pa., which is now going to Maryland tracks.

The Governor has said in private that there isn't sufficient public demand in evidence here to warrant racing while so many people on relief.

Measure now under consideration is admittedly a mere trial balloon, not any model racing bill. It would allow four to six one-mile tracks and several smaller ones in the State. Provides for pari-mutuel betting. Kelly favors State taking bets, but this seems hardly likely.

## ROCHESTER'S SUNBATHERS

Rochester, N. Y., Feb. 23.

Rochester Sunbathers organized here by Frederick C. Arp, who calls himself a farmer although he lives in the city. Reluctant about his organization, Arp says members cavort in the early morning runnins preferably because rays at that time are more beneficial.

Basking takes place in suitable weather on lakeside farm some distance from Rochester. Arp says garb of the members attending plenary sessions fulfills all legal requirements.

By ALBERT SCHARPER, JR.

To a dude from Dixie a hop up to Harlem is quite a revelation. The sights at the Savoy ballroom are distinct—eyebrow-elevators. Seeing ofays and saffron-skinned dancing on the same floor, and intermixing and back-patting each other is rather novel from viewpoint of below the Mason-Dixon line.

The Savoy is the most glittering of all the colored ballrooms in the country, and attracts the most gaudy collection of Negroes possible to assemble under any one roof. The white folks attend to do some fancy footwork on the dance floor, made possible by the ingiest black bands available.

Fraternizing of whites and colored is on scale unheard of south of Philadelphia and at a rate not carried on save in Chicago and a sprinkling of other northern cities. Savoy employs a battalion of light-tan taxi dancers, with whom the white boys can hoof for bargain price of three wrestles for two-bits. You can't beat that at the Broadway dime-a-dancers.

The Savoy is now reaping some extra gravy from rubberneck trade, lured, no doubt, by the pop song 'Stompin' at the Savoy,' which glorified the ankle-agitating emporium. Last Sunday (21) night, 40 or so gawkers poured in, not to dance, but gape-gape at the spot. Rubbernecks were out-of-town, and drank it all in gullibly and greedily. They came to be amazed, and were. Most of the rubbernecks come riding into New York on weekend excursions. In seeing the sights, the Savoy is now on the list with Grant's Tomb and the Aquarium. It's cheap at 55c per person, and its something to be able to tell the folks back in Podunk that the Savoy has been ogled. There were even some kids in the gawking groups, and one mild-mannered lady was totting a tot in arms.

The colored dancers look with disdain on the sightseers. The sightseers gaze with awe and wonder at the dancers. A dude from Dixie is plain astonished.

### New York Theatres

There's a Better Show  
at the **RKO THEATRES**

HELD OVER  
**"JOHN MEADE'S WOMAN"**  
—ON THE STAGE—  
GUY LOMBARDE  
and HIS ORCHESTRA

**CAPITOL**  
JOAN CRAWFORD & Wm. POWELL  
ROBERT MONTGOMERY  
'Last of Mrs. Cheyne'

**PARAMOUNT-TIMES SQUARE**  
HELD OVER  
**"THE MAN WHO WORKED MIRACLES"**  
By G. WELLS  
with ROLAND YOUNG  
UNITED ARTISTS **RIVOLI** B'WAY at 49th St.

**ASTOR**  
B'way at 49th St.  
All Seats Reserved  
Twice Daily, 2:45, 8:45  
P.M.  
Show Mat. Prices (plus tax)  
1st. 50c, 2nd. 40c, 3rd. 30c  
4th. 20c, 5th. 10c  
6th. 5c  
Matinees 10c to 50c  
Show 6 P.M. 50c to \$1.50

**RADIO CITY**  
HELD OVER  
**"WHEN YOU'RE IN LOVE"**  
with GRACE MOORE  
Spectacular Stage Productions

**STATE**  
CARBO-Bob TAYLOR  
in "CAMILLE"  
On Stage—Wini Shaw, and Babies

14th & 50th St.  
**ROXY**  
ALL 25c to \$1.50  
HEATS 1 P.M.

**GEORGE ARLISS**  
IN HIS GREATEST TRIUMPH  
**"MAN OF AFFAIRS"**  
New CRITERION — Continuous —  
B'way at 43rd St.  
Opens 6 P.M. Shows Nightly



# Arizona Collects \$35 for Every 20 Feet of Show Truck—Tough Deal

By BILL RICE  
Bakersfield, Cal., Feb. 19.  
Red Hilderbrand working like mad on his show for the opening at Ingelwood the 20th. Will have 12 rides and 10 shows. At least 35 concessions. It will be a beautiful outfit. Five new Chevy semi-trailers have been added, that has a paid gate, but he gives the customers plenty of free acts to make them like it.  
Fat Alton finally got thawed out at Sparks, Nev., and arrived in L.A. the 12th with his 20 truck outfit. Will move 75% of his show on the railroad this season. Has been snow-bound for over two months.  
Andinger & Hoffman Marine Show that left Long Beach on the 6th for New Orleans was held up for three days by high water reaching Yuma, Ariz., and then lost another day with the Highway Commission of Arizona regarding the tax on the trucks passing through the state. It is understood it finally paid \$35 for every 20 feet of truck or trailer. Pretty stiff tax to ride over a highway built by the U. S. Govt. Arizona is the toughest state in the union for truck shows, bar none.  
Shrine Circus to be held at San Francisco week of March 1 was supposed not to have anything in a lottery way. No car give-away on the tickets, no games or concessions but that is now in the discard as they have booked Crafts Carnival shows and rides who are selling space for any kind of carnival concession that has the money to lay on the line for space. This carnival can hardly miss with the location they have on the Plaza in front of the Civic Auditorium where the circus proper will be held. No carnies in the history of San Francisco has ever had a location like this. The only way the Crafts outfit can miss is a 'bad week of weather. Foley & Burke Shows have always been able to keep everyone out of the Bay district before, but this is one time a show printer was the 'head man' and remembered the folks that bought paper from him. So Crafts and Austin are in the saddle. Ted Metz, who has the side show with the Tom Mix Circus, looked it over and reported it is the best set-up he has ever seen for a carnies.

First Trailer Show  
Los Angeles County Trailer Coach Manufacturers are to have the first all-trailer show ever held in the U. S. about the middle of April. They have 48 members who are going to town in a big way with their product. In addition there will be an accessory exhibit. It is said there will be over 100 trailers on exhibition. Name bands and big free acts will be used.  
Murray Pennock, one of America's all-time great general agents for any circus, now with Doc Howe. He may be back if all the reported mail rack shows take the road. Pennock had more cloth put up than any agent ever in the racket.  
Eddie Foy, who I knew for years and had been back stage to visit the night of the Iroquois theatre disaster, always said his family would go to town in his show business. I never knew any of his children, but I will say that his son, Bryan Foy, now a big shot with Warner Bros. is a regular guy that at least answers your letters. That makes three—Pete Smith, Mark Kelly and Foy.  
Bill Curtis, the outstanding boss canvas man, who has invented more labor saving devices than anyone ever with a circus, now with Barnes Circus at Baldwin Park. He can't be a day under 70 years, but steps on it all day long. He was the hero of many a circus clam, but I think one of his biggest acts was at Columbia, Mo., a college town known to all circuses as a tough spot to play.  
Ill was with the John Robinson circus and word came to the lot, that they were unable to load the train as the firemen opposed the runs, put a stream of water on the horses as they attempted to bring the wagons to the runs. Curtis came down and looked the situation over; broke into the passenger depot and copped the axe from the emergency box and with this in one hand and a six-shooter in the other, waded into the frolicsome firemen and the hose. Driving them away he chopped the nozzle off and chased the firemen from the fire house and stood in the middle of the street until every wagon was on the trail.  
I came there many years after with

## GARDNER WILSON'S JOB ON BARNES-SELLS-FLOTO

Chicago, Feb. 23.  
Gardner Wilson has been appointed publicity and press chief of the new Al G. Barnes-Sells-Floto circuses, by Sam Gumpertz, president of the Ringling Circus firm. This follows the decision of Gumpertz to put on special campaign for the new Barnes-S-F shows this coming season, especially for midwest and southwest dates.  
Last season the Barnes show proved to be one of the top money-makers in the circus field, and the head Ringling office believes that the show has additional possibility in its new combination.  
Wilson comes into the Barnes show setup following a long sojourn with Sally Rand, publicizing Miss Rand, both on personal appearance dates and the Rand units. This marks a return to the circus biz for Wilson, having been with the Sells-Floto show several years ago.

## CHI'S PAGEANT STARTS LONG FIESTA

Chicago, Feb. 23.  
Chicago Charter Jubilee begins March 4, with a pageant, 'The Melting Pot,' staged at the Stadium by Edward Beck, as a part of the entertainment to be given as the opening gun of the celebration which is to extend over a period of seven months. From then on, events are to take place, two or three every month, and will be held in Grant Park, on the lake front, in Soldiers Field, the Stadium, the Coliseum, or on Navy Pier.  
Evening marks the 100th anniversary of the signing of the city's charter, and is being put on, not to make money, but to publicize the city, its growth, and industries. The committees, of which there are 20 or 30, are all headed by Mayor Edward J. Kelly, who has been active in instigating and carrying out the plans. Assisting him is John McKinley, Chairman of the board of Marshall Field's; and a working committee of Barnett Hodes, Irving Levy and Captain Jack Riley has been set up.  
Events planned include all forms of shows, pageantry, religious festivals, and sport competition, as well as the bringing of the Cook County Fair to Chicago. Previous to this, the fair has been held at Palatine, Ill., and hasn't received too much support from Chicago.  
Just 100,000 to Start  
Celebration is to begin March 4 with 100,000 people gathering at the Stadium and the grounds immediately outside, to hear and see the 'Melting Pot Pageant' of which Major Bowes' salute over CBS is to be a part, and an all-star vaudeville show. Following, Chicago will return the Major Bowes' compliment, and publicize the jubilee over a nationwide radio hook-up.  
Scheduled also for March is an Easter morn. service to be held at the Stadium. Service will include pageantry, gigantic singing choruses, and impressive ceremonies.  
Throughout the year an outstanding list of events planned include the biggest style show the country has seen, a swimming meet of national competition, horse show, Fourth of July celebration, a 500-mile auto race, ice carnival, fur, shoe and fashion show, roller derby and the raddock-Louis fight.

the Cole Bros. Circus (Martin Downs) and the students copped one chariot that was never recovered, but after the fight was over two students were dead and many more injured. The circus had many of their hands hurt for the showmen to club the students down. They did this little thing by running them up every street and alley and even into the college dormitories.

## 10 Days This Year

Atlanta, Ga., Feb. 23.  
Southeastern Fair Ass'n has selected Oct. 7 as opening day, event to run 10 days instead of seven as formerly because Atlanta will celebrate its centennial at same time.  
Rubin & Cherry Shows, which winter in Atlanta, will occupy mid-way this year, with Gus Suhr Circus presenting free acts before grandstand. IMCA daredevils will provide thrills for dirt tract auto race fans.

## Marshall's 'Western Olympics' Competish At the Texas Expo

New Marshall, Washington, C. laundryman, promoter, and bon vivant of the National Capital.  
While deal has not been initiated, virtual agreement has been reached whereby Marshall will step out as night club entrepreneur and sponsor of the first Western Hemisphere Olympics. Stunts will be staged at the Texas Exposition, which reopens for second year shortly. Expo will hand Marshall \$50,000 for his services.  
The athletic feature involved in the proposition would be a Pan-American all-star affair, covering dozens of sports and patterned as closely as possible after the International Olympic Games. Participation would be open to sprinters, hurdlers, swimmers, wrestlers, etc. of all countries in North and South America.  
Known as outstanding personality in Washington night life, Marshall has engaged in various activities since amassing huge bankroll in the laundry business. At one time he was publisher of Hearst's Washington Times. He is principal owner of professional football team, formerly Boston Redskins which will wear Washington colors next fall.

## Ind. Shorts

(Continued from page 33)

the silent era, are now getting steady work as directors.  
Hollywood, Feb. 23.  
Standard Oil is making a 16mm film at RKO studio with an imposing big of the agent. Houston Branch wrote the screen play from original by Homer Croy.  
Picture is purely non-theatrical and won't compete with regular commercial output. Cast includes Robert Armstrong, Peggy Shannon, Andy Clyde, Kermit Maynard, St. Jenks, Paul Fix, Kenneth Harlan, Mary Doran and Trisxie Rodgeway. Marshall Neilan is directing.

## Another Quake Hits Frisco Fair

### Failure of Officials to Show Progress Results in a More General Shake-up

Klein's Indoorer  
East Liverpool, O. Feb. 23.  
C. A. Klein's indoor circus unit is playing through eastern Ohio, mostly in high school auditoriums, under the sponsorship of school organizations or closely allied groups. Klein has assembled a unit made up entirely of standard circus acts, and his program runs better than an hour. Personnel includes Nancy Darnell, muscle grind; Tinker Toy and his Pals, dog and pony act; Carmen and Crowley, comedy acrobats; Myrtle Meike, swinging ladder; Johnny LaVare, 'the little man with the big voice'; Peggy and Jack, song and dance team; Barney Arensen, tight wire; Jack Malloy and Co., Roman ring.  
Jivers Johnson is doing several original clown numbers besides producing the clown numbers for the unit.

## HAS A SURPLUS

London, Canada.  
Western Fair Association, second largest in Canada, showed a profit of \$3,652.53 in its general account for 1936 in the report just submitted to the board of directors.  
The board spent \$72,776.54 and took in \$75,776.54.

## French Politics All Upset by Rush to Open '37 Expo in Time

### S. AFRICAN EXHIBITION OVER; \$75,000 IN RED

Johannesburg, 29.  
Empire Exhibition closed down permanently last week with a deficit of \$75,000 marked against it.  
Financial loss, however, is discounted by locals in view of the good will gained.  
Exhib is figured to have been a big trade boost for South Africa, despite the red ink.

## FRISCO EXPO'S \$3,000,000 U. S. B. R. YEN

Washington,  
Material advantage in rivalry between San Francisco and New York in planning for world fairs in 1939 went to the Pacific Coast metropolis this week when bid was made for \$3,000,000 of Federal money to help finance the projected Golden Gate Exposition.  
Stealing a march on New York's Legmen, Senators Hiram Johnson and William G. McAdoo, Friday (19) offered a joint resolution setting up a Federal commission to supervise United States participation and help coordinate efforts to enlist the support of foreign nations. Body, to be known as U. S. Golden Gate International Exposition Commission, would consist of Secretary of State Hull, Secretary of Agriculture Wallace, and Secretary of Commerce Roper.  
Despite growing Congressional antagonism to annual appropriations for various celebrations, McAdoo Johnson team asked for allotment of \$3,000,000 out of the treasury to finance perfection of plans and development of exhibits by U. S. departments. This move headed off reported plans of New Yorkers to ask for \$7,000,000, which has been hanging fire for several weeks because of political considerations.  
The West Coast measure proposes appointment of a \$10,000 U. S. commissioner for the expo and appointment of an assistant. Body would call on different Federal agencies to cooperate in framing imposing exhibits.

Paris, Feb. 14.  
Question of whether the 1937 Exposition, planned to be the biggest blow out this town has given itself this century, will open on time, May 1, has carried top attention here for the past two weeks with the press. Edmond Labbe, general commissioner for the expo, Premier Leon Blum, and even President Lebrun all having a say on the matter.  
Undercover man in the mix-up was Leon Jouhaux, boss of the French Federation of Labor, who held the upper hand because his organization has the last say about many conditions under which laborers now busy on the exposition will turn up for work.  
Question of a strike was never approached, but no few strings were pulled to get the press with its various colored political leanings to emit harmonious propaganda about the actual state of things.

Dallies Started It  
'Grande discussion,' which ended with Premier Leon Blum making a personal appeal to the workers on the fair grounds, started when right papers made loud noises to the effect that the work could never be finished by the time set because of the 40-hour working week and because the unions would not let men work on Saturdays and Sundays.  
Then Labbe stepped in with a come-hither call to the entire press. Stating that France's honor was at stake before the whole world and that visitors who arrived for the opening day could not be disappointed, he continued: 'We have a solemn rendezvous with the nations. What situation would we be in if we were not ready to receive the guests whom we have invited?'  
Labbe's appeal did not have the desired effect. Adverse publicity continued to appear, and especially were attacks directed at the C.G.T., for not allowing the men to put in extra hours so the work could progress faster.

Premier's Appeal  
It was then that a big pow-wow was called at the Hotel Matignon, Premier's official residence, between government officials, Labbe, and union representatives, where an agreement was reached concerning extra hours, Saturday and Sunday work and the hiring of more men.  
Last December, 4,300 men were working on the buildings, 5,300 in January and 6,200 on Feb. 5. It was agreed that this number would be increased to permit two and sometimes three shifts of men to be kept busy.  
In the meantime President Lebrun, at a dinner given for the press, stressed that need of giving the correct facts and, in polite but firm language, deplored the appearance of unkind news.  
All this was topped by a mammoth meeting on the expo grounds, where Blum spoke to the workers. Telling them that the eyes of the whole world were upon them, and that it was necessary for them to work Saturdays and Sundays to complete the job, Blum, saying he had come to them as a comrade as well as head of the government, asked the workers to complete the buildings in time so they could stand as a witness of what French workmen can do.  
He also did not miss the chance of pointing out that May 1, day of the scheduled opening, had, for the last 50 years, been celebrated as Labor Day, and now the workers could really celebrate the opening of the Expo as a triumph of their accomplishments.

Dorton Is Prez  
Charlotte, N. C. Feb. 23.  
Dr. J. E. Dorton, of Shelby, was unanimously selected to marry the North Carolina State Fair following an all-day meeting of the State Board of Agriculture last week.  
Dr. Dorton is president of the North Carolina Association of Agricultural Fairs, and was one of six applicants for the job. He has operated the Cleveland County Fair, at Shelby, for several years.

Dickering for Sparks  
Chicago, Feb.  
Howard Barry is dickering with Ringling Bros. for the Sparks-Robinson outfit.  
May get it by the looks of this at present.

"Hey Fred, it's all over Hollywood . . . our new picture's a terrific hit!"

"Yeah, well don't tell Butterworth, or he'll be bumming a ride on our trapeze!"

"Uh, no need for worry, Carole . . . I'm giving the, uh, necessary push and stuff!"



**CAROLE LOMBARD FRED MacMURRAY**  
**"SWING HIGH, SWING LOW"**

**Five Song Hits:**

"I Hear a Call to Arms"  
 "Then It Isn't Love"  
 "Panamania", "Spring Is  
 In the Air" and "Swing  
 High, Swing Low."

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**Charles Butterworth • Jean Dixon**  
**Dorothy Lamour • Harvey Stephens**

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