

WEEKLY

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64 PAGES

LEADERS IN FILM SHORTAGE

Midgets Tom-Thumb It to 'H'wood; Lower-Case Thesps' Film Gold Rush

Hollywood, May 3. Economists will tell you that nobody profits by a war, but midget actors know better. As a result of a fight in the film colony, a swarm of Tom-Thumb thespians is headed for Hollywood to thrive on the spoils of conflict.

Not since vaudeville skidded off the map have the half-pint folks been so ubiquitous. Like 40ers of old, they habitually lured by the promise of gold in them Beverly Hills.

It began peacefully enough when a producer conceived the idea of a western film with an all-dwarf cast. Corraling all the lower-case performers in sight, he dickered with a distributing company and all went well until the company found out he was angling for other releasing outlets.

Presently the midget idea developed into twins, with two production firms hunting tiny talent in the world's agencies. Producer No. 1 discovered he had looked over the heads of a lot of little folks. Scouting the profits of war, they popped up in midwestern corn fields, in Alpine dells and Scandinavian fjords.

As far away as the African jungles the glad tidings trickled from tribe to tribe via tom-tom broadcast. Blubberlipped Uhangli Lilliputians packed their spare gearings for a trip to the Land of Celuloid, a stranger community than Gulliver.

(Continued on page 12)

S. A. and U. S. Quizzical Over Number of German Ops in Latin-Am. Radio

Rio de Janeiro, May 3. Officials of various South American republics and the State Department of the United States are reported as having lately become aware of a fact previously requiring general notice. This is that a large number of Germans are the engineers in vital broadcast control stations on this continent.

It is understood that inquiries are being made from several directions to establish if this is mere coincidence. Also to ascertain just how extensive the penetration of German technicians in vital broadcast control-spots is at present.

European efforts to divert South American markets away from the United States exporters and the long bombardment of radio propaganda from Germany, Italy and Great Britain via shortwave has given everything a new social-economic tenor. Two years ago you can find that German engineers manned many input panels of radio stations would probably not have excited any suspicion even had the fact been noted.

Closed Shop on 'Ams'

American Federation of Actors is tactically considering to demand a closed shop for "amateurs" on the Major Bowes programs.

Although still using the tyro front, program is now employing many former ex-vaudevillians, as the supply of amateur ams becomes increasingly thin.

CARNY'S COMME THEUP; FIRST TIME

The Beckmann & Garety Shows, two trains of equipment, has sold exclusive commercial sponsorship for 1938 to the Nevio Co. of San Antonio ('Nevio For Nerves'). Sponsorship will consist of tieups using carnival people like Zebe Sumner, car crash stunt driver; Nancy Miller, of Gay Paree; Eddie's Beef Trust and other personalities, such as aerialists, motordrome riders, barkers and snake charmers who must have steady nerves and who must have a good night's sleep, because tomorrow is just another day.

Neon signs will be erected in the key locations and the 44 carnival wagons will carry Nevio signs and advertising slogans.

Last year Beckmann & Garety Showed 47 radio stations, played eight midwestern State Fairs, numerous big cities and many individual towns. On all their radio broadcast 'Nevio For Nerves' was plugged, directing listeners to a drug tie-up in each locality as well as asking for \$1 in the mail. This year at least 60 radio stations will be used and Nevio is to receive a minimum of six quarter-hour broadcasts.

UNCLE SAM'S ESCORT SERVICE; IT'S CUFFO

U. S. government is unenthusiastically participating in a supply of gigolos for parties via CCC boys. Back-to-school kiddies are on call for shrill shrieks of infantile in the camps when femmes predominate. Trick is for a social matron or hubby to call a local CCC chief, who is usually an army officer and request a number of boys with back-packs, two ground, etc. Boys include minor college grads, former medics, etc., who found good tough and took to the Federal Editor. It's a nice deal, not just for the boys, and on-the-cuff for the party-usurer.

DEARTH OF BIG PICTS A NOIRY

Warm Weather Requires Stronger Product—Trade Visualizes Little of Soke Proportions in the Next Two Months

MORE CLOSINGS?

With glasses dipping and the warm weather arriving, no one is harrassing a guess as to what the summer is going to bring over and above the usual seasonal decline at the boxoffice. However, grave concern is felt for what looks like a dangerous weakness in product up to July 1. Based on the best study of the situation, theatre operating opinion is that only six to eight pictures look like anything at all among the releases promised the next two months. Some of these may be bigger than anticipated, while on the other hand some may not be as good as hoped for at this time. Also, they may not all be delivered.

Analysis of pictures on release to July 1, consideration of the production elements involved, such as cast (Continued on page 48)

Counterfeiting On Rise, U. S. OK's Radio Programs to Curb It

U. S. Department of the Treasury has given permission to the Federal Theatre Radio Division to use stuff from its Secret Service bureau files for a series of dramatizations carded to start soon over CBS.

First time for S. S. to 30, so, and outfit has always spurned films. J. Edgar's Hoover's Federal Bureau of Investigation has usually rebuffed overtures made by radio and films for tie-ups, which involve either form of entertainment delving into files.

O. K. granted to Federal Theatre Radio group came as a result of the effort Secret Service is making to inform the general public of the rapid growth of the counterfeit racket in the U. S. Dramatizations will be built up around the precept that the racket doesn't pay, and will enlighten listeners on how to help thwart it. Figures provided by the S. S. reveal the counterfeit racket in the United States was valued by the government at \$263,970 in 1932, and \$1,282,239 in 1934. Deception years have given impetus to the racket.

Anchluss Theme Song

Version, May 3. First track out on the Berlin-Vienna Anschluss is "Sister from Berlin, Girl from Vienna."

Borscht Belt Now a Big Talent Outlet; AFA and AFM Take Notice

Legit 'Mixing'

A Pennsy summer stock is emulating the borscht circuit. Producer wants his acting crew to "mix" with guests of hotel and resort sections of enterprise.

Married, engaged and otherwise "coupled" legions are turned away as prospects, according to sources. Management figures thespians lose part of their appeal, with consequent poor b.o. results when their socializing limitations are known.

'LONE RANGER'S' RECORD HIGH SIDELINES

George W. Trendle, owner of 'Lone Ranger' rights, is working on a deal to put the radio-film character on a p.a. tour. Trendle is a Paramount partner and theatre operator in Michigan, besides being a Detroit radio exec. Deal, along with a flock of others ranging from a cartoon strip, a possible circus stint, a 42-station radio tieup and the taking of transcription rights by National Broadcasting Co. for the south, Canada and Australia, makes it an all-time peak for sidelines, growing from a show his original.

Program is heard three times weekly on 42 stations of the Mutual network. This week NBC contracted for transcription rights to blanket south and southwest where program is not heard. Will also be sold for (Continued on page 81)

Resort hotel entertainment biz has outgrown the borscht bowl. It is now recognized as a lucrative field for professionals, and as one of the few remaining proving grounds and break-ins. No longer limited to the mountain vicinity of lower New York, the territory now spreads around a 300-mile radius, embracing more than 10,000 hotels and camps of varying size in New York, New Jersey, Pennsylvania, Connecticut, Massachusetts and New Hampshire, and employs unestimated thousands of performers. With newly acquired semi-dignity, circuit has grown commensurately in salary values and production efforts with names now important and budgets exceeding \$12,000 for a 10-week season, starting June 1. Does not include Decoration Day weekend, an added take.

Growth of the circuit is seen in the cognizance that unions have taken of the matter, and introduction of large-scale offices into the field. The American Federation of Actors and the American Federation of Musicians have already started organizational aims. AFM has set minimums ranging from \$18 to \$35, while AFA's plans are still in the making. Major offices of Fanchon & Marco, William Morris, and Music Corp. (Continued on page 12)


\$500,000 FEE FOR FAIR REST ROOM CONCESSION

Retiring room concession for New York's World's Fair of 1939 is said to have been sold for more than \$500,000, after it was reported that a bid of \$100,000 under that figure had been declined. Estimates are there will be some 8,000 comfort rooms in an unnamed number of spots on the fair grounds.

Admission to comfort stations will be by coin slot turnstiles, as at the Chicago fair.

THE HOUR OF CHARM

MUSIC THAT LINGERS ON



PHIL SPITALNY PERMANENT ADDRESS
PARK CENTRAL HOTEL, NEW YORK

Gaumont-British Hot on Deal To Take Over Grand National Exchanges; May Produce in U. S.

A deal is well under way, which may be closed before June 1, under which Gaumont-British would acquire the entire exchange of the Grand National and, as part of the plan, arrange to act as sales-representing agencies for pictures that would be turned out by producers and artists on the GN roster. In addition to regular features, these would include a series of western with Tex Ritter. Progress is reported on the takeover of GN although for some weeks E. W. Hammons, president of Educational, and Nat Levine, Coast producer, have been disputing over the take control of GN. The Hammons-Levine negotiations are now looked upon as cold, following the turn of events which brought GB into the Grand National picture. GB is in process of reorganization under the plan of the bankruptcy act but, after considerable loss, is now getting releases rolling again.

With GB reported to have sufficient financing arrangements ready to carry through on acquisition of the GN distribution system, this in turn providing GB with its own exchange for the first time, the deal is in the hands of lawyers for both sides. Arthur Lee, v.p. of GB, now attorney for the region of the company, ending in Denver Friday (6), goes on to the Coast tomorrow for final discussions on the GN matter. He will fly back to New York, reaching later under plans Tuesday (10).

GB, which is selling 24 pictures for the coming (1938-39) season, might also, under another 24 carrying GB trade-mark to merchandise if the present deal goes through. The 24 GB is now attempting to have made in England and unlikely that GB itself would enter production on the Coast although the number yet to be decided that be turned out under GN facilities at the Grand National would be under GB by GN from Hammons.

Los Angeles, May 3. Deal whereby Nat Levine and Earl Levine, president of the Grand National has gone cold. Under the negotiations, if consummated, Levine would produce pictures with features and Hammons the short product at the Educational studios, but the deal would not be consummated until Levine's return from the east last week.

Under the proposed setup, Gaumont-British was to have been interested with Hammons and Levine in the present of financial affairs of Grand National exchanges in this country. G-B product currently is being released by the University of the South-East, excepting expiring at the close of the 1937-38 season. While on Coast recently (Arthur Lee, v.p. of G-B, and its titular American head, made a survey of the GN setup. Back of G-B's move would be establishment of a production unit in Hollywood, to make a series of monthly priced features.

Understood here that GN trustees are opposed to any plan whereby Levine's exchange would be sold outright. Trustees feel that company's sole chance for continuing in business is distribution of new production deals are continuing to be negotiated for release.

Edward Alpersen, Grand National president, is in Chicago for conference with Ben Ben-Hur, president of British Film Distributors, the organization handling GN product in Great Britain.

Henry came to America to line up additional films for the new season.

Radio Singers in Short

Five radio singers make their first debuts in a short Paramount starts making Thursday (4) at Astoria, Ore. Five are John Ellington, Mary Venua, Hollace Shaw, Nan Wynn and Betty Hutton.

Ex-Producer

Hollywood, May 3. Columbia has dropped Nat Perrin from its production staff after making one picture, "Start Cheering."

He was formerly on the studio writing staff.

WHO IS WHICH?

Attorney Sues Actor, Who Says He's An Agent

Hollywood, Difference between an attorney and an agent is the main point involved in the case of Roger Marchetti vs. Paul Cavanaugh, current in superior court. Marchetti recently sued Cavanaugh, actor, claiming \$3,585 due for legal services. Cavanaugh's unique defense is that Marchetti represented himself as a duly qualified agent and is therefore entitled to only 10% of the actor's earnings over a specified period.

This is believed to be the first time a local court history that an attorney has acted as a screen player's agent and then tried to collect for legal services.

U. S. Protection For Kid Actors Proposed in D.C.

Federal protection for kid actors was proposed last week as another repercussion of the headline-producing Jackie Coogan case.

Following the lead of California state legislators, Representative Ray, Wisconsin Democrat, offered a bill designed to protect and conserve the earnings of child actors and actresses in the movies. He's the same lawmaker who wanted a couple of years back to ban shipment of films in which persons with unwholesome characters appear. Bill embodies much the same philosophy as had been adopted by California Judges, but would make both distributors and exhibitors guilty if producers did not take the necessary steps to safeguard moppets' compensation.

Would be unlawful to ship or show any picture in which a kid actor, if former participant unless a Federal guardian has been named to administer complete control and management over the youngster's estate until he becomes of age.

Violations would be felony, punishable by maximum fine of \$10,000 and sentence of two years. Every showing of any picture where there was an offense would be a separate crime.

Shrinkage

Hollywood, May 3. Jackie Coogan will at last have the satisfaction of learning how his fortune, earned as a moppet, dwindled from \$4,000,000 to an actual \$35,932. Super Judge Wilson, hearing Coogan's suit against Mr. Robert Arthur Bernstein, his stepfather and mother, granted the young actor permission to inspect the books of Jackie Coogan Productions, Inc. John E. Blay, temporary receiver, was ordered to make available to the child records relating to the income and expenses of the corporation, including those of the late John H. Coogan, the boy's father.

Other News of Pxx Interest

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Here We Are Again, Dr!

By JACK OSTERMAN

Well, we had a bad cold and so to bed; after all, if Cantor could miss a broadcast we could miss a column. We recovered just in time to see our daughter have her tonsils removed, so take it easy Grace Moore, between the two of us Doc Rutkin had a busy week. We hit the street just in time to see Broadway turned into a Charles Street during Mardi Gras week in New Orleans. We refer, of course, to the Motorcade preview parade of the World's Fair last Saturday. Looked pretty good to us, and we hope the Fair is held over. If it isn't a hit they can call it the Whalen Wall. Jack Dempsey was represented four times in the parade and it was interesting to look like Dempsey's Fair for a minute until his Western Union Boots broke up the routine with some Postal Telegraph for a chase. There was a representing blossom time, proving the Shuberts were not to be left out. Even the Fuller brush man had a good no doer to knock on, and there were even some Mr. Tanners on hand to move three Eternal Ropes.

Babe Ruth and Uncle Don drove majestically by as the people by the time were nearly falling out of Bob Christy's car. Actor John Barrymore price window sill? A good time was had by all, at that say saying Goss. The actress who birthed the row, and we are trying to borrow Jesse's phone to call her up. Contrary to the rumors to the effect that those radio calls of George's certainly cut down on his expenses, and apparently her differences with von Sternberg have been patched up and pair will resume as a team. Will probably get going in London early next winter. Studios and distribution tleap are not set yet.

THOUGHTS WHILE THINKING

Suggested theme song for Jackie Coogan, "Mother, Can You Spare a Dime?" The Repertory Theatre organ of Folsom pen (no pun intended), and a very interesting rag, too, sends us the paper weekly which this week includes, "Hitter" will die on a Jewish holiday. If it doesn't have to be one, they'll make it one.

We got a load of "Test Pilot" at the office. Many things in it are slick. Liked the part where Gable gave away 10 grand... say with his salary he can do it! Funny, but I always thought a test pilot was the guy that gave the dame the test then pilots her to the divorcee.

"Nick Kenny's latest song is 'Cathedral in the Pines,' and Jack Robb suggests his next effort be a gogue in the Screamers!" Professional Music Men's benefit was big and included everyone in it. I showed up except those who had the previous date to open at Billy Rose's Casa Manana, which brought wave back to the street in a big way... hope it lasts. Incidentally we saw the State, has a cue number dedicated in front of the Palace... was he looking for it?... Buddy Rogers, at the State, has a cue number dedicated to the Quins... "I Was Lucky to Be Born on the Same Day as You..." Mr. Kaufman, Tatt told choreographer who treats Vallee's tooties before every broadcast so his voice is in the new band at the Lincoln hotel... Well, we've been up long enough... have to go too long... we haven't read a column yet... gotta leave you now; we have late to play some poker with Bud Brice... penny ante.

ARRIVALS

- Steve Dudas, William Butler Lorenzo Alvala, Henry Jenson, James Shields, Dorothy Fox, Belle Didiash, Lyn Logan, Mr. and Mrs. Earl A. Hearst, Nat Wolf, Capt. Norman E. Franklin, Henriette Pascari, William Hain.
- David Blankenhorn, Harry Breen, R. H. Bursi, Madeleine Carroll, Joe McPadden, Philip Dunne, Norman Field, Mr. and Mrs. Miriam Hopki, Arline Judge, Edna Kennedy, Lester Link, Ernst Lubitsch, Leo McCarey, Chester Morris, William S. Paley, Robert Ross, Jimmy Sawe, Myron Selznick, Harry Tugend, Virginia Verrill.

Washington Again Hears Kumbblings Of an Anti-Trust Probe Against Pix

Washington, May 3. Launching of the long-dormant anti-trust proceeding against the film industry was regarded as possible in political circles this week now that President Roosevelt has sent his monopoly message to Congress. Request for \$200,000 deficiency appropriation for the Justice Department was seen as a portent that the picture business may soon face a major charge of conspiracy to violate the Sherman act and be haled before a jury for restricting competition. The President merely asked for this sum so the anti-trust division will be better equipped to enforce the present laws, which he said are in many respects outmoded and inadequate.

The prospects of film trust-busting activity were entirely well known, however. There has been no reliable indication so far whether the department has been determined to crack down on major distributors and affiliated exhibitors, although repeated rumblings have been heard.

Tightening of the anti-trust laws and other statutes related to monopoly competition and labor law have been deferred until next year, but the President's message to Congress Friday (3) indicated he wants more strict controls. He suggested it would be desirable to scrutinize closer all mergers, consolidations, and acquisitions, besides maintaining a more intensive control on interlocking directorates and applying standard controls to protect independents and curb concentration of power.

Revisions of anti-trust laws should simplify enforcement by forcing persons charged with violations to furnish more information, useful, giving the Justice Department and Federal Trade Commission better insight into the conditions which have a bad appearance, President said. Amendment of the existing laws would be necessary to suppress inventions and create artificial monopolies, was recommended. The law would be viewed as "loosely."

Request of President Roosevelt for funds for study of the monopoly problem by the Justice Department, Federal Trade Commission and other Government agencies was not regarded as particularly threatening to the picture industry. Various picture companies and the Motion Picture Producers & Distributors association have been turning in their books and files thoroughly mulled over during the last 12-15 months. The industry has not yet stated their records were open to public scrutiny authorities.

SAILINGS

- June 24 (New York to London) Louis H. Chalfi Co. (New Amsterdam).
- May 23 (London to New York) Wierse Bros. (Bremen).
- May 21 (New York to Buenos Aires) Southern Cross.
- May 18 (New York to London) Barry O'Brien, Lew Gensler (Norman).
- May 12 (New York to London) Mrs. Florence Vammann, Mr. and Mrs. Edgar Kennedy (Washington).
- May 4 (New York to London) Charles Brown, Robert Gustin, Fred Lunt, Lyda Fontaine, Madeleine Carroll, Alexander Korda, Sheila Barrett, Tilly Losch, Bert Wheeler, George Kewley, Tommy Farr, Joe Gould, Irving Asher, Leon Leonidoff, Derrick De Marney, Holland and Hart, Val Gielgud, Margaret Webster, Eric Maschwitz, Nathan Milstein, Colette D'Arville, Ray Noble, Mrs. M. S. G. Grolld, Gringrich, Arde Bulova (Normandie).
- May 2 (New York to London) R. A. Moniz Melchior, Vittorio and Dusolina Gianni (Europa).

L. A. TO N. Y.

- David Blankenhorn, Harry Breen, R. H. Bursi, Madeleine Carroll, Joe McPadden, Philip Dunne, Norman Field, Mr. and Mrs. Miriam Hopki, Arline Judge, Edna Kennedy, Lester Link, Ernst Lubitsch, Leo McCarey, Chester Morris, William S. Paley, Robert Ross, Jimmy Sawe, Myron Selznick, Harry Tugend, Virginia Verrill.

WOULD QUASH MORMAN

Oklahoma City, May 3. Plans of defendants to quash the A. M. Morris Melchior, Vittorio and Dusolina Gianni (Europa), three defendants state that the defendant, appearing especially and for the purpose of the case, moves the court to quash and set aside the pretended summons issued herein in the pending case and see thereof for the reason that the same was not issued, served, and returned in the manner authorized by law. Affidavits were filed in support of this motion.

Indications are the defense, through counsel, to L. H. Hain, seek dismissal of the suit on grounds of its similarity to a former \$400,000 action filed by the complainant against part of the present named defendants several years ago and which was dismissed on the basis of the defense at the Denver court of appeal.

The present suit is based on data an material not available at time of the former suit as pointed out in the constant changes and the conditions are that no matter what the outcome of the present court action, the case will be renewed and continued until satisfaction is gained. Since the defense contends present charges are substantially the same, no authentic knowledge will be available until completion of the hearing, tentatively set for June 7.

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Telephone Co. Pool Wins Again Vs. CTP and Transformer Co.

ington, May 3. Grip of the telephone trust on the sound picture equipment field was strengthened Monday (2) by a 5-1 Supreme Court decision which upheld infringement proceedings against General Talking Pictures Corp. and American Transformer Co.

Despite vigorous representations about monopoly, majority of the court concurred in the decision by Justice Brandeis holding there is no doubt that owner of a patent can stipulate the conditions under which products made by a licensee are used. Ruling puts a crimp in efforts of independent producers like the Western Electric Electrical Research Products and Radio Corp. of America combine which not only dominates the sound equipment business and may render exhibitors liable if they use W. E. or RCA parts in systems of other manufacturers.

Highest tribunal—with Justices Owen Roberts, Benjamin Cardozo and Stanley Reed not taking part—held in favor of the telephone interest and the patent pool. The principal controversy whether patent owner can restrict the use of products they have created is in the hands of purchasers in the normal channels of trade, and whether mere use is attached to the patent is an enforceable restriction against unauthorized use.

On this instance, General Talking Pictures Corp. purchased tubes from American Transformer Co., which is the several major manufacturers of non-exclusive licenses from the A. T. & T. through which they can sell amplifiers to exhibitors, but not for any commercial purpose. Permit expressly confined the use of the Transformer equipment of parts for amateur, home, and experimental radio sets. Despite these cautions, the firm is now holding G. T. P. knowing they were to be installed in theatre systems in disregard of the license.

The patent owner did not sell to petitioner the amplifiers in question to the owner of a patent. The company to sell them or any amplifiers for use in theatres or any other commercial use. Justice Brandeis declared: "The sales made by the transformer company to petitioner were outside the scope of its license and no transfer of the patent. Both parties knew that fact at the time of the transactions."

"There is no ground for the assumption that petitioner was 'purchasing' in the ordinary channels of trade."

Justice Black's dissent
An attack on the electrical industry patent pool was made by Justice Black. The New Dealer warned that the majority view of the law will result in sweeping extension of boundaries fixed by Congress and bring about a monopoly not contemplated under the constitution.

"The mere fact that the purchaser of standard and exclusive electrical equipment has knowledge that his vendor has contracted with the owner of a patent for the right to sell the equipment for certain agreed purposes does not enlarge the scope of the patent to a patent monopoly," the dissenter said. "The patent statute only gives the patentee an exclusive right to make, use and vend his patented article."

Regarding license to make and sell patented goods, Justice Black said the patentee's right to control its use, Black said the telephone company lacks power to make monopoly stipulate condition of use. Exclusive right to vend does not empower the patentee to use the monopoly all down the line beyond actual sale, he said, nor does the law enable the holder to use the monopoly in strict what is done with an article bought in the open market. If it is done by a person with a license.

"Those who acquire control of non-patented articles for the use of their patents—yield tremendous influence on the commercial life of the country," the New Dealer is blasting the cross-licensing arrangement in the electrical equipment industry. "The exclusive power to license to 'make, use and vend' includes the further privilege after sale to compel compliance with the use of all patented merchantable commodities can be exercised by patent owners."

Declaring the pool seeks to curb competition and parcels out certain fields to each member, Black said "separate patent monopolies are com-

MAUDE ADAMS' PACT

Selznick Pict. Offer With Unusual Previsions—May Go With 'Wind'

Hollywood, May 3. David O. Selznick, who is negotiating Maude Adams' signature on a contract that will mark her screen debut, has been negotiating her in an important role in 'The Young in Heart,' which went before the board yesterday (Monday). Selznick is Adams has been studying the pact since last Friday, when it was typed after several days of conference between herself and the producer.

Former stage actress has been in Hollywood for a year, coming at Selznick's request after being given camera and voice tests in New York. Since her arrival on the Coast, she has undergone makeup and hairdress tests under the guidance of Edward Wallace, who is producing 'The Young in Heart.' Selznick has informed Miss Adams that she may take time in affixing her name in view of the fact that she would not have to go into the part for from two to three weeks.

Pact is an unusual one in that it gives Adams is given the right to cancel after completing her first shot should she decide that she does not care for screen work. Deal was made out on a five-year contract, but Adams is given the right to cancel after completing her first shot should she decide that she does not care for screen work. Deal was made out on a five-year contract, but Adams is given the right to cancel after completing her first shot should she decide that she does not care for screen work.

Should she decide to cast her lot with Selznick, she would likely be assigned the mother part in 'Gone With the Wind.'

Flynn, Bishop Head Metro's New Midwest Setup Out of Chicago

Chicago, May 3. New setup in the local Metro office, with Jack Flynn coming in from Detroit to take over as district manager, and Bill Bishop, who has been retiring after more than 25 years with the firm. Also has Bill Bishop come to Chicago to take over as district manager. Bishop, resigned after more than 25 years with the firm, and Bill Bishop, who has been retiring after more than 25 years with the firm, and Bill Bishop, who has been retiring after more than 25 years with the firm.

W. E. Bandford is as branch manager, brought from St. Louis to take over the branch office of the department of Felix Mendelssohn.

Understood that Metro is giving Shirley an annual pension of \$3,000.

New Malcolm Browne Indie Setting Prods.

With production budget set, also at the New Pictures Corp. executives will be in the city for the next two weeks to allow production plans to be made. The firm is expected to be turned out the first year of the company's existence. First production is expected to be made in late July or August. Studio and player deals will be negotiated in the near future.

Malcolm Browne who has scheduled eight westerns, eight musicals and four more comedies for 1938-39. Distribution through studio rights.

WB's Songplunger Film

Hollywood, May 3. Song pluggers will be featured in Warners' production of Harry Sawyer's 'Making and Selling a Song.' The picture will be directed by the role of the No. 1 play-musician.

Sam Rabin and Johnny Mercer will tune the piece, which Sam Rabin and Johnny Mercer will tune the piece, which Sam Rabin and Johnny Mercer will tune the piece, which Sam Rabin and Johnny Mercer will tune the piece.

Laurel Drops Sidelines, Will Stick to Acting

Hollywood, May 3. Stan Laurel, lately a producer and talent manager as well as an actor, will devote his future professional efforts exclusively to acting. Screen comic dismissed the staffs of Laurel Productions, Inc., and San. Laurel Pictures, Inc., after a checkup disclosed that both ventures were losing money.

Laurel Pictures made one western, 'Knight of the Plains,' which has not yet been released.

Jascha Heifetz

Heifetz's Swingin' Classics, 15-

Jascha Heifetz, recently snared by Sam Goldwyn for a picture, has an interesting angle on the swing-the-classic battle. Diversified tastes take Heifetz on the swing. Heifetz, at all description, but the famous violinist believes each should stay in its own backyard.

In 'America,' he said, 'sportsmanship' is applied to everything. It is the American credo. Very well, apply it also to music. A dance band may swing like a madman, but it is not music. It is a musical instrument, and it is not music. It is a musical instrument, and it is not music.

Heifetz is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician.

Which time, in Mr. Heifetz's opinion, will be never. Heifetz is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician.

Has no idea what the story will be for his picture. Sportsmanship again. Heifetz is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician.

Believes there's no such animal as 'even if it is only Yankee Doodle' and (quite naturally) one who doesn't like any kind of music is in the wrong. Heifetz is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician.

Heifetz said cinema-invention is an 'interesting experiment' for him, not a career. Heifetz is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician. He is a violinist, and he is not a musician.

Hollywood, May 3. Tocha Shidlova, who is scheduled to appear at the Metro studio to record for 'The Great Waltz.'

Will be directed by orchestra of 78 pieces will be directed by Arthur Guttman, swing a baton for M-G-M for the first time.

Oh, Just a Small Set

Hollywood, May 3. Seventy actors are sets for Metro's 'Too Hot to Handle' at the Culver City studios. The picture will be directed by Cedric Gibbons.

Backdrops include hotels in New York and Los Angeles, a Nevada airport and a farm. Clark Gable and Myrna Loy will star, with Jack Conway directing.

Ed Love's Personals

Edmund Love is being offered for sale by the studio. Love is being offered for sale by the studio. Love is being offered for sale by the studio. Love is being offered for sale by the studio.

Ad Agencies' Strategy to Preserve Public Good with Low-Cost Films

OH FUDE

Candy Bar, Healed?—\$500,000 Suit vs. Temple Film

Claiming damages of upwards of \$500,000 through an alleged libel committed in a sequence of the picture 'Rebecca of Sunnybrook Farm,' Shirley Temple, the National Confectioners Association filed suit yesterday (Tuesday) in New York supreme court against 20th Century Fox Film Corp. Besides damages the plaintiff also wants to stop further showing of the picture, unless the averred libelous line is deleted.

The complaint, filed through the candy bar's attorney, William E. King, charges the sequence not only reflects on the trade, but viciously attacks the character and respectability of a candy bar. It is claimed the bar is held up to shame and ridicule in the picture, and the character of a candy bar is held up to shame and ridicule in the picture.

The association has 325 members and employs over 60,000 in the United States alone. Each member is entitled to bring a separate action, the complaint points out, but to avoid multiplicity and waste of time, the association brings a general suit.

The sequence objected to, according to the complaint, is carried on a picture in which Shirley Temple, as Rebecca, is shown in a candy bar. The sequence is carried on a picture in which Shirley Temple, as Rebecca, is shown in a candy bar. The sequence is carried on a picture in which Shirley Temple, as Rebecca, is shown in a candy bar.

Rocketeers Grant Still Another \$69,000 For Classroom Films

An additional \$69,000 has been given by the General Education Board of the Rockefeller Foundation for classroom films, with Dr. Alice V. Keiler remaining as administrator and actively in charge of fund and activity made possible by the grant.

New series will be called 'Classroom Relations' pictures. They will be at all star to the 'Secrets of Success' (A. Foster) by the Rockefeller Foundation. They will be at all star to the 'Secrets of Success' (A. Foster) by the Rockefeller Foundation. They will be at all star to the 'Secrets of Success' (A. Foster) by the Rockefeller Foundation.

Dr. Keiler also is chairman of the Committee on Human Relations, another Rockefeller-financed project. Dr. Keiler also is chairman of the Committee on Human Relations, another Rockefeller-financed project. Dr. Keiler also is chairman of the Committee on Human Relations, another Rockefeller-financed project.

Bill Hart Loses Again In His Suit Against AUA

William S. Hart, former cowboy screen star, who has been legally battened tied artists for the past two years in New York courts over the income on one of two talkers he made for AUA studios, yesterday (Tuesday) lost his case in the U. S. circuit court for reversal of a lower court's dismissal of his action.

Hart, sued the picture producing corporation for \$185,000, or \$300,000 in picture 'The United We Stand' which he had made for AUA. He contended he invested over \$200,000 in making the picture and that AUA had received an agreement to share in the costs and that it had flopped on premier exploitation for the picture, resulting in poor box-office returns.

Hart won a verdict of \$75,000 in New York supreme court in the same case, but the Appellate Division reversed the verdict and ordered a new trial. Hart then filed the suit in the federal court.

A new approach to the sponsored picture now is being planned by advertising agencies mulling on handling commercial films for clients on a long-term basis.

The new approach to the sponsored picture now is being planned by advertising agencies mulling on handling commercial films for clients on a long-term basis. The new approach to the sponsored picture now is being planned by advertising agencies mulling on handling commercial films for clients on a long-term basis.

The sponsored film bureau or association would be a new type of representative of the picture side. It would be controlled by a committee or board composed of a representative from independent exhibitors organization, either the MPTOA or Allied, and a representative from the advertising agency, from the National Board of Education, Carnegie Foundation for the Advancement of Science, or other educational research; one or more spokesmen from industrial firms, and one spokesman from the picture industry for the public on the board.

Association, through this government, would be a new type of representative of the picture side. It would be controlled by a committee or board composed of a representative from independent exhibitors organization, either the MPTOA or Allied, and a representative from the advertising agency, from the National Board of Education, Carnegie Foundation for the Advancement of Science, or other educational research; one or more spokesmen from industrial firms, and one spokesman from the picture industry for the public on the board.

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Subtle Advertising Piv

In discussions thus far, it has been pointed out that this would eliminate screen production charges for one product. It would be okay to discuss ideas on the product of the sponsor in general terms, but by inference, such as 'we are on U. S. S. T. On the subject of the picture, the advertiser would be viewed as propaganda of a sort for the TVA. Another example cited was 'Yes, I Can.' The picture was viewed as propaganda of a sort for the TVA. Another example cited was 'Yes, I Can.' The picture was viewed as propaganda of a sort for the TVA.

Slant of these advertising executives is to make it clear that for sponsored films is that type of picture must be handled entirely differently from radio ad matter. They admit that it will be impossible to come at the audience from the radio side. They admit that it will be impossible to come at the audience from the radio side. They admit that it will be impossible to come at the audience from the radio side.

Further claimed by them that if (AUA) lost the picture, they would be something honestly educational, scientific or in the realm of philosophy. They claim that it will sell out of theatres altogether.

Most musing is their attitude that the picture is a very subtle, unobnoxious or blatant advertising, even down to 40 feet, helps matters. They claim that it will sell out of theatres altogether. They claim that it will sell out of theatres altogether. They claim that it will sell out of theatres altogether.

In the meantime the Association of New York exhibitors met last night and tomorrow (4-5) in New York with tentative plans calling for a full scale campaign to be launched in the form of sponsored films for ad agency clients.

Doug, J's, Tax Bite

James U. S. Board of Tax Appeals, which has been reported on the bank's tax return for the year prior to their separation.

RELEASES

Jessel's Salzburg-in-Hollywood Idea, with Reinhardt at the Helm

Pittsburgh, May 3. Turned down calls by film producers in his efforts to promote a Max Reinhardt Salzburg Festival for Hollywood, George Jessel, who made the proposal, said here last week that he would try to interest Henry Ford and Walter P. Chrysler in the idea. He has an appointment with Ford late this month and expects to court Chrysler in New York in a couple of weeks.

Bitter at the film moguls, whom he claims withheld on their promises of financial aid, Jessel said he would make no further efforts along the Salzburg-in-Hollywood plan. Originally Jessel broached the matter to Harry Chandler, publisher of the Los Angeles Times, and was met with an enthusiastic reception, Chandler promising him if the studios would come along, he would see that movie groups in Southern California would also help.

According to Jessel, foundation for such an enterprise would be a Max Reinhardt School of Drama, to be contacted producers individually on the idea of taking out their subscriptions in scholarships for stock players, which, he said, could range from \$5,000 to \$10,000, but at the final showdown said they were not interested.

Jessel was still willing to come through on his subscription.

Head of one of biggest Coast plants told Jessel in a letter that he didn't feel called upon to assist Jessel, but inasmuch as the famous director was paid \$300,000 by Warners not so long ago in connection with his contract to direct, however, says that everything Reinhardt has been confiscated by the Nazis in including the Salzburg Festival, and that Reinhardt sent some of his money abroad a short time ago, an effort to save his real holdings.

Jessel was unsparring in his denunciation of the man who was up to the neck in the war, saying a golden opportunity to make Hollywood the cultural center of the world in fact as well as fancy. At present, Reinhardt is on the Coast awaiting word from Ford and Chrysler. Final turn-down by studios came only a few days ago.

Reinhardt and his Los Angeles attorney, Roland Butler, were preparing for their first battle in Hollywood late this summer.

Versailles Idea

Paris, April 25. Bruno Walter plans to produce his 'Salzburg' festival again this year. But it will not be staged in Austria. While considering the idea, Carlo Walter stated that Toscanini has already agreed to join him no matter where he stages the festival. Toscanini was one of the first artists to renege on the Salzburg contracts. Since that time, many artists have reneged on their anti-Nazi feelings and their reluctance to perform in what used to be Austria.

Walter held on to his two positions as director at Salzburg and in Vienna until the last moment to show his appreciation to Schuschnigg for his brave stand and as a personal protest against the Nazi regime. Walter said that as yet he has made no decision as to where he will hold the festival but has decided to leave France, England and Holland.

Moment artists starting assembling their suitcase back to the stage when French kings were entertained by Gluck, Rameau and Mozart. Walter made it his business to have the concert. Several musical concerts held at the chateau last summer met with the approval of the chateau for tourists is an added feature which should help to exploit the festival.

If present ideas materialize, the festival will be held weekly throughout the month of August. It would be difficult to obtain the chateau now often than once a week. It is hoped, however, that as many

P. A.'ing a P. A.

Hollywood, May 3. Studio publicity chief, feeling his job slipping, pulled a new angle in job-seeking by having an agent make inquiries for a spot.

Agent is carrying a five-foot library of press matter to show prospective employers.

WOOD SERIES IDEA LOOKS SERIOUS

Hollywood, May 3. First picture of the Modern Girls series at 20th-Fox will be 'Meet the Girls', starring June and Claire Trevor and June Lang teamed in the top spots. Series will revolve around the doings of two big-city girls. Studio will make four a year with the same leads, but the rest of the cast will revolve.

First of the Warners series of Nancy Drew stories to feature Bonita Granville will be screened, played by Robertson White.

Titled 'Nancy Drew Gets the Passport', it is slated to start June 13 with John Farrow directing. El Brendel and J. Farrell MacDonald will be costarred in a series of six comedies for Progressive during the 1938-39 season. Progressive is following the series idea, current at several studios.

W. H. Moran, former chief of the U. S. Secret Service, will collaborate on scripts and serve as technical adviser on Warners series to be built around the workings of Uncle Sam's treasury agent. Ronald Reagan will be featured.

Sherlock's \$1,312 Award Against A. C. Blumenthal

Several hushmobs are awaiting arrival of A. C. Blumenthal from the Coast to serve him with papers on a \$1,312 judgment held by Benjamin S. Kerin. Plaintiff is himself a detective and seeks dough for key-holing Peggy Fears for Blumenthal. City Court of New York granted Kerin verdict in suit on Jan. 17 last. Since that time plaintiff's sheroeking has been without result in effort to collect for himself. Work was done in Chicago before pair were separated.

as 20 days of music will be presented during the summer.

Saltzburg, April 23. To meet the Bruno Walter: threat of a competing 'Salzburg festival' for Austria, to substitute German officials of the real 'Salzburg' festival are mapping a program to collect for the nation of the famous music shindig.

Instead of Arturo Toscanini and Bruno Walter, 'Salzburg in Hollywood' will have Wilhelm Furtwangler as its conductor. Program has been set to substitute German officials of the real 'Salzburg' festival are mapping a program to collect for the nation of the famous music shindig.

With the Nazi dominance in Austria, singing in Salzburg are having a field-day. As an instance of the Aryanification of all names, Reinhardt's Salzburg has been changed to the Hofstaalgaasse.

FOR PROMOTERS

Federal Artists Bureau, First Talent Agency to Spot FTP People in Pictures—Studios Welcome the Idea

NO COMMISH

Los Angeles, May 3. With some 1,500 names on its Federal Theatre Project rolls, Uncle Sam has opened the Government's first talent agency busi- ness. Agency, a non-percenter, is called Federal Artists Bureau, and is operated in conjunction with the Project's publicity department. It became a reality after Peter O'Crilly, head of the stirring department, and George Gervino, Southern California director of FTP, worked through a mass red tape to place names of featured players on placards an- nouncing their playing currently under FTP banner.

Bureau is armed with photos and current resumes of featured players ready to be passed out to those seeking new faces in pictures or on radio.

Included in the vast files are many names that were headliners of old vaudeville. They are the younger generation seeking recognition, many already well established in the field of contracts, feature roles and radio studies.

Hollywood agencies and picture producers have their arms to the west. There will be no attempt to get in on commissions by FTP, but they do deal they are for all coin going directly to the talent, unless an outside agent has signed them beforehand.

Main objective of the Project is to get performers off the relief rolls onto payrolls.

Audition Board

Bureau has established an audition board composed of Ed Arnold, Lucille Frisday and Boris Karloff. Each Friday they hold auditions at the Project offices looking over future possibilities for the entertainment world. Aside from this, the bureau has a casting director, listing all names alphabetically to get away from favoritism.

As an example of the way the move has been accepted in Hollywood studios have offered scripts for future shows. In several cases many big names in pictures have offered work to participate in the Project, with project, with letter members listing the remainder of the cast.

One of the Project include Gloria Pickens, signed by Warners for her work in 'The Devil Passes'; Harbottle, who played Edward Jackson in 'The Buccaneer'; Charlotte Field, who has been given a screen test by Paramount; and, working under contract is Grant Richards, with Pat Gleason and Anthony Quinn now on Republic's payroll.

All were picked for their work during FTP stage plays. O'Crilly and Gervino aim to prove there is no doubt of material in FTP ranks.

Lombard's 1st Dramatic In 2 Years; for Selznick

Hollywood, May 3. Selznick-International is casting Carol Lombard in the first dramatic role for the actress. 'Gretchen in Lead from Franz Frank's story, 'Made for Each Other.' Joe Swerling is working on the screenplay. The film originally titled 'Of Great Riches.' Miss Lombard has a deal with Selznick for one picture yearly.

Jungmeyer, Jr. Moves Up Jack Jungmeyer, Jr., has been

appointed to assist to Edward Kaufman, producer at 20th-Fox. For two years he had been an assistant to Raymond Griffith's production staff.

Hollywood Taking Its Shorts Proter More Seriously Than Ever Before

Helping Out

Hollywood, May 3. New Inglewood has track gets heavy publicity play in Warners' 'Little Miss Thoroughbred.' Characters in the play proceed for the Inglewood opening. Ironically, the scenes supposed to represent Inglewood were filmed at the rival loss park, Santa Anita.

The Warners are heavily interested in the Hollywood track at Inglewood.

MAE WEST INTO PALLADIUM IN LONDON

London, May 3. Deal for Mae West to go into the Palladium theatre here practically set. Would open May 30 for two weeks, doubling the first week at the Finsbury and second week at the Stratford Emulacrum.

In a unit Miss West will tour the key cities after closing here. Deal plan to go to a variety in London, also still hanging fire. Fosters Agency handling here, in association with William Morris in America.

West, on a personals tour and currently in Boston for RKO, is planning a more extensive barnstorming tour, probably with her own show in the fall.

Meantime, although production plans are somewhat indefinite, she is expecting to make a picture. Columbia has talked to her regarding a deal.

Lone Pine, Calif., Woos Mustangers with 10C Permanent Western Set

Hollywood, May 3. Merchant of Lone Pine, Calif., plan to stimulate local business by spending \$10,000 on a permanent western street for the use of film companies.

Town's trade nd pride were damaged recently when Harry Sherman had to move his Hopalong Cassidy troupe to Kernville, which has a permanent location set.

Par-W. C. Fields 8-Balled On Yarn; Film Shelved

Hollywood, May 3. Paramount has indefinitely postponed 'Mr. Bumpus Goes to Town,' now 'Behind the Eight Ball,' after tiffing with W. C. Fields over the yarn on which the comedy working. Other factors are also said to contribute to the studio's shelving the yarn intended as a star- rer for Fields.

Discussing abruptly ended when Fields refused to accept the studio treatment.

STILL STEERING BY N. W.

Hollywood, May 3. After steering 'Spawn of the North' on a loanout to Par for Al Lewin, for whom he worked at 20th-Fox, Lewin is back at M-G, and is now adding scenes to 'Northwestern Passage.' Joe McKing reported at Paramount for a dialog job on 'Zaza,' scripted by Furthman. Lewin will also produce the picture, George Cukor directing.

Hollywood, May 3. Revolutionary shorts' growth marks the film industry's greatest forward step in the last two years. Single and dual apoloos, so long considered by the picture moguls as a necessary evil to the distribution of features, and more or less haphazardly handled by a by-product, have suddenly become an important part of the celluloid business.

Introduction of low-cost, manufacturing methods into their production has elevated the quality of shorts while hauling down costs to a point where they can be sold on a profitable basis even in these trying times of dollars and loss, recession.

No longer are the midgels, with the exception of some of the animated cartoons, regarded as inside outfits. Instead, the majors have set up modernized and efficient departments, rolling their own.

Out in the van in providing a new deal for the smallies are Metro and Warners, with 20th-Fox set to follow suit. RKO, while participating on a less elaborate scale, is well up front of the parade.

Paramount, also, is poised for a new spurt during the coming season.

Slapdash ingredient of shorts in that era when Mack Sennett, Hal Roach and the Christie boys were going for the one and two-reel film, has gone the way of last year's millinery. Shorts, other than the few made for the exhibitor, are informative as well as entertaining. Plain novelty no longer suffices.

Jack Cherok, now publicity chief, and Gordon Hollingshead, occupying a similar spot at Warners, are directing the current line of shorts. The shorts are also contributing to the elevation of this variety of fare. Big time shorts, such as the new Talley, 20th-Fox newsworld, and Fox, duties were recently expanded to include the making of production as a result of the corporation's failure to renew with Educational.

Interest in shorts are aimed to interest all classes of patrons. The other kind are directed at customers ranging up from 18 years of age.

While Senett dropped activity following the 1928 debacle, with the Christie hanging on for a longer comeback try, Roach is the first member of the old guard to toss the sponge into the ring. Three months ago he dropped Lanny Hurd's tale, replays, and now, after one more film, he will ship 'Our Gang' for 17 years.

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Big studios, able to bring in shorts under mass production, are not only interested in the shorts, but are further benefiting by using the departments as a training ground for screen players, writers and directors.

While actual filming on a one-reel requires only four days, eight for a two-reeler, some pictures require a year of actual work, including the making of elaborate preparations. Pete Smith's 'Romance of Radium' (Metro) which is being made in a similar manner, required 13 months of toil.

Since assuming command at Metro, requiring six days, assigned on to full-length productions as players, including George Murphy and Virginia Gray, now being deemed 'feature' players, studio directors have been moved up, with another, Leslie Fenton, soon to make his debut. Fenton's career as an actor is constantly expiring its members to the studio's senior department.

Metroland's departure as an actor in accomplishing almost all the results in the matter of actor-writer-director. Fenton's career as an actor is constantly expiring its members to the studio's senior department.

actor, was signed for a role just before production started.

Majors to Set British Quota Prod. Skeds This Week; to Move Slowly

the exhibitor to take the British otherwise he could not get his own product. And, large as it may seem, Australians enjoy their own pictures.

his own product. And, strange as it may seem, Australians enjoy their own pictures.

WE'RE SENDING IT HOME TO 28 MILLION PATRONS!



A full page ad reaching the world's biggest Sunday circulation! It's yours and in color, dated to catch national openings in that super-powerful newspaper medium—the AMERICAN WEEKLY Sunday supplement!

Exposing the School Where Kids Become Killers!

A Criminals Made Not Born.
Do Gutter Gangs Thrive Under
Heartless Clubs of Graft-Reeking
Reign of T The Startling
Inside Story of America's Public
Enemies Classmates of Today
Who Are Cellmates of Tomorrow

CRIME SCHOOL
The "Dead End" Kids and HUMPHREY BOGART

ALL AMERICA WILL BE BETTER FOR SEEING THE THRILLING MOTION PICTURE

BLASTING THE SCREEN—TOUGHER THAN EVER!

See it at these Theatres

Billy Mapes • Bobby Jordan • Leo Gorcey • Gabriel Dell • Huntz Hall • Bernard Punley

Directed by Lewis Seiler

GALE PAGE

Warner Bros. Logo

IT'S A CRIME TO MISS OUT ON IT
—so rush your date in now to cash
in on the sensational response this
ad is sure to attract to your showing!

Sell It! Sell
It! Sell It! It's
the New Sen-
sation from

**WARNER
BROS.**

HERE'S ONE OF THE BEST PICTURES YOU'LL PLAY THIS SEASON

A new-slant love-story made to order for red-headed Ginger's blue fire and wishful Jimmie's winning charm... A revelation in rich romance and heart-lined laughs... Pricelessly produced with a sparkle, a verve, a magnetism seldom caught on the screen... therefore endowed with a box-office pull bound to carry it to financial success far beyond your rosiest pre-release expectations.. A picture for preferred time and EXTRA TIME!

GINGER ROGERS
JAMES STEWART



VIVACIOUS LADY

JAMES ELLISON • BEULAH BONDI • CHARLES COBURN

PANDRO S. BERMAN IN CHARGE OF PRODUCTION

A GEORGE STEVENS PRODUCTION

SCREEN PLAY BY P. J. WOLFSON AND ERNEST PAGANO

FILM BOOKING ART

(For information 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 are included.)

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WEEK OF RELEASE	TITLE	PRODUCER	DISTRIB.	TYPE	TALENT	DIRECTOR	TIME REVIEWED MINS.	WHEN BY VARIETY
2/11/38	LITTLE MISS ROUGHNECK	W. MacDonald	Col	Com-Rom	E. Fellows-L. Cardillo	Aufrey Scott	64	3/9
	CATTLE RAIDERS OF HUMAN HEARTS	H. Decker	Col	Western	M. Pilban-D. Grayson	Alf Hitchcock	61	3/9
	MY OLD KENTUCKY HOME	J. Conside, Jr.	MGM	Drama	W. Huston-R. Garrido	Clarence Brown	100	2/9
	SCANDAL STREET	E. B. Derr	Mono	Com-Dr.	E. Venable-G. Richards	L. Hillyer	63	2/9
	ADVENTURES OF TOM SAWYER	John Stone	20th	Com-Dr.	L. Ayres-L. Campbell	H. B. Humphreys	79	12/8
	FORBIDDEN VALLEY	D. O. Selznick	Rom-Com	Com-Dr.	J. Withers-S. Erwin-U. Merkel	N. T. Koster	72	2/15
	KID COMES BACK	Henry MacGreg	WB	Outdoor	N. Beery, Jr.-R. Barrat	W. Crites	60	4/30
	DAREDEVIL DRIVERS	Bryan Foy	WB	Drama	W. Mena	R. L. Bates	61	15/29
	WIDE OPEN PAGES	David Low	Col	Comedy	D. Purcell-B. Roberts	Kurt Newman	60	3/2
2/18/38	THE GIRL WAS KISSING A YANK AT OXFORD	Michael Balcon	MGM	Comedy	Joe E. Brown-J. Wyman	Art Hitchcock	81	12/8
	PAINTED TRAIL	Robert Emmett	Mono	Western	R. Taylor-L. Rymann	Karl Conway	100	2/2
	BIG BROADCAST '38	H. Thompson	Para	Musical	W. C. Fields-Ray-Lamour	Michael Leisen	88	2/9
	BRINGING UP BABY	Cliff Reid	RKO	Rom-Com	K. Hepburn-C. Grant	Howard Hawks	102	2/18
	BARONNESS AND BUTLER	Roy Griffith	20th	Rom-Dr.	Annabella-Win. Powell	Walter Lang	102	2/18
	GOLD IS WHERE YOU FIND IT	Sam Bischoff	WB	Outdoor	G. Brent-C. Rains-J. Littel	M. Curtiz	60	2/18
2/25/38	WHO KILLED GRACE FERGUSON?	Ralph Cohn	Col	Mystery	W. C. Fields-J. Ford	Leon Barsha	60	3/9
	ARSENAL LUPIN RETURNS	John W. Conside	MGM	Mystery	M. Douglas-W. William	Robert Harn	62	2/29
	PORT OF MISSING GIRLS	John Young	Mono	Drama	J. Allen-M. Stone	Karl Brown	60	4/8
	CASSIDY OF BALD	Harry Sherman	RKO	Western	W. Bond-R. Lane	Ed. Schenck	60	3/9
	NIGHT SPOT	Robt. Sick	WB	Com-Dr.	Parkyakukus-A. Lane	Christy Cabanne	60	3/30
	HOLLYWOOD STADIUM MYSTERY	Max Goldstein	20th	Musical	H. Williams-M. Venable	Norm. Taurog	60	3/30
	LOVE ON A BUDGET	Max Goldstein	20th	Comedy	J. Prouty-S. Byington	Bert Lozon	60	1/12
	STORM IN A TEACUP	A. Korda	WB	Comedy	V. Hampel-H. Harrison	Bert Lozon	68	3/9
	PENKID AND TWIN BROTHER	Bryan Foy	WB	Com-Dr.	Mauch Twins	John McCann	62	1/12
3/4/38	ROLLING CARAVANS	Col	Col	Western	J. Lunden-E. Stewart	Jos. Levering	78	2/9
	START CHEERING	Nat. Perrin	Col	Musical	W. Connelly-Durand-J. Perry	A. S. Ronell	78	2/9
	TO THE VICTOR	Maurice Oester	GR	Rom-Dr.	W. Wyffe-J. Loder-M. Lockwood	Robt. Stevenson	78	2/2
	NEARLY WE LIVE	Harlan Thomson	MGM	Comedy	C. Bennett-B. Burke-P. Kelly	N. Z. McLeod	80	3/9
	ROMANCE IN DARK	Robert Roach	RKO	Musical	G. Sweetwood-J. Bates	H. G. Polter	77	2/18
	MAIDS NIGHT OUT	Herman Schlem	MGM	Rom-Dr.	A. Lane-J. Fontaine	Ben Holmes	60	3/9
	FEISON NURS	Gene Markey	20th	Musical	M. Melner	Win. Selzer	60	2/2
	SALLY, IRENE AND MARY	J. P. Farrell	WB	Musical	A. Faye-F. Allen-J. Lang	Wm. Marshall	60	2/2
	MAD ABOUT THE DANCE	Sam Bischoff	WB	Meller	E. G. Robinson-J. Bryan	Lloyd Bacon	85	2/9
3/11/38	SALLY CASE OF MURDER	Sam Bischoff	WB	Meller	J. Holt-B. Roberts	Lewis D. Collins	65	2/21
	MAKING THE HEADLINES	Col	Col	Rom-Dr.	W. Connelly-Durand-J. Perry	A. S. Ronell	78	2/9
	THE FIRST BUNNY YEARS	Norman Krasna	MGM	Comedy	R. Mon-D. R. Lane	Wm. Nigh	60	3/18
	ROSE OF RIO GRANDE	Dorothy Reid	Mono	Rom-Dr.	Movila-John Carroll	Wm. Nigh	60	3/18
	DAINGEROUS TO KNOW	Col	Col	Rom-Dr.	B. Breen-J. M. Wong	Edward Cline	72	3/2
	HAWAII CALLS	Sol Lussner	RKO	Rom-Com	B. Breen-J. M. Wong	Edward Cline	72	3/2
	CALL THE MESQUITES	Wm. Berke	Rep	Western	J. Mesquites	John English	65	3/2
	WALKING DOWN BOWWAY	Col	Col	Com-Dr.	C. Trevor-J. Brooks	Wm. Nigh	60	3/18
	CRIME OF DR. HALLER	Ed. Granger	Rep	Mystery	R. Bellamy-B. Read	Sylvan Simon	65	3/18
	LOVE, HONOR AND OBEDIENCE	Wm. Berke	Rep	Com-Dr.	J. Matthews-J. Whiting	Sonnie Hale	84	2/9
3/18/38	SAILING ALONG	Wm. A. McGuire	GR	Musical	J. Matthews-J. Whiting	Sonnie Hale	84	2/9
	CRIME OF GOLDEN WEST	Wm. A. McGuire	GR	Musical	J. Matthews-J. Whiting	Sonnie Hale	84	2/9
	BUILDING DRUMMOND FELL	V. Morehouse	Rep	Rom-Dr.	J. Barrymore-L. Campbell	E. Z. Lord	120	3/18
	REBECCA OF SONENBEEK FARM	Wm. Berke	Rep	Rom-Dr.	L. Ayres-M. Neek	W. Morehouse	88	3/30
	THE GAYETY GIRLS	A. Korda	UA	Musical	L. Ayres-M. Neek	W. Morehouse	88	3/30
	ADVENTURES OF MARY	Sam Goldwyn	UA	Musical	J. Hubert-P. Ellis	T. Freeland	72	3/2
	NIGHT CLUB HOSTESS	W. McCord	UA	Drama	C. Cooper-B. Roberts	Norman Taurog	70	2/18
	STATE POLICE	Tren. Carr	UA	Action	R. Kiefer-C. Moore	John Rawlins	61	4/29
	HE COULDN'T SA NO	Wm. MacDonald	Col	Mystery	F. Lederer-F. Drake	Al S. Ronell	67	4/2
3/25/38	LOVE WOLF IN PARIS	Wm. MacDonald	Col	Mystery	F. Lederer-F. Drake	Al S. Ronell	67	4/2
	HE LOVED AN ACTRESS	Wm. MacDonald	Col	Mystery	F. Lederer-F. Drake	Al S. Ronell	67	4/2
	JUDGE HADLEY'S CAUSE	Herman Sholem	MGM	Meller	B. Lyon-L. Velez-W. Ford	Wm. Rowland	103	
	ARSON GANGSTERS	Col	Col	Meller	L. Stone-R. Rooney-C. Parker	Joe Kane	103	
	MR. MOTO TAKES CHANCE	Col	Col	Meller	J. LaRue-B. Livingston	Norm. Taurog	103	
	JEEZER	Col	Col	Meller	B. Davis-H. Fonda-G. Brent	Wm. Wyler	100	3/16
4/1/38	WHEN G-MEN STEP IN	W. MacDonald	Col	Meller	D. Terry-R. Fald-J. Wells	C. C. Coleman, Jr.	60	3/16
	FLOATING CITY	Col	Col	Meller	D. Terry-R. Fald-J. Wells	C. C. Coleman, Jr.	60	3/16
	LAND OF FIGHTING MEN	Col	Col	Meller	D. Terry-R. Fald-J. Wells	C. C. Coleman, Jr.	60	3/16
	TIP-OF-GIRL	Col	Col	Meller	D. Terry-R. Fald-J. Wells	C. C. Coleman, Jr.	60	3/16
	CONDENED WOMEN	Col	Col	Meller	D. Terry-R. Fald-J. Wells	C. C. Coleman, Jr.	60	3/16
	OUTLAWS OF SONORA	Col	Col	Meller	D. Terry-R. Fald-J. Wells	C. C. Coleman, Jr.	60	3/16
	JOSSETTE	Col	Col	Meller	D. Terry-R. Fald-J. Wells	C. C. Coleman, Jr.	60	3/16
	INLAND IN THE SKY	Col	Col	Meller	D. Terry-R. Fald-J. Wells	C. C. Coleman, Jr.	60	3/16
	GOODYE, BROOKLYN	Col	Col	Meller	D. Terry-R. Fald-J. Wells	C. C. Coleman, Jr.	60	3/16
4/8/38	FEMALE FUGITIVE	E. B. Derr	Mono	Meller	E. Venable-C. Reynolds	Win. Nigh	60	4/13
	THIS MARRIAGE BUSINESS	Cliff Reid	RKO	Drama	W. Moore-L. A.	Christy Cabanne	70	
	CAPITAL PUNISHMENT	Cliff Reid	RKO	Drama	A. Marshall-B. Birt	Ray Taylor	70	
	RAWHIDE	Col	Col	Western	S. Ballew-K. Knapp	Ray Taylor	70	
	RECKLESS LIVING	Col	Col	Western	M. Grey-B. Wilson-J. Sara	Stanley Logan	78	4/1
	WOMEN ARE LIKE THAT	Col	Col	Western	M. Grey-B. Wilson-J. Sara	Stanley Logan	78	4/1
4/15/38	FLIGHT INTO NOWHERE	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	THE SHOW GOES ON	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	ZAMBOANGA	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	TELE FLO	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	HEX JUNGLE LOVE	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	JOY OF LIVING	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	UNDER WESTERN STARS	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	IN OLD CHICAGO	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	DIVORCE OF LARRY	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	NUSE FROM BROOKLYN	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	FOOLS FOR SCANDAL	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
4/22/38	THE HEART OF A WOMAN	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	INTERNATIONAL CRIME	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	THE HEART OF A WOMAN	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	GO CHASE YOURSELF	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	THE FEUD MAKER	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	LADY IN THE MOONLIGHT	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	ACCIDENTS WILL HAPPEN	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	BATTLE OF BROAD	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	CALL OF THE ROCKIES	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
4/29/38	WHIRLING HORSEMAN	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	GUNSUNS TRY	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	COLLEGE SWING	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	ROMANCE ON A PRAYER	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	FOUR MEN AND A PRAYER	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	RETURN OF SCARLET PIMPANEL	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
5/6/38	THE MAIN EVENT	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	THREE COMRADES	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	DOCTOR RIVITT	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	LAW OF THE UNDERWORLD	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	JONES FAMILY IN PARIS	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	SINNERS IN PARADISE	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	TORCHY BLANE IN PANAMA	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
5/13/38	LAW OF THE PLAINS	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	HOLD THAT KISS	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	FLANCON RAN	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	GOLDEN LEAVES	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	VIVACIOUS LADY	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	GANGS OF NEW YORK	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	KENTUCKY MOONSHINE	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	AIR DEVIL	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	ADVENTURES OF ROBIN HOOD	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
5/20/38	SWISS MISS	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	COCONUT GROVE	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	BLIND ALPHI	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	RASCALS	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
5/27/38	MYSTERY HOUSE	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	HOLIDAY	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	YELLOW JACK	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	BUSTED HURT	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	FIGHTING DEVIL DOGS	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	KIDNAPPED	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4
	CRIME SCHOOL	Col	Col	Meller	J. Holt-J. Wells	Louie D. Collins	62	5/4

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- 2 ROCKY MOUNTAIN RANGER
- 3 PRAIRIE BUCKAROO
- 4 HEADIN' FOR TEXAS
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- 7 SONG OF THE SUNSET
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- 4 PRIDE OF THE NAVY
- 5 FORGED PASSPORT
- 6 UNDERCOVER WOMAN
- 7 WHITE FURY
- 8 PHANTOM OF THE CIRCUS
- 9 PROBATION NURSE
- 10 FLIGHT AT MIDNIGHT
- 11 WHITE LIGHTNING EXPRESS
- 12 DEVIL'S ISLAND FUGITIVE
- 13 STAND UP AND SING
- 14 HIGHWAY POLICE PATROL
- 15 HELLBENT FOR HEADLINES

4 SMASH SERIALS for 1939

- 2 Super-Serials 15 Episodes Each
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The Lone Ranger, Silver and Tonto in a feature-length series of adventures this fall.

- 2 MYSTERIOUS MISS X

A story of the secret service whose motto is "Find the woman" and you have the spy.

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A breath-taking adventure of a girl under the dazzling splendor of the northern lights.

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The western with a human story of life inside "The Big House" and why crime doesn't pay.

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Agnes the Marine goes on action! A story of thrills and suspense told in the Far East.

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A boy, a girl and a public defender, combined in a sensational story of murder and scandal.

- 7 RAFFLES STRIKES BACK

The great character brought to you again in a new mystery story, packed with high-speed adventures.

- 8 HILL-BILLY HURRICANE

An original musical with names and characters familiar to your theatre and radio audiences.

- 9 WOMEN MAKE NEWS

The world story of a woman columnist... her climb from obscurity to fabulous wealth and power, and then trapped in a scandal of her own making.

- 10 GIRLS OF THE ROAD

Bigger and better adventure and romance than "Hitch Hike Lady." Another sensational story of hitch-hike girls.

- 11 HIT PARADE OF 1939

The "Hit" radio program brought to the screen with a cast of new names, selected from every entertainment field.

- 12 STREET OF MISSING MEN

A story of a man who has himself become of a woman's weakness, but fights his way back when he finds true love and understanding.

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*21 Pantion Street
London, S. W.
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Inside Stuff—Pictures

Paramount's heavy and unexpected dip in earnings for the first quarter this year was because of heavy write-offs on producer and player contracts, according to Wall Street reports. Company is said to have included close to \$1,000,000 in deductions deemed necessary to settle old pacts with Emanuel Cohen, B. P. Schulberg, Marlene Dietrich and others. Far showed only about \$830,000 in the first quarter when more had been anticipated. Figures include more than \$800,000 in undistributed earnings of non-consolidated, partly owned companies.

Reason for company's decision to make the deductions in the initial quarter was because it was not thought logical to carry over to another period since stocks had been depressed so late that a dip in earnings was not figured to have any material effect. Such proved the case. "Far also is understood to believe that business will be on the upswing by the time second quarter report rolls around. Fifty increase in earnings probably will be reported in at that time.

Studio flacks have found a new form of grief in the recent order requiring a written o.k. from their casting offices before exposing contract players to newspaper and magazine interviews. New red tape is due to clauses in the pacts of various guilds. Under the new system a contract player called to the studio by the flack department to chin with a scribe for publication is entitled to a week's pay, no matter how long or short the interview is.

Another pet peeve of the press agents is the cameraman sent to Hollywood by eastern majors to shoot special art subjects. The visiting sharpshooter must be accompanied by a union cameraman at a cost of more than \$20 per day.

International Photographers local did not attempt to call any of its cameramen off the job of filming the N. Y. World's Fair preview showings over the weekend. Ion at first claimed that motion pictures were being taken on the exposition grounds at Flushing Meadows for the fair association by non-union photographers, but later developments indicated that only still camera boys were involved.

Each of the five newscasts had four to five men working overtime Saturday (30) to film all the preview activities. Claude Collins, new World's Fair contact man for newscasts, probably will work out an arrangement shortly to have one cameraman on almost constant duty at the exposition grounds for protection of all five reels for any unexpected news story. All newscasts will converge on the fair for any outstanding story.

Newscast crews which covered the mine disaster near Grundy, Va., about 10 days ago squawked to their home offices about the pushing around handed them by state police on guard at scene. State cops ordered 'no pictures' when bodies were brought from mine. Diligence of Virginia state officers was so great that photographers had difficulty threading DeVry cameras for other shooting. Cameramen argued that they had a right to take pictures on a public road but all claims as to authority were pushed aside by the officious gendarmes. Home offices burned because interference ruined some scenes and because they believe their camera crews were operating within their jurisdiction.

'Beloved Best' with Bonita Granville in name role at Broadway Strand, was produced and previewed under the title of 'Girls on Probation.'

No stranger to Hollywood is Henry T. Clifton, principal in the now notorious Lew Brice poker suit for \$150,000. Over a year ago Clifton

advanced \$15,000 to Maurlee Gebber on a takeover of the old Tillman studio. Shortly after, Clifton made a hurried trip back to his native England and passed from the scene, Gebber meanwhile turning back the studio to its original owners. Before coming to Hollywood, Clifton was identified with several picture ventures, none of which scored.

Announcement at the meeting of newspaper publishers last week in New York that the film industry had promised, via Will Hays, to reproduce newspaper offices and newsmen in screen vehicles only as they actually exist, brought a snappy report from one producer-distributor official. He said: 'Yes, and I suppose in return all newspapers will print only pollyanna items about picture stars.'

Paulette Goddard, slated for a part in Selznick-International's 'The Young in Heart', probably will not be seen in that film. Charles Chaplin has persuaded S-I to give him a week's option on her services. It is understood he intends to give her a top spot in his next film, which will see the silent comedian in his first talking role. Margaret Tallichet is being held in readiness for Miss Goddard's part in 'The Young in Heart.'

The Roxyettes, who have done unicycle, icicle, acrobatic and circus tricks on the Roxy theatre, N. Y. stage, were taught to play piano in a few days, in order to participate Friday (6) in a 24-piano routine. The Wurlitzer Co., exploiting a new baby grand (or 'butterfly' model) will install the 24 instruments, which 18 girls will perform on, as part of a stage sequence.

'Alcatraz' click has resulted in more buying of prison stories by Warners. Picture dealing with life on 'The Rock' was produced by Bryan Foy for \$124,000, including the actual filming and general overhead. It was the lowest production bill ever stamped with Hearst's Cosmopolitan seal, and it brought home more coin than many of Warners super-supers.

Stu , which had a war story all set to make, has called the thing off because a condition in Nazi Germany today parallels the story which actually is of Belgium during the World War. Studio for a while thought of shooting the thing anyway, figuring that its banning in Germany wouldn't make much difference since no money comes out of there now.

It might be called a post-preview that Republic pulled at Orpheum, Los Angeles, last week. Picture was 'Youth on Parade', produced by Republic last fall and exhibited all over the east, south and midwest. No release date had been obtained in the Los Angeles district at the time, so the film was put on as a studio preview, half a year after its release.

On Friday (6) Grad Sears, Warner sales chieftain, is calling in the trade press and possibly some others for an informal discussion of sales plans, policies, etc., for the 1938-39 season, somewhat of a departure for distribution bosses. The thought is to indulge in an off-the-record gabfest with the boys.

In order to be able to sell the remake rights on 'Show Boat' to Metro, Universal had to buy up for \$30,000 from the authors, a continuing 15% profit-sharing interest which they had in the title. Edna Ferber, Jerome Kern and Oscar Hammerstein, 24, share in this windfall.

Long pending deal whereby Alexander-Korda was to make 'Lawrence of Arabia' for Paramount now appears to be further distance in consumption than ever before as a result of the new United Artists setup the picture; probably going to UA.

PAR MERGES CLEVELAND, COLUMBUS EXCHANGES

Columbus, May 3.

Paramount will merge its Cleveland and Columbus exchanges effective May 7. All shipments to this area will come from Cleveland after that date except West Virginia accounts, which will be handled through Pittsburgh.

Marmaduke R. (Duke) Clark, exchange manager here since 1928, goes to Cleveland as branch manager under Harry Goldstein. T. Lester Irwin, chief booker, and Lloyd Henrich, chief auditor, also transfer to Cleveland office. John B. Gardner becomes zone manager for Columbus and central Ohio, and Guy S. Peterson will take the West Virginia assignment.

Move has been talked for some time with idea of closer correlation with New York office. West Virginia accounts reverting to Pittsburgh solves problem in that section as most other companies serve the state from their Pitt offices.

Flacks' IA Threat

Hollywood, May 3.

Screen Publicists Guild may seek abatement with the International Alliance of Theatrical Stage Employees if producers continue to spurn their application for recognition as bargaining representatives for studio flacks.

While the proposed alliance has not yet been placed before the membership, several leaders declared such an affiliation would enable them to negotiate a working pact.

NACE EXPANDING

Hollywood, May 3.

Harry Nace will increase his Arizona theatre properties to 25 with the acquisition of the Sultana Williams on June 1 and the completion of two new houses at Liams and Tempe.

Sultana will be turned over to Nace by Charles Proctor, who operated it for years. New house in Williams gives the town two theatres.

MUSIC BY

ARTHUR JOHNSTON

'SAILING ALONG'

(GAUMONT-BRITISH)

Starring JESSIE MATTHEWS

LYRICS—MAURICE SIGLER

'ASKING FOR TROUBLE'

(GAUMONT-BRITISH)

Starring JESSIE MATTHEWS

LYRICS—EDDIE POLA

'ST. MARTIN'S LANE'

(MAYFLOWER PICTURE CORPORATION)

Starring CHARLES LAUGHTON

LYRICS—EDDIE POLA

'HAPPY RETURNS'

(C. B. COCHRAN REVUE)

FLANAGAN AND ALLEN, BEA LILLIE, JACK HYLTON ORCHESTRA

LYRICS—IAN GRANT

Lever Bros. Consider Quebec Linguals; P & G Patois Shows Gam Popularity

Montreal, May 3. Lever Bros. are mulling plans for production of a French-language program to go over a network of five stations in the Province of Quebec, but find production costs somewhat high when considering the limited number of transmitters available.

Production cost for a 15-minute program would run to approximately \$60 per station where a similar advertising plan, transcription or live lent, if sent over 50 stations in the U. S. A., would bring the cost down to about \$10 per station.

Suggestions have been submitted to Lever Bros. for a French Theatre of the Air, with mention of five products: Lux Flakes, Lux Soap, Rinso, Lifebuoy Soap and Lifebuoy Shaving Cream to be included in the scripting, so as to split the cost on five products. Reported that this idea may be given favorable consideration.

Lever Bros. are now on the air in Canada with two English productions, "The Theatre of the Air" and "Big Sister."

Click of the two Procter & Gamble French-language programs may be the promoter for French radio. The "Rue Principale" (Main Street), 15-minute show sponsored by Oxydol has become very popular. Clorox and Ivory Soap are splitting another half-hour sketch, "Bon Jour, Madame," also to draw.

KATE SMITH TO HAVE 3 SHOWS

Kate Smith will probably appear in three different programs on CBS next summer. This time, she will be Swansdown-Calumet-hour Thursdays at 8 p.m., which resumes Sept. 1, and a summer variety show, another commercial for another night in is negotiation by Ted Collins. She will be performing her afternoon show, currently sustaining, in which she is developing a commentator formula.

Swansdown Foods has donated time for two years. Summer layoffs are provided for both 1938 and 1939, but in some points, the company's sponsor may decide to originate programs from the N. Y. World's Fair next summer, that's all.

Following the present season sign-off star will, as usual, summer in the Adirondacks.

CRAMPTON RESIGNS FROM ESTY AGENCY

J. Savington Crampton resigned last week as radio director for the William Esty agency. Crampton had been with Esty for two years, and he had been concerned much with the reduction of the Jack Oakie show. He moved for the Esty agency, a national came within a few weeks of the Oakie program's foldup.

The decision had been made years with J. Walter Thompson as the account contact with Lux (Lever Bros.) was credited with contributing much toward the clock development of the Lux Theatre (CBS).

Renfro Barn Dance May Draw Brown-Williamson

Chicago, May 3. Brown-Williamson Tobacco is considering underwriting the Saturday Night Show of the Radio Valley State Dance out of WLW, Cincinnati program, would be WGN, Chicago. Freeman Keyes is agenting the idea.

Same barn dance series has Alia Chalk, Freeman Keyes as the current backer over Mutual.

Lee and Martha, WFO, Des Moines, comedy team, are making personal appearances in Iowa for Oshkosh O'Clock overcalls.

Moth at Lunch

McCann-Erickson agency has made a transcription of a moth munching wool to graphically depict the insect in plugging Larvex (product of Zonite). Sound-amplified the chewing of the moth worth 10,000,000 times.

Waxed result of the experiment is now being used to point up the copy for Larvex on the commercial on WMCA, N. Y., upon which Mae Murray dishes out "lovelorn advice."

LOG CABIN SET 4 1/2 MONTHS AHEAD

CBS sales department has accepted an order from General Foods for a half month in advance of that date. Incidentally, the program of its kind for either Columbia or NBC the networks resumed their upward trend in 1934. Product involved, Log Cabin Syrup, was the NBC-Cred series, which starts during the past season. It starts with CBS Sep. 15, takes the Friday 7.30 to 8.

Program will again be headed by Jack Haley and emceed from Hollywood. Sam and Bowles is the word.

Allen Sub for Sal Hepatica Only; Vitalis in 2nd Half

Via Pedlar & Ryan

Bristol-Myers will reorganize its hour-period on the NBC-red (WEAF) link Wednesday night when Fred Allen retires for his summer 13-week vacation at the end of June. Substitute summer stunner, when picked by Young & Rubicam, will be for a half hour only and confine itself to plugging Sal Hepatica. Subsequent half hour, 9.30 to 10 p.m., will be taken over by the same manufacturers "For Men Only" (Vitalis) but handled by the Pedlar & Ryan agency.

It is intended to return the Allen session to full hour in the fall and again include Ipana toothpaste in the commercial copy. "For Men Only" is currently on the red network Monday nights from 10 to 10.30.

STOKOWSKI-DURBIN STRICTLY A PERHAPS

That Leopold Stokowski-Deanna Durbin program which Bill Bacher is promoting is "under consideration" along with other programs. "I'm a Texaco" later, firms has been in all over 50 program ideas, it's understood.

Stokowski-Durbin deal has been the fountainhead of a lot of rumors in last few weeks.

Circulation Note

Philadelphia, May 3. WFIL thinks every radio man from New York to Hollywood wants to be a program director. Variety carried story that John Clark, present program director, had resigned.

Since then station has had 87 applicants for the job, although it has a number of hired "outsider" at present.

PLEASE NO WORDS OF EMPLOYMENT

New York End of Blackett-Sample-Hummert Agency Asks Writers to Waive Everything for \$25 a Script Average

VS.

Radio authors are asked to take an oath of secrecy, to down their own brain children, and to remain perpetually unknown and uncredited in a new contract clause they are being asked to sign by the New York office of Blackett-Sample-Hummert. It carries several steps further the traditional policy of the New York office, the only one in the country officially acknowledged are Frank and Anne Hummert, heads of the agency.

Advertising agencies in many cases have been against author credits over the air, but have not customarily objected to the author's identity being read into the trade record.

Clause in the new contracts being submitted for signature by writers for scripts reads, I hereby agree not to publicize any of the facts relating to my association with this program.

Secondary Rights

While the clause depriving the writer of his credit is a new move by the agency has for some time asked scripters to sign away all subsidiary rights to the writer. Material includes title, plot, drama, characters and situations, while the agency is asked to cover and radio broadcasts, television, motion picture (both silent and sound), dramatic, magazine, book, newspaper or any other publication or use. All title and possible royalties become the permanent and outright property of the employer.

Writers are not adverse to "giving" up such on occasion. But in as other forms of modern radio, the professional writer recognizes realistically that the man or woman who writes in another's name may accept this for the money involved and without necessary loss of standing as a writer. In publishing circles the ghost is usually known and if he does a creditable job he gets the credit privately if not publicly.

Writers complain that Hummert script prices are the lowest paid (\$25) for network programs and that they have their most for the advantages of agency and unofficial publicity.

Hummert's \$25-and no credit-arrangement compares with \$50 from the average high-ranking agency. Writers are also impressed that the Chicago office of Blackett-Sample-Hummert pays better than the New York end. "This is a reverse, they declare, "the cost equation in all other branches of radio production."

Chicago Scale

Writers are reportedly paid anywhere from \$30 to \$400 for network scripts by the Chicago office, while the regular fee for network shows is \$125 a week. This is the New York end. In a similar way, Hummert program directors get \$75 a week and New York, as compared with \$100 a week (plus the fact that they are always given at least two different programs, for a minimum of \$200 a week) in Chicago.

The Hummerts contend that smart writers from above can hide deficiencies in scripting.

Zac Freedman Joins CBS

Hollywood, May 3. Zac Freedman, N.Y. radio producer, joining CBS staff this week: "The Green Hornet" and "Golden Gloves" inner filler.

Actors Union Wants Nation-Wide Scale; Webs Seek Differential; Some Progress Toward Pact

It's a Secret

(Ghost writers for B-S-H shows are understood to include the following): "Lorenzo Jones"—Theodore Ferro. "Second Husband"—Carl by.

as Wiggs of the Cabbage Patch—Robert Andrews. "Way Down East"—E. R. Ma-

"Our Gal Sunday"—Doris Hall, Cornelia Gilham (formerly by Lawrence Hammond and later John DeWitt).

"John's Other" — Lawrence Hammond.

"Young Widder Jones"—Lloyd Rosenmund, (his occasional collaborators) (formerly by Lawrence Hammond).

"Alma Jimmy" Valenti (currently off the air) next Shenkin.

"The Secretary"—arlie Baumer.

"Stella Dallas"—Stuart Ayres (lives in Bermuda and sends telegrams daily) on Striker.

"Backstage Wife"—Lawrence Hammond.

"Poppy the Sailor"—Carl Johnson.

"Romance of Helen Trent"—Richard Salisbury.

PLOT FACTORY UNDER WXYZ'S STRIKER

WXYZ has added five scripters to aid Fran Striker in penning of "Lone Ranger" and "Green Hornet," locally produced serials which have cross-country networks. Idea is not only to relieve pressure on Striker, who's been carrying 15-minute daily programs for past several years, but also to have men available in any eventual.

Two added men under Striker's direct control have taken their jobs at station. They are Tom Douglis, who penned the "Ann Wither, Housewife" series, and Gibson Fox, from the dramatic department.

Plan is eventually to involve transfer of all actual scripting from Striker's shoulders to other, with Striker as coordinator and supervisor to whomsoever could be given any others that may develop. Understood also that writing staff may be eventually enlarged to include specialist in various phases of writing, i.e., romance, mystery, love, spectacular, etc.

Under that setup, it would be possible to delegate various episodes of "Lone Ranger" to whomsoever could handle the particular element wanted or suggested. Staff would also serve to develop ideas, plots, et al for the serials.

Claude LaBelle Off Desk

San Francisco, May 3. Emilia Hodel is now radio editor of the San Francisco News, local Scripps-Howard daily, succeeding Claude LaBelle, who is confining himself locally to the drama desk. Miss Hodel previously handled the News' radio program.

Recently signed contract with the Northern California Newspaper Guild, which limits working hours to 49 a week for editorial employees, was responsible for the shift.

Negotiations between the American Federation of Radio Artists and the National and Columbia networks are reported gradually approaching settlement. Factions have agreed on most issues, but have been unable as yet to come to terms on one or two sticklers.

Principal item of difference at present is understood to be the question of a uniform wage minimum for the entire country. AFRA favors a blanket minimum, while the networks are insisting on separate scales for New York,icago and the Coast.

Network argument is said to be that production costs are so different locally, making separate wage scales necessary. Also claimed that the cost of a uniform scale, however, is a comparatively trifling matter. Main reason AFRA is holding out for a uniform scale, however, is understood to be a fear that if different levels are established for various localities the networks may later adopt a policy of bouncing shows around the country to meet cost conditions.

Such a development, it is figured, might make supervision of performer wages much harder to handle.

Negotiating committees for the union and the network are scheduled today (Wednesday). No final agreement has been made, but some progress is anticipated. Meetings are being held on an average of about twice a week, although no regular schedule is maintained.

AFRA's negotiations with the committee of the American Association of Advertising Agencies have been in abeyance for several weeks. For a while, it has been in abeyance, so the matter has been left aside. Dickerings are expected to be resumed in a couple of days. Stated that no solution is imminent, although considerable progress has been made.

Actors Union Organization Drive in Detroit

Detroit, May 3. With three of the "Big Four" stations here 80% organized, local chapter of American Federation of Actors has been busy for some time to get other exes until AFL has reached agreement with NBC and CBS.

Local now pondering results of a questionnaire among announcers, actors, soloists and sound technicians, hoping to get a complete picture of situation here for groundwork on demands to be made later. Chief complaint is that the industry has received, besides the usual money agency, are too-long rehearsals for short programs, insufficient notice on when talent will be needed.

Union claims between 80 and 90% of talent is organized. WXYZ, WWJ and WJR, while lesser percentages are under the banner at present, are making no claims as yet. Hodel, WXYZ, is chairman of local, which has opened an office in the Francis Palmer building and now has a paid secretary.

Ira Asa, who went to the Coast several months ago to join the Estey agency production staff, has returned to 49 a week for editorial employees, was responsible for the shift.

Ira Asa, who went to the Coast several months ago to join the Estey agency production staff, has returned to 49 a week for editorial employees, was responsible for the shift.

Torenzo Jones' Waxed Off NBC For Broadcasting from Luxembourg

Blackett-Sample-Hummert within the next couple of weeks will begin broadcasting a platter edition of the "Lorenzo Jones" dramatic series over the Luxembourg high-spot station for British listener consumption. Will be a waxed repeat of the daily show over NBC red for Phillips Magnesia, and the same sponsor will bankroll Patrick Crutskank, English radio ex-novo budding with Frank and Mrs. Hummert in New York, will have charge of the series. Three or four other programs will also be aired over the Luxembourg transmitter.

Contrary to earlier reports, the Hummerts do not plan to place programs on British, French or Irish stations. They will be to London in June to open an office, however.

ESSAY VOTE AS LISTENER BAIT

Benton & Bowles agency has just commenced an unusual contest of listening to name which of two they think is the better program. One is "Tillip House," other "yrt and Marge"; both are script shows, airing for former sponsor, Colgate-Palmolive-Peet. Former plugs Paul Olive soap, later CBS, 10:10-10:30 a.m., with "Tillip" nixed in the following quarter-hour. On both shows, station is asking listeners to participate in the \$1,000 contest for the best letter in which program is better. The stunt is to get listeners extra tune-ins to both shows.

RUSHING RUSH HUGHES TALKS, EATS AND RUNS

Washi May 3. Quite a to-do over the arrival of Rush Hughes, NBC's star broadcaster from the West Coast. In addition to sharing the ether with Congressman Edith Nourse Rogers of Massachusetts, Hughes established a record in dinner-gulping as guest of local NBC transmitters, WRC-WMAL. Started Washington radio editors by wolfing a quickie at a local hotelery and allowing himself 15 minutes to catch a train for Boston, when Capital taxicabs require at least 20 minutes for the trip. Author of "Hughes-New" was touring with representatives of Young & Rubicam advertising agency, but was swamped with Washington and Baltimore distributors of Borden's milk. At the time, incidentally, in their necks of the woods.

Spud Using Spots

Spud cigarettes, after a year's lay-off from the air, is noising back on the air again. Icebreaker is spread of spots in major radio markets. Gumbler agency now has account. Max Geller, formerly with Compton agency, is account executive. The first Last zone spogee for Spud was when Ed Wynne topped a variety show on NBC's Manhattan time Young & Rubicam had the account.

Hawaiian Mgr. to U.S.A.

Honolulu, May 3. Wesley Edwards, newly elected president of KHRM, is now on a big trip to the States, which will include New York, Chicago, Pittsburgh, Cincinnati, San Francisco and Los Angeles.

First visit in two years of anyone from the Hawaiian stations to had American mainland on a jaunt after accounts. In New York, Edwards will use Conquest Alliance office.

Any Excuse

Idea of what small provocation needed for invitations to cocktails in radio circles can be gleaned from why WHN, N. Y., publicly department poured for the press last week.

Al Simon moved his quarters from one room to another.

MUTUAL ASKS CODE CARE IN CANADA

Regina, Sask., May 3. Stations connected with the Canadian Broadcasting Co. are under instruction to refrain from using the words "Mutual Broadcasting System" in any spot but the end of an exchange program. CBC and network of the Mutual management after the latter became worried that the indiscriminate use of the tag might cause the premature cutting off of a program.

American Telephone & Telegraph Co.'s radio line boardman, recognizing the announcement of Mutual Broadcasting System as a standing cue to switch circuits, CBC's outlets have been asked to use the words "Mutual Network" for identification purposes during any point of the program except the close.

Similar request was issued by Fred Weber, Mutual gen. mgr., to all affiliated stations in the United States for like reasons.

Hub Show Extended By Fleischmann's

Fleischmann's Yeast will extend the inspirational program it has been writing on the Yankee network to the NBC-blue, starting May 30. Stanza will consist of Dr. William L. Stinger, Boston clergyman, and a couple of hymn singers.

Hookup will be confined to New England, with NBC's station Pennsylvania, with 11:45-12:15 noon, starting Friday the schedule. J. Walt J. Thompson is the host.

Mark Warnow orchestra finishes up on the Lucky Strike Hit Parade June 4 and after a short vacation comes back on air July 6 on a CBS sustainer.

Blue Velvet series, which Warnow had last summer, will again be used. It will be in a 9 p.m. Wed. spot.

Jennings Back to Cincy

Cincinnati, May 3. Robert G. Jennings, vice president and general sales manager of WLW and WXYZ, has returned to Cincinnati, after a month's work in the East.

He will handle WSAI matter, in Chicago Monday (2) and in Minneapolis Tuesday (3) on trade trek with Wallace K. Hustad, assistant sales manager of Crosley's WLW and WSAI, in charge of the western division. Danville put in a two-day session last week in Hot Springs, Va.

Peddle 'Hopalong Cassidy'

Hollywood, May 3. "Hopalong Cassidy" will ride the airwaves if Harry Field is successful in landing a sponsor for the transcription series.

Field is after the spot last week added to audition "Cassidy" and several other script shows, which he would produce.

Davidson Jones Federal John S. Davidson has left J. M. Mathes, Inc., where he was radio director, to join the Federal Advertising Agency. He will work on radio and contact accounts.

Davidson was previously with Young & Rubicam.

Agency-Sponsors

J. M. & Co., Inc., landed a \$200,000 contract for milk advertising by New York State. This is the fourth year the agency has directed the campaign. The 1938 appropriation is \$10,000 larger than that of the past year. Newspapers are the principal media used, but spot radio, magazines, booklets and posters also will be used. Golden milk stars of milk as a beautifier will again be a feature of the drive. Nine agencies submitted bids for the contract.

Mitchell-Faust agency, Chicago, has new account in Albert Miller Co., potato wholesaler. Ozone will be used.

Lusit agency, Cleveland, has two new accounts in Urmahs burgers and Labuck beer. Both may use radio.

WSAZ, Huntington, W. Va., will air the annual state-wide high school band festival from local stadium, with United Fuel Gas sponsor.

Golden's mustard will continue its WJZ, N. Y., program through May. Peg LaCentra the top talent. Account had first planned to fold program end of April.

Emergence Newsweek has renewed for five weeks its program on Sunday NBC-red hookup. Had been some consideration of offing the show.

Bull Durham, an American Tobacco Co. product, will use a transcription campaign in 16 markets this summer. It will be 39 quarter-hours of hillbilly music and patter featuring the "Bull Durham" series to be run off at the rate of three a week.

Victor is doing the recording and Lord & Thomas is the agency.

New business at WGY, Schenectady: Lucky Strike Cigarette, 17 one-minute, 15-second spots weekly for one year via WGY, Schenectady, through Lord & Thomas.

New York State Bureau of Publicity, 12 quarter-hour live talent traveleagues, with Conservation Committee, Lithgow Osborne and Bob Wilbur.

Curtis brothers' live Label Products participation in WGY House-hold Chats, through N. W. Ayer. International Harvester (tractors), one minute, 15-second spots weekly via WGY, Schenectady, through W. B. Moore & Wallace, Chicago.

Oxetia, Ltd. (silverware), "Peggy Tudor" traveleagues until June 9, select 15-second spots.

Albany District Institute, one-minute live talent announcements, De Bevoise agency.

Gardner Nur ry, quarter-hour musical clock, daily, WGY, through Northeast Advertising, St. Louis.

Schaffer Stores (groceries) 15-minute live talent shows, De Bevoise agency.

Madonna Tomato Paste, participations in WGY Market Basket, twice weekly, May 5-July 20, through Sternfeld Godley, New York.

New business at WBT, Charlotte, N. C.:

Quaker Oats Co., three 15-minute programs a week for 13 weeks, through WBT, Charlotte, N. C., placed by Mitchell Faust Advertising Agency.

New York City, three announcements a day for a month, placed direct. American Tobacco Co. (Roi Tan cigars), one 30-second announcement a day for 50 days, placed by Laurence C. Gumbinner.

Philadelphia, seven 50-second announcements a week for 52 weeks, placed by Harvey-Messingale.

Philadelphia, seven 50-second announcements a week for four weeks, placed direct. Philadelphia, seven 50-second announcements a week for 26 days, placed direct.

Barbasol will renew contract with Arthur Godfrey for the Monday and Friday Columbia network stint from WJZ, Washington, New York, begins in September, current series having signed off.

WCAU, Philly, new biz: United Fruit, five 15-minute transcription series.

J. W. Morrow, series of 13 Sunday afternoon shows with Perry Como, S. J. Davely, Horton Smith, etc., and placed by Transmarch, Chi.

Libby, McNeill & Libby, quarter-hour airings weekly. Placed by J. Walter Thompson, Chi.

Varady of Vienna, by

News to Sheriff

Tulsa, Okla., May 3. "Gang Busters" show (Palmolive) which CBS aired the week before unwittingly was used plenty hubbub around the local sheriff's office. Program dealt with Harry Noble, youthful Tulsa handit, who was in the Tulsa bastille while the show was warning listeners to be on the lookout for him. Noble had been captured between the script writing and the air, but no check as to his whereabouts had been maintained between the local authorities and the Phillips-Lord office, which produces "Busters."

Hundreds of Oklahomans who had read about the capture phoned the sheriff's office to find out details of the "escape."

ALLUSIONS TO BERGEN DUMMY DEPLORED

J. Walter Thompson agency has asked CBS, NBC and Mutual to delete from the copy on their programs any reference to the character of Chester W. Murphy, and to request the same consideration of their affiliated stations.

Explanation advanced by Thompson for this request is that the dummy has been used so frequently of late on network shows as basis for material that it is becoming difficult to construct copy for Edgar Bergen on the Chase & Sanborn show.

Postal Telegraph Buying Air Spots

Postal Telegraph will use a spot announcement campaign through agency, publication contract with Father's Day business. Announcements will concern themselves with a song lyrics contest, with listeners offered publication contract with the usual royalties for the best set of verses on the theme of Father's Day. Contest will close May 15.

Mrs. Clarence Mackay, nee Anna Case, will write the melody for the selected lyric. Mills Music, Inc., will publish.

Int'l Red Cross Relay

Washington, U. S. Office of Education plugging its International Junior Red Cross Campaign—"Calling All Countries"—as a sure-fire hit.

Program will be aired tomorrow (4), from 5 to 5:30 p.m. EST, over NBC Red network and short waves WXXA and WXXAF, Schenectady. The program will be a series of messages delivered by youngsters from foreign legations and embassies at Washington, D. C., and from foreign lands. Junior Red Cross World Song will be warbled by a New York chorus with the participation furnished by the NBC orchestra in the nation's capital.

U. S. Commissioner of Education John W. Studebaker, of the Interior Department's education office, will give a short spot, with the American Schools Program, through the operation of the National Education Association, participating.

Baggaley, Horton & Hoyt. Show is 15-minutes of transcribed totted by Iaham Jones, etc.

L. W. Benson & Sons, wins, five-minute news period daily, Monday through Saturday, for 23 weeks. Set by White-Lloyd, New York.

M. Whitney & Co., Albany department store, has taken over a half-hour musical clock daily, 26 weeks, over WGY, through Leighton Co., Albany. The program, May 1st time an Albany general store has sponsored a musical ticker on the Schenectady station.

PHILLIPS LORD EXPANDING SETUP

Phillips M. Lord enlarging his program producing unit and widening its scope. Intention is to build all sorts of shows, but together package programs including music and set scripts to stations around the country.

Departure is that Lord will not sell himself on the programs as he has chafed to do so when producing commercials, but will concentrate on running the radio station.

im is chiefly to produce layouts for agencies, but transcription service stations will be made available if a market can be found.

Start of outfit is to be enlarged, and for the first time Lord is launching program ideas submitted by outsiders. Formerly all the material was developed by Phillips-Lord organization, which at present totals 25.

Radio rights to the books of Kathleen Norris have been bought, and the novels are being whipped up into air script series.

PELLEGRINO TOURIST SHOW

"Pennsylvania on Parade," series plugging the state of Penn., will be reviewed by CBS in the summer, beginning the first week in June. Will originate at WCAU, Philly, with Bob Golden, etc. As before, the show will provide the comm-on. Keystone state sponsored a series last year over the same theme. As before, the show will provide the comm-on. Keystone state sponsored a series last year over the same theme. As before, the show will provide the comm-on.

MARINES ASK, GET RECRUITING PLUGS

Philadelphia, May 2. To the list of those who see time on Philly stations was added the U. S. Marine Corps during the agency week. Local recruiting office requested time to set advantages of joining Marine reserves and getting a couple weeks in this summer in addition to a nice, shiny uniform. Philly Army and Navy recruiting offices have long been users of "for free" time. Station managers agreed to give Marines plug, same as they have done for the other two service branches in the past.

RCA Subsid Shows Net

Radiomarine Corp. of America, subsid of RCA, showed net profit of \$145,000 for the first quarter this year as compared with initial three-month period in 1937. Net was \$145,000. RCA will be awarded from March 31st against \$50,722 in the first quarter last year.

Marine Corps will get \$22,350 as compared with \$20,399 for same month in 1937.

Better as Playwright?

Freddie Brokaw, the sales rep. has virtually given up his acting career with the Summit (N. J.) amateur theatrical group. Brokaw, once the Barrymore of the sales rep. has now turned writer.

His first opus is a burlesque on "Goodbye, Mr. Tom!" titled "So Long, Whatt?" which his erstwhile Summit colleagues will set out.

Arrow Shirts on CFCF

Montreal, V. Cluett, Peabody (Arrow Shirts) has taken the 7:15 to 7:30 spot Tuesday nights on CFCF for a period of 13 weeks.

Using "Hollywood Spotlights" transcriptions.

CAVALCADE 1900

A bird in a gilded cage. w. Arthur J. Lamb. Harry Von Tilzer, Shapiro, Bernstein & Von Tilzer, cop. 1900.

The blue and the gray, or, A Mother's gift to her country. w. m. Paul Dresser. Howley, Haviland & Co., cop. 1900.

The bridge at alpha. w. m. James Thornton. M. Witmark & Sons, cop. 1900.

Calling to her boy just once again. w. m. Paul Dresser. Howley, Haviland & Co., cop. 1900.

Cresce belle. w. George Sidney. m. J. Rodewalt Lampe, Jerome H. Remick & Co., cop. 1900 by The Lampe Music Co.

Every race has a flag but the coon. w. m. Will A. Heelan and J. Fred Helf. W. Stern & Co., cop. 1900.

The fatal rose of red. Helf and Ed. Gardenier. 1900.

For old time's sake. w. m. Charles Harris. Milwaukee: Chas. K. Harris, cop. 1900.

Good-bye, Dolly Gray. w. m. Barnes and Cobb. The Morse Music Co., cop. 1900; recog. 1900 by Howley, Haviland & Co.

I can't tell why I love you, but I do. w. Will D. Cobb. m. Gus Edwards. Howley, Haviland & Co., cop. 1900.

I'd still believe you true. w. m. Dresser. Howley, Haviland & Co., cop. 1900.

I've a longing in my heart for you, Leslie. w. m. Charles K. Harris. Milwaukee: Chas. K. Harris, cop. 1900.

Just because she made him goo-goo eyes. w. John Quebed and Hugh Cannon. Howley, Haviland & Co., cop. 1900.

Ma blushing' Rosie. w. Edgar Smith. m. John Stromberg. M. Witmark & Sons, cop. 1900.

The shade of the palm (Floradora). Owen Hall. m. Leslie Stuart (pseud. of Thomas A. Barrett). T. B. Harris and Francis, Day & Hunter, cop. 1900 by Francis, Day & Hunter.

Strike up the band—here comes a sailor. Andrew B. Sterling. m. Charles B. ard. Harry Von Tilzer Music Pub. Co., cop. 1900.

The tale of the kangaroo (The Burgomaster). w. Frank Pixley. m. Gustav Lunders. M. Witmark & Sons, cop. 1900.

Tell me pretty maiden (Floradora). Sextet. w. Owen Hall. m. Leslie Stuart (pseud. of Thomas A. Barrett). T. B. Harris and Francis, Day & Hunter, cop. 1900 by Francis, Day & Hunter.

Violeta. w. Julian Fane. m. Wright. G. Ricordi & Co., cop. 1900.

When the moon comes up behind de hill. w. m. Paul Dresser. Howley, Haviland & Co., cop. 1900.

When the harvest days are over, Jessie dear. w. Howard Graham. m. Harry Von Tilzer. Shapiro, Bernstein & Von Tilzer Co., cop. 1900.

The year's at the spring. w. Robert Browning. m. Mrs. H. H. A. Beach. Op. 44, no. 1. Boston: Arthur F. Schmidt, cop. 1900.

As the twentieth century dawned, the average American enjoyed his rocking chair, possibly a bath-tub, baseball, poker, early ragtime music, the bicycle, the catwalk, and usually worked 10 or more hours per day, six full days a week.

The American League was formed as a rival baseball organization to the National League with B. B. Johnson as president.

A big department in many of our houses was the one dispensing dream books, fortune telling paraphernalia, pal-reading rides, etc.

Virtually every woman in the land wore a shirt-waist with a high collar (often propped up via boned structure), tucked in her waist as tightly as possible, had a full, trailing skirt and pointed shoes.

The American male donned clothed, button shoes, high collars, stiff cuffs, stuck a couple of studs into his shirt bosom, and a derby on his head. Usually he had a bow tie, and most likely fleece-lined underwear. Coats had padded shoulders.

A fire at the Hoboken, N. J., docks destroyed \$10,000,000 worth of property and 143 lives. In Galveston, Tex., a tornado snuffed out 6,000 lives.

Leslie E. Keecley, propounder of the widely advertised "Keecley cure" for liquor addicts, died.

The automobile now had enough enthusiastic boosters to warrant a total production of 4,132 cars in this year, valued at \$4,899,442. But the nation had less than 10 miles of paved highway.

The total population of the country was 75,994,575, and the center of population was 6 miles southeast of Columbus, Ind.

In China the Boxer rebellion took place, a curious result of which was that the Chow dog became popular in the U. S.

Popular plays were "The House That Jack Built," "Que Vadis," and "When Knighthood Was in Flower." "Floradora" opened at the Casino, N. Y., and the Floradora sextet was a great favorite.

Announcing a Scoop!

In accordance with the increasing use of musical Vol. II of the VARIETY RADIO DIRECTORY will present the industry with this unparalleled piece of research work:

A panorama of American music, year by year, from Colonial times to the present.

Together with the musical record—which, by the way, is the first compilation of its type—will go cavalcade of Americana, thus making it possible to link historical events with music by the flip of a page.

Compiler of this vast musical storehouse is Julius Mattfeld, director of the Music Library for the Columbia Broadcasting System, author of "Folk Music of the Western Hemisphere" and "One Hundred Years of Grand Opera in New York," a contributor to the "Encyclopedia Britannica," and associate American editor of "Hull's Dictionary of Modern Music and Musici." The compilation runs to upwards of 100 pages of text, covers thousands of titles, and is the product of years of research and checking.

When did "Rock of Ages" first appear? "From Greenland's Icy Mountain" Who added the flush to poker? When? When was coal first used in stoves? Who started vaudeville? For information of this type—all-important in modern programming and production—Vol. II of the VARIETY RADIO DIRECTORY will give complete, handy, accurate answers.

It is suggested that an immediate order will insure an immediate delivery after the date of publication. The price, as in the past year, is \$5 the copy, postage prepaid (but duty not prepaid in foreign nations).

VARIETY RADIO DIRECTORY
154 West 48th Street, New York

Please send \$5 per copy postage prepaid; duty not prepaid in foreign countries. Enclosed find \$.....
Name..... Address..... City..... State.....
Firm Name.....

MUSIC FOR NEWS FLASH MOOD

Philadelphia, May 3.

WDAS, which recently got INS wires experimenting with musical background for its news broadcasts. Gene Edwards, gabber, who produces the programs, selects different ET for backing each type of news. Serious news takes solemn music; humorous news, novelty music, etc.

Takes considerable scurrying around to get proper disc when news comes in only 15 minutes before air time.

GEN. MILLS SPONSORS JACK WALDRON AMS

General Mills (Wheaties) assumes sponsorship of the weekly amateur program on WHN, N. Y., with Friday (6) broadcast. Oxydol faded its bankroll last week. Blackett-Sample-Hummert is the agency on both accounts.

Show, m.c'd by Jack Waldron, is lured from stages of different Low theatres around N. Y.'s metropolitan area.

Tums on Texas Group

Texas Quality Group will have Tums (Lewis-Howe Co., of St. Louis) bankrolling the 'Rural Mail' program, 15 minutes, starting May 6. Replaces transcription and is tagged for 13 weeks.

H. W. Kantor & Sons, Chicago, is the agency.

Hal James Joins Compton

Hal James has joined the Compton agency in New York as a production exec in the radio department. Formerly with the Chicago office of J. Wal r Thompson.

Kostelanetz Fades June 22; Will Visit South America

Chesterfield series with Andre Kostelanetz fades from CBS June 22. Kostelanetz leaves immediately afterwards for a flying tour of South America. He will do several invitational broadcasts over stations in Brazil, Argentina and Chile.

WKRC Airs Until 2 A. M.

Cincinnati, May 3.

For a new two-hour program of recorded dance music, starting nightly at midnight, WKRC has extended its broadcasting time to 2 a. m. Listeners hear telephone conversation between Maynard Craig, announcer who handles the turntable, and persons making requests for selections.

Another program added to the station's regular schedule by William A. Schult, Jr., manager, is a quarter-hour slams at 6:15 p. m. on which complete baseball scores and late news flashes are heard.

WKRC will do a pick-up from Louisville on the eve of the Kentucky Derby for the Professor Quiz show.

WWL Stays with Katz

WWL, New Orleans, has re-allied itself with the station rep division of the E. Katz agency.

Station had worked out an arrangement with International Radio Sales but later decided to go along with the Katz organization.

Lanny Grey's NBC Spot

Lanny Grey rides a musical sustainer on NBC blue opening May 12 at 8:30 p. m. Show will be tagged 'Rhythm School of the Air' and will have a cast of 10 people besides Grey.

It opposes Rudy Vallee and Kate Smith's shows. Set by NBC Artists Bureau.

Firestone's Transcriptions

Firestone Tire is having World Broadcasting stencil its series of 15-minute musical transcriptions.

It's a dealer-manufacturer arrangement.

Was Sponsor Tuned In?

Buffalo, ay 3.

Sig Smith, broadcasting an account of wrestling exhibitions here, cut in with his sponsor's plug, 'You can't beat the creamy tang of a true Canadian ale.'

Immediately in the background came a chorus of 'Boo! Boo!'

Customers were denouncing a wrestler, but on the air it sounded like a slam at the product.

'Planning to Use Radio' Prestige Gag Is Rapped

Washington, ay 3.

It's as bad to claim to use radio and then fail to do it as it is to broadcast misleading propaganda, in the eyes of the Federal Trade Commission.

Complaint against Ray Thompson and Glenn Brown of Olney, Ill.—who trade as T. A. Reynolds & Co. and Jean Love Cosmetic Co.—said they recruit canvassers with the spurious explanation they will launch on a comprehensive radio advertising campaign. Commish said the claim is false; the enterprising skin food distributors do not buy time to pump sales patter into listeners' homes.

Just a Rumor

Hollywood, May 3.

Reported here, B. B. D. & O. is interested in 'Our Gang' for General Baking sponsorship. Arthur Pryor, Jr., supposed to come West for auditions.

It's news to Arthur Pryor.

Stations Pretty Careful to Rebate Right Amount for Occasional Flivs On Adv. Copy or Entertainment

Chicago, May 3.

Lost to advertisers by the failure of stations to get programs or commercials on the air is practically negligible. It has been established by actual surveys and check-up campaigns conducted by several top agencies in this town.

One agency spent \$18,000 last year in having individual checkers listen in on each broadcast throughout the country, and to inform the agency when the show went on air, if any of the commercial was dropped, if any part of the show failed to broadcast, etc. Of that \$18,000 the agency received \$621 in returns from stations for failure to broadcast a program or announcement according to specifications. That \$621 refers specifically to broadcast failures which were not reported to the agency by the station. The agency received considerably more than \$621 in credits and rebates for broadcast failure, but in all the other instances the stations immediately informed the agency that the broadcast didn't go off according to copy and made immediate adjustment.

While the agencies have nothing but the stations' affidavits of broadcasts, which could be perjured easily if the station manager wanted to adopt such tactics, the agencies have found that only in an extremely small percentage of the time does a station try to hide away and bluff out a broadcast error.

Especially is this true in the case of the large agencies and advertisers that place a great deal of radio time. Rather than risk any chance that might put their station on the black list with these agencies and sponsors the transmitters lean backward in being strictly according to contract specifications as to broadcast errors.

While most stations and advertisers

have set up a contract clause which calls for a pro rata credit or, rebate for commercial muffs on a show, there are a couple of advertisers which demand a full credit for time if any part of a commercial is blooped. In a 15-minute show, with a commercial at beginning and end, the majority of stations and advertisers work on a 50% rebate if one of the commercials is omitted. Several advertisers, however, insist on a full credit if the first commercial is killed, claiming that the main strength of the program's selling lies in the lead-off plug.

NBC'S BY-PRODUCT IN DEMAND—CUFFO

NBC may have to order another printing of its Time Finder, the device for showing relative time in cities throughout the country during daylight savings. Network's original order for the gadgets was 10,000, but the mailout and call for extras has almost exhausted the supply.

Railroad presidents have written for extra batches, while CBS and Mutual want a gadget each for their sales.

Ray Wilson to WLW

Chicago, May 3.

Ray Wilson, who has been with the Columbia-WBBM production staff for the past several months, goes to Cincinnati next week to join WLW production line-up.

Will work for Owen Vinsion.

George H. Field is handling mi west sales for Charles Michelson's transcription firm.

The greatest
city* of single-family homes
in America prefers

WCHU
50,000 WATTS • PHILADELPHIA

*Philadelphia has 364,457
New York has 294,037
Los Angeles has 282,382
Chicago has 209,685

LICENSE, CENSORSHIP, BARE BONES IDEAS OF F.C.C. DRAW SARNOFF ARTILLERY

Speaks Out in Strong Terms Against Exercise of Authority Not Granted by Law—Speech Broadcast from Town Hall Democracy Luncheon in N.Y.

David Sarnoff, president of Radio Corporation of America, in a speech at the Town Hall luncheon, broadcast from the Hotel Astor, N. Y., last Thursday (26) devoted a major portion of his talk to a bold, forthright, uncompromising challenge of present tendencies of the Federal Commission to extend its authority beyond the limits set by law or desirable in the light of democracy. Democracy was the general speech theme of the luncheon (Charles Davila, Annie O'Hare McCormick, Dorothy Thompson, I. A. Hirschmann and A. E. Wigan also spoke).

Sarnoff's talk is probably the most explicit challenge of the F. C. C.'s methods and authority ever made by a responsible personage of the broadcasting industry. Portions relating to regulation follow:

Whatever controls over broadcasting are necessary at the present

Riding Toscani

NBC is plugging hard its connection with Arturo Toscani. Has issued three different sales promotional brochures recently on theme.

Item was given plenty of mention by Sarnoff and other speakers at last week's Town Hall luncheon, also.

It is important that they should be kept as flexible, as free from rigidity, as the art itself. Otherwise there is danger of tying the future usefulness of radio in a straitjacket. We should not try to regulate something as yet unborn, and we should not freeze and expanding art in any rigid code.

If wavelengths were now available for an unlimited number of

broadcasters, there would be no more need for special government regulation over broadcasting than over the printing of newspapers.

It is the allocation of station frequencies, which for the moment are limited in number, that creates a difficult task for the Federal Communications Commission. The Commission deserves great credit for having helped broadcasters to make the present American system of Broadcasting what its name says it is something that is both systematic and American.

Double Jeopardy

The law empowers the Commission to license broadcasting stations for periods not exceeding three years. In practice, however, the Commission grants licenses for only six months, on the theory that it is easier to reject an application for renewal than, for any reason, to cancel an unexpired license. When its license comes up for renewal, if the station has operated with technical efficiency, and if, in the opinion of the Commission, it has served the public interest, convenience and necessity, it gets another six month's lease of life. Twice a year, there-

Sarnoff's Bill of Particulars

(In capsule)

1. Regulation must not choke growth of a still-new industry.
2. Regulation is only necessary because frequencies are limited at present.
3. Six months license encourages inactivity specifically forbidden by law.
4. Assumption of F.C.C. that station profits are in the public interest is not good.

Government ownership of radio is an instrumentality of autocracy, privately owned radio in the United States is a free system because this is a free country.

fore, the substantial investment which the license has placed in his business is placed in jeopardy.

The broadcasting controls established by law are intended primarily to regulate physical facilities, not programs. The law specifically withholds from the Commission the power of program censorship. Section 326 of the Radio Law of 1924 states:

Nothing in this act shall be understood or construed to give the Commission the power of censorship over radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the Commission which shall interfere with the right of free speech by means of radio communication.

While direct Government censorship over radio programs is thus forbidden by law, the terms of the Government licenses leave the door open for an indirect—and more insidious censorship. Any attempt to impose the ordinary "blue-pencil" censorship is little to be feared, because, being a conspicuous violation of the right of free speech, it would arouse a storm of public protest. But what is not conspicuous—and is therefore dangerous—is the effect on the mind of the broadcaster resulting from attitudes that may be taken by the government toward stations, on matters outside the regulation of facilities.

Fear of disapproval can blue-pencil a dozen programs for every one that an official censor might object to. While practically nobody advocates a pre-program discipline in the hands of government, we realize that post-program discipline by the government can be a form of censorship that is all the more severe because it is undefined.

Profits

Another aspect of government supervision over broadcasting which is in effect a form of censorship is the attitude in some quarters of the government toward the profits earned by broadcasters.

The grant of broadcasting licenses is only one of the many responsibilities of the Federal Communications Commission. It has supervision over all forms of wire and radio communication. In the field of two-way telephone and telegraph communication, control over rates is one of its most important functions. Here questions of investment value and profits are material.

But broadcasting is a one-way, not a two-way medium. It is not a common carrier which the public hires to perform a fixed service. It is a medium of artistic and intellectual expression, free to the listening public. Its financial structure does not impinge upon the public interest, convenience and necessity.

While stations and networks represent substantial investments, broadcasting is essentially a personal service business. The earnings of stations cannot be judged on the basis of their investment any more than those of a lawyer, doctor, theatrical producer or publisher. Income results, not from studios and transmitters, but from programs.

It is a strange assumption that the less money a broadcasting company makes, the better the public will be served. This attitude is contrary to all sound business principles and experience. In what way is it conceivable that the public will be given better programs if the broadcaster is deprived of both the incentive and the means to improve his facilities and service?

Adequate profits mean the continuance of private investment and increased enterprise. Losses mean poorer programs, and, when private resources fail, government ownership. If government regulation of the economics of broadcasting results in a no-profit industry, investors may prefer to exchange their broadcasting facilities for government securities,

Then we shall have government ownership and 100 percent control of broadcasting. Any further discussion of censorship would then be purely academic. We would have broadcasting of the government, by the government, and for the government.

We have but to look to the autocracies of Europe to see what such governmental control of broadcasting may mean.

American System
Our American system of broadcasting is what it is because it operates in the American democracy. It is a free system because this is a free country. It is privately owned because private ownership is one of our national doctrines. It is privately supported, through commercial sponsorship of a portion of its program hours, and at no cost to the listener, because ours is a free economic system. No special laws had to be passed to bring these things about. They were already implicit in the American system, ready and waiting for broadcasting when it came.

Broadcasting did not take on the American system. The American system took on broadcasting.

In recent years we have witnessed a steady enlargement of the economic power of federal government. That very enlargement has put upon the defenders of democracy the need for greater vigilance. That is where radio and the press assume a new importance. In the Executive branch, that have been lost to democracy.

(Continued on page 42)

MORE POWER



CLEVELAND'S FRIENDLY STATION

Member Columbia Basic Network

in the WKY area

foretold by CROP REPORTS

* April crop reports indicate Oklahoma's best wheat crop since 1931 and the third largest of record. Ample winter and spring moisture in driving the cotton and corn farmers. Their best prospects in seven years... and soil conservation checks in 1938 will reach a total of \$18,000,000 by June 30, to bridge the gap 'til harvest time.

WKY offers the one sure-fire Oklahoma win into the most homes of Oklahoma farmers. It covers more of Oklahoma's agricultural sections and influences a greater buying power in the state than any other station.

WKY
Oklahoma City

ARE MORE F.C.C. SYMPATHY

N.A.B. LEADERS TO CALL ON F.C.C.

ing Feeling That Govern-
ment and Industry
Should Not Be So Much
Teacher-and-Pupil

WORRIED

Washington, May 3.
Growing conviction that coopera-
tion between the broadcasting in-
dustry and the Government should be
a bilateral, not one-way, proposition
was voiced Saturday (30) by Na-
tional Association of Broadcasters
directorate and will be conveyed to
the Federal Communications Com-
mission by a delegation of peeved
station executives this week.

Widespread concern about con-
tinuous expansion of regulatory ac-
tivities was reflected by members of
the board in the first sign of industry
rebellion against the Federal authori-
ties. Substantial faction of business
leaders have their backs up and will
put up a fight to prevent imposition
of more red tape.

Seeing little sign that the FCC is
willing to play ball despite the pious
promises of Chairman Frank R. Mc-
Ninch two months ago, the direc-
torate authorized a six-man commit-
tee to wait on the airwave po-
licemen and take up several specific
complaints about regulatory proce-
dure. Committee seeks a conference
with McNinch later this week.

Resolution deploring certain cur-
rent habits of the FCC was the fuse
which touched off a lively discussion
but the whereas finally was pigeon-
holed in favor of direct face-to-face
appeal for more consideration on the
part of the Commission.

Squawks will be poured into Mc-
Ninch's ears by Mark Ehrbridge, tem-
porary president of the trade body
who will be backed up by H. C.
Wilder of WSYR, Syracuse; John
Shepard, III of WMAZ, Boston; Ed-
ward A. Allen of WLVA, Lynchburg,
Va.; John Kennedy of WCHS,
Charleston, W. Va.; and John Elmer
of WCBM, Baltimore.

Four major headaches are on the
agenda for the industry-Commission
confab, at which the broadcasters in-
tend to try and find out whether
the radio business is to receive step-
child treatment indefinitely. Topics
are:

1. Lengthening the license term, so
the entire business can have more
stability.

2. Handling of complaints, with
abolition of the temporary and con-
ditional franchises which currently
have a big proportion of the industry
on the anxious seat.

3. Better scheduling of the forth-
coming series of hearings on new
rules and regulations, for the pur-
pose of affording adequate time in
which to study the proposed de-
crees and prepare comments.

4. Flock of questionnaires and de-
mands for raft of data which often
must be submitted on short notice.

Fifty Burned Up

Loud yelps were heard when the
discussion swerved to the question of
calling stations on the carpet because
of possible law or rule violations.
John Shepard's two Boston
transmitters on short-term basis and
some of the other directors irked by
similar treatment dished out in the
past, the bulk of the directorate
blew off steam in sensational fash-
ion. Few conservatives agreed the
Commission way of handling listener

complaints is bad, but adhered to the
traditional theory that the industry
ought to be careful about antagoniz-
ing the government. Answer was
that this sort of caution over a pe-
riod of years has not an particu-
larly beneficial to the industry and
that a show-down must occur some-
time before the federal authorities
are dictating many details of station
operation.

General view was that the FCC
is supposed to lay down technical
standards and police the airwaves to
prevent ruinous interference, but has
no concern about station bookkeep-
ing, employment, and other unrelat-
ed phases of the busi-ess.

Changed procedure of the Com-
mission in handling complaints will be
sought by the NAB delegation. Since
the existing law provides a definite

LaGuardia's Idea

St. Louis, May 3.
Facing a battery of radio op-
mikes while here last week
Mayor LaGuardia of New York
City pointed to the voice picket-
ers and cracked:
"Those things have ruined
more statesmen than liquor."

method for dealing with transgres-
sors, the FCC on't to lengthen the
license term and stop outgunning
station owners into uncertainty
whenever the urge to purge comes
on, group will argue. Suggestion will
be to resort to the revocation method
of spanking bad boys rather than
give a black eye to numerous op-

erators who later are given clean
bills of health.

The Quiz Biz

The questionnaire problem is
getting to be serious from the in-
dustry standpoint, boardies agreed.
Citing the several quiz blanks sent
out in recent weeks—covering pro-
grams, employment, network rela-
tions, financial matters—members
joked that the Commission employs
terms which have no standard
meaning in the business, do not
phrase their inquiries clearly, want
data which many broadcasters do
not record, and often want answers
in too much of a hurry.

Postponement of the June hear-
ings on new general regulations will
be sought despite indications the
Commission is disposed to highball
proceedings. Delay in making pub-

lic the proposed new rules—they
still have not been released except
to a favored few who have inside
track into certain quarters of the
FCC—makes it next to impossible
to give thorough study and then pre-
pare cases, boardies opined. With
the formal notice of intent to appear
due next week, many operators will
not have a chance to decide whether
they want to present evidence or
arguments.

Shinola for the Summer

Shinola is reading a summer na-
tional spot campaign for its white
shoe polish. Station list now being
drawn up, with the reps making
presentations.

Batten, Barton,
born is the agency.

A radi station,



just like a newspaper,



is as good as the quality of its service For example, WLW

news reports are attentively followed because both **UP** and **INS**

leased wires are edited for radio broadcasting by a staff of six news

writers  under the direction of a department head with

thirty years newspaper experience and four years of editing radi

news Our dramatic organizati  of sixteen,

full-time staff artists has been hand-picked by a director qualified

by a background of twenty-two years in the theatre and eight years

in radi The musical department,  with its

fifty-three members, owes much of its success to the many years

of experience of its directors  in radio, theatre and

moving pictures The eighteen WLW vocalists are greater

artists because of the vocal director's background in this specialized

work . This high type of service based on experience is, we

think, a large part of the story of **WLW** the Nation's Stati

In Baltimore, it's



ON THE NBC RED NETWORK
NATIONAL REPRESENTATIVES
EDWARD PETRY & CO

WLW, WHO Only Super-Power Cases Now Set for Hearing; Opinion-Getting Rally June 6

Washington, May 3. Indefinite shelving of all but two of the super-power applications and broadening of the scheduled wattage rule hearings was formally ordered by the Federal Communications Commission last week.

General discussion of all proposed allocation, engineering, and operating rules was fixed for June 6, with the previously-planned May 16 session to get views on power limitations called off. An exclusively forecast in VARIETY last week, Commish agreed to ponder lifting the present 50 kw lid on cleared-channel plants before weighing the more than a dozen pending pleas for additional juice.

Instead of forcing the industry to make repeated trips to Washington, the Commish authorized the three-man panel of Commissioners Norman S. Case, T. A. M. Craven, and George Henry Payne to find out at one time how licensees feel about all proposed revisions of present regulations. Before the session takes place, suggested alterations will be made public so the ticket-holders can prepare to make specific suggestions.

The June 6 session will cover such matters as power limitations for all types of transmitters, mileage separation requirements, frequencies for various classes of service, and technical standards. Expected that WLW, Cincinnati, the only existing super-power plant, will come in with first-hand data which can be used in deciding whether to lift the lid on clear-channelites' wattage.

Postponement petitions of the clear-channel group were granted with no date set for hearings on the requests for permission to use 500 kw, but the WLW and WHO, Des Moines, applications for renewal and new experimental tickets, respectively, were carried for hearing immediately after the general gabfest. In announcing the program, the FCC said the action "is intended to conserve expense and time on the part of both applicants and other participants interested in the question of powers in excess of 50 kw as well as to facilitate progress in the industry as a whole." Added that most all broadcasters are interested in the super-power proposition and that many economic questions are related to both the matter of juice limitations and general regulations. Consolidation of the sessions will obviate unnecessary effort on the part of all concerned.

A.F.L. to Use Its WCFL, Chicago, To Attack C.I.O.

Washington, May 3. Radio becomes the chief vehicle with which the American Federation of Labor will carry its war into the home territory of the rival Committee for Industrial Organization. Commercial broadcasters may find themselves caught in the middle.

Intensive airwave crusade to recruit members for newly-chartered Progressive Miners of America was plotted by the A.F. of L. last week following decision to challenge John L. Lewis and the United Mine Workers of America. Old-line group will rely on WCFL, Chicago, to reach potential members and undercut the crowd which broke away from the parent organization three years ago.

Withycomb's Protest

Philadelphia, May 3. Protest against WJZ's request to FCC for a juice-jump to 500,000 watts will be flung by WFIL, Don Withycomb, gm, declared this week. He said his complaint was based on lack of economic basis for such an increase by the NBC blue fountain-head.

WFIL is blue outlet here.

N. W. Mutual Execs Meet

Seattle, May 3. Northwest Mutual net execs held session at Tacoma, Saturday. Elmer Pederson and Archie Taft, KOL, Seattle, Louis Wasmer, Spokane, Car' Haymond, Tacoma and Charles Myers, Portland, in attendance.

Low Weiss of Don Lee also present. .

SHOW HAS MANY ACTS

Lots of Combinations Participate In WNEW's Late Evening Show

"Ten to Twelve," new two-hour musical program on WNEW, N. Y., uses seven different musical units including Merle Pitt's orchestra besides the Buccaneers male quartet. Show goes on at 10 o'clock each weekday night with Alan Kent as m.c.

There is a Dixieland band, rumba combo, a swing quartet, gypsy string trio, hillbilly act and an Irish orchestra.

Al Barrie's stock company of five people takes up six minutes of each broadcast. Harriett Hall and Jack Benson are soloists. Richard Brooks organizes at KMOX and would like to do his stint every day at 1:30 p.m. while sitting on the case.

Judge extended the usual one hour luncheon recess 15 minutes and this gave Cliffer an opportunity to m.c. the show, grab a sandwich and get back to court on the dot.

WDAS' 3d Press Swap

Philadelphia, May 3. WDAS has set its third daily here for time-space swap deal. Latest is

Doubling

St. Louis, May 3. When Maurice Cliffer, KMOX gabber was selected for jury service in Circuit Judge Ernest F. Oakley's court last week, he told the judge he was m.c. of the "All Hands On Deck," a coast-to-coast CBS program originating at KMOX and would like to do his stint every day at 1:30 p.m. while sitting on the case.

Judge extended the usual one hour luncheon recess 15 minutes and this gave Cliffer an opportunity to m.c. the show, grab a sandwich and get back to court on the dot.

Daily News. In return for 90 lines a day, sheet is getting 15-minute man on the street show and a 15-minute musical program.

Other trade deals are with Ledger and Record.

ALL OKLAHOMA WEB LINKS NOW FULL-TIME

Ada, Okla., May 3. With granting of unlimited authority to KADA by FCC Thursday (26) all stations on the Oklahoma Network are now full time stations.

KADA takes full time May (7) on 100 watts at 1200 kilocycles. It is also an affiliate of Mutual. C. C. Morris is owner and John M. Whitney is manager.

Bill Griskey now in charge of dramatic programs at WLEU, Erie, Pa. Formerly with WRAC, Williamsport, Pa.

'WORKSHOP' IN THE

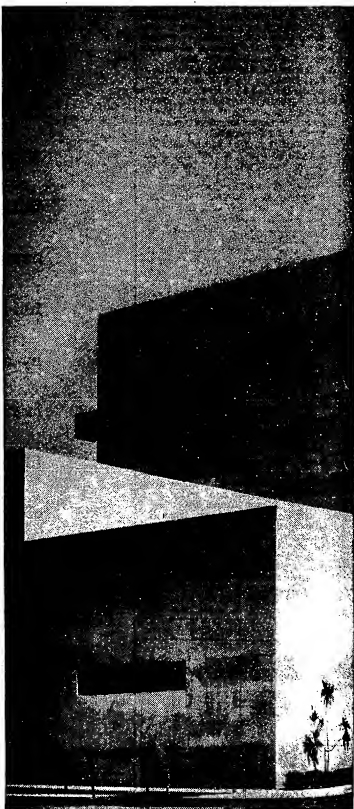
*... for the people who plan
and produce the Hollywood
broadcasts of the world's largest
radio network ...*

THE Southern California activities of the
Columbia Broadcasting System will center

in this magnificent new group of buildings,
at Columbia Square, Hollywood.

Here, the experience and inspirations of
program-producers, engineers and architects
have been fused into the most efficient
"workshop" in radio: a new headquarters
for the production and servicing of network
and local programs.

KNX 50,000 WATTS
Columbia Broadcasting System
COLUMBIA SQUARE, HOLLYWOOD



PROPOSED F.C.C. RULES

TENNESSEE'S CROP SALUTES

Memphis, May 3. Towns hereabouts are setting annual festivals. Cheese carnival and livestock show was held last week-end at Collierville, with the Buckeye carnival on the midway and the

Jewel Cowboys, hillbillies fed CBS weekly by WREC here, an attraction.

Forest City, Ark., has rescheduled its Peach Festival this spring after last year's was scared away by an infantile paralysis epidemic. Other festivals set are Watervally (Miss.) Watermelon Feast, Humbolt (Tenn.) Strawberry Festival, Clarkdale (Miss.) Cotton Carnival, Newport (Ark.) Bridge Celebration.

Biggest event in this region will be Memphis Cotton Carnival, May 10-14. Both CBS and NBC will air some of the events.

STAFF VACATIONS WAIT ON WGY PARTY

Schenectady, N. Y., May 3. Date for opening of WGY's new five-studio building is July 8. Vacations for staffers delayed until July 18, in order to insure presence of a full crew for moving job. Manager Kolin D. Hager will hie away with first contingent.

Structure could be dedicated earlier, if it were possible to bring NBC execs to Schenectady over Fourth of

July week-end. As is, audience studio will be used before formal debut, the Secony-Vacuum half hour musical being scheduled for a shift to it.

Hi-Boys Join WTIC

Schenectady, May 3. Hi-Boys (Max Raney and Doye O'Dell) with their Radio Rangers have closed a two-year engagement and after a fortnight of personal appearing in that section, will go to WTIC, Hartford. Originally came to WGY with Doc Schneider's Texans.

POWER LIMITS, CLEAR CHANNELS

Would Create Six Station Classifications — 'Stricter Standards of Public Interest'—Regulate Future Grants — Add Stiff Requirements — No Sponsored Experimentals

92 CHANNELS

Washington, May 3.

Proposed new rules and regulations for discussion at June hearings before the Federal Communications Commission were released today (3) for information of all broadcasters planning to argue suggested changes in present F. C. C. policies. Conforming with recommendations of Commissioner T. A. M. Craven, proposed revisions create six categories of stations, change power limitations and provide reduction in clear channels for high power operation. Aside from technical matters, chief significance of the engineers' recommendations lies in proposed stricter standards of public interest, looser conditions on rebroadcasting and tighter control over experimental operation. Instead of 59 clear, regional and local channels allocation plan is broadened to cover 92 frequencies for use of transmitters in six power groups.

There would be 44 instead of 40 cleared ribbons, but only 25 of them earmarked for interference-free operation of 50 kw plants.

Class 1B stations, using 10 to 50 kw would have 19 channels, while Class 2 stations, using 250 watts to 50 kw to render secondary stations could be assigned to either group of frequencies. Class 3A stations, using 1 to 5 kw, and Class 3B stations using 500 watts or 1 kw night, and 5 kw day would have 42 channels. Six frequencies for locals, which could have 250 watts.

Rules do not contemplate horizontal power boosts for regionals or locals but open the way for commish to grant juice jumps where interference will not injure service.

Four channels formerly reserved for high-powered regionals—1460, 1470, 1480 and 1490 kc—added to clear channel group and two new ribbons—1530 and 1550 kc—are opened up for regular regional use.

Definite standards upon which grants will be based in future are suggested. Either new transmitter or better facilities can be authorized only after satisfactory showing that proposed programs will provide meritorious service, including cultural programs; potential interference will be outweighed by need for service; that adequate commercial support is available to finance plant dependent upon sale of time; that applicant for local station is a person either residing in or acquainted with needs of community. Other usual tests of legal fitness, engineering qualifications and public interest will be applied.

On the question of experimental authorization, the new rules say that no licensee allowed additional hours of operation can transmit any commercial or sponsored program or make any commercial announcement during such extra time. In case of other experimental grants—different frequency or higher power—rules cannot be boosted. Latter provision would hit WLW, which upped tariffs when allowed to operate with 300 kw.

Instead of getting advance authority to rebroadcast, the new rules allow licensees to pick up program of any standard broadcast station, if originating transmitter gives consent, provided commish is notified within three days.

Harry Burger, formerly sen. director on WJR, Detroit, contact on WLW-WSAI, C.

WEST



F.C.C. May Be Influenced By Supreme Court Livestock Decision

Washington, May 3. Another possible revolutionary change in Federal Communications Commission procedure, at least in certain types of cases, appears possible as the consequence of a recent U. S. Supreme Court decision which has upset the machinery of several governmental agencies and quasi-judicial bodies.

Uncertainty about the attitude the highest tribunal may take in future controversies was reflected by FCC attorneys this week following discussion of the opinion reversing a ratemaking order by Secretary of Agriculture Wallace in a livestock marketing case. The Labor Relations Board also is greatly troubled by the court's attitude, which was critical of ex parte proceedings by government outlets.

The upsetting Supreme Court decision was to the effect that a "full and fair" hearing for all interested parties is required by the judicial officers and agencies to move slowly and not take arbitrary action in administering laws where they have a broad power to legislate and umpire controversies. In criticizing Wallace for not letting Kansas City livestock men examine his findings, the majority, through Chief Justice Hughes, said parties contesting with the government are entitled to be fairly advised about developments.

Court's remark that "proper standards" of fair play must be maintained was construed in some quarters as potentially barring certain types of FCC decisions. Notably in those "on banc" cases where no proposed findings are made public and oral argument is dispensed with, likewise in instances where the Commission, without any hearing, takes various actions.

"The right to a hearing embraces not only the right to present evidence but also a reasonable opportunity to know the claims of the opposing party and to meet them," Chief Justice Hughes said in rebuk-

ing the Agriculture Department. The right to submit argument implies that opportunity; otherwise the right may be but a barren one."

While some broadcast matters might be affected, the court interpretation is more likely to concern the FCC in telephone and telegraph cases, particularly in rate proceedings, it is felt. Might have a bearing, though, on adoption of rules and regulations, requiring the Commission to hold a hearing in every instance where rule changes are considered.

In such cases as grant or denial of construction permits, higher power, or frequency changes, the court ruling is regarded as of relatively little importance. Because the FCC rules of procedure allow aggrieved parties to file a protest in most cases of action without hearings and petitions for reconsideration are permissible.

Fitch Renews Belcher

Fitch (shampoo) has decided not to take the half-hour program account auditioned last week, and has renewed Jerry Belcher's fifteen-voice-popper over NBC for another 13 weeks. Show, which Marschalk & Pratt agency auditioned for its client at NBC, was a variety layout including: Ian Maxwell, Mary Small, Alan Kent and Will Osborn's orch.

Marschalk & Pratt has notified Mr. Lewis, who produced the auditioned program, that it is now trying to interest another of its clients in bankrolling the show.

Paul Sullivan's N. Y. Discs Cincinnati, May 3.

Paul Sullivan, WLV news commentator, is in New York this week to make the first of a series of 26 travel recordings for Sohio gas, handled through the McCann Erickson agency.

That end Sullivan pipes his twice-nightly 15-minute programs on WLV.

Pacific Coast Notes

Tony Labriola (Ken Murray's Oswald) bankrolling Oswald's Oh-Yeh Colonial Beauty Salon on Frank Wishnir boulevard in Los Angeles.

Tiny Ruffner killed a 'Big Town' script due to possible objections from medical profession.

John Barrymore will pass a bit of persiflage with Al Jolson and Parys Akkas on May 10 Lifebuoy Jark.

Harry Mailath, KFWB top producer, an ex-network 'airing' of station's 'Grouch Club'.

KMYR (Hollywood) spotting a 'Do You Want to Be an Announcer' turn.

Mickey Mouse program for Pepsiad taking brief summer respite after May 15 broadcast.

Bohemian Club doings in risto attracted Harrison Highway, Syd Dixon and Walter Brucker, Jr., from L. A.

Jimmy Starr, Hearst picture columnist in L. A., waxing 'Behind the Scenery' in a radio substitute for 'Waller Winchell or for new P. Lorillard cigger.

Ed Lowry renewed for another 13 weeks by Fox-West Coast theatre.

Meredith Willson, 'Good News' music director, being hired for Good Housekeeping by his sis, Dixie Willson.

KHS (Los Angeles) trying out new 'radio' for each week, hit on a happy choice for its music chair.

Clarence Tallman looking down on Tiny Ruffner. He stands six feet, six inches.

Bob Garrett, Alim commentator, who was first of talkers to have his card taken up by the Hays office, has asked to be reinstated on promise of being good.

Frank Fry took over the baton from Phil Ohman on the Edward G. Robinson 'Big Town' series.

Rene Cesana heads the new radio department of the James Houlahan agency in San Francisco. Formerly advertising manager for the Roma Wine Co.

King Harris now with Erwin Wasyng, San Francisco. Formerly with J. Sterling Getchell, New York.

Newlyweds Joe Walters and his bride, the former Mary Ellen Herrick, Montgomery's new home, so that Walters, a sixteen at KFSO, San Francisco, could be in town for the annual announcer contest being conducted by the Sidney Garfinkel agency. Walters wound up in second place last year.

R. A. Stuart of Melbourne, Australia, seeking radio scripts in San Francisco to take home to station 3KY.

Mel Johnson of KLS, Berkeley, shifted to announcers staff at KDON, Monterey, Cal.

Bob Oakley, former production manager of KROY, Sacramento, is now northern California sales rep for R. U. McIntosh transcription of Los Angeles.

Bill Brakow, 'Midnight Vagabond' of KROW, Oakland, Cal., will emcee the Oakland Post-Enquirer's Modern Home Exposition starting May 14.

Florence Montgomery p. a. tions for Izard agency, Seattle.

Bill Warren, production head of KOMO-KJR, Seattle, has new helpers, Pete Lyman and Bill Gavin.

Eddie Cantor's troupe due back on the Coast for May 16 broadcast.

Bud Rutherford back at the old KMOX (Los Angeles) publicity stand.

Amos 'n' Andy chased back to L. A. by the Palm Springs heat.

John Swallow and his NBC aides the Hollywood studio holding star chamber coaches on submitted scripts.

Ted Fie Rite offering cash prizes for dilly titles on his KHF-Mutual airing.

'Marines Tell It to You' renewed for another 26 weeks on KHF (Los Angeles).

Press Agent Codes His Chores

Philadelphia, May 3. Confidential to Varsity and the radio biz—decoding of calendar for Murray Arnold, WIP p. a. Get kudos for hezira. (Procedure requisition for expenses for New York trip.)

Cheek Smith exodus. (Ind out about rumor Smith is leaving staff.) Mug Jones. (Have pic taken of Jones for new release.)

Stream Chandler late. (Rewrite release on Chandler, leaving out exodus.)

Great sheets. (Today's the day to visit newspapers.) New Hammers for vendors. (Write new program presentations for Annies for Pins. (Pick up tickets for 'Bench seat. (Cabinet meeting.)

Beat Brown. (Phone Brown.) Tickets for slaughter. (Get tickets for wrestling show tonight.)

Tied-fest, Miss Fitz. (Lunch with long-winded guy. Remind secretary (L) aspirator) to call on phoner after half-hour.)

Philadelphia, May 3. Entire crew at WFBR's new transmitter plugging away at targets with revolvers. Marksmanship a necessity since it was discovered that the neighborhood bad boys were stealing the expensive copper ground wire from the 14-acre tract just as fast as it was being laid.

Workmen were ploughing up the ground and laying the wire during the day and toughies were ploughing up same ground and removing the copper during the night.

Police were called by radio last Tuesday night when attendants saw the thieves at work. Cops fired a couple slugs after them, but missed. Station staff has since obtained revolvers and per. lis.

WOCL, Columbus, orsey Columbus, May 3. Beulah Park 22-day spring race meeting will get most elaborate radio coverage in its history this year. WOCL leads local stations in number of broadcasts. Besides description of top race by F. H. Sproule and Bob Seal every afternoon, WOCL will carry five-minute program giving scratches and selections at noon and flash results and mutuels after each race.

Sports commentators Johnny Neblitt of WBNS and Budd Sweeney of WHCC will give complete results of their sports broadcasts and have lined up interviews with officials, owners and riders.

Meet opens Wednesday (4).

WHEC Broadcasts Junior Choir Rochester, N. Y., May 3.

WHEC has developed a Junior Choir, six girls, 12 to 16 years old, gives regular numbers as extra attraction with the full staff orchestra.

Ken Sparrow directs both outfits.

Jack Hatchness, Philly nitery chirper, back on WDAS after absence of couple months. He'll be heard Thursday afternoon series with instrumental ensemble led by Joseph Schreimann.

WHEC has just been granted an approval of its recent application for increased power from 1,000 to 5,000 during daytime and from 500 to 1,000 at night. Booster station at Fredrick would operate on 100 watts.

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NO BAND EVER CLICKED SO QUICK!

1 Ace arranger Larry Clinton organizes a recording band for Victor.

2 Larry Clinton and band become one of the top sellers on the Victor list!

3 Engaged for RCA-Victor Record commercial, WIZ-NBC, 8:15-8:45 P. M. Saturdays!

4 Clinton writes "Dippy Doodle", on "Hit Parade" 12 weeks; wins ASCAP prize!



2569-7-1
The Big Dipper - 1st Prize

Larry Clinton and his orchestra

5 Larry Clinton and his orchestra create a sensation at college proms!

6 Booked for entire season, starting May 26, at Glen Island Casino in Westchester!

7 Engaged for Lincoln Hotel, Lakeview, from October 8 on, Indefinite!

8 Booked for New York Paramount Theatre, two week engagement, opening in October!

ROCKWELL O'KEEFE INC.

NEW YORK • CHICAGO

• LONDON

**Bringing something new—something
different—into talent service....
AN ADVERTISING TRAINED TALENT
SERVICE FOR RADIO ADVERTISING!**

★ **BILL STUHLER** ★

**Comes from 9 years in Advertising
Agencies (3 years with B. B. D. & O. RADIO
DEPT.
6 years with Young & Rubicam RADIO
DEPT.) to**

★ **A & S LYONS, INC.** ★

**as Vice-President in charge of
RADIO DIVISION**

TOM NEELY, ASSOCIATE

A & S LYONS, Inc.

PARAMOUNT BUILDING, NEW YORK

Telephone, L.A. 4-7460

HOLLYWOOD

LONDON

I.A.. GETS NEW MEMBERS

OVER A DOZEN COME INTO FOLD

Mark Ethridge's Hurried Departure for Sick Child's Bedside Delays Acceptance WCAU, Philly

OTHER ACTION

Washington, May 3.

Initial steps to man the turkeys at National Association of Broadcasters headquarters were taken Saturday at special meeting of the directorate at which 14 new members were elected, seeds of revolt against the Federal Communications Commission were sown, and the paid resident problem was re-surveyed without appreciable results.

Besides appointing a committee to ask the FCC to co-operate better with the industry, the directors:

1. Picked three individuals to round out the headquarters staff and assume responsibility for some of the new functions.

2. Received several reports from various committees on a few of the more important problems confronting the business.

3. Squinted at the Bureau of Copyrights and tried to decide what to do with that problem child.

Without giving any titles, the board authorized employment of two individuals to take charge of political, public, and labor relations and a person to form nucleus for the research crew. Joseph L. Miller, member of the Associated Press bureau here for several years, and Ed Kirby, of WSM, Nashville, will tackle the former chore. Start of quest for economic and other data will be the chore of Paul Peters, former NBC statistician and recently secretary of the joint committee on radio research.

New Members

Return of Philadelphia's disgruntled Levy brothers to the fold left hanging in the air when the board failed to act on WCAU application for membership, but more than a dozen other stations throughout the country were added to the roster of dues-payers. Recruits are KEX, Portland, Ore.; WPAZ, Thomasville, Ga.; WSAZ, Huntington, W. Va.; WSGN, Birmingham, Ala.; KLS, Oakland, Calif.; KYSN, Mankato, Minn.; WJVV, Gadsden, Ala.; WGPC, Albany, Ga.; WHEX, Boston; WMSD, Sheffield, Ala.; WKAT, Miami Beach; KLRB, Little Rock, Ark.; KATZ, Albert Lea, Minn., and KIUN, Pecos, Tex.

Failure to dispose of the WCAU bid was due to circumstances, not to opposition in the Levy's peace gesture. While there has been controversy over the Philadelphians' original attempt to heal the two-year-old breach, boardies predicted the application will be unanimously approved at the next session. Skids have been greased by agreement to join up without any strings attached, and sole reason given for not taking final action was that Mark Ethridge, who has been the peace-maker, had to catch a plane for Louisville, where his child was suddenly taken seriously ill, before this piece of business came up.

Bureau of Copyright worry was

Mother's Day Idea

Regina, Sask., May 3.

other's Day to get special recognition by Kay Gogan and Plo Sweeney on regular CKCK Women's Magazine.

Girls have invited mothers and wives of station staff down to tea for the occasion and will broadcast the whole ritual.

brought up by a request for more cash with which to finance the sale of record libraries. After hemming and hawing, the bosses agreed to put up cash for pressing more plates but simultaneously instructed Phil Loucks, temporary general counsel, to see what can be done about reorganizing the setup as speedily as possible. To cut out the drain on

the exchequer and make the off-spring stand on its own feet.

Report on the negotiations with the American Federation of Musicians was received from the committee of independent stations, while other angles of the lunester situation were covered by Samuel Rosenbaum, of WFIL, Philadelphia, labor committee head.

Decision to participate the forthcoming FCC hearings on new regulations and monopolies if there are any phases which affect the industry as a whole was the upshot of prolonged discussion about the future relations with the government.

Engineering committee will dig into the proposed rules as soon as they come out and decide whether there is anything the NAB can do to present the general viewpoint. Association will steer clear of all factional rows—such as power lim-

Tell Us Who'll Buy

ollywood, May 3.

Gene Dennis, vaude psychic, auditioned last week for a program tagged "Gene Dennis Can Tell You." Waves went east.

Turn will be based on letters received by the crystal gazer during her years on the stage.

tations on different categories of channels—but will try to see that red tape is kept at a minimum.

Further information about the search for an industry Moses was submitted by different executive committees but the directorate made no moves which foreshadowed early selection of a permanent head to take the load off Mark Ethridge. No date fixed for another meeting

WFBR's Pinlico Press Box Sponsored by 7-Up

Baltimore, May 3.

Pinlico Press Box, morning and afternoon daily airings from the historic race track, has been sold by WFBR to Seven Up beverage via Philip Klein Adv. Agency of Philadelphia.

Morning broadcast reviews races of day previous and lists entries, jockeys, etc., for current day's events. Afternoon session gives description of running of day's feature race plus comment by celebs present at course.

on this aspect of the reorganization plan, except that the board will be called together again whenever the searchers have found a man who fits the bill and is receptive to a definite proposition.

voluntary choice

WSAI is now carrying 57.8% more LOCAL and NATIONAL SPOT quarter-hour units in Cincinnati than local network station A, and 136.8% more than local network station B. Every one of these units represents a *voluntary choice* by an advertiser who decided in his own mind—without restrictions—what to buy and where to buy it.

And in the food field, which is even more significant because competition is fierce—margin of profit is small—and every penny of the advertising dollar must bring results, we find WSAI is carrying 10% more LOCAL and NATIONAL SPOT quarter-hour units than the other two network stations combined.

WSAI ★ CINCINNATI

TRANSAMERICAN
NEW YORK CHICAGO HOLLYWOOD

CFCF MONTREAL
GOOD COMPANY
In this great market only NRC network features an American advertiser should take advantage of Montreal's new schedule adjacent to outstanding NRC programs.
N. B. C.

15 Best Sheet Music Sellers

• Love Walked In	• Feist
• Leigh-Ho	• Chappell
• Please Be Kind	• Har
• Whistle While You	• Berli
• I Love to Whistle	• Robbins
• On the Sentimental Si	• Select
• Good Night, Angel	• Berli
• How'd You Like to Love	• How'd
• It's Wonderful	• Robbins
• Cry, Baby, Cry	• Shapiro
• My Heart Is Talking	• How'd
• Always and Always	• Feist
• Little Lady Make Bel	• Zilman
• Our Song	• Zilman

* Indicates financial rating. The others are pops.

South America Opens as Booking Possibility for Negro Dance Units

New Market for Negro bands is being opened up in South America, according to band bookers. Couple of buyers are shopping around New York today for dance toasters for clubs, theatres, bistros, etc., and have bookers excited as possibilities. Music Corporation of America, Inc. is not on the situation since it falls in line with building up of new Negro band department. "Most of the time, dickering with dealers for some of his attractions and for what he can secure hurriedly," said the owner, Saturday (7) with Barron Lee's all-colored crew for Rio de Janeiro. Some McLean's band went down to Buenos Aires last week with Clarence Robinson's unit.

Big bands are not wanted because of the transportation expense, visa complications and quotas. Those already on route are of the 10-piece and less calibre.

General impression among the buyers is that in South America opinion Negroes are the epitome of class. Don't look to the hot Yank bands to take the market because of the expense and because they are not considered quite up to the Negroes on typical American jassique.

Burned Down Dance Hall For Grudge; Sentenced 3-5 Yrs. on Arson Rap

Hartford, May 3. Chester Burrell, 26, of Kensington was sentenced last week in Superior court to three to five years in State Prison for the burning of the Circle, dance hall located on the Berlin Turnpike. Berlin, 22, 22, 22, Charles Zink, 42, also of Kensington, was given a year in the County Jail for aiding and abetting the arson. Both received additional sentences of one year for taking an automobile on the night of the arson without the permission of the owner. The charge was allegedly the result of a grudge between Burrell and Henry Davidson, an emcee at the Circle, and with whom Burrell had been involved in an automobile accident. Burrell's car was completely destroyed. Has not been released.

Dorsey Covets That Spot

Music Corp. of America looks to be in the middle of a forthcoming bid for its two big swing-out leaders, Benny Goodman and Duke Ellington. Dorsey, this fall. Both bidders covet the Madison Room on the Pennsylvania Hotel, N. Y.

Dorsey is outspoken in his statements that he desires the booking and will fight to get it. He seeks to prove his contention that he draws as well as the King of Swing and figures that Goodman's favorite place is the best place in the room on the other hand will battle to keep the spot he's been in for the last two seasons.

Whiteman's 'Repeat'

Lynchburg, Va., May 3. Paul Whiteman's band booked into Richmond theatre May 10. First time the Jack King's troupe has played this town in 14 years.

Leader Is Hotel Exec.

Arch. Loveland, dance band leader at the Olympic hotel, is doubling as assistant manager of the spot in charge of entertainment. A.w.p. may be ad. later.

GOODMAN BIG IN CONCERT

Benny Goodman's second concert appearance, Sunday (1) at Boston Symphony Hall, under the auspices and for the benefit of Infants' Hospital Ladies' Aid, took close to \$7,000 for 2,100 seats at a \$3.85 top.

Jitterbugs threw sanctified premises for a complete 10' of dignity. Symphony subscribers lined up in an amazement at frenzy of seat-securing kick.

Paderewski keyboard concert some 15 years ago at a \$5 top, only one to exceed the Goodman one-nighter.

Goodman pocketed \$2,500 as his share. Gave a personal check to the cause for which he worked.

Arthur T. Rotch, prety Infants' Hospital, remarked that since not enough dough was garnered from January Festival, it was necessary to have entertainment of this sort to fill the coffers.

Only thing that kept kids back from dancing was the Sunday blue law. But the kids were there and finally did some jumping around that was as good as dancing.

Current Statepost has a story on Goodman concealing 'Killer' iller.

Jesse Owens, Ex-Maestro

Cleveland, May 3. Jesse Owens, Olympic champ runner, is jumping out of band biz to become a playground instructor in Cleveland. Owens, 34, and his wife, Salary is about \$25 weekly, but Owens spritzer says it's more than he earned as leader of a Harlem orchestra or in bartending with a pro basketball team.

Music Notes

Frank Churchill and Paul Webster turned out the songs for Lou Seger's 'Vagabond' side. They are 'Happy as a Lark,' 'The Sunny Side of Things' and 'You Hear a Sound.' Bobby Brown warble.

Dad Harvey, Emmett Casey and Tom Clark, cowboy tri, recorded two songs, 'Little Joe the Wrangler' and 'The Cowboy's Dream,' for Metro's 'One Woman's Answer'.

New firm of Harmony House, formed by Will Windson, now the sole music publisher in San Francisco, since Sherman-Clay and Villa Moret bowed out.

Ben Oakland wrote the music and Milton Drake the lyrics for 'This Thing Called Love,' which Irene Dunne will warble in her next Columbia picture.

Freddie Rich and Dorothy have placed the American version of the Italian diva, 'no Anus' with Molo-Art.

Sam Wineland has completed the recording on Paramount's 'Tropic Holiday' with a studio group under the baton of Irvin Talbot.

Jules Leman and Lou Rice called 'Carnival in Cotton Town,' adopted as official song for the annual KKK festival in Memphis.

Rudie Musie Co., new Detroit listing house, Robert DeLoe, merely with L. Wolfe Gilbert, president and g.m. of company.

Ralph Rainger and Leo Robin are writing the lyrics for 'Arloids' edels Abroad.

Frank Rainger, composer and orchestra leader, doing the score for 'Western Trails.'

Chicago Pluggers Out of Pocket As Cafes Operate Plenty Crude

Needed Comedy

Savory Balroom had a foot in the Town's Fair motorcycle last Saturday (28). Consisted of car towing a platform on which colored Lindy Hoppers ex-

Turned out to be one of the few items providing comic relief from the big business fests advertising 'tomorrow.'

STUFF SMITH'S BANDMEN IN BANKRUPTCY

Five of the six members of the Stuff Smith's twin set now at the Onyx Club, New York filed petitions of bankruptcy in New York last week. The names of the six are: Stuff Smith, \$1,000; John Jones, \$1,000; Earl, \$1,000; Bill (Coby) Cole, \$1,000; Sam (Coby) Cole, \$1,000; and Earl, \$1,000. Smith is also in debt to the attorney to the tune of \$2,000 but could not duplicate the actions of his men cause of a previous bankruptcy filed about four years ago.

As a result of this, Rosenberg has filed up most of Smith's personal effects, including a LaSalle auto, which was an 'U. S. Marshall seized last week.

Debits to the attorney resulted from a trip to Hollywood last summer. Rosenberg angled the trip with the understanding he would be paid off when the band went into the Walter Wanger picture '32 Street' for which they had a promise of a contract. The contract didn't materialize and Rosenberg was left with the IOU's. Lawyer also alleges he had an arrangement. (H. Smith to receive a percentage of the band's earnings and will file a separate suit to collect this week).

Federal Judge Robert Patterson on Thursday (28) signed an order restraining all suits, including Rosenberg, from being sustained until the bankrupts have been discharged.

Students Ignore Union; Denied Name Band For Big Spring Fete

Rocheater, N. Y., May 3. Name bands are barred from playing University of Rochester campus following clash last fall over fraternities using non-union outfits at house hops. Student council voted to call off annual Spring Interfraternity Ball, one of biggest social events of the year, when peace efforts failed.

Frats ignored warning all season and the Rochester Municipal Association until desiring a name orchestra for the big source, then offered to compromise with the use of union bands 80% of the time. It's 100% or nothing with the union.

Pryor Opens Jantzen

Portland, Ore. May 3. Roger Pryor orchestra opened season at Jantzen Beach Park Pavilion. Lane Treadwell singing with the Pryor band. Biz was good. Jantzen Beach orchestra is the next attraction. Balroom has only a 40-cent ticket, but does a heavy trade due to its big size.

Cleve Balroom Dates

Cleveland, May 3. Leaving Lullaby's Terrace Room May 7. Art's all-cash orchestra goes into its first ballroom date on May 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31. George Hall is next name date in Cleveland's dance scene. May 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31. State page, followed by Frank Barry May 8. Stan Wood holding as house and.

Chicago, May 3.

Some pluggers here are up against a tough battle. Some pluggers woe for the cheaper out who are looking to a single song to put 'em over. These pluggers are being forced by necessity to some salaried to get plugs, with some of the notes making no sense. How much a plugger must spend in a joint in order to get recognition by the orchestra.

This situation has become particularly acute since the stations slapped a \$1 weekly service fee for remote control lines which caused the cream hotel rooms to drop off the list. These hotels have been plugging such pick-ups from these impressive spots where the calibre of operation is not too flimsy.

These conditions finding themselves suddenly the hot spot of activity on the part of music pluggers, have gone overboard in several instances and are giving the song representatives much heartache. Some pluggers are spending enough plugs to go around and with operators putting on a rough squeeze in many instances.

Musicians Found Guilty Of Murder 14 Yrs. Ago; Gets Life Imprisonment

Cleveland, May 3. A crime committed 14 years ago caught up last week with John Kenneth Smith, 32, a New York band leader. He was found guilty of second-degree murder in slaying of Anthony Bulbo.

Although musician deni it, decided on circumstantial evidence against Smith. He was charged with the murder when screaming from a bank-guard robbery on Jan. 12, 1924. Smith was given a life term in the state prison. He was sentenced to life imprisonment, but his attorneys are appealing.

He actually spent 14 years tracing down clues and suspects in this case, the oldest in local court records. Most damaging evidence against Kenneth was given by Joseph J. Guss, Jr., his own cousin from Newark, and William Katcher, a boyfriend friend.

Guss informed kids 'last spring that killer was playing accordion and piano in New York hotels under name of Fred Guss, and that latter had been talking of the shooting with his sister, Katcher identified bandist as fleeing gunman despite Bulbo's loss of memory.

Kosinski considered he left Cleveland in September of 1923 and never returned until 1920, when he appeared at the RKO Palace 10 to 20% cut, which was instituted in February was returned to employees.

Slicing was a temporary measure and record April business prompted the promise to return to work, according to Charles Green, pres.

CONSOLIDATED'S 2ND CUES CUT RETURN

Consolidated Radio Artists celebrated its second anniversary May 1. At the time, RKO Palace 10 to 20% cut, which was instituted in February was returned to employees.

Slicing was a temporary measure and record April business prompted the promise to return to work, according to Charles Green, pres.

L. A. Musicians Snip Niteremy Remote Wires

Los Angeles, May 3. Music from niteremy remote to radio stations is going standing with the musicians' union will cut off this week unless the offending stations agree to a part of the campaign to whip into line some independents which carry a niteremy wire. Not in line.

N. Y. Agent Organization Tottering; Biggies Aloof, Chiselers' Front Guise

Organizing of New York nitery, vaude and legit agents seems to be getting nowhere fast. The Theatrical Artists' Republic of America (vaude-nitery) has only about 50 members out of 40 possible N. Y. persons. Equity legit agents had a schism this week and reorganizer Lou Randell stepped out in favor of M. J. Perry, who wants to resume organization under defunct Equity charter. Big shot agents are standing aloof and waiting to see outcome before committing selves.

American Federation of Actors has promised its support on the condition that the agent group rise itself of organizer Jack Howard. Latter had been associated with the AFA in same capacity but incurred disfavor. Agents have already seen that matter. Group met last night (3) at the Edison hotel to elect officers and lay down constitution. Figures of \$200 annually is being asked, plus \$5 initiation.

Reported that many of the shifty operators are not for the movement, but are being regarded as seeking a front law protection. Big agencies are seen bucking each other in not climbing aboard since they depend on the little fellows to do their scouting.

Move to organize and then house agent chiselers, who depended on nice-in-matters is not meeting with success at first anticipated despite aid of various groups. Entertainment Managers Assn. is campaigning with mail and circulars. Theatre Auditions has promised its cooperation, along with the AFA, but so far little has actually been accomplished. A list of those who could put the organization into shape is that they're waiting to see what company it might be before alighting. Some of the members already associated are not exactly the type, think biggies.

Several of the agents think that the AFA alone is not sufficient protection and would like to see an agreement with the American Federation of Musicians. With forced licensing and franchises it would be a double whammy for the nitery. Otherwise, would function as a lobbying body to forestall unfair legislation.

In addition to instructing members to work with the Theatre Authority for their benefit show, the EMA has written to Judge Frederick Crane, chairman of the state constitution committee on revamping the act, charter. President Howard Wheeler wants to know what can be done about getting a separate bill for the nitery, as against present set-up, under general business law and Government agents' jurisdiction. His extinction for employment agencies because of State Labor Department's overzeal for eradication and its take-over.

Int'l Ice Show Preview Friday; Opening Saturday

International Casino's (N. Y.) 'Ice Frolics' debut Saturday night (7). Preview night on Friday (6). The bunch is Friday (8). A real ice tank has been installed, instead of the usual composition.

Guy Owens, Evelyn Chandler, Bruce Maves, Nathan Waller, Dorothy Lewis, Simon P. Davis, Alex Hurd, Sam Jarvis and Ted Cave, plus 18 skating girls, are in this RCA-looked review.

McGee's \$1,950, Cincy Cincinnati, May 3

Personal appearance of Fibber McGee at the Int'l Tuff auditorium Sunday (5) pulled in 1,950 dollars and \$1,950 for close to an even break for the sponsoring Knights of Pythias and Chancellors of Greater Cincinnati.

There were two afternoon and two night performances. McGee was supported by acts booked through the NBC artists' bureau of Chicago.

Pearce's \$7,500, Hub

Al Pearce's Gang booked for the Memorial, Boston, opening May 12, for a week. Troupe arrives over CBS Tuesday night (5). Pearce's deal for the Hub date, unit is getting \$7,500 net, tilt in salary over some of the RKO bookings. Pearce and his band. Operated his troupe several months ago at the Palace, Cleveland, for \$6,500 net.

Success Story

Philadelphia, May 3. Quick rise has been made by Donald Nigro, 18, son of wine steward at the Arcadia-International here. Lad was working as bar boy at the spot when Russell Swann, magician, came in couple weeks ago and needed a stooge. Kid was drafted.

Montaigne, he developed flock of imitations that were sold clicks and he's quit mahogany-wiping for permanent spot with Swann.

RADIO HYPO TO ALL-NIGHTER IN DETROIT

Detroit, May 3. Radio spots and a 1230 a.m. Saturday night style show, aired over WJBK here, are bringing fresh blood to the Detroit theatre, all-nighter operated on Woodward avenue. Jack McKenzie, WJBK announcer, and Milton Jacobson, manager of the Forest and press agent for circuit of all-night theatres, handle the matter on the Vox Pop show. At close of the Forest, and idea is clicking despite the late hour.

Broder, manager of the circuit, is also using midnight spot announcements over indie station, nudging the Columbia and theatres, all-night spots. Spots aimed at late stay-uppers who want amusement in nightlife-less Detroit.

FINE NITERY DANCERS IN ST. LOUIS; 'LEWD'

St. Louis, May 3. Mary Callender, 21, and Anna Richardson, 25, entertainers in Shipper's club, a livefront nitery recently shuttered by the Excise Commissioners and gentlemen, were each fined \$25 and costs last week on charges of lewd and lascivious conduct. They were tried by a jury in Judge James Griffin's district court of Criminal Criminals and might have been fined \$1,000 and sentenced to one year in the City Workhouse, the maximum penalty for the charge.

The nitery was darkened after cops made liquor purchases after closing hours and witnessed the performances of the entertainers.

Duchin-Fields Outdraw Cantor Cleve. Show

Philadelphia, May 3. Second evening of the Eddie Duchin and Show, with the Eddie Duchin and Show, Fields orchestras, backed by the Eddie Duchin and Show, drew 8,627 Friday night and 12,580 Saturday. Following the show about 6,000 people were turned to the tunes of the two crews.

Eastern Vaude Sought By Helen Twelveteets

Helen Twelveteets, film actress, is being offered to entertain vaudeville a single. Fauchon and Marco handling.

No salary figure quoted, bids being asked.

Ind. Cafe's Initialer

Belle Baker, Cross and Dunn, Russell Swan and Dukes and their Dancers are booked at the Apollo, which has over to play Elite Club, French Lick.

Herman Citron booked.

Bemises Split

Hollywood, May 3. Billy and Beverly Bemises, who completed a ballroom dancing short for Warners, are splitting up. Beverly is taking over the operation of his father's White Log Cabin eatery chain, and Beverly is taking tests for a Metro contract.

NO EXTRA P.A.'S FOR HARTFORD VAUDERS

Hartford, May 3. All outside personal appearances of vaude headliners at the State theatre have been tabooed, claim being that they detract from business, and is one reason why several shows have not reached booked expectations. Public gets its fill of these stars, it is said, and has no further desire to see them at the theatre.

Notable examples are Billy Gilbert, Buster Crabbe and Mae West. While here Gilbert made hamburgers in a local hamburger stand while Crabbe played gas at a filling station. Langer turned out for Mae West is also blamed for low attendance after his home first two days of their show appears.

Band does not affect right theatre.

DUGAN SUES SIMON FOR \$3,000 IN WAGES CLAIM

Suit has been filed against the Felix Simon talent agency for \$3,000 in N. Y. city court by Johnny Dugan, who claims the coin is due him for services over 30 years.

Dugan has been with the Music Center Theatre for 30 years, which he joined after exiting the Simon office. Mrs. Esther Simon, who is now in New York, said her firm is no longer incorporated. I. Robert Broder, repping Dugan, served papers April 28.

Mike (Selwyn) Simon's Hammerstein Background

Mike Simon, 88, who died in a New Rochelle convalescent's home last week, held one of the most unique positions in vaudeville at his heyday. A half brother to Edgar Selwyn, Mike Selwyn, who is now known as Michael Selwyn, he had been stage manager of the one-Hammerstein's Victoria on 42nd street and Times Square, the one of the Rialto theatre.

Deceased was more than stage manager. Back of the curtain he was an autocrat but popular with vaudevillians. He was adviser to William Hammerstein, who operated the house for Oscar Hammerstein, especially in the booking of feature acts. Some of the best vaudeville acts appeared at Hammerstein's.

In addition to his duties around the theatre, Simon had close connections with political leaders, and although it was a hand-made theatre, here was a little interference from city officials. After the raising of Hammerstein's he managed legit theatres for the Selwyns.

For nearly 30 years he was an active member of the Friars.

Hartmans Into the Plaza, N. Y., After London Nitery

Paul and Grace Hartman return to the Hotel Plaza, N. Y., after a London tour currently starting at the Dorchester House, London. Due to sail for New York May 11.

Chi's Negro Am Nite

Chicago, May 3. Regal theatre, operated by Balaban & Katz, will shortly inaugurate a Negro amateur night similar to that at the Apollo, in New York's Harlem. Will be gauge for possible expansion to all-Negro vaude and legit. The Apollo, which has 'Lyr' night once weekly.

House is running straight films now.

Pennsy Rumm Board Clamping Down Due to Mushroom Growth of Cafes

'Pony (Up) Boy'

Philadelphia, May 3. Bobby Heath, vet vaude act, and his wife and the tone 'Pony Boy', was ordered to leave the domestic relations court here last Thursday (28) to support his two children. Heath, who gave his real name as Robert Frear, was called to an accounting before Judge Joseph P. Mumolin in an average of \$1,450 in support for Robert, 12, and Eleanor, 11. The Heaths were divorced in 1931.

Arren't you the author of 'Pony Boy?' queried the Judge. 'Well, this is the place to pony up.'

Heath was settled amicably when Mrs. Heath agreed to accept \$25 on the spot, collect \$585 from the total and collect \$2 extra over regular weekly \$10 order until deficit was made.

SANDS PACTED TO PRODUCE IN RIO

Hal Sands, pioneer act exporter to South America, leaves New York, Saturday (7), under contract to produce shows at the Casino de Uru, Rio de Janeiro. Formerly operating out of New York and visiting Rio two months during the year, he will now operate there and visit here. Will be in complete charge of production, and his salary will get commission for booking.

Sands is taking along Barton Lee's all-Negro band, named in Rio, installed along with two Yank acts he's bringing. Remainder of show is being imported from Europe, including a girl's act. Last next month he'll bring down an all-American troupe to replace Europeans, with exception of Band, which is in for 14 weeks.

In addition to the acts, he's taking along over \$7,000 in stage equipment, including a stage electrician. Marks first appearance of a colored band at the Casino.

F-M RETRENCHING IN N. Y.; DISMISSALS

In line with economies for its New York office, Fanchon & Marco is leasing some of the space in its large quarters and letting several employees go. Agents Harry Flamm and Ed Elford were released.

The auditing department will be moved to main St. Louis office, when quarters there are completed. Fanchon & Marco office have been offered spots in St. Louis, it's stated, but they'll be taken care of at RKO theatre, where the firm is now located and they don't want to leave town. Couple of others were let go.

Set's Plea Hearing

Met in Dancer's 3G Wm

Appeal of Rhinelander Theatres, Inc., on \$3,000 judgment granted J. P. Morgan, will be held in supreme court, N. Y., tomorrow (5).

Dancer, of Paradise and McDonald, told his own case against the theatres at the defendant's Monroe theatre, N. Y., Nov. 9, 1937. Verdict for the theatres was \$3,000 and \$300 in damages. Plaintiff charged that theatre was never equipped for stage operation, stage being inadequate, and an apron and long in disuse.

Morgan, Cross-Dunn,

Raye-Naldi for Cheze, Chi

Helen Morgan, Cross and Dunn Raye and Naldi set for the new Cheze Parer show starting June 3.

Duncan Bros and the Fraze Sisters come in this Friday (6) to replace the Yacht Club Boys, who head back to the Coast for a picture.

Philadelphia, Pa. For every 600 persons in Pennsylvania, there is one licensed spot lading out bingewater by the drink, State Liquor Control Board reported this week. And the number of licenses is increasing at the rate of 20 a month.

Situation caused so many beers that immediate drive to reduce number of okayed quencheries will begin at once. One series of 20 licenses is now in difficulty getting renewals when present licenses expire. Cleanups hour from 12 to 4:30 a.m. to stamp out competition from 'blind pigs'.

J. Horkey Reiter, p.a. and contact man for the Liquor Board, declared Pennsy citizens are 'absolutely disgusted' with the way drinks are being sold in niteries and taprooms. He said that was evidenced by fact that the state had fallen off 25% in past few months.

Raps Del's 'Blind Pig'

Detroit, May 3. Concurrent with non-renewal of 4,000 liquor licenses last week by state rum board, Detroit's police commissioner, Hector P. Fitch, told local nitery operators that he will press extension of Detroit's closing hour from 12 to 4:30 a.m. to stamp out competition from 'blind pigs'.

'With numerous blind pigs opening at 1:30 a.m. to run through rest of night for sippers seeking drinks after licensed spots must close,' Fitcher's suggestion drew blasts from local newspapers, which pointed out that if police knock 'blind pigs' open at 1:30 a.m. they should do what they're paid to do by clamping lid on 'em, instead of making 120 an open-at-1:30 a.m. to stamp out unlawful competition.'

Decrease in the number of state-licensed spots from 20,000 last year to 16,000 this year is attributed to economic reverses and to drive being waged last year to force closing undesirable from liquor biz.

Ask More Proof Of Shea in Claim

Pittsburgh, May 3. Harlem Casino, one of town's leading niteries, recently cited by Liquor Control Board for selling booze after hours, has its license suspended until Aug. 7. Lou Mercier's spot closed a short time after hour and doesn't insist on an open-at-1:30 a.m. to stamp out unlawful competition. Some of the other cafes around town don't fare so well. None of the major spots have had any general minor operations drew suspensions of from one to three years.

Ask More Proof Of Shea in Claim

s. Bowes Am

Supreme court of New Brunswick, Canada, has requested more evidence from Jack Shea, who seeks to set aside temporary injunction granted Major Edward Bowes, restraining Jack Shea from using name 'winners' on his partly amateur touring circuit.

Hearing and cross-examination of witnesses was held by I. Robert Broder, attorney and rep for Shea, April 29 in New York. Bowes' statement that there is no such thing as amateur winning was not contested as winning that 'ams can't win' really.

Trials will probably come up some time this month, when Shea will probably tour his vaude unit through the maritime provinces. A regular vaude unit has been restrained last year from using the contested billing for his shows.

Testimony of Broder and the Fraze Sisters came in this Friday (6) to replace the Yacht Club Boys, who head back to the Coast for a picture.

J. J. Miller
 Pines
 ad Hunt Ore
 y & Starke
 Plumas (aka)
 amy Peyton Ore
 ele Curless
 neing Parkers
 ignita
 lly Coker
 Show Bent
 -Marlene Ore
 eckle & Knox
 rch Harrison
 eck Kendall
 lly Jerome
 -ma Valgaro
 hua Hinklaw

my little Grey
Black Neck Raven,

Literati

News From the Dailies

L. A. Balle's Space Trip

Economy squeeze by Los Angeles dailies, beginning with the *Los Angeles Examiner*, continued in another direction last week.

Headline Examiner whittled space from the financial and sports pages and restricted feature and special advertising to three columns a page, excluding Sunday. Times followed by restricting sports and finance space.

Evening News, after scissoring the radio publicity, adopted a roundabout policy. For two days it continued cuts with captions telling about certain film players to be interviewed by the picture editor on his regular air program over KJLH. This is the only paper giving such credit to radio stations since the *Los Angeles Times*.

N. Y. Times, This Charge So

N. Y. Times and N. Y. Herald Tribune jumped their weekday prices this week to 3c. Other morning papers remain at 2c. Jump in prices means increased revenue for about \$1,500,000; about \$1,000,000 for the *Times* and over \$500,000 for the *Tribune*. Sunday editions remains 10c.

Times announced the increase with an explanation last night (3). It followed suit the next day, stating that the rise was due to increasing newspaper costs.

Pearl Buck 'Tells 'Em

In his speech in the American Bookstore's luncheon last week, Pearl Buck took to rap at many trade writers, particularly the *Los Angeles Times*. Until a short time before last, until she under the impression that she was a trade journal, she did not alter her written speech after she learned it was a public affair.

In dealing out raps, Mrs. Buck did not except herself, describing her own work, particularly her *Goodbye to Man* as a boller. Praised a book titled *The Folks*, by Ruth Suckow, which she stated that "the book is so good, reporters didn't care much for it."

Handout of the speech given that she contained a further rap on crickets, which Mrs. Buck omitted from the speech. Written version was hurriedly changed to "the pass, who pass for many of our critics."

Other speakers at the meeting included Selma Eugene Lyons and J. Donald Adams.

Harold Cohen to Hollywood

Harold W. Cohen, motion picture and dramatic editor of the Pittsburgh Post-Gazette dies for Hollywood, Friday (4) for a three-week look-see at the studios.

Will also cover the film colony for Newark Star-Eagle and Toledo Blade.

Random's WPA Plays

Random House will publish six Federal Theatre plays. One volume will contain "Triple Play," "The Power," and "Splocheate." The other will be a Living Newspaper productions. There will be an introduction by Hallie Flanagan.

Another volume will contain "Prologue to Glory," "Hail," and "Orchestra of a Nation."

Mags Search for Authors

Satevpost and Colliers, highly competitive, scout for material on their own in quite a different manner. Sub-editors make periodic trips to the material sources, such as New York and Hollywood, and constantly solicit literary brokers' for "pieces" at staff, instead of the other way round, as is expected.

Philly, the Satevpost's editorial staff makes weekly excursions to New York for that purpose, and the Colliers' bunch, on the other hand, on the trail of new or established writing talent.

N. Y. Daily's Park Co-Op

Palisades Park, Englewood, N. Y., is keen for its creation. Preliminary work for a two-page promotion-advertising spread to ballyhoo the park.

Break is scheduled for 20, just prior to park's annual opening.

Participating in the event is "Shut-lap-bug"ing a coat.

Lislen, Little Girl

unro Leaf, who has hitbeto especially in juve books, and who is known for his creation of the "Bully" sold to Disney, has turned out a book of another character, "Tried Listen, Little Girl." Directed by You Come to New York. It contains among other things is advice on applying for work in the city.

Approach assumes that gay

Practice What—

Publishers' annual New York book fairs, as is usual by the closed meetings from which press was barred.

Headline by reporters in attendance that if any other group tried similarly to get into the book fairs, the publishers would be urging them "get that story."

coming to the big city, want' hurrun bands at least as much as jobs, and discusses the prospects in various fields. takes is publishing.

Front Page Piles Increase

Three papers are now devoting half their front page to pictures supplied by the Associated Press Wirephoto service. These are the Seattle *Times*, *Los Angeles Times*, and the Baltimore Evening Sun (late editions).

Increasing use of pictures in place of news is developing competition between editorial and picture staffs on papers and syndicate picture agencies making considerable progress.

Heriman Better

George Heriman, veteran newspaper cartoon stripper, is recovering in Hollywood from a major operation. Had been suffering for some time with kidney ailment.

Book on Negro Pupils

Nat Fletcher, editor of *The Ring*, a Negro publication, has become interested in the topic when noticing a picture in *Harvard* magazine as to who was the first colored fighter to appear in the London Olympic games.

Writing some 500,000 words on the entire subject, dated from the late 19th century and ending with the rise of Joe Louis.

Publication will await the outcome of the fight between Schumacher and "F" Louis. retains the heavyweight title, a separate volume may be available.

Franklin Clarkin Retires

Franklin Clarkin, N. Y. Times 14 years as a copyreader, retired from that paper last week after 20 years of newspaper experience. Using his initials only, "F. C.," he was asked at the turn of the century for his coverage of the war as was known to Hearst's man, Icard Harding Davis.

LITERATI OBITIS THIS WEEK

Edward Fuller, 77-year-old, playwright and retired newspaper editor, died in Philadelphia last week. He was an associate editor of *The Philadelphia Inquirer* from 1910 until 1920. He was married in 1928. In six years he was drama critic of *The Boston Post* and was also the *Post's* literary editor.

Thomas F. Kelly, 75, a newspaperman for more than 50 years, died of April 29 at his home in Brooklyn, N. Y. Associated with a number of Brooklyn and Manhattan newspapers, he was for many years was entering Brooklyn courts for Standard News. His widow and four sons survive.

Robert S. Mann, 50, associate editor in charge of advertising news at *The Boston Post*, died at his home in New Canaan, Conn., from a heart attack on May 1. After working for many years at the *Cincinnati Post* he taught journalism at the University of Missouri for eight years.

David Musselman, 64, who, despite painful rheumatism, wrote more than a quarter of a century as a newspaperman, died at his home in Lancaster, Pa., on May 1. He was an old man set up his own editorial room in his bedroom when an illness laid him paralyze and later paralyzed.

William M. Murphy, 62, a writer and editor, died at his home in Lancaster, Pa., on May 1. He was a writer and editor, died at his home in Lancaster, Pa., on May 1. He was a writer and editor, died at his home in Lancaster, Pa., on May 1.

CHATTER

Ben Bengali working on New Deal p. in *Washington Post*. D. C. at Palm Beach—

—a lawyer now.

Lislen Mumford goes second

—Silas Bent gathering material for a book on newspaper crusades.

—Lislen Mumford goes second

—Lislen Mumford goes second

—Lislen Mumford goes second

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handle James-for-Governor publicity

Ward Greene working on a new play, his second titled "Nine to Five," E. P. Connelley's play, "The Appointed," being agent by Ruth Morrison.

Billstine has gone to the Virgin Isles to author "No for An Answer."

Seiden Rodman working on an anthology of poetry for Modern Library.

Renard P. Jenks of Little Brown, returns to Boston from Florida vacation.

James H. Hales takes over the post of book critic at the New Republic June 1.

George Seligman has gone to Europe after delivering a novel to Random House.

George Seligman gives an mag a brushoff in the current issue of the Nation, liberal rag.

N. Y. Newspaper Guild's Theatrical Press Unit building party at the Empire State today (4).

Increasing use of pictures in place of news is developing competition between editorial and picture staffs on papers and syndicate picture agencies making considerable progress.

Francis E. Brennan, formerly with British Vogue magazine and later art director of *Fortune*.

Providence Tribune held Saturday (3) news of the local daily field entirely to one-ownership, Journal and Evening Bulletin.

Leo H. Peterson now endorsed as new Philly bureau manager for N. Y. Newspaper Guild's Theatrical Press Unit building party at the Empire State today (4).

Charles Heinz, formerly with the Brooklyn Eagle, debuts with his own tag this week (8). The Protestant Post. It's to be a tag published in Brooklyn, N. Y.

Evelyn Seely resigned from the *Los Angeles Times* in 1934 and was not dropped as stated here last week. She is now teaching journalism at the University of California.

Charles Colbaugh, managing editor of Collier's, back at his desk after a year's absence from the job. He is now in charge of the editorial staff, in Florida. Walter Davenport, political expert of the editorial staff, is now in charge of the editorial staff, in Florida.

Jean Dalrymple, literary agent, nearly lost a \$45 tax when it blew off the roof of her office in the building last week. Turned up back again at 44th Street terrace a block away, with the help of Larry Lind, Sardi's hatcherer, Renee Carroll.

MARRIAGES

Betty Kelley to J. J. Rost, traveling rep of Warner Bros. New York, after a romance lasting two years.

Irene Lazarus to William Dickel, in Pittsburgh, April 16. He's with Baron Elliott's orchestra.

Betty Barton (Loey Kurtzman) to Alfred E. Greco, in Detroit, April 30. Bride is with WKXZ.

John Brandt to H. W. Trumbull (Larry Kent) in Calexico, Calif., April 29. He is a film player.

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Last

German newswear cameramen produced a military unit in uniform in Italy while filming the Hitler-Mussolini confab. Uniforms are gray, with black and white stripes on the sleeves.

Carmella Ponselle signed for Fortune Gallo for his opera season at the Metropolitan.

Apprentice Group of American Theatre Council to give a dinner of Antoine Perry in appreciation of her efforts on their behalf.

Five men charged with operating a ring game in Brooklyn paroled by Magistrate Sabatino until July 1.

Paul Vincent Carroll, author of *Shadow and Substance*, who arrived here last week with only a suitcase, sailed last week with three trunks filled with clothing. He went tourist class in spite of his royalties.

State of New Jersey declines to accept the estate of the late Arthur Hays Sulzberger, who died last week. It has many unexplained assets and no funds for improvement, to James Sulzberger.

Phyllis Hirschman, wife of the late Arthur Hirschman, died last week. She was a well-known actress and singer.

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Aryan shows being steeple-bombed

Charles Houser, who needs permits from a wheel chair with a gasoline motor in connection with his show, is having a driver's license. Didn't get it in time for the show.

Agnes Coleman, cashier in a mid-town hotel's coffee shop, revealed as a showgirl in a new radio show. Broke her neck in a fall on the street and had to quit the show.

Joan O'Neill, Brooklyn girl, gets the *Los Angeles Times* for the *Monogram* in Hollywood.

Wigs and Cues, Barnard college drama club, did three one-act plays in the *Brinkhoff Theatre*. Girls staged as well as played.

Montreal bus current law. Ken on the grounds: it contains immoral article.

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Coast

Mrs. Adeline Jaffe Schulzberg was granted a divorce from Benjamin Schulzberg in Los Angeles, Calif. A. They had been married 23 years.

Douglas Gerrard, film player, asked for a divorce from his wife, actress, who was struck by a motor car in Hollywood.

Mary Elsie Spann, 31, film actress, asked for a divorce from her husband, a \$50,000 gambler, said against Milton Rosenberg, a radio player.

Gregory Lloyd, film actress, retained counselness after a 20-day court at the home of her parents in Hollywood.

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Broadway

RKO's metropolis playhouse contest.

Salus Epstein, Warner scribe, in town for a week.

John H. Johnson, who in next week (10) from Europe.

Lester Hammel, due back from his Berlin honeymoon today (4).

Dorothy Haas, pa. for Fanchon & Ma. back to New York.

Arthur Michael, band manager, left Saturday (30) for Bermuda vaca-

The Lynn Farnols have moved to their new place at 1400 Madison, Conn.

Larry, the Jena C. M. I., in for book-

ing.

Leo Soloman, who conducted the Casino, Central Park, promoting

Minor and Root due back from Rio

Major, Borger due back and at

Harry Kreiberg, of etro's ho-

publicity department, engaged to

Carl Fisher, general manager for

George Abbott, to undergo an ap-

John Scully, agent, has joined the

Paul Small, niterky book-

John Williamson, formerly with

Constance Hope, actress, has

opened her own praise bureau.

Coste and the French Casino show

are bought from the

last week.

Oscar Dool, advertising-publicity

for Loew's circuit, back to

while after being laid up with a cold.

Sidney R. Fleisher, film artist,

his law association, and the

Cohen, moving offices into Fifth

avenue.

John Connolly office now totes

5 p.m. late. All due to influence of

the English members of the "Two

Bouquet" cast.

Ben Berg, formerly ill, and

Bell-Howell, now is doing com-

mercial film roadshows for Coast

Monroe Greenhalgh, the King

of the train, is to go to a

about two weeks. Huddle with

Clock, Camillo Mastrocinco direc-

ing. Vittorio Di Sic, who plays

Laura Solari and Oretta Fiume fea-

ture.

Inspired by experiments in

Hamlet in modern clothes, Uni-

versity of Michigan does in Goldoni's

old Venetian play in modern

Luigi Chiarelli's play, "Fuchi d'ar-

te." It is being produced and

screened by Juventus in Italian and

German. Amadeo Nazari will be

starring in former version. The

production is being directed by

Righelli directed.

One of the most brilliant films of

the golden age of Italian film produc-

ers, it has been hailed out of the

archives and shown in Italy. It is

being interesting to specialists,

not unsuccessfull as a work of art,

is concerned.

The Italian Film has engaged ten-

Giovanni Manfrini for all of 1938,

starting on a film about the 1848

War. Also signed are George

Manfrini, Wandina Guglielmi

and Carlo Genaro. Righelli for

rest of this year.

Director Gallone has started work

at Cinecitta on a play on life of

Vasco Giallacci playing Verdi. Gab-

by Morley, playing Giuseppe Stru-

za. Maria Cabotari, playing Ter-

za. Also signed are George

Manfrini, Wandina Guglielmi

and Carlo Genaro. Righelli for

rest of this year.

London

Jack Davis back from 14 weeks

in Egypt.

Freddie Schwartz (rot)

now totally blind.

George and Margie, who have

been combining home-

coming with work here.

Edith Shute, Enrica and Novella

of the "Bachelors" are expected to

stay in "Slick 'Em Up."

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Fudick of Republic off to Holly-

wood to attend sales convention.

Haude, Pederson, Metro's in-

formation girl, called to her home in

St. Louis, Minn., by her father's

serious illness.

Major Variety club had large

delegation occupying boxes at ses-

sion's opening of Minnesota Ameri-

can Association building.

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George and Margie, who have

Hollywood

Richard Caille hospitaliz-

Tom Fizzle from Chicago.

Curtis Kenyon ing-

Victor

Flower

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Philadelphia

erk Golden

John Leary m.c'ing at Mac

Tavern.

Black Reicher

ing up farm life

in

Hen Lettison's baby critically ill

at

Janette MacDonald in town to in-

ter

husby Gene Raymond to her

home

Si Cohen, late of Nixon's Grand

Hotel, in middle of Atlantic

City City, for the summer.

More

Shirley's Club's first shindi

a

dinner-dance at the Bellevue.

More

Frank Drexler, exhib, who was ap-

peared

in

at

in

at

Paris

Jean, until in from America.

Yvonne, until in from America.

Gypsy Markoff at Monte Carlo.

Charles, until in from America.

Nita, until in from America.

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Plays Abroad

(Continued from page 38)

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N. Y. World's Fair Preview Clicks Signally; Many Attracted Over The Weekend; 'Jitney Proposition'

By MIKE WEAR

Show Biz's Bally

Preview of New York World's Fair, due to open August 17, over the weekend turned out the most gigantic ballyhoo for a world exposition ever staged. Three days of the number of people drawn to the fair grounds on Flushing Meadows, Long Island, or made words, fair-conscious, but also in the manner in which it measured up to the expectations of previewers.

Average reaction to the advance showing was, "It looks slick now; it should be terrific when it gets to the day." Yet, preview men described the N. Y. Fair's preview as a smart idea. Junior Leary's "Big Old Tomorrow," with attendant radio publicity; lengthy, colorful movie from the Battery Playhouse, Max Yerkon, up Broadway and Seventh Avenue to the fair grounds; ceremonies on exposition grounds; all made New York and visitors in town over the weekend very fair-minded.

Fact that the motorized procession Saturday went off on time and measured up to anticipation drew over 250,000 to the exposition grounds that afternoon equalized disappointment over previewers' free show and pyrotechnical display, caused by later afternoon downpour. Crowds at fair site gave Mayor LaGuardia a good idea of what to expect. 50% of heavy construction finished and initial building on about 50% of other structures. Region about the Business Administration building, which was polished off for the "Ball of Tomorrow" Friday (1938), was finished more completely and the focal point of interest. Roads, walks, and with serpentine highway planned, and with partial lighting naturally drew a large number of visitors.

Seventeen Miles Finished
Check revealed 17 miles of exhibit, it hails either entirely completed or practically finished. These were the main attractions. Buildings, exhibition structure to be entirely built and ready for occupancy; Business Administration building, not needing only interior work; local Transportation building; Marine Transportation building; the new Metropolitan Clubhouse nearly completion off to west; Chemicals and Plastic Arts, building; the new Metropolitan Public Health structure, two new buildings, Fisheries building, Hall of Mines and Metallurgy, Textile building, Electrical Production building, two Shelter buildings and two Distribution buildings.

In addition, the Glass House building which New York City is building at a cost of \$1,000,000 is entirely completed and ready for installations. It will be headquarters for the city during the exposition and is a permanent structure. Off towards the amusement zone and abutting the lagoon, actual work is being done on New York City's 1,000,000 Marine Amphitheatre and exhibit building.

Structure in the midway district is the Boat Pavilion on the lagoon but the ground is nearly dry for building activity to begin. The structure is being put in independent subway station to be placed near the entrance to the amusement sector.

\$2,000,000 Electric Plant
North and South sub-stations for the \$2,000,000 electric power transmission system are virtually completed off to the north of the amusement area. The \$500,000 central plant is in process of construction. It will connect the city and the fair.

Industrial exhibit buildings now in construction are Gas Exhibits, Industrial Glass, Industrial Chemistry, exhibited Edison Co.; Johns-Manville; the Railway building, put up by the Eastern Railway, the American Tobacco and Continental Baking. Steel is going up prominent. The new American Tobacco building will be a quarter mile long and contain 4,500 feet of track, with a 100 ft. shed and 100 ft. of automobile staging transportation passengers.

Show buildings and Broadway were liberally represented. Over 200 N. Y. Fair motorized, Giant reproduction of Edgar Bergen-Corny, McCormick, McCormick, McCormick Chase & Sanborn Road, while "caliban" Johnny of Philip Morris carried broadcast rode in a small auto stop another motorized display. Cotton Club reproduction of a river show boat was jammed with cast and femme members of nitery show. Ben Marden's Riviera used an elaborate Village Barons for summer supper with three tall lookers. The Brass Band was represented by two float drum corps featured on one.

Babe Ruth was the cynosure of spectators in sports section with 60 pro-ike riders attracted notice in fair by cycling team. Both Westinghouse and DuPont clicked with elaborate conceived traveling exhibit. Louis Luggs, Jr. of the Golden West with scenes and characters from picture. Stationed in "Mystery Garden" Trans-Lux theatres had a new-reel cameraman "grinding" on a technical miniature of the band on its truck display. Savoy Ballroom grabbed hefty applause for its band of three steps in action on a miniature dance floor.

Long Island Railroad horse car dominated department store section while Jack Dempsey's exhibition of two float hotels also had noteworthy representation.

The 70-acre lot, with capacity for 14,000 motor cars, is nearing completion. Nearly 11 bridges or overpasses, all streamlined have been completed. The \$1,700,000 Perisphere-Trylon, theme center of the fair, is about 75% completed. Typical stage lights and illuminated pylons were in operation for the preview.

Public in New York area and also many going out on national networks gave previewers a plug for the night. Consolidated Express broadcast, built around the exposition, it's the first time a nationally broadcast emanated from Business Administration building. The building is being used for the League of Nations. Whitman's orchestra also played over NBC in a sustainer. Hall of Tomorrow later in evening.

Radio Bally
A number of stations and networks covered the Saturday motorcade procession and ceremonies at the fairgrounds. The city's radio broadcasting exclusively from the exposition site every week, took in the city and with its usual Saturday program.

Though notice of postponing the Saturday night open air show and fireworks display was broadcast on many stations early Saturday evening, many either had not heard it or were determined to go to the position the once-over. Despite the fact that thousands quit the grounds hurriedly during the rain, the hundreds began pouring in again by 6:30 p.m. Saturday. Thousands were headed for the Illumination section of the fair grounds by 8 o'clock. Fair buildings were shuttered by 7:30 p.m. and the city's radio broadcast informed of the sole show operating. The General Motors motorized circuit was the only one left in the route to be on hand for the preview. Already had played before 5,000,000 before coming to the N. Y. Fairgrounds.

Program arranged by the legitimate circuit, featuring the N. Y. Fair, plus the open air and outdoor display, is scheduled to start at 8 o'clock next Sunday (24) night.

San by attendance topped that of the 1937 World's Fair. The two dates running between 800,000 and 1,000,000. Crush became so bad that Sunday afternoon police officials barred any more from

entering the grounds. Attraction was the day May Music Festival. Criticism of musical program, both singing and instrumental, and folk dancing, that there was too much of it. This only was natural with so many units and organizations participating.

Grover haled played host to the celebration he had as guest at a private luncheon and reception. Fair association's board room following program. Night concert drew another capacity crowd. Many snarled because only about half of exposition drives and roads were open to enormous throngs.

The Fair will be a nickel exposition. Four different subway and elevated transit lines and at least one bus line will carry fair visitors from as many different sections of midtown Manhattan to the fair grounds. This became known when out-of-towners in New York encountered difficulty in getting to the fairgrounds. The expo site without considerable travel and added housing. Only about 100,000 people can be accommodated by the Pennsylvania Railroad at 40c roundtrip (this later is to be made 20c, it is reported).

Program for the fair carry the bulk of patrons to the 1939 fair but most of lines are promising 25c. The fair will be held at the Square. Both the IRT-BMT and Independent system already are offering service to the fairgrounds or extensions to provide this service. At present users of the former to the fairgrounds (at a station at 5th St.) nearly a mile away from the grounds while the Independent line, which will be held until an extension is constructed from the Fairgrounds stop at its present Queensboro express line.

Long Island Railroad now operating over the Triboro bridge and connecting with hotel district of Manhattan via Lexington Avenue. The line will run on out to the Fair site over Grand Central Parkway extension, which will be held for several years. Long Island Railroad probably will furnish 12-minute service to the exposition site for the first time during the time the Fair is open.

Following preview showing and features, New York World's Fair announced the grounds would be closed to the public excepting on Thursdays, Sundays and holidays and on the first day of the fair (Friday, May 14). The grounds will continue in force until the exposition closes in April, 1939.

Though it was not expected to be, admission which will be charged to enter the New York fair grounds probably will be 10c. Automobiles probably will be permitted inside later, with a motor car as the likely charge.

On the two days weekly that the grounds will be open to public, the grounds will be taken through out personally conducted tours with guides in charge. Similar policy will be followed by the city's advance of official opening.

Fair officials claim that no such regulation is essential, not only to safeguard those visiting the grounds, but also to avoid construction delays. It is expected to charge any at every bit of time is needed to push the exposition's building program. The 500,000 tons of building material have yet to be handled. The city's police and labor interests on rush jobs, and labor interests also have insisted that curiosity seekers be barred from the grounds. The gate is expected to open to compensate for additional policemen, guides, and other personnel. The city had once the bars have been put up. John J. Sullivan, the fair's director of the grounds, said the city had to his former staff of 30 to carry program into effect.

Los Angeles, May 3. Al G. Barnes and Sells-Floto circus (Lafayette, Pa.) and the Medford, Ore., May 11, after six and one-half hours of the fair, the tent on the tent will start its seventh week at Eugene, Ore. it will have traveled 2,892 miles of the 1938 tour.

Mr. Susan E. oran, mother of Peggy Anne Horan, dancer, and wife of the late Frank Horan, New York Dispatch drama critic and writer for the Clipper, died in New York, April 31.

It was of Gene O'Fallon, owner and operator of KFEZ, Denver, died of a cancer in the chest, April 31.

Marie Louise Patricia Wakefield, 7, daughter of Frank Wakefield, of Wakefield, died in Brooklyn April 15.

OBITUARIES

MICHAEL SELWYN

Michael Selwyn, 66, died in a private hospital in New Rochelle, N. Y., April 28. He was born Simon, and was a half brother of Edgar and Arch Selwyn and had been associated in the clothing business in New Rochelle for many years. He was credited by Adam Kessel, then of Kessel & Bauspie, as having suggested Charles Chaplin as a film star. At the time Selwyn was stage manager at the Metropolitan Opera, and he, so impressed with Chaplin's pantomime in the Fred Karno troupe that he urged the firm to engage him.

Following service with Hammerstein, he became interested in 1912, in Selwyn & Co., formed by the Selwyn brothers. They operated the Selwyn theatre and made many important productions. The company was dissolved in 1924, the Selwyn brothers going to Hollywood, but Michael remained in New York and took the theatre end.

In addition to his brothers he is survived by two sisters.

JACK INGLIS

Jack Inglis, 66, vaudeville comedian, died April 25 in New York, following a long illness. He was born in Scotland and came to the United States in 1890. He was a vaudeville star for more than 30 years, his trademark being penchant for tearing up straw hats. He had been in poor health for the past six years, and two years ago both legs were amputated. In spite of this, he had appeared at numerous benefits, working in a wheeled chair.

His body was held for five days at Bellevue hospital, awaiting action by the family. Then the NVA arranged for a funeral and interment in Kensico.

CHARLES W. BRILL

Charles W. Brill, 64, dean of Akron, Ohio, died April 28 at his home in Los Angeles, Cal. At the time of his death he was president of the British Theatrical Booking Agency there. Mr. Brill lived more than 35 years in Akron, Ohio, and was a stock broker at both the old Grand and Miles-Royal theatres, which he leased for several years. He also operated a stock brokerage house at Canton, O., for some time. He was survived by four sons and one daughter, all of California, and two other daughters living in Cleveland, survive. Burial was in Los Angeles.

FRANK F. TURLEY

Frank F. Turley, 62, former circus clown, and for years a familiar figure at midwestern county fairs, died April 28 at Columbus, O., a few days after he was stricken ill on the street there.

For more than 20 years he traveled county fairs "ruling it." He was on speaking terms with almost every sheriff and deputy in Ohio and always attended their grand meetings, volunteering his services as a clown for sundry entertainments.

He was the survivor of his brother, George F. Turley, of Union-Salem, N. C.

MAUDE HALL MACY

Mrs. Maude Hall Macy, 67, wife of John J. Macy, and daughter of John J. Macy, died April 27 in New York City. She was known in the legitimate theatre, was a native of Liberty, N. Y. She was married to John J. Macy in 1892.

Her first appearance on the stage was in the New York in "Noble" more than 20 years ago. She was under the management of Charles Frohman and appeared in various plays for the theatre, including "The Girl of the Year," "Algon," and "Sappho," and has led in several stock companies.

WESSELY B. GALVIN

Wesley B. Galvin, 51, engineer-operator of WKCY, Cincinnati, since 1929, and a nephew of L. B. Wilson, president of the station, died April 28 from carbon monoxide gas poisoning. His body was found in the rear of his home in Cincinnati. Five of his associates served as pallbearers.

The station observed a minute of silence in his memory the day of the funeral, April 28, following the reading of a brief tribute to him.

CHARLES STANTON

Charles Stanton, 41, head of Atlantic City, N. J., Frank Stanton, of industrial pictures and trailers,

died at the Magee hospital there, April 28, after a lingering illness. He was stricken with a streptococcal infection of the blood, which in winter and his life was despaired of at that time, but he revived and apparently averted the worst of it when a heart attack set him back just a few days before his death. He was survived by a widow and two daughters. Burial was in Pittsburgh.

BELFORD FOREST

Belford Forest, 60, actor-playwright, died May 1 in Hollywood after a long illness.

One of the first comedians signed by Hal Roach in the silent bathing suit era, he later turned to stage of the silent era, when he wrote "Sheep," which was on Broadway in 1920. Following this with "On the Third Day," and most recent piece of playwrighting was "Sing Sweet Singers," which set on Broadway this year. After Panama picture break-in last November.

HERMAN PHILLIPS

Herman Phillips, 57, Australian amusement manager, died here last week.

Born in Spokane, he went to the United States to associate with the late J. D. Williams. Later, in conjunction with his brother, Leon, he operated the amusement park at Bourne, now under lease to Paramount.

His greater success was at and through his management of amusement parks in Melbourne, Sydney and St. Louis.

LOUIS LAMBERTSON

Louis Lambertson, 47, died in Glendale, Calif., April 30, following a heart attack suffered earlier in the day. He was married for four years he had been attached to the property department. He is survived by his mother.

He had been connected with Hollywood film lots for more than 20 years.

JOHN EMERSON LYNN

John Emerson Lynn, 61, former vaudeville star, died in Warrensburg, N. Y., May 2. With his widow, Clara Emerson, he was in residence at Jack and Emma Lynn. Later forming the Jack Lynn Stock Co., he toured most of the vaudeville circuit.

MURRAY BROWNE

Murray Browne, 37, dance teacher and director of the Chicago University City 2. Started as a chorus boy and graduated to instructor with the New Wayburn school. Later coming to Chicago to open his own studio and produce own chorus line.

CHARLES SEXTON

Charles Sexton, 61, one of the founders of the American Legion, died in Philadelphia, died Saturday (30) in the Presbyterian Hospital in that city.

Sexton was a trombonist. He played with numerous well-known bands and was for many years assistant secretary of the Local.

LEWIS H. SOBUL

Lewis H. Sobul, 39, nitery operator and owner of Turf club, died April 27 in Cleveland, O., from heart trouble. He was born in Willow Grove, N. J., and several other nitery spots. Survived by widow, Mrs. Jerry Sobul, and two children.

JOSEPH S. VOGELSONG

Joseph Vogel song, 70 years a featured musician in Los Angeles theatre orchestras and with Los Angeles Symphony, died April 28, following a heart attack.

AMBROSE E. GRANDPHE

Ambrose E. Grandpre, 53, architect, died in Chicago April 24. He was a member of the American Institute of Architects, and was a member of the Artists, Harris and Schuyler societies.

FRANKLIN WHYTE

Franklin Whyte, 61, for 50 years vocal instructor of opera, concert and musicals, died April 28 in Los Angeles.

CHARLES STEWART

Charles Stewart, 53, secretary-treasurer of the Central vocal school system, died May 2 at Lincoln, Neb.

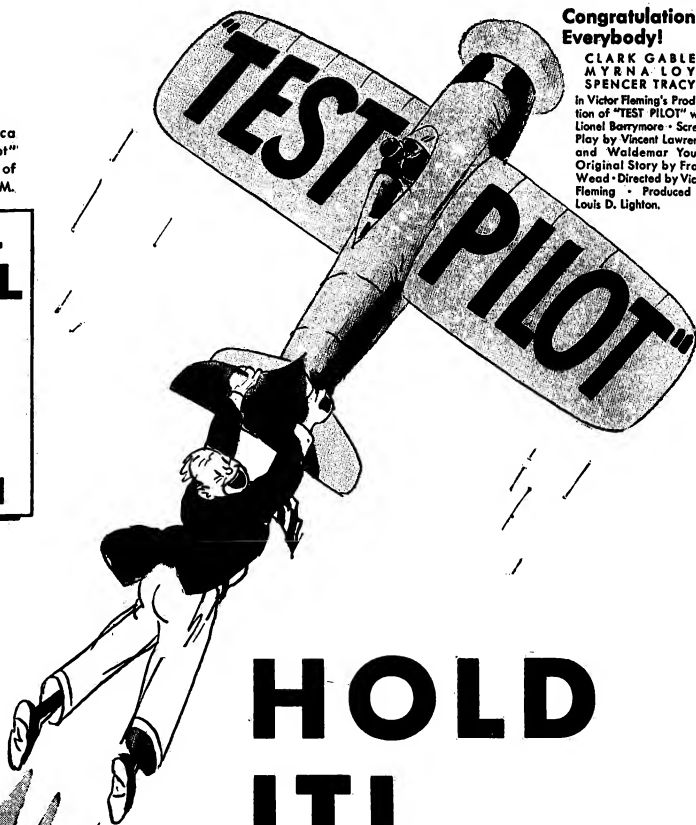
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New York, N. Y.	Capitol	4th week
Indianapolis, Ind.	Palace	Two weeks
Kansas City, Mo.	Midland	Two weeks
Louisville, Ky.	Loew's	Two weeks
St. Louis, Mo.	Loew's	Two weeks
Atlanta, Ga.	Grand	Two weeks
Houston, Texas	State	Two weeks
Nashville, Tenn.	Vendome	Two weeks
New Orleans, La.	State	Two weeks
Columbus, Ohio	Oh	Two weeks
Syracuse, N. Y.	State	Two weeks
Providence, R. I.	Loew's	Two weeks

(Day & Date in Boston and Los Angeles)		
Boston, Mass.	State	Two weeks
Boston, Mass.	Orpheum	Two weeks
Los Angeles, Cal.	State	Two weeks
Los Angeles, Cal.	Chinese	Two weeks
Wilmington, Del.	Loew's	Two weeks
Reading, Pa.	Colonial	Two weeks
Chicago, Ill.	United Artists	Two weeks
Baltimore, Md.	Century	Two weeks
Harrisburg, Pa.	Regent	Two weeks
Rochester, N. Y.	Loew's	Two weeks
Dayton, Ohio	Loew's	Two weeks

Richmond, Va.	Loew's	Two weeks
Portland, Ore.	United Artists	2nd week
Seattle, Wash.	Paramount	2nd week
San Francisco, Cal.	Warfield	2nd week
Cincinnati, Ohio	Albee	Two weeks
Detroit, Mich.	United Artists	Two weeks
Buffalo, N. Y.	Great Lakes	Two weeks
Worcester, Mass.	Poli	Two weeks
Dallas, Texas	Palace to Tower	Two weeks
Hartford, Conn.	Poli	Two weeks
Galveston, Texas	Martini	Extended
Miami Beach, Fla.	Sheridan	Extended

"The Sky's the Limit!"

SEE THE NEW 1938-39

A Confession of Weakness

'How about some of these exhibits taking their feet off the desks, where they've been parking too long, and going out and doing some real old-fashioned picture selling,' one testy showman wanted to know.

'Just getting your show in a can and telling the assistant to see that the marquee lettering is spelled right, isn't enough. It's not like the real old-time socko showmanship which made the picture business.

'And furthermore,' he continued, 'it's certainly a fine confession of a lot of weaknesses to say that certain pictures or stars don't do a business for you. It's funny, but they seem to do all right for many of the other theatre owners.'

See M. M. Ritchey

'Give the stars good stories and good direction,' says M. Ritchey, general manager of Co-operative Theatres of Michigan, 'and they'll jump right back into popularity. Why not try that attempting to grind out too many pictures, why not careful selection, result in poor pictures, regardless of who plays in 'em.'

Chief money-makers for Michigan operators are Shirley Temple, Sylvia Hentle and Clark Gable opuses, with those of Kay Francis, Myrna Loy, William Powell and Gary Cooper ranking as next best. Films by others often don't make expenses, he avers.

ALL HAVE PLANS FOR BIG THEATRES

Spectacular Productions Hoped to Revitalize Film Interest—All Majors, and Lessors, Using Big Historical, Biographical and Outdoor Settings to Sparkup 1938-39 Program

NO SCREWBALLERS

Inspired by a certain tendency of the public to sour on markets of pictures, and attempting to solve the problem of how to protect the boxoffice against such sudden fan apathy, producer-distributors are coing for 1938-39, on several fronts: back plays, clambake, vaudeville musicals or revues, comedy, romantic dramas, butter and other material of a stock caliber.

The leaning, in addition to being in the direction of novelty of treatment, plot and action or background, is also very pointedly toward producing pictures with backgrounds sound biographical, outdoor, historical and spectacle features. While musicals will be continued, the number will not add to as many as for the current season, but every studio is giving musicals freshness through novelty as well as definite story background.

Various majors are also planning pictures that represent stories, with songs added or interspersed, but are not taking the classification of musicals.

Just as the trend is to hold down a picture's cost, so the trend in tactics are concerned—biographical, historical and otherwise—the tendency to concentrate more importantly on this type of production than in recent years. Comedies will always be made, but every studio is afraid to tackle any one of the wacky type since it is cycle has been overdone during this season. It is feared that even if something good is turned out as a "screwballer" to the public it probably will be ignored. The same is true of the clambake musical, or the type that is more vaudeville than anything else.

Mysteries in many cases will be treated in a comedy way, while the regular comedy features studios will attempt to strike a new note, including home comedies or anything in the laugh di vi u's that's different.

New Fresher Backgrounds

Aside from plans calling for the making of an unusually large number of spectacle productions, the keynote of the studios—and the distribution forces, also, in the selling—is founded on freshness of background, treatment and plot.

It will be eagerly sought for in every instance, to get away from the same old, same old, and has brought quick death to certain types of films, mostly musicals and wacky comedies.

In the spectacle field all producers are being urged to be interested for '38-39, under plans, plenty in the outdoors being contemplated by the various majors, and a smaller scale, by the lesser companies.

In the musical group certain series which have been turned out by various companies yearly are being discontinued. Paramount probably will not do another 'Big Broadway,' though there may be an 'Artists and Models' farer. It is not announcing another 'Goldiggers,' but Metro will again have a 'Broadway Melody' and there will also be a 'Gladys' picture. RKO will turn out at least one Astaire-Rogers feature, perhaps.

Under present plans, there will have no other musicals on its production agenda, and Warner has been set up as yet.

In the 20th-Fox came only clambake, 'Scrub' and 'Joe Johnston,' headed by what virtually will be a

(Cont'd on page 25)

Korda Tells of UA London Prod. Plans, Including Asher-Lubitsch; French Versions, No Stars, Etc.

72 Players, 52 Scribes, 12 Directors on WB List

Hollywood, May 10. Warners has 72 players, 52 writers and 12 directors under contract, according to the latest personnel roster. Addition of Ilton Shubert and Max Siegel has raised the producer list to 10.

London, May 10. On arrival here, Alexander Korda confirmed that Irving Asher may team up with him as an associate producer. Also added that Ernst Lubitsch is due here in about a month to produce one film at DeHama.

Korda states that under his new United Artists agreement he can concentrate on production and that he will make eight films for the American market this year. 'Four Feathers,' 'Calcutta,' 'Prison Without Bars' and 'Lawrence of Arabia' are definite. Former two will be in Technicolor.

It is expected that Laurence Olivier will replace Robert Donat as lead in 'Arabia.' Korda also aims at getting Lant and Fontaine for one film during their season here. Korda, plans several pictures in French tongue and declares it is his intention to abolish the star system as far as it concerns his own backlot of Denham.

OTTERSON HAS REMAKE IDEA AT ASTORIA

J. E. Ottersson, Aguing on taking over the old Paramount Astoria studio for remakes of European top box will take Harry Lachman from the West Coast for an exec post on the Long Island plant. Pair will leave shortly for Europe to look over musicals currently showing in continental capitals.

After coming to Fox, five years ago, Lachman had been a top director for Par in Paris and London and ran Metro's New studio before turning to direction. Belief is that the Astoria studio is geared for lower production cost than Hollywood, and is otherwise better for remakes.

The Eastern Service (Astoria) plant has just arranged with Dr. Herbert T. Kalmus for the permanent establishment of a three-color Technicolor unit, with shooting personnel, to its facilities. This marks the first time that Tech cameras will be available in the east. Plant is spending about \$50,000 in connection with installing Tech shooting facilities.

Ford-Zanuck Huddle On \$2,000,000 Sub-Sea Special for Next Aug.

Hollywood, May 10. John Ford barged in Saturday (7) after five weeks in Honolulu to consult with Darryl Zanuck about 'Sinker Fleet,' story about World War midges submarine chase. The 20th-Fox-Ford has been planning to make for two years. Production is down for a \$2,000,000 special. Tyrone Power, Don Ameche and Warner Baxter as a sort of three musketeers of the sea.

Picture will be kept off the floor till August when Zanuck returns from his vacation. John Joseph, Lieut. Commander Noville will appear in story meanwhile.

U'S JOHN JOSEPH NOW HEADQUARTERS WEST

Universal has moved its advertising and publicity headquarters to Hollywood, where John Joseph, director of advertising and publicity, is setting up a new organization. Lew Pollack will be in charge in the east. It is expected that Joseph, while in the coast, will make a complete overhauling of the company's studio advertising and publicity staff.

Hollywood, May 10. William Seitz, general sales manager, planned in New York to lead a final huddle with Universal's studio execs on the 1938-39 product. Seitz, and Joe Johnston, foreign sales v.p., and John Joseph, director of advertising and public

UA Awaiting Chaplin-Pickford's Return; Roach, Others May Join Co.

Hollywood, May 10. It is the impression that so far as Dr. A. H. Giannini's future status in United Artists is concerned, the matter is undecided and what eventually is determined will occur only after the company officials and the U. A. partners have been able to confer with Charles Chaplin and Mary Pickford, latter soon due to arrive from the East.

Therefore, most of the official business that has been under discussion here, since the departure of Mr. C. B. Stone and Samuel Goldwyn, has had to wait with the possibility of obtaining final approval to make a series of features for U. A.

George J. Schaefer, vice-president in charge of sales for the U. S. and Canada, has a contract which still has around a year to go. No change is contemplated here, as Schaefer stays on definitely. Same goes for Arthur Kelly, v.p. in charge of foreign. Whatever shifts may occur will be of a secondary kind, from indications.

Whether Dr. Giannini stays with the company seems to be a matter for himself to decide. He holds a contract that has around three years to go.

At the time, some months ago, when Alexander Korda and Goldwyn negotiated and obtained those original purchase options from Douglas Fairbanks, Miss Pickford and Chaplin, in a deal which was never consummated, provision had been made for terms under which settlement could be had of Dr. Giannini's contract.

Belief is that current discussions include an idea for the eventual discontinuance of the company's Hollywood executive offices.

Economies in the over-all operating overhead of the company will, of course, be sought, as a matter of course.

Roach'sicker

Hal E. Roach is being contacted by United Artists for a releasing arrangement on a minimum of nine pictures in the next three years. Way was paved for the negotiations last week when UA stockholders agreed to amend the old laws of the company and allow a new producer to be accepted by a majority vote. Previous rule required a four-out-of-five ballot.

Roach's proposition is to make a minimum of three pictures a year over a three-year period. He has been releasing through Metro on a year-to-year basis. His present contract calls for delivery of one more picture to that company.

Stockholders at the meeting were Samuel Goldwyn, Dr. A. H. Giannini as proxy for Charles Chaplin, Samuel Silverstone, representing Alexander Korda; N. A. McKay, acting for Mary Pickford and Clarence Brown for Douglas Fairbanks and Murray Silverstone, chief executive officer of the company.

With Roach headed for the UA

Joan Davis' Fall Sends Comedienne to Hospital

Hollywood, May 10. Joan Davis was taken to the hospital Monday (9) when she was injured in a fall while doing a knock-out dance with Bud Egan for 'My Lucky Star' at 20th-Fox.

It is feared she may have injured her spine.

RKO Now Wants Garnett, Same As LaCava, McCarey

Hollywood, May 10. Combo producer-directors, to handle Studio A product, under supervision of Ray Bertram, are being sought by RKO. Already engaged in such dual capacities are Gregory La Cava and Leo McCarey, with lines built for Tay Garnett. La Cava and McCarey are cut in for a percentage of the profits in addition to nominal salary.

Same deal would apply to Garnett and other top directors being angled.

Four Going at RKO

With four pictures in production, RKO is busier than at any time since midwinter.

'Border-Gaman,' George O'Brien western, and 'The Sign of the Cross,' Diea heading the cast, rolled last week.

Deal bringing Leo McCarey into RKO producer-director under a term was closed with Leo Spitz in New York last week. McCarey, coming from the east, McCarey, who was with Par, made one picture on the outside this week, 'Awful Truth,' for Columbia.

McCarey had another dicker on with Hal Roach, who is releasing his new picture, 'The Sign of the Cross,' on his behalf with RKO. Gregory La Cava was the first to join RKO on a salary producer-director deal.

Announcement of at least 24 features for the 1938-39 program is expected when George J. Schaefer, sales head, arrives from New York this week. For the current season, 23 pictures were announced, of which 10 are already in delivery.

Still another major producer is underlined to be on the verge of joining RKO. This deal raises the number of non-member producers to five.

PAR ROSTER AT YEAR'S HIGH, 2,000 WORKING

Hollywood, May 10. More than 2,000 players, writers, technicians and other employees are currently engaged at Paramount, the highest number in the last 12 months. During the past two weeks the back lot and technical staffs have increased 50% to 1,500.

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Hollywood Takes Its Lanching Seriously Nowadays; Strictly A For-Revenue-Only Standard

Hollywood, May 10. Picture talent is off cutting laws simply for the ethic effect it gives the exhibitors. At the same time, they are looking for hitting hills which pay dividends alfalfa these spring days.

Those who break away from Beverly Hills track with reluctant feet to the San Fernando Valley and make suburban country gentlemen a la Crosby, with 26-room copes of the Washington Mount, where Jefferson's Monticello as their idea of perfect living.

Others, more daring, fear further out and come in with more acreage. Present stampede is around Chatsworth and Hidden Valley. Latest to cut her. If a flock of acres is Irene Rich who is managed by George Temple, the father of Shirley Temple, herself is being sold 150 acres of rolling green in the same district.

Currently farming within a 10-mile area are Winnie Sheehan, Francis Lederer, Rowland Lee, Jim Tully, Robert Taylor, Gene Autry, Wallace Beery, Will Hays, Paul Kelly, Charles Bickford, John Barrymore, and Colin Clive. Al Tolson and Rudy Keeler, Zeppo Marx and even Jimmy Dorey, Horton who kills his taxable land Betsy Acres.

Most of these range from 20-200 acres and are either laid out for fruit or feed, except in the case of Zeppo Marx and Mary, who have turned their acreage into a stock farm for thoroughbred horses (Marwick Stables), and a West who uses hers for a trotting track, 30-34 Bays.

Smarter set sublet their acreage to dirt farmers who produce on a 50-50 basis; farmers supplying seed, land and general labor. Zeppo Marx split this way brings talent \$4,000 a year net, and provide nice place for all the children. Zeppo and waled without expense to the landowner.

Just during than this set are those who trek beyond the utmost purple rim before pitching their tents. These either go the dude ranch way, such as Lucien Hubbard at B-Bar, H, or the straight cattle ranch route such as Harry Carey at Sequoias, and Rex Bell at Searchlight, Nev.

Some of these get so far away from Hollywood that they never come back. They stake out ranches running 1,000 to 5,000 acres and seem to get lost on the way. Zeppo Marx as rancher and seem lost to Hollywood, they pop up at remote whistle-stops as leading citizens.

Recent survey of one Nevada town, for instance, showed that the leading lawyer, banker, hotel-keeper, copper and gambler had all put in a hitch in Hollywood in the silent days, moving to Nevada to buy a ranch to work between pictures and never came back.

But the more compromising ecologists figure than 100 acres, not more than 20 miles from town, is just about right. If they are producers, agents and autograph-collectors pile too high over Sunday picture ranchers can get lost in the chuck wagon and hide in the hills till they go home.

W. C. FIELDS AND PAR CALL OFF CONTRACT

Hollywood, May 10. W. C. Fields has parted company with Paramount, his contract, calling for more picture, being mutually terminated.

Come had been feuding with the studio over two pictures, "The Big Bump" goes to Town" was slated as his next picture, but called off. Understood he will freelance.

M-G Launches Pair

Hollywood, May 10. Julien Duvivier, French director, and Miliza Korovic, Viennese singer, have started their first American picture jobs. I took in Metro's "The Great Waltz."

Both were signed personally by Louis B. Mayer while he was in Europe last year.

Tunes on the Wing

Hollywood, May 10. W. Franke Harling, composer of the American opera, "The Great Gatsby," set to write the musical score for "En With Wings" at Paramount. Harling also wrote the current "Sing You Sinners," for which the current Bing Crosby picture was named.

Far resumed work yesterday (Monday) on "Wings," halted 17 days ago when producer-director William Wellman became ill. Wellman expected to return May 2 but required another week of rest.

\$361,339 Net Profit For First 3 Months; Technicolor Reports

Though net profit after all charges excepting Federal taxes and insurance rose about \$400,000 in 1937 as compared with the previous year, Technicolor, Inc. earnings in the first three months ended in March this year, 1938, have been 9.5 percent higher than similar period of 1937. Technicolor report issued last week shows combined net profit of 1937 companies at end of March to be \$361,339, or against \$100,670 in the first three-month period last year. This first quarter profit figure amounts to 45c per capital share on the 803,081 shares outstanding.

Technicolor net profit before depreciation, amortization, Federal taxes and life insurance premiums totaled \$50,284 in 1937 as compared with \$88,050 in preceding year. Report showed, however, that after all charges, the company's net profit in 1937 was only \$63,718 in 1937 as against \$61,585 in 1936 or approximately \$400,000 more. Net profit carried to consolidated surplus account totaled only \$468,169 for the year. This surplus account was further increased by \$239,735 through the sale of 54,753 shares of capital stock.

Company paid out 75c per share in dividends during the year, or \$599,046. Dividend on Dec. 31, 1937, was \$1,163,266. Net sales for 1937 amounted to \$3,133,266.

The statement from Technicolor revealed that footage in the first three months this year for color production would be about 1,000,000 feet against 9,384,181 feet in the initial quarter of 1937.

REALIGN GN SALES SETUP IN THE FIELD

Hollywood, May 10. Edward Peskay, Grand National Sales, left Monday for a tour of the GN exchanges and to appoint seven new district managers. Peskay will move from Chicago to Frisco as western district manager.

That Takes Care of Four

Hollywood, May 10. Universal will depict four years of underground life in college pictures titled "Freshman Year," "Sophomore Year," "Junior Year" and "Senior Year," with the same leads throughout.

George Elison will produce the series, due to start June 1. Cast and director are still to be set.

HIS OWN DOUBT

Hollywood, May 10. "Ellis Island" will go into production May 16 at 20th-Fox with Arlene Whelan and Don Ameche in feature spots.

In the cast is Mimi Rineer. Rumor, which will portray his niece.

Star's Star Ascends

Hollywood, May 10. Lou Lay's first production effort, "Menial Star," goes before the cameras this week at RKO. Lay, who played Lou Lay and Lucille Ball in the top spots.

Pix Pioneers

Hollywood, May 10. Robert Taylor in the San Fernando Valley and Harry Carey in the Sierras in the San Francisco Canyon are developing an overhead irrigation system that may revolutionize farming in semi-arid areas.

System of portable piping can water hundreds of acres of alfalfa at a fraction of cost of ditch-irrigation which is only about \$100 a acre. System used by Carey and Taylor can be used on any land sloping at a 10 percent stretch.

Svensk Picture As Sweden's Goodwill Ambassador to U. S.

Swedish-American Tercennial feature film "Great John Ericsson" has been used in a vital feature of the Swedish-American Tercennial celebration set to open in U. S. Premiere in U. S. of Fifth Avenue last Monday (16) at Picture Palace.

John Ericsson, the Swedish inventor, who went from Hollywood to Sweden to appear in it, plays the title character.

Anniversary of landing of first Swedish people in U. S. will be observed by 1,000 Scandinavian-Americans. King of Sweden is sending his son, the crown prince and crown princess, as heads of a royal mission to the U. S. to celebrate the centennial. This group will be preceded by Count Folke Bernadotte, U. S. ambassador-extraordinary.

"Great John Ericsson" is the most ambitious and costly picture turned out in Sweden.

AGAIN TALK H'WOOD REFLICA FOR N. Y. FAIR

Officials of four film companies in a quiet effort have taken options on a site at the New York World's Fair amusement zone, with the idea of arranging a film festival. The plan is to build a studio layout would cost \$1,000,000, as now planned, and would be a model replica of a Hollywood plant in operation. Picture executives are doing it on their own, with no idea of making it an individual company enterprise.

There is no indication thus far that the industry will be officially represented at the fair, or that individual companies plan exhibit.

Par Picking 'Zaza' Score From 2000 Charlot Songs

Hollywood, May 10. More than 2000 songs from the London musical play of Andre Charlot, technical advisor on Paramount's forthcoming "Zaza," have been shipped to Hollywood by Mrs. Charlot.

From this collection producer Arthur Hays Sulzberger, Jr., will choose numbers for the picture, due to appear next month with George Cukor directing.

Chaplin Protege Pacted

Hollywood, May 10. Dorothy Comynore, lately ballyhooed by Charles Chaplin as "discovery," has been signed to a term contract by Warners.

Graduate of the Chaplin Little theatre, Miss Comynore draws her first role in "Three Girls on Broadway."

PIAZZI'S MOPPET ENCOIRES

Hollywood, May 10. Ben Piazza's moppet, Dorothy, Kitty Canyon, will be featured in two pictures to be made by Emanuel Lubin, with "Moppet" and "Moppet's Madonnas" and recently drew a new pact.

Ruby Keeler's Dramatic

Hollywood, May 10. RKO Radio, featuring it in a smart track moving Ginger Rogers from hooding into trouping, will try to coax Dorothy Keeler to "other Cares" Children.

Studio is surrounding her by Ben Piazza, Ruby Morgan and Ann Shirley in cast.

Under Western Lies, or a Plea For More Realism in Mustang Films

Coogan's Tax Break

Washington, May 10. One angle of Jack Coogan's financial woes was smoothed out last week by Treasury Department. Coogan agreed to settle a long-argued claim for roughly a nickel on the dollar. Arthur L. Bernstein, young actor's stepfather, signed pact with the Internal Revenue Bureau to pay \$23.60 in return for piecemeal of an alleged \$551.85 deficiency. Government sought to disallow deductions for attorney's fees and expenses incurred between 1923 and 1927 in establishing the liability on the earnings of the youth.

2d Suit Vs. Old U. Co. Officers by Tippet For 600G on Raw Film

Second suit to compel Universal Pictures Corp. to produce books and records was started Thursday (5) in N. Y. supreme court in connection with \$600,000 action begun several months ago by John D. Tippet, who, dealers in film raw material. Original suit charged Universal, Carl Laemmle, former president; Eastman Kodak Co., Julius Brulder and others with conspiracy to induce Universal to cancel a five-year contract to purchase Tippet's stock. As a result, it is alleged, defendants deprived the Tippet corporation of completion of its five-year contract, and also of profits to which they claim they were entitled.

New suit is to compel production of books and records covering 1932-1937, relating to purchases by U. of film raw material.

Although officials of picture corporation have been examined before trial, attorneys for Tippet outfit claim they have avoided supplying books and records which would be plaintiff to fix definite amount of damages.

Samuel I. Rosenman, lawyer (6) reserved decision in inspection motion.

AUSTRIA AND SPAIN FILM BACKGROUNDS

Hollywood, May 10. Samuel Goldwyn will make a picture against the background of the Nazis' steal of Austria from the yarm, "The Exiles," by George Sklar and George Capra. Film marks debut of Jacka Heifetz, concert violinist, in a straight dramatic role.

Another picture of war-and-Europe, by Walter Wagner, nearing completion, is "Rising Tide," which depicts the battle of Britain. Although no mention of the country is made in the film.

Mae West May Encore Personalities This Summer

Hollywood, May 10. Mae West and her entourage trained to over the western of the trials tour. May go to another joint this summer.

Clayton Kopp, who was suddenly called off but may be made later.

Fanchon-Marco Reunite

Hollywood, May 10. Fanchon will rejoin her brother, Marco, in a film production unit. When her brother produces contract at Paramount expires in June, the present Fanchon is unassigned to Paramount with no prospect of another production before she leaves the lot. No connection so far set.

Not Mounting the Mounties

Hollywood, May 10. Royal Canadian Mounted Police, Technicolor picture based on the history of that organization, is scheduled to be a picture produced by Paramount.

Screen play will be made from a book of the same title written by R. C. Fetherstonburgh.

Hollywood, May 10.

Fear that Hollywood's belief that you can't kill westerns, no matter how hard you try, is being shattered eventually kill westerns, is moving certain western groups in on production of a new type of movie. These groups point out that every time a new type of movie comes from its own dirty wheel, producers grab at outsiders to tide them over, and while all of them are busy and touchy about criticism as to whether the chairs in their Napoleonic empire were authentic Louis Quinze, they think anything goes in a western.

Stars who know their west have resented for years the things they have been asked to do in westerns. Most of them have up to the end and went upstairs to bedroom dramas or took to the open road and joined a circus.

Proof that they don't think all westerns are just so much mesa is seen in the fact that the western groups give their approval to pick like "The Plainsman," "Wells Fargo" and "The Gun." The last two remind Gene Autry; either, because Autry was a cowboy first, and if he was a cowboy first, he was a cowboy first, it's still a r country. But they draw the line on all this cliff-hanging and burning across brands by cattle-rustlers.

Thieves still rustle cattle, they point out, and they are not cowboys. They don't chase steers and burn over brands, especially not when the steers are on the fence. What they do is to cruise around in one-lan trucks on moonlit nights, rustling cattle which have strayed onto the cliff.

While most drivers almost break their necks trying to avoid these dopey steers, the rustlers head with them and hit them a sock either with the flat bullet or a wheel. Knocked cold, the steer is then bumped off into the truck. He's a bootlegged steer, they say, direct from New York by morning.

This is just one example of what the westerners are wrong with present day westerns.

Believing they have something to say about the western, they are a huddle with representative westerners in the hope of working out a new type of western. "Smoko," has come down from Montana to confer with Hays, and as a result, he may be asked to be the little Hays office of the Hopalong.

Harry Grey, like James, is very pro-realistic in his western ideology and has the added advantage of having been a cowboy himself. He, too, will be consulted, as he is known to have a flock of helpful suggestions along this line.

JACK RANDALL, JACKIE COOPER'S MONO CHORES

Hollywood, May 10. Jack Randall inked a deal with Monogram to make two westerns. Monogram just before he pulled out for the company's sales convention in Cleveland.

Clayton Kopp, who was suddenly called off but may be made later.

Clayton Kopp, who was suddenly called off but may be made later.

Clayton Kopp, who was suddenly called off but may be made later.

S-I Lot Stirs Again

Hollywood, May 10. Start of production will week on "The Young in Heart" was first activity on the Selznick-International lot since last December when added scenes were made for "Tom Sawyer."

Liza Lyne, recently returned after two years in the French films, has been added to the cast.

Santley Squires 'Salomy'

Hollywood, May 10. Joseph Santley, who will direct "Salomy Jane," is expected to be a 20th-Fox to work on the adaptation of the Bret Hartley work.

John Stone produced, with Joe Withers topping the cast.

WALKOUTS.

Shrewd Questions on Films at N. Y. Girls' College Has M-G Pondering

Invited to lecture before the English Club of Hunter College, Bernard Sobel of Howard Dietz's exploitation apartment at Metro, who used to be a Prof. of English at Purdue, was amazed at the show-wisdom of the college girls as regards films.

In the I.Q. period on pictures, their knowledge of the distinction between A and B pip astounded the p. a. Sobel was bombarded with queries as to why Hollywood 'persist in giving us those poor pictures'.

One student observed, "We want good solid film entertainment such as 'Good Earth,' 'Emile Zola' and the like." Most of them carried the idea that the B films not only fail to attract business to the h. o., but they actually deter motion picture patronage in general.

Sobel parried that it wasn't so long ago that motion picture titles had to be printed in one-syllable words, in order not to confuse the fan; that amorous situations couldn't be illustrated by pictures of two persons necking, and the like; and that motion pictures have traveled far from that point in their development, hence it's a matter of time when they'll develop still further.

Sobel stint at Hunter College (foremost woman's institution of higher learning in Greater New York) was not a Metro press agent. Types of questions asked, furthermore, are being given widest thought in the Metro distribution organization.

Autry Yippees Again For Republic; Peace Terms in His Favor

Hollywood 27 10.
Gene Autry, a holdout since last December, having patched up his feud with Republic, goes back to work next week, starting with "The Man From Muscle Mountain." Released contract covering three years grants him a boost from \$5,000 to \$7,500 per picture for the three he still owes on this date, and \$10,000 instead of \$5,000 each for eight more on the 1938-39 program.

New pact also permits Autry to make outside pictures and have personal control over radio engagements and personal appearances.

While Republic's contract prevented Autry from working for any other producer, it didn't prevent him from producing his own films. His attorneys had concluded. Deal and financing was all set for him to produce for Autry Pictures. Then peace was made.

Femme 10ers

Hollywood, May 10.
First team of femme agents to move into the 'oldies' and 'newies' between Hollywood and Beverly Hills, have filed papers of incorporation. They are the Newcomers, 15 years on the etro lot (12 as of Incopete Thibierge's secretary) and the Tully, who is the Newcomers' in's for five years before she married Jim Tully.

After having a string of Class B boys make the grade, have decided that all you need to make money as a female is ten people who can earn good money. They say they have the ten.

RKO Likes Sleuther

Hollywood, May 10.
RKO is angling for the screen rights to "The Saint," intent on building a series of pictures around the detective character created by Leslie Charteris.

"Decision follows the showings of "The Saint in New York." RKO's first film featuring the character.

Cupid's 4th Retake

Hollywood, May 10.
Stan Laurel and Illeana, his Russian bride, are going to be married again, making a grand total of four weddings since Jan. 1.

Illeana claims their last ceremony, under Greek church jurisdiction, was performed on the wrong day of the week and requires a retake.

OLD VALENTINO INTO WINTER GARDEN, N.Y.

Rudolph Valentino revival is slated to hit Broadway about June 1. On or about that date, following the shuttering of "Hooray for What," at the Winter Garden, the show "The Sheik" goes into the house under a deal just negotiated between Bobby Ford and the Shuberts.

The film is distributed by Emil Jansen's Art Cinema Associates, which handles a number of oldies. It has been syndiced, music and arrangement being by Jimmie Bradford's orchestra. Film has been recently played in Richmond, Washington and Baltimore.

"The Sheik," silent old Valentino, is being set for several Paramount circuit spots.

For the coming month, scheduled releases include "Count of Monte Cristo," "I Cover Waterfront" from UFA; "Lady Tubbs," "Frankenstein," "All Quiet on Western Front" and "Love Before Breakfast" from UFA; "Life Begins at 40" from 20th-UFA; and "Farewell to Arms" Paramount.

The releases may prevent some houses from forced closings for a while or over the summer, due to the richness of supply right now. For the first time in its history, one of the more important Broadway first-run houses is playing a repeat, "Monte Cristo." Picture in first week gets about \$1,000 this gross for house being better than for three recent first-run releases, "Romance in Paris," "Gaiety Girls" and "Return of Scarlet Pimpernel."

TEX RITTER TO DO AN AUTRY THIS WEEK

Hollywood, May 10.
Tex Ritter is going to star in a new picture with Republic, his contract with Grand National is severed after two months.

If proved, he will release GN from all claims by Ed Finney on a picture he is making. His release, through payment of a substantial amount to cover the share of rentals due the producer.

Grace Moore Coasts June 25 for Col Stint

After radio and concert commitments in New York ending June 27, Grace Moore flies to the Coast for a Columbia picture assignment. Soprano closes on the Chesterfield program June 22, concerts at the Leveaux Stadium June 27 and leaves for Hollywood the following day.

PATTERSON'S SHORTS

Hollywood, May 10.
Russell Patterson is leaving Paramount to produce a series of "Puppet-Boys," currently popular about \$2,000 on quota basis.

Patterson is at the studio the past year as production consultant.

PICTURE READY FOR NEXT EAR

RKO MAY NOT AT ALL

Although the major producer-distributors this year went for regional sales meets at which in most cases nothing less than district managers attended, next spring and summer virtually every company is likely to schedule a national convention to be held in New York where the World's Fair has opened.

Some of the outlays are already discussing plans for this fall in advance so that reservations for the desired amount of space may be obtained at an early date. It is figured in various major quarters that the Fair will influence companies to hold national conventions in New York. Other business organizations are already contemplating an assurance of space for leading hotels after the fair has opened. One large company has arranged for three floors at the Waldorf-Astoria starting with the opening of the fair April 30 next.

While last year most all companies held national conventions on the Coast, this year they went for less costly regional meets.

Although the possibility RKO may upset all precedent by not holding any kind of convention or sales program in the region, it is expected. Nothing has been set as yet and if there are to be any meetings, held in New York, they will be for the return east next (Wednesday) of Julius Levy.

RKO plans 54 features for 1938-39. The RKO general sales manager, accompanied by Walter Bramson, Midwest district manager, who is acting as New Deputist drive in asphalt, has been covering all the company's exchanges to acquire the sales forces with new season's plans policies, etc. For that reason any conventions or regional may seem unnecessary.

UFA Convenes June 1
In all probability, holding three regional sales meetings, the UFA, United Artists, is expected to start these sessions in New York around June 1, with announcement of a program that will consist of at least 24 pictures. For the current season UFA announced a program of 22 pictures. It will deliver 28, according to present plans.

George H. Schacter, general sales manager of United Artists, goes to the Coast end of this week for production talks with Samuel Goldwyn, Dr. A. M. Giannini and Murray Stillman. Monroe Greenblatt, U.A.'s sales manager, will be in the city for confab with Walter Wanger, on latter's new film "Rising Tide," but not back to New York early this week.

Charlie Rosenzweig, U.A. sales executive for two years, parted with the company Thursday (5) and takes a rest before making any future deals. His territory, comprising New York, Brooklyn, Long Island, northern New Jersey and part of upstate New York, has been temporarily taken over by Charles Stern, eastern district gr., a successor to him.

In announcing a program of 60 features for 1938-39, Warner Bros. declines to make an announcement. Grod Sears, sales chief, stressing that "our program clips emphatically for action drama." He added "We have been wrong with a good many pictures in the past few years has been lack of action. Moving pictures are their very nature, must move."

Metro's \$6,345,000 quota costs \$26,450,000 to cover the 42 features which it will release in 1938. It is expected to set a new record for 1938, an increase of \$2,000,000 over the current year, according to quota basis. The quota is in place of Metro to sub-quota in place of Metro to sub-quota. (Continued on page 24)

'Lettie Lynton' Damages, Including Theatres' Take, May Top \$1,000,000

Dukes Go Up

Hollywood, May 10.
Plenty of cauliflowers will bloom before the camera in Metro's "Give and Take."

Jim My McLarnin, Maxie Rosenbloom, Hank Hankinson, Frankie Gluck and Jack Roper are set to climb through the studio ropes.

METRO'S 'JUMBO' BUY STALLED BY SUIT

Sale of the film rights to "Jumbo," which Metro was ready to purchase last week for a reported \$25,000, has been held up by the filing of a plagiarism suit against Billy Rose. Metro suggested that the sale be completed until the money had been escrow until the settlement of the suit. Rose asked for the cash, and picture deal has been postponed until the suit is settled.

Filed in New York, an accounting was filed in N. Y. federal court last week by George L. Bard and Rosalind Copping, assignees of the rights to the Hungarian play, "The Star of the Circus," written by Ladislav and Eva Pekar. They allege that the Billy Rose production was a plagiarism of that work. John J. Sweeney represented Edmond Pauker, Bus-Pekel's agent in the case, and S. John Block is attorney for Bard and Copping. Rose is represented by Arthur Garfield Hays.

Old defendants named are Ben Hecht and Charles MacArthur, who allegedly were employed to write a libretto based upon notes taken by Rose when he saw the play in Budapest. Billy Rose's Jumbo, Inc., John Hay Whitney, Jimmy Durante, John Murray Anderson, George Abbott and the Texas Centennial Livestock and Frontier Days Exposition.

According to the complaint, the Hungarian author assigned American rights to the play to Julius Frank Bard, who later sold them to the plaintiffs. Rose, it is charged, negotiated for the rights, but never obtained them.

AGENTS' FIELD DAY IN COURT OVER WALKOUTS

Hollywood, May 10.
Four agencies have filed damage suits, totaling \$80,350, in superior court, claiming three clients walked out on them before the expiration of their contracts. Ruth Collier, Inc., asks \$30,000 from Kurt Siodmak, who walked out on his contract. Bill Wolfenden demands \$3,000 from Hugh Southern, who walked out on his contract. Siodmak demands for Harry Rosen, wants \$2,150 from Lynn Roberts, film producer.

Charging breach of contract, Milton Seitznick filed \$39,000 damage suit against Millicent Harwood, guardian-ant of Freddie Bartholomew. Miss Bartholomew is accused of walking out on picture production agency and signing a revised Metro contract whereby the moppel will receive a total of \$350,000. Seitznick wants 10%.

WB's Rex Beachers

Hollywood, May 10.
Talker rights to three Rex Beach stories, "Flaming Gold," "Vengeance of the Sea" and "Barbarian Wars," were purchased by Warners last week.

They were also obtained on another Beach tale, "Sons of the Gods," which the studio made in 1930.

Entire profits, amounting to almost \$800,000, made by Metro and its subsidiaries, on the hit picture of 1932, "Lettie Lynton," are recommended to be turned over to Margaret Ayres Barnes and Edward Sheldon, authors of the play, "Dis-honored Lady," following a Federal court decision that the latter production had been lifted in the making of the picture. The payment of the picture's profits was okayed Monday (9) in a report filed by Special Master Gordon Archibald to Judge Knox, who in July, 1936, decided Metro-Goldwyn-Mayer Pictures Corp. Loew's, Inc., and the Culver Export Corp. (foreign) were guilty of lifting "Dis-honored Lady" in the production and showing of "Lettie."

The referee's ruling does not take in the suit to be placed on the owners of the Capitol theatre, New York, or other theatre owners who performed in the lifting of the picture. Each of these must hand over their profits, according to a later decision made by the court. Another referee is now determining the amounts they must surrender. All told it is estimated the amount to come to authors will be well over \$1,000,000.

After several months of probing and expert accounting, Referee Archibald recommends that the plaintiffs are entitled to \$261,661 from MGM Pictures; \$66,663 from its distributing outfit; \$37,466 from Loew's, Inc., and \$152,673 from the Culver corporation. These figures are tentative. The picture, which was under copyright, was the special master, who fixes the approximate amount to be paid, was set up to the time further showing of it was stopped by injunction, at \$22,000 distribution costs at about \$145,000.

Production expenses including the 16 weeks pay to the picture, McCoy Crawford, at \$2,000 per, and a total of \$75,000 to Clarence Brown, the director.

Metro states it will continue appealing to the highest courts.

D. C. Hears Beery May Bid for Stranded Tim McCoy Wild West Show

Washington, May 10.
Reported that Wallace Beery may buy up part of Tim McCoy's Wild West Show, currently stranded at a Washington hotel, waiting the auctioneer's hammer. Disposal of brons and saddle horses to the public, however, and attorneys and receivers can unscramble the mess. Outright flopped Wednesday (10) the picture "The McCoy" accredited spent on the enterprise. Some of the picture's stockholders Army recruit officers in bidding on the stranded steeds. Could not be produced in the picture, according to reports the ill-fated rodeo. (Details of show's foldi doers.)

Flash! It's a Feature

Hollywood, May 10.
"Flash Gordon's Trip to Mars," 15-chapter serial, is being cut to feature length, to be released under the name of Rocky Spill.

Barnes, Samuels, who produced the picture for Universal, is reducing production cost from \$1,000,000 to \$550,000. Buster Crabbe plays the name role.

ZEISLER IN 'WOOD

Hollywood, May 10.
Alfred Zeisler, Warner Bros. German producer-director, arrived last week. In addition to heading Autrag production, Zeisler will be working as deputy chief of production for Ufa.

"For heaven's sake, put this one on your 'must-see' list"

... shouted Jimmie Fidler over his nation-wide radio hook-up

"A strong first-run release justifying extra booking days and extra advertising"

... says Variety to a show world starving for big attractions

"Will ring the box-office bell"

... says Film Daily to box-offices on the headline

"Hollywood returns to fundamentals of film making... will gain money-making returns wherever it is shown"

... hollers Red Kann's Box-Office ... and they know what you're up against

"It has everything which means box-office smash"

... cheers Hollywood Reporter ranking the picture tops in comedy this year

"One of the best RKO has put out in years"

... roars *Hollywood Variety* ... and they've seen 'em all
 "Will bet my shirt this will prove to be the season's
 outstanding hit and a great audience picture ... Will
 definitely play two weeks in Reading and Harrisburg"
 ... wires *Jay Emanuel*, showman, and pub-
 lisher of *Jay Emanuel Exhibitor Publications*

WHEN THEY TALK LIKE THAT, MISTER, YOU'VE GOT
 A SHOW ... RIGHT NOW WHEN YOU NEED IT!



GINGER ROGERS JAMES STEWART
VIVACIOUS LADY

JAMES ELLISON BEULAH BONDI CHARLES COBURN
 PANDRO S. BERMAN IN CHARGE OF PRODUCTION · A GEORGE STEVENS PRODUCTION
RKO RADIO PICTURE
 Screen Play by P. J. Wolfson and Ernest Pagano

SCORES OF LUCKY FIRST RUNS ARE OPENING WITH
 IT THIS WEEK AND NEXT! ... THEY'VE GOT THE
 YEAR'S BIG WINNER ... NOW ... AND THEY KNOW IT!

Union Cinemas Lost \$15,000,000 For 2-Year Span; Equals Capital Stock

London. Since formation in December, 1936, Union Cinemas lost more than \$15,000,000, almost the equivalent of its issued capital, according to a report on that date to the end of last year. Formed by Fred Bernhard to centralize theatre interests, involving 150 theatres, the company was absorbed by John Maxwell a year ago and is now under management of Asa Hirsch.

In interim report and accounting issued later partly revealing the situation and at the annual stockholders' meeting Maxwell advised stockholders not to pass them. Complete results are now available, following revaluation of the theatre interests, and accounting and stockholders will take them up at a resumed meeting tomorrow.

After revelation in the report is a suspense account of \$15,963,146, balancing assets to make a total of \$18,811,000. In the interim consolidated statement of the company and subsidiaries latter figure was approximated at \$20,000,000. The suspense account, which the board is treating as totally worthless, is \$10,000,000 representing the amount by which properties acquired from the board of companies were written up. Others include over \$2,500,000 for deficiency in revaluation of theatres and nearly \$2,000,000 for deficiency on revaluation of investments. Provisions for legal actions against the board and to the board of companies, etc., is put at \$450,000. Under revaluation by Harris and Gillow, properties now appear on the account at \$10,123,225.

Their Items
Issued capital stands at \$16,715,130, including 11 million shares at \$1,708,680 for loans and \$5,511,714 for bank overdraft secured by debenture of \$7,500,000. Sunday creditors are put at \$2,650,000 and profit and loss account, after payment of \$232,100 in prior dividend, is \$43,885.
"City" comment refers to the situation as "deplorable," a "sorry picture," terrible and so on, and an extremely drastic reconstruction is seen as inevitable. There is, nevertheless, complete confidence in John Maxwell to pull the chequists out of the fire, inspired in part by a statement in the board's report that, since Associated British took over management, trading results show considerable improvement.

On the stock exchange, Union first and second preferred shares of £1 respectively stand around 2s. 6d. and 2s. respectively; ordinary stock, issued at 10s., is rated at a nominal value of 9d.

127 French Picts in '37; Mostly Dramas, Comedies

Paris, May 3. French film drama, which has been when it comes to films, according to a recent classification of pictures shown here in 1936, was the most classified the 127 productions made last year in the following way: 127 dramas, 12 comedies, 12 musicals, 12 thrillers, 12 adventure films, seven mystery and spy pictures, 12 military pictures, 12 films on the World War, two films with social tendency, one religious film, one film on the life of Napoleon, one on acrobatics and one filmed record.
One of the greatest changes, which has taken place during the last year is the decline of military comedies. Boys doing their military service, used to be subject of almost half in French films a few years ago.

PHIL REED TO ENGLAND
Hollywood, May 10. Philly Reed is going abroad for work in English pictures.
David Niven and Brian Aherne are just packing up their trunks in their homeland, sailing for Reed.

Favor Clifters

Serials are big moneys in three major foreign markets—Brazil, Philippine Islands and India.

The clifters again appeal to that market, but there are other foreign territories where even legitimate play in cowboy pictures is tabu, because of a general six on the use of firearms.

GTU THREATENS GOVT. PROBE OF U.S. COS.

Sydney, May 10. Greater Union Theatres is petitioning the Stevens government in New South Wales to open into the product stranglehold allegedly held by Hoyt's chain, according to latest reports. Though G. U. T. has Universal and Republic programs for the coming season, plus some of Hoyt's product, the scarcity of top features to buck Hoyt's circuit already is being felt.

Latest effort will be made to get the appointment of a commissioner to probe the South Wales Government or Union's rights before the Film Board of Trade. Actual petition to the New South Wales government is not ready for release, but it is understood to mention 20th-Fox holdings in Hoyt's, the ace in the hole, charge, thereby carrying out previously voiced G. U. T. opinion that it is a case of American capital against Australian.

Though it seems dubious that anything much will result from the present attack on Hoyt's, it now appears that Greater Union will complete its plans to purchase the circuit rivals are getting preference and reviving that familiar cry about Hoyt being an American-controlled company.

Although Greater Union probably will continue seeking government aid on the charge of partiality to Hoyt's, the way in which Sneider-Dan is tied in with Hoyt's makes any adjustment can be made which will strengthen Greater Union's position in relation to product.

Sydney, May 10. Slump in business at Greater Union Theatres' State is due to the fact that M-G-M is deklaring for a lease on the house. Arthur Loew, who is presently in charge of the situation, has gone over the situation when he was here. Metro-Low on the charge of the James house, and the Liberty here. Said to be well satisfied with both operations.

Lease on the Liberty, with only 603 seats, expires in July, and the Liberty is being sold to the Metro pictures here, especially if a favorable lease is secured. State's present lease is for \$13,100 weekly, but the Liberty is being sold to the Metro pictures here, especially if a favorable lease is secured. State's present lease is for \$13,100 weekly, but the Liberty is being sold to the Metro pictures here, especially if a favorable lease is secured.

Liberty pictures registered by "Love and Lured" (BBF) and "Bride Wore Red" (M-G) apparently set Greater Union low in plenty at the State Theatre is the key theatre in the G. U. T. Sydney chain and if it fails to show a profit, the chain may be sold to the Metro pictures here, especially if a favorable lease is secured.

BRITISH EMPIRE 85% REST SPOT

Totalitarian States Now Bar U. Product

H'wood Trying to capture South American Film—French Films Chief Competish—Improved Quality, Low Budgets

Foreign film distribution executive has expressed himself, "I wonder how many in Hollywood, and for that matter how many in the home country, really appreciate how much the foreign market has dwindled in recent years. Totalitarianism has moved what were formerly 'hot' markets, and today the British Empire market (England, Australia, South Africa and the colonies) constitutes 85% of the American picture producers' foreign revenue. Only 15% is spread out among all the other nations."

"Of this, we are trying to recapture the South American market. That's the next best thing. And we almost lost that to France."

"Of all the foreign film producers," continued, "France has been making the worst mistakes. Frenchmen have finally solved the negative cost and turn out some good pictures at \$80,000, and never get \$140,000 to \$150,000 per production. Result is that they can recoup their negative cost from the native market, all the rest is velvet."

"This film man emphasizes that if Germany made the same cinematic strides in Latin America as it has in its mercantile exports—due to a beneficial product-swapping arrangement with which the U. S. does not want to bother—it would have that market, too. It so happens that in that part, the Argentine native talkers were a threat, but they outclimbed the American-type clam-bake music and hence the U. S. film came into its own again."

However, of late, the French pictures are finding good response in two major export markets—South America and the Scandinavian countries. Hereafter the Norse lands were 100% virgin territory for Hollywood. Not so today, with the growing popularity of French films, due to basic quality.

French Upbeat
Paris, May 3. Month of April marked a distinct French picture production upturn. All films were started, with seven getting under way last week. During the same month, the French film there were only 20 films produced, compared to 31 during the same period last year.

Outlook at the beginning of the year was on the dismal side for French producers. Labor laws calling for a 40-hour week in the studios had raised production by 40%, but the year-end French films have been financed in London and French producers got caught in the exchange, and in the end, the French film there were only 20 films produced, compared to 31 during the same period last year.

As a result, producers here adopted the British "wait and see" policy during the first three months of the year. However, French films have been finding a larger market abroad and correspondingly larger grosses in the U. S.

South America, Scandinavia, Italy, and the Balkans. French films have been buying French production in larger numbers as well as the picture business, especially in Belgium, Switzerland and cities in French Canada. Recently French films have been finding a larger market abroad and correspondingly larger grosses in the U. S.

Herbert, Maier, a construction chief of the Burbank studio, will sail for England early in July to supervise the rejuvenation of the old house.

'Hood' Opens Daily
Hollywood, May 10. Warners has selected "Robin Hood" to open its reconstructed "Rialto" theatre in London Oct. 15.

Herbert, Maier, a construction chief of the Burbank studio, will sail for England early in July to supervise the rejuvenation of the old house.

Long Struggle Looms on Grading; Exhibs Aggressive, Distribs Lay Low

Reisman's S. A. Hop

Phil Reisman, RKO foreign vp., sailed Saturday (7) for to de Janeiro on an extended trip through South America. He expects to reach Brazil metropolis May 20. Reisman may fly from there to Buenos Aires for the premiere of "Snow White."

Besides Brazil, he will visit Chile, Peru and Panama before returning to the U. S.

In the continued battle on picture grading, exhibitors, the exhibitors are maintaining the offensive. Distributors appear content to ward off attacks. They are maintaining an impassive front, although underneath they are somewhat jittery.

General impression is that unless the exhibitors hold an early offer on the biggest film hit battle in the history of the trade will end in a victory for the theatres. Only fear is, on the assumption nobody wins a war away, the public in the meantime may have slipped away and the business will be in a state of collapse.

Indications are the struggle may be prolonged. Some exhibitors are preparing for the fight to last well into the fall. Test of whether or not this is possible will come after current negotiations have run their course would give to the theatres. According to the Films Act, pictures cannot be held back by distribut more than six months, so that normally a regular supply of program is assured.

At this time, however, rather than lose out with pictures the exhibitors are holding out for a better deal. Test of whether or not this is possible will come after current negotiations have run their course would give to the theatres. According to the Films Act, pictures cannot be held back by distribut more than six months, so that normally a regular supply of program is assured.

GALICHO BELT'S ANTI-GOUGING PLAN
Buenos Aires, May 1. An alliance, probably the first of its kind ever to be formed among competitive theatres, is now under full swing with the major houses of Buenos Aires, headed by Augusto R. Fernandez, will strive to normalize exploitation and control admission prices and the number of pictures to be presented per program. Agreement also extends into the picture rates and other means of exploitation.

Whole idea is to eliminate cut-throat tactics. Houses under the banner include the Rex, Victoria, Olympia, Rivadavia, Select Victoria, Olimpo and the Sarmiento.

\$700,000 Suit Vs. Par Outgrowth of London Theatre Building Deal

London, May 4. Picture theatre deal dating back several years is echoed in a suit by Emil Wertheimer, local financier, against Paramount Pictures, Ltd., a suit to build four big picture theatres in London, Leeds, Manchester and Liverpool. At the time of Paramount's TTB, a commitment of \$900,000 for these four theatres was made for \$200,000. The idea being that if Par's receivership extended to the London corporation it might cause a 100% loss.

Wertheimer accordingly settled with the late Ike Blumenthal, Par's general European financier, for \$700,000, a suit to build four big picture theatres in London, Leeds, Manchester and Liverpool. At the time of Paramount's TTB, a commitment of \$900,000 for these four theatres was made for \$200,000. The idea being that if Par's receivership extended to the London corporation it might cause a 100% loss.

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Pic Gal for Opera

Hollywood, May 10. Robins Lawrence, recent "Hill Rascal" star, is being loaned to the "Rigoletto" by the opera house. He is being loaned to the opera house. He is being loaned to the opera house.

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GB's OPENER FOR 1938-39!

JESSIE MATTHEWS



Sailing Along

A GB PRODUCTION

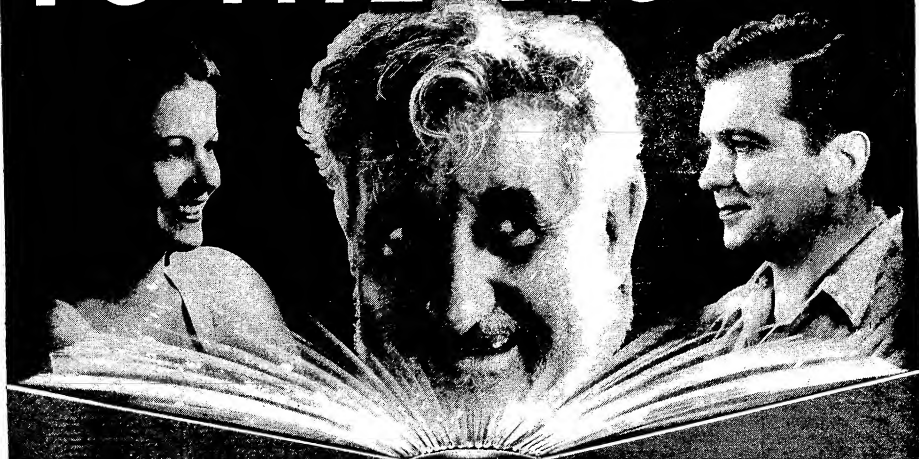
Directed by
SONNIE HALE

with **ROLAND YOUNG**
BARRY MACKAY

Music and Lyrics by ARTHUR JOHNSTON and MAURICE SIGLER

ALREADY THE NEW SEASON'S TOP PICTURE!

TO THE VICTOR



TO THE VICTOR

From the famous Alfred Ollivant story

BOB, SON OF BATTLE

Starring

WILL FYFFE

Margaret Lockwood
John Loder

Directed by
ROBERT STEVENSON

"An early nomination for the 1938 Academy awards."

-BOX OFFICE



"A honey... You'll adore 'To the Victor'."

-WASHINGTON DAILY NEWS

British Theatre Owners Calling Hollywood Producers Again

More about the secret grading scheme we, the Cinematograph Exhibitors Association of Great Britain, exposed in our first protest last week—how your London distributing agents are putting your feature film into two quality—and—price classes labelled A and B.

Already 155 of your feature films have been de-graded into the B class—the lower brackets.

Your best foreign market is being tangled up by your London distributors playing amateur politics through their Kinematograph Renters Society.

But Twentieth Century-Fox and Universal do not acknowledge this dictatorship of the Kinematograph Renters Society. They are in the happy position of being able to book their films to British exhibitors free from the "help" of the rival distributors represented by the Kinematograph Renters Society selling combine.

As we stressed before the methods of this selling combine cannot but decrease your share, our share, and reduce box office receipts.

Issued by the

CINEMATOGRAPH EXHIBITORS ASSOCIATION
OF GREAT BRITAIN AND IRELAND

. W.

**Thanks, to
you all!**

CLARK GABLE
MYRNA LOY
SPENCER TRACY

In Victor Fleming's Production
of "TEST PILOT" with Lionel
Barrymore - Screen Play
by Vincent Lawrence and
Waldemar Young - Original
Story by Frank Wead.
Directed by Victor Fleming
Produced by Louis D. Lighton



**4 Weeks!
3 Weeks!
2 Weeks!
Extra Days!
Everybody's
doing it!**

HELD OVER

**The Sky's the Limit! "Test Pilot" is the greatest
extended run clean-up of years!**

New York, N. Y.	Capital	Four weeks	Oklahoma City	Criterion to Tower	Two weeks
New Haven, Conn.	Poli. College	Two weeks	Providence, R. I.	Loew's	Two weeks
Milwaukee, Wisc.	Wisconsin	Two weeks	Richmond, Va.	Loew's	Two weeks
Philadelphia, Pa.	Stanley	Two weeks	Boston, Mass.	State & Orpheum	Two weeks
Portland, Ore.	United Artists	Three weeks		(Day and Date, virtually 4 weeks!)	
San Francisco, Cal.	Warfield	Two weeks	Wilmington, Del.	Loew's	Two weeks
Detroit, Mich.	U. A. to Madison	Three weeks	Reading, Pa.	Colonial	Two weeks
Cincinnati, Ohio	Albee to Capitol	Three weeks	Baltimore, Md.	Century	Two weeks
Buffalo, N. Y.	Great Lakes	Two weeks	Harrisburg, Pa.	Regent	Two weeks
Worcester, Mass.	Poli to Elm St.	Two weeks	Rochester, N. Y.	Loew's	Two weeks
Dallas, Texas	Palace to Tower	Two weeks	Dayton, Ohio	Loew's	Two weeks
Hartford, Conn.	Poli to Palace	Three weeks	Omaha, Nebraska	Omaha	Two weeks
Galveston, Texas	Martini	Extended	Spokane, Wash.	State	Two weeks
Miami Beach, Fla.	Sheridan	Extended	Washington, D. C.	Palace	Two weeks
Indianapolis, Ind.	Palace	Two weeks	Chica. Ill.	United Artists	Two weeks
Kansas City, Mo.	Midland	Two weeks	St. Paul, Mi.	Paramount	11 days
Louisville, Ky.	Loew's	Two weeks	Minneapolis, Mi.	State	Two weeks
St. Louis, Mo.	Loew's	Two weeks	Cleveland, Ohio	State to Stillman	Two weeks
Atlanta, Ga.	Grand	Two weeks	Salt Lake City, Utah	Paramount	Two weeks
Houston, Texas	State	Two weeks	Los Angeles, Cal.	{ State & Chinese to U. A. & Wilshire }	Three weeks
Nashville, Tenn.	Vendome	Two weeks		(Day and Date, virtually 6 weeks!)	
New Orleans, La.	State	Two weeks	Seattle, Wash.	Paramount to Blue Mouse	Three weeks
Columbus, Ohio	Ohio	Two weeks	Toledo, Ohio	Valentine	Two weeks
Syracuse, N. Y.	State	Two weeks			

Effective finish costumes for the Rocketts—fitted black satin trouser, with red and orange side stripe, ruffled white blouses under multicolored bra effect, and black pillbox hats with bright red pompons.

Stark PRIMITIVE DRAMA!

CALL OF THE YUKON

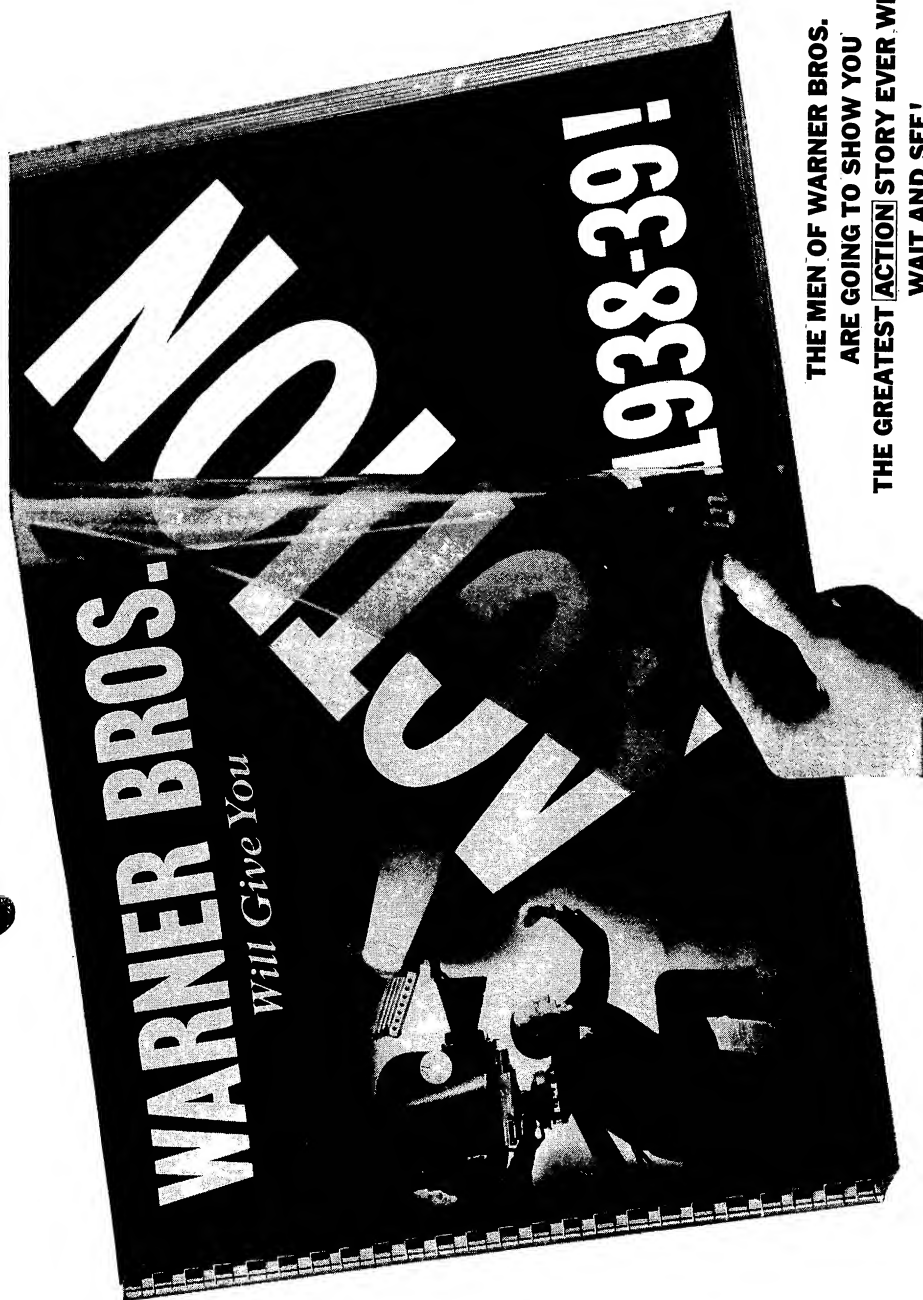
by "Swift Lightning" by
OLIVER
CURWOOD

with
RICHARD ARLEN
BEVERLY ROBERTS
LYLE TALBOT • MALA

Directed by B. REEVES EASON

Screen play by
Gertrude Orr, William Bartlett
Executive Producer
ARMAND SCHAEFER

Public



WARNER BROS.
Will Give You

THE SIGN OF THE CROSS

1938-39!

**THE MEN OF WARNER BROS.
ARE GOING TO SHOW YOU
THE GREATEST ACTION STORY EVER WRITTEN.
WAIT AND SEE!**

Seeing Specs for 1938-39

(Continued from page 3)

period spectacle, 'Alexander's Ragtime Band'. Twentieth-century, with Eddie Cantor and two Sonja Henie pictures, one a collegiate comedy, the other an ice skating, there will be three Rita Rios releases, all more definitely comedies, though some music or perhaps even musical routines.

Metro's musicals will all be on a lavish scale, and in line will have 'Broadway Melody' and 'Ziegfeld Follies', including 'Adventure for Three' (Jeanette MacDonald, The Donald-Daly, and 'Ballerina', adaptation of the musical success of the musicals planned by this company.

Dropping its usual 'Goldiggers' picture, Warner Bros. makes a switch in musical tone with 'The Desert Song' on remake, 'Sally, and 'Garden of Eden', the large scale musical built on a Saturday Evening Post serial. Paramount further dresses up its musical line in musicals for '38-39 with a remake of 'If I Were King', opera. United Artists, which has had two musicals on this side this year, 'Goldwyn Follies' and 'Vogues', and from abroad, 'Gaiety Girls' may not have anything in this line for next season. Sam Goldwyn is declared very unlikely to make a musical for the new year. Universal will have Deanna Durbin in stories with songs, but may not have any others.

More Spectacles

Twentieth-Century, aside from Irving Berlin's 'Ragtime Band', will have 'Sue', 'Kentucky', 'Stanley and Livingston', 'Jesse James', 'The Spinter Fleet', 'The Life of Alexander Graham Bell', 'King of the Khyber', 'Indian outdoor story', 'Hudson's Bay Company', and 'Drums Along the Mohawk', American revolution saga. Lesser of this character also figure in plans.

WB will have 'Juarez', 'Wings of the Navy', 'Dodge City', 'The Sea Wolf', 'Jack London story', 'The Eye of Hymn Salomon', 'Valley of the Giants', 'Heart of the North', 'The Northwest Mounted and others. In addition to 'Desert Song', remake.

Metro is also on spectacles for '38, including 'The Sign of the Cross', about the British army and its strength; 'They Seek a Country', 'Safari African pictures', 'The Sign of the Cross', 'Madame Curie', 'Northwest Passage', 'Antoinette', 'The Sign of the Cross', 'Honolulu', 'Stand Up and Fight' and 'Bad Man of Arizona'.

Paramount will have 'The Exiles', 'Men with Wings', 'The Texas', 'Canadian Royal Mounted', 'Spawn of the North', 'Knights of the Round Table', 'Light 'Tha Zaid' and 'The

'Sudan'. Others will be scheduled later.

U.A.'s Hopes

UA production plans for '38-39 are very definitely laid out. David O. Selznick will have 'Gone with the Wind' to go. One of his large-scale productions will be 'The Earl of Chatterbox', from Alex. Korda, while Goldwyn will supply 'The Exiles', based on the European crisis, and 'Gauls'; Eddie Small in a historical film about West Point, and 'Falter Wagner', 'Alpers', 'The Foreign Legion', Selznick's 'Freedom of the Press', 'biog of the A. P.', is produced.

Adding a more complete setup on product, RKO will be represented by another Walt Disney cartoon feature, 'Painted Desert', 'Gunga Din', and 'Right Angles', Jules Levy, sales chief, was recently quoted as being 'very definite' that the large scale picture plans, out, outdoors and otherwise.

Universal, which has not made up its '38-39 plans but may have a lesser spectacle or two, will be back in the picture market with 'The Sign of the Cross', 'The Sign of the Cross', 'Take It With You'. This company released one of the top crowd-pullers of the current season, 'Awful Truth'. So far as the musicals field goes, Col appears to be indefinite at this time except for the Grace Moore tonnellie.

Universal's plans, announced yesterday (Tuesday), call for 40 pictures. Deanna Durbin will star in three, first being 'First Love', sequel to 'Three Smart Girls'; Danielle Darrieux, who has nearly finished 'Paris', initial American-made film, is to have two in 1938-39, Irene Dunne will be another Universal star set for one. Margaret Sullivan gets 'Service De Luxe'.

Hollywood, May 10

Outdoor dramatic pictures are the remedy for boxoffice doldrums, the opinion of Jules Levy, RKO sales manager, recently here from a swing around the country. Screwball comedies are washed up, Levy adding that important films are still doing a prosperous business.

On business, Levy went on, must get back to the type of stories it was using 10 or 15 years ago and produce them with the highest standards of today.

Fox-W.C. Building 4

Hollywood, May 10. Four Class A pictures, with a total aggregate cost of \$500,000, are being erected in the Fresno Exchange area as ordered by Miguel Louie, who is in Oakland, one in Fresno and the other in Reno. Fresno house will be town's first neoclassic.

Marrying J. P., Ex-Exhibit, Now Running for Judge

St. Louis, May 10. George R. Hart, former exhibitor at Ferguson, St. Louis County, retired from the exhibition field to become a Justice of the Peace, issued his challenge into the political ring last week when he announced he would seek the Republican nomination for Judge of the County in the August primary election. Hart, who won the sobriety award of the County for several months because of the alibi of a party method, was employed in the conduct of his office. In addition to his J.P. duties, Hart does some insurance, is National Commander of the Rescue Army and lectures on theology every Sunday p.m. at the Church of Holiness, where he also serves as minister.

'SNOW WHITE' INSPIRES OLD CARNY GRIEF GAG

Hartford, May 10. Following the receipt of many complaints from theatre patrons that they had been victims of pickpockets in the recent past, the police of Snow White at the Strand, detectives were placed in several neighborhood houses last week where 'Snow White' was showing.

According to detectives, pickpockets now follow the lead from town to town as they used to follow the carnival.

MORE YIPPEE

Hollywood, May 10. Trem Carr's production of 'Pony Express' started galloping last night on the Universal lot.

Picture stars Bob Baker under the direction of George Wagner.

Ken Maynard Obliged

Indianapolis, May 10. Carl Niese, building the Vogue, de la habee called in his friend, Ken Maynard, appearing here with Cole Bros. Circus, to lay the cornerstone on the building he is erecting. Maynard smared the cement while group of kids stood around to supervise.

'Schnitzelbank'

(Continued from page 1)

O'Hara (Paula Trueman) by her puppy (Harold Miller), while mammy (Syvia Field) stood by. Such incidents as the radio time were indicated by the master of ceremonies, Fred Keating, impersonating at one point Hitler before the crowd, and 'Goodbye Sam', in which Janet Fox appeared to advantage; a song titled 'The Arbitrate', sung by Frances Farmer and Lell Erickson, and a parody of 'The Living Newspaper' technique, titled 'Mittens', by Emanuel Eisenberg, directed by Norman Lloyd, who was in the cast.

Highly topical in the program were two vocal numbers. One was an arresting song by Earl Robinson, titled 'The American Radio Time', which took the entire audience into camp and temporarily stopped the show. The second vocal spot, and final number was one of hilarity. This was the parody on Schnitzelbank, lyric to which was as follows, with some of the places explained in parentheses:

'Schnitzelbank' (Schnitzelbank) Band (Richard Whittinger), Katz and Fiddle, Piddle (Hitler), Frederick Keating, Jerges, Moe (Moe), Ghandi, Fine and Dandy, Apple Strudel, Yankee Doodle, Dictionary (Anschel), Quilt (Quilt), Green, I'm Pleased to Meetcha, We'll Defeatcha (Sue Spain).

Where Monday night affairs are on the TAC schedule, and another socially significant Schnitzelbank lyric is promised. Summing up the net results, aside from the money raised, it would appear that enough material might be gleaned from these or these short to provide at least one permanent light summer's revue entertainment. Some 90 persons participated, work of great value and integrating the program being largely creditable to the activities of Althea Bean, lecturer.

Considering the seriousness of the cause which the TAC supports, there is plenty of hilarity combined with such propaganda as could be detected.

So. Cal. Indies Protest 'Snow White' Roadshow Tariff; Charge Camouflage

Partnership Schism Prompts R.C.'s rship

Hartford, May 10. Two Thompsonville theatres, the Franklin and the Majestic, were launched last week by Judge P. J. Sullivan in superior court pending a writ of injunction to prevent between Nathan Siskity and Mrs. Harriet L. Burbank. Siskity owns the Majestic and Mrs. Burbank the Franklin.

Question of insolvency did not enter the proceedings, just a matter of terminating the partnership agreement. Total liabilities were listed at not more than \$1,400. Attorney Hugh M. Joseph and Frank J. Fahney were appointed temporary receivers.

Both Siskity and Mrs. Burbank had made mutual leases to each other, which provided that the houses should be leased only to and operated by each other until 1940. The Franklin and been operated regularly and the Majestic on occasions.

Charlotte, N. C., Ann. Knoxville, Tenn., In Sunday Film Tests

Charlotte, N. C., May 10. Theatre managers estimated that upward of 8,000 Charlotteans attended the first Sunday film tests in a move sponsored by the Charlotte Progressive Association to show that consent favors the amusement and that they would create no disorder. Thousands were turned away. The downtown section of the city was packed with cars and pedestrians at the time the shows began in progress and the theatre presented lines nearly a block long attempting to enter.

"The innovation came in connection with long agitation here for Sunday pictures and was a part of a program to convince the City Council, that strong local sentiment favored a liberalized Sunday.

Knoxville, May 10. City Council will vote tonight (10) on an ordinance to allow films on Sundays except during church hours. Knoxville is said to be one of the two large cities of the south where Sunday films are banned by law, the other city being Nashville. The proposal to repeal this phase of the Sunday blue laws originated with business leaders who wanted to make it possible for tourists to have a good time over the weekend. The movement was promoted by the local restaurant association, which hoped to have the Sunday ordinance against sale of beer liberalized, they, too, pointing to a tightly closed town as being offensive to tourist visitors. Council already has passed the ordinance for Sunday pic on first read.

The local ministerial association adopted a resolution which it linked up Sunday films with liquor, prostitution and the devil. The conservative Knoxville Journal created an opportunity for Knoxvilleans to vote on the issue, balloting 1,580 for Sunday shows and 324 against.

GB SIGNS MOPPET

Hollywood, May 10. Tommy Boy has been signed by Gumpston-British for a moppet role in 'Society' (Tommy Boy, when the Shepherd's Bush studio near London late in May.

Yiddish singer falls from New York May 11.

Los Angeles, May 10. RKO's roadshowing of Walt Disney's 'Snow White' and 'The Seven Dwarfs' throughout southern California at advanced prices in contrast to regular priced bookings given theatres in San Francisco and throughout all of northern California is being resented by the Indiana is resented by the Southern Theatre Owners of Southern California in a communication sent to the RKO Distributing Co. heads.

Charge is made by ITO, pecky, Jack Y. Berman, and Robert E. Poole, its general manager, that the 'Snow White' roadshow in this area were 'camouflaged because a majority of seats are sold at 55c prices, with but very few seats at 75c, 51c and \$1.50, latter priced seats being for the purpose of classifying 'Snow White' as a roadshow.

Claiming it is in receipt of numerous exhibitor protests against the roadshow policy, ITO is demanding on record as protesting and demanding that the practice be stopped.

"I cannot understand why RKO as a distributor, the ITO community, would resort to a practice of this kind, which is so definitely against the interests of the industry. Exhibitors all over the United States have heard so much of national salesmen who will turn out to be nothing but a myth and used to influence certain types of contracts in certain territories.

"You cannot claim that this roadshow is a national sales policy. For example, we are informed that every theatre in San Francisco territory playing 'Snow White' is admitting children at 10c, 15c, 25c, 50c and adults at regular admission prices, while here they cannot sell the picture at less than 55c.

"It is practices of this kind that reach the P.T.A. and women's clubs through protests of their members, thus bringing down upon the motion picture industry the severe condemnation and wrath of the theatregoing public.

Jules Levy, RKO's sales chief, here on product conferences, replying to the charges, said it was not the ITO's policy to roadshow its pictures. However, in the case of 'Snow White', he said, Disney, who produced the cartoon feature for RKO release, demanded a two-day run at the Carthy Circle theatre here, wanting to get back as much revenue as possible through the advanced prices before hitting the regular runs in an attempt to get back some of his heavy coin outfit.

Levy stated that indie exhibitors throughout all of southern California and Arizona, as well as circuits, were given the opportunity to play 'Snow White' at the advanced regular prices, and that only ones who could not cash in on this extra coin were the subsequent runs in Los Angeles territory proper. Roadshow pictures by the local roadshow booking, Levy insisted, where the two RKO first runs in Los Angeles and Pasadena, which instead of getting the feature at regular prices some six months ago were sidetracked as much revenue the film for regular price screenings until end of June.

'Snow White' will be played in the Carthy Circle at 10c, 15c, 25c, 50c and adults at 18 weeks of near-capacity box, playing in to a total gross of better than \$175,000.

New York Theatres

There's a Better Show at the

Loew's STATE
REARVIEW SEAT THEATRE
TODAY ONLY
"FILM OF THE GOLDEN WEEK"
"The Sign of the Cross"
Starring Thursday
"Bluebirds Eighth Wife"
"Light 'Tha Zaid" and "The"

PARAMOUNT TIMES SQUARE
On Screen
Gene Raymond
"STOLEN HEAVEN"
Olympic Brasils
And His Ors

In Person
Gene Raymond
"BUNNY BERIGAN"
And His Ors

Starring Thursday
ROBERT MONTGOMERY
"The First 100 Years"
BROADWAY THEATRE

THE "DEAD END" KIDS
and HUMPHREY BOGART
"CRIME SCHOOL"
25c
Starring Thursday
"The Sign of the Cross"
Starring Thursday
"The Sign of the Cross"

PARAMOUNT TIMES SQUARE
On Screen
Gene Raymond
"STOLEN HEAVEN"
Olympic Brasils
And His Ors

In Person
Gene Raymond
"BUNNY BERIGAN"
And His Ors

RADIO MUSIC HALL
"ROBIN HOOD"
Spectacular Stage Productions

ALL 25c to 75c
By Fox West Coast. Two houses up in Oakland, one in Fresno and the other in Reno.

ROXY
"Four Men and a Prayer"
—On the Stage—
New Stage Show

Starring Thursday
"The Sign of the Cross"
Starring Thursday
"The Sign of the Cross"

New Book Sheds Light on Patent Wars, Facts, Politics and Radio Biz

"Television—A Struggle for Power" is the title of a just-published volume (Morrow, \$2.75) by Frank Waldrop and Joseph Borkin, the one a Washington newspaperman, the other a technical researcher. It is less a book about television, the current question mar, than about radio, the precocious infant of post-bellum electronics.

It is chiefly valuable and it probably will be principally read for the views it expresses and the light it throws historically upon the patent pools, the patent wars and the perennial wire-wireless spectrum-coaxial cable feud of RCA and A. T. & T. Chapters dealing with William Fox, Otisner, ERPI, etc, in talking pictures along with radio.

Book is written from a strongly critical point of view. In essence it's a warning to the public that television is monopolized by its very technical nature because all sets must be attuned to all transmission. Pooling of patents is an indispensable prerequisite. Authors tend to favor government ownership of television, but they are not without doubts about the government; and by government they mean the Federal Communications Commission.

Volume has a great deal more to it than is characteristic of books written about radio. It's clear and forceful and open-eyed about what has gone before, and why. Authors meet at the "commercialism" of broadcasters. Devote a whole chapter under the ironic captions "radio" to question the value of a VARIETY news report of an educational radio conference in Chicago. Apparently this news report is the worst of radio "commercialism" because the authors were pretty shocked that broadcasters had been angered by a series of blasts from the professional finger-pointers. "Commercial" broadcasters in that case brought the pressure on reformers were "commercial" (job-justification) in their own dress fallation.

'VALENTINE' DUE BACK MINUS BERT LYTELL

Blackett-Sample-Hummert is putting "Alas Jimmie Valentine" back on air. All new cast since Bert Lytell, former sponsor, Edgeworth, has moved to Cecil Wardwick & Legler as sponsor.

Dr. Lyon's total power will be the new sponsor. Now casting. Starts in fortnight.

Allen Sub Hunt Still On

Young & Rubicam agency auditioned another game program, using "Alas Jimmie Valentine" as a lure. NBC to rep another game show, presided over by Allen Prescott, got a tryout and was re-audited last Friday (6).

Mennen Listening

Kiesewetter agency is auditioning audience participation programs which have been suggested in New York.

Understood the prospective sponsor is Mennen.

Bazooka Feud

Los Angeles, May 10. Roland Smith, "Musical Plumber," and Dud Kemble, "Country Plumber," are feuding in court.

Smith is suing for \$10,000, claiming \$15,000 in damages for his idea of extracting melody from plumbing accessories.

Ted Sisson Expected

To Join Pedlar & Ryan; Seek L. & T. Successor

Edgar G. (Ted) Sisson, Jr., was reported yesterday (Tuesday) to have resigned as radio director of Lord & Thomas' New York office to join William L. Pedlar & Thomas Ryan, who are in the radio department of the Pedlar & Ryan agency. Switching date is said to be June 15, with it in withdrawal among the incentives.

Sisson came to Lord & Thomas two years ago from NBC where he had been a production man for four years. Sisson was moved up to head the L&T's radio staff when Thomas McAvity was transferred to the agency's coast office last fall. Sisson worked with Williamson at NBC and succeeded him at L&T.

Understood that the question of Sisson's successor is still open.

WFBZ'S BIG SPLASH PIMLICO MATINEE

Baltimore, May 10. WFBZ, which controls exclusive broadcasting rights to the running of the historic Preakness at Pimlico, St. Louis, is planning a big splash matinee set-up built around the entire afternoon of the race. Beginning at two o'clock, station will start a three and a half hour "studio party" splicing commercial spots into programs by house orchestra, fashion notes and highlights from the race track by Nancy Turner via remote aerial, followed by a series of bursts from the professional finger-pointers. At 4:45 station will feed actual running of turf classic to NBC Red network with Clem McCarthy at the mike. This portion has been sold to American Oil for outlets from Maine to California. Rest of country on sustaining. Joseph Katz Agency handled oil account.

Local entertainment set-up for Preakness Ball to be held in Fifth Regiment Armory Saturday (14) night, following running of historic turf classic at Pimlico, will be paced by Ella Maxwell with music for dancing by Hal Kemp and a local combination under direction of Bobula. Handled by a civic committee.

WFBZ will feed portion of entertainment to NBC Red for 15 minute period at 11:15.

Cantor, Penner to L. A.

Eddie Cantor ("Camel) and Joe Penner (Coca-Cola) programs will originate on Coast commencing next week. Cantor's "Patrician" will have two Sunday airings over CBS; Cantor has been broadcasting from N. Y. since he started his current program on March 28.

Entire Cantor crew goes with him, including Bert Gordon, Walter Winchell, and a few others. Penner takes his cast back with him and again will use Jimmy Dorsey, which started in New York.

While airing from N. Y. Ruby Newman's car was used.

Boley, WOY-WBIL, Aesd. Joseph Boley, WOY-WBIL, English announcer, is on a three weeks' sick leave.

Presently at the Gallean hospital, N. Y., following a minor operation.

PAYNE'S NO NAME OFFER COMING OUT

If Public Taste Is Low, Radio Helped Lower, Is Theory of Commissioner—Let Radio 'Master Minds' Do Their Stuff, He Taunts

Washington, May 10. Inasmuch as various branches of radio are jointly responsible for having developed listener preferences, the Federal Communications Commission is obligated to assume the burden of educating the public to have better entertainment tastes. This is the slant of Federal Communications Commission George Henry Payne, who has been demanding more cultural programs for several years, is the chief advocate of more stringent tests whether they are serving the "public interest, convenience, and necessity."

Agreeing that networks and most of the more powerful stations, in company with a few relatively obscure independent stations, are serving the "public interest, convenience, and necessity," Payne went on to point to types of microphone fodder which the public could get along without. Offered few alternative suggestions, however, feeling that if the industry is as ingenious as it is, it will be able to find the master-inds can find a way to fill the holes.

Four principal types of alleged entertainment and three outstanding commercial practices ought to be cleaned out, however, the industry breath-takers claim too much credit for the "American system," Payne's view. When the deficiencies are remedied, it will be time for the industry to get on with it.

(Continued on page 32)

CBS Plant, Week Old, Too Small

But It's Because 'Hollywood Hotel' Bunch Is Very Social and Needs Elbow Room for Serving Tea

Hollywood, May 10. Flag at Columbia Square hung limp. Heads were bowed and faces crossed the brows of the fifth floor tinahs. A funeral silence like a pall over the foyer. Abject humility was everywhere evident. It was all reminiscent of those days when the CBS plant was in the old building at 1700.

All voices against the completeness and thoroughness of the new CBS plant, which seemed to have been dare by doing something about it. Packing up, bags and baggage, for the move from the CBS Radio Plaza house on Vine street, their stamping ground, the Campbell school and development, the CBS plant (5) pitched camp at Columbia Square for the complete rehearsal. Street was never like this with a cast of nearly 100 it was necessary to conduct the drill in two sections—dramatic and musical.

Brewster Morgan and Diana Browne soon found they were brothering hard and developing charley horses making the jumps back and forth between the two show grounds. Vine street was never like this.

When the show's top mounters started hunting around for dressing rooms they found the layout unsuitable for banding than the privacy to which they had been accustomed. Vine street, the rehearsal room, was getting nowhere. Up to the fifth floor bounced Producer, owner, who had just made up

Widest Possible Distribution Sought On Research Committee's County Figures

Versatile Mayor

Charlotte, N. C., May 10. Mayor Ben Douglas of this town can apparently be depended on to lend either a hand or a foot for stunts cooked up by local broadcasters. Within a week WBT has had him miming an amateur program and putting out his sheathed booties in a shoe-shining contest.

Contest, held Sunday morning, drew 20 shine boys with Hixson doubling as Exhibit No. 1 and judge. The winner got a badge reading, "Charlotte Champion," a carton of shoe polish and a dozen shine fast. The studio band provided rag music.

Amateur hour am, incident.

O'Keefe and RKO Must Go To Trial on Injunction Action of Announcer

Trial of the injunction suit brought by Walter Hawkins, radio announcer, against Walter O'Keefe, Radio-Keith-Orpheum Pictures Inc., and Hixson & McCawley, is scheduled for Thursday (12) before N. Y. Supreme Court Justice Aaron J. Saxe. The suit, which was filed in New York, is based on a letter which he claims he originated, from use on the air or made into a picture by RKO, instead of a tape O'Keefe.

Plaintiff also wants an accounting of profits made on his alleged script by the defendants. On Wednesday (11) Judge Saxe denied defendants' motion for a summary dismissal of the suit, finding it "insufficient grounds." Court held the plaintiff's case should be tried.

Columbia and NBC have called off their men of mailing lists for the purpose of addressing copies of the Joint Committee on Radio Research's estimate of radio homes as of Jan. 1, 1938. NBC is going to do its own distribution direct, while CBS proposes to include the report in a promotional piece that it's working on. The JCR's report on radio homes will be made available to the trade either tomorrow (Thursday) or the next day, in the initial batch going out in today's (Wed.) mail. National Association of Broadcasters, the Association of National Advertisers and the American Association of Advertising Agents will each be supplied with copies for direct mailing to their members. In all, 8,000 copies of the report will be distributed by the committee.

CBS and NBC had turned over their highly guarded mailing lists to the JCR's director of operations, Paul F. Peter, who had been told that his office would, after circulating duplications, mail the copy report direct and bill each station equally for the postage. A letter was to accompany each booklet explaining that the latter had been given the joint compliments of NBC and Columbia. When the question arose as to whether CBS would be required to declare that it preferred to drop the whole thing and asked that its own report be returned to its report.

Report will have the estimated 26-70,000 radio homes broken down by states and counties. In addition to the advertising and broadcasting trade, the report will be available to hundreds of publications and educational institutions.

PETER JOINS N.A.B. JUNE 1

Paul F. Peter, who has been named research director of the National Association of Broadcasters, as reported in last week's VARIETY, will finish up with his present assignment, manager of operations for the Joint Committee on Radio Research, May 25. He takes over as NAB post June 1 and will return to New York immediately afterwards to sit in at the NAB's rep on the JCR's technical committee.

John Benson, chairman of the Joint Committee on Radio Research, until July 15, when the committee would meet to decide on whether to continue its work. Peter is a broadcaster, producer, and set up an audit bureau of his own financing.

Peter joined the JCR in June, 1936, coming from RCA. He was with NBC from 1929 to 1935.

CASA LOMA WITH BURNS AND ALLEN

Casa Loma baid succeeds Jan Corbett's unit on the Burns and Allen show. The new unit will contract with Casa Loma for 13 weeks. Indications are that when B & A switch over to the Chesterfield gig payroll in October the orchestra in the show will again be headed by Burns and Allen.

Dance competition to occupy the band while working with the comedy duo. The show will be set, Casa Loma, following a string of one-nighters, will open at the Palomar, Los Angeles, Aug. 3.

Myrick Pickford's interview. Before returning to Hollywood, (11) Max Pickford will be interviewed by Radio Harris on her forthcoming plans via WOR and the National network Tuesday (12).

CAMERON TALKS FOR FORD EMBARRASS CBS AT COMBUSTION EDUCATIONAL MEETING

Fred Willis on Spot as Chairman of 'Controversial Program' Roundtable—Angell Sees Transcriptions as School's Answer—Many Awards Given

Columbia, May 10. Frederic A. Willis, assistant to President William S. Paley of Columbia, was put on the spot by educational broadcasters topped on the CBS No. 2 man about these Cameron talks on the Ford and also the Willis report to stockholders via radio back at him in answer to his contention that radio has no editorial policy.

Willis' hot seat was the chairmanship of a round table discussion on "Radio's Controversial Issues" and he found the Cameron business in his lap almost immediately. Admitted that talks are a problem, which is playing CBS and for which there is, as yet, no answer. Indicated, however, that something will be done about it eventually.

To criticism of the Foley report he replied that the network would give time to any organization which wished to answer the Columbia proxy it had been given.

Question of treatment of controversial political, economic and social subjects was a theme that ran through the three-day institute, which was attended by 15 representatives of commercial and non-commercial radio and various educational bodies. Issues arose first at opening session by Dr. Boyd Bode, of the Ohio state department of education, who stressed the "importance of mental need of education is a point of reference" and that radio's contribution to the creation of a forum where controversial matters would be clarified cannot be debated.

He was supported by Dr. W. W. Charters, director of the institute, who stressed programs which would present all sides of issues unbiasedly before they are discussed by the non-commercial.

Use of electrical transcriptions as the best means of serving the schools was advocated by Dr. James R. Angell, educational counselor of the National Broadcasting Council. Robert S. Stephan, Cleveland Plain Dealer radio editor.

NBC Favors E.T.
It is impossible for the networks to render day-to-day service to the schools, said the former president of the National Association of Broadcasters.

The maximum service for schools is the electrical transcription, available at any time in any classroom, and provides maximum service and maximum quality.

Stephan complained that educational programs are scheduled for the school or for the more intelligent listener, ignoring the duty of mass education. Said George P. Lazarsfeld, director Princeton University Radio Research Project; J. Edgar Wright, director of the National Evaluation of School Broadcasts; Ohio State University; Lester Ward, director Research Project, School Broadcasting, University of Wisconsin; William S. Hendrix, Ohio State University; George Zook, president American Council on Education; Arthur J. Keith, secretary of the Institute.

Round Tables
Work study groups and special sessions were presided over by Wallace Kaderly, assistant to president of the Department of Education; Paul T. Rankin, Detroit Public Schools; Cline M. Van Dine, New York City; Frank N. Stanton, CBS director of market research; R. C. Higley, Louisville, Ohio; and Dr. William F. Fisher, CBS director of

talks; Ned H. Dearborn, New York University; Carl Menzer, president National Association of Educational Broadcasters; Paul Reed, Rochester Public Schools.

Chairmen of round table discussions were Joseph Reis, WLV; William N. Robson, CBS; Ernest La Prade, NBC; Harry A. Carpenter, Rochester Public Schools; Alice Kellner, Progressive Educational Association; B. H. Darrow, WBBN; Butte; Robert J. Coleman, WKAR, Michigan State College; Frederic A. Willis, CBS.

NBC took five out of 11 first awards in round table discussions. NBC topped four firsts, Mutual one and the other one went to WHA, University of Wisconsin. Columbia got three honors mentions, NBC two and Mutual one.

Jackie Wilson debate on Utilities on the program of the day. The Air on NBC was voted the best program of discussion produced by a commercial broadcaster. Other NBC awards were:

"Science in the News," by University of Wisconsin; "The World's History," talk produced by an educational organization.

"The Story Behind the Headlines," English Foreign Policy, by Cesar Searinger, best talk by a commercial broadcaster.

"NBC Home Symposium," best participation program by a commercial organization.

"New Health," produced by American Medical Association and NBC, best program by an educational school.

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BOB BURNS' BROTHER GETS RADIO-MINDED

Seattle, May 10. Farrar Burns, brother of Bob Burns, Kruze Music Hall comic, is reading himself for a crack in radio around the Seattle area. Farrar, who says he once barnstormed with his brother, went to Seattle recently to publish his weekly newspaper, "The Puget Sounder."

Farrar figures that he has as much on the basis as his brother when it comes to telling some tall Arkansas yarns.

senior high school use produced by an educational organization.

Mutual's award was to "The Right Way" by the University Broadcasting Council, best dialog by an educational organization.

"The World Is Yours," produced by WHA, University of Wisconsin, was voted the best program by an educational organization.

Honorable mentions were as follows: "U. of Chicago Round Table: The Crisis in Central Europe," by University of Chicago; "The World Is Yours," produced by WHA, University of Wisconsin.

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Chain Income from Time Sales

	NBC		
	1938	1937	
January	\$2,881,935	\$2,898,037	
February	2,714,300	2,719,819	
March	2,037,873	2,025,308	
April	2,174,928	2,062,143	
Total	\$11,810,905	\$11,705,916	\$11,860,807

	CBS		
	1937	1938	1935
January	\$2,378,620	\$1,901,023	\$1,768,949
February	2,264,317	1,909,146	1,854,461
March	2,559,716	1,175,982	1,850,353
April	2,563,478	1,950,339	1,615,389
Total	\$11,018,777	\$9,768,131	\$7,033,490
Total	\$9,828,689	\$7,202,653	\$5,962,551

	MUTUAL		
	1938	1937	
January	\$269,894	\$213,748	
February	255,850	253,068	
March	246,637	247,431	
April	189,545	200,134	
Total	\$953,326	\$894.5	

April Slowed Networks' Pace

But NBC Ahead of Same Month in 1937 by 1% and All Webs Beat Previous 1st Quarter Totals

RADIO NEWCOMER

Mohawk Bedding Tryer Sponsorship in Four Markets

Chicago, May 10. The new network, Mohawk Bedding company, headed by the Schwimmer & Scott agency, was announced.

Has spotted shows on four mid-west stations, WLND in Chicago, WJWB in Toledo, WOL in Dayton and KFNZ, Shenandoah, Va.

That 'Policy Statement' Is Strictly from Publicity At WFL Within 3 Months

Philadelphia, May 10. "Swing Club" was inaugurated on Saturday (7) at WFL, the largest at the station—was thrown open to kids for dancing to the music of the house band. Portion of show was added, including quiz on swing language.

Program is in charge of house wander Tony Candelieri, who in January announced "no swing, no jazz, only sweet music on the station."

Speaking of Publicity

WFL was forced to call off its weekly spelling bee last Thursday night. It had arranged with local fight board to air meet between five boxers and five wrestlers. But according to the publicity—boys got in an argument over spelling of word shortly before the program was to start and settled it in their customary way.

Go. His two guys in the hospital and three other guys with swollen throats, there's nothing to do but postpone the show.

Mills Bros' Guest Date

Guesting on the Pearce show on April 17 is Connie Boswell.

Hopes They See Redd

Hollywood, May 10. Bob Redd's NBC production of "Hail of Fun" was shipped east for wax for agency audition. Redd also scripted with service.

Half hour variety show, geared as a feature filler, has for cast toppers Cliff Arquette, Guy D'Arcy, Tom Dick & Harry and Frank Horder, orchestra.

Emil Doreau new publicist for station WWRL, Goodspeed, L. N. N. Y. Last with World's Fair News, N. Y.

While Columbia's time sales for April took a comparative month drop (from 1937 of 45%, NBC just trend from same month in 1937, NBC's gross for last month was \$3,310,565, or 1% better than the April '37 tally, Columbia's and \$2,424,180 and \$2,563,478 the previous one. Mutual's billings were off 5.5%.

Monthly Year-for-Year
It was CBS' first dip since October, 1937, when the network had been month-by-month consistently upward. On the first four months of 1938 Columbia is still 4.8% ahead of the accumulated figure for the initial four months of 1937: NBC's accumulative margin for the stretch is 4.5%, while Mutual's is 5.8%.

NBC in April, '37, grossed \$3,277,837. For the previous April, it was \$3,142,828 and in '35, \$2,682,143. Columbia's total for April, '37, was \$2,563,478. The April before brought \$1,850,929 and in 1935 the CBS tally was \$1,815,389.

**GOLF SUMMER SHOW SET, BUT
BAKER NOT**

John Nesbitt takes over the Gulf Oil spot on CBS Sunday nights, starting July 3. Question of whether Phil Baker will return for the account in the fall will be decided one of the other tomorrow (Thursday).

Young & Rubicam, agency for Gulf, bought Nesbitt from right under Lord & Thomas, who were negotiating for the speler on the Coast to do a regional show.

Richard Dix, Jean Parker Offered in Zane Greyer

2nd Friedman, indie agent, is offering agencies around New York script series, "Lost Wagon Train," starring Richard Dix and Jean Parker, topping the cast. Episodes are of 30 minutes, and disks are now being passed around for auditions.

Right to the serial are owned by Zane Grey, to whom the sketched idea of yarn is credited. Grey, however, did not do the dramatization.

Corbello's Baltimore Sketch

Dr. Charles Corbello, organizer on Mutual web, will conduct a six-weeks' special course in music at the Festivity Conservatory, Baltimore.

Course starts in July. It is not yet decided whether Corbello will continue his Sunday broadcasts during the school year, the stretch.

New Orleans Union; KOMO-KJR Seattle Tiff Ended

Joseph M. Weber, president of the American Federation of Musicians, said yesterday (Tuesday) that he was ready to sign a new contract with the union, which was ended by the station.

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It was assured that the other stations here would be required to do so likewise, but that since then WFL and WWSB had been using network music.

WFL has to spend \$250 a week on the contract, Calahan said.

Giuseppe Peplone, business manager of WFL, stepped into the station by phone and telegraph. Two stations accepted the union's contract without objection or reservation, bringing to an end the bitter argument.

But whether the outsider, gm. mgr. and local union heads since the general strike of settlement became effective Jan. 17.

Fisher and the union got together two days after the local had put the two stations on the air.

KOMO-KJR had previously given the station a \$25,000 advance for effective May 5. Fisher's action, which it was unfair for the union to take, was to get \$25,000 a year for staff men as against local payroll allocations, even though the station had spent \$30,000 the previous year.

Seattle, May 10. KOMO and KJR settled their controversy with the local branch of the American Federation of Musicians Friday (6) after NBC officials in New York stepped into the station by phone and telegraph. Two stations accepted the union's contract without objection or reservation, bringing to an end the bitter argument.

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FORD PEEED AT AL PEARCE

American Tobacco Co. had not at this time yesterday (Tuesday) closed its contract with Al Pearce because the required hour for the Funky Strike show, slated to start in September, was not set with either NBC or Columbia. Account wants to maintain three full hours on the networks this fall, retaining Ray Kiser on NBC and the Hit Parade on NBC.

For the \$80,000 per broadcast involved Pearce will furnish himself, Carl Holt, Arline Harris, and "Lizzie Trish." Lucky will pay the bill for the music in and the test vocalists' gueses.

Ford cancelled its Tuesday night spot on CBS and gave Pearce his release as of June 28, though the contract with him doesn't expire until the end of this year, with no little feeling of chagrin toward the performer. Auto manufacturer, though inclined to economize on advertising costs for a while, is reported to have felt that Pearce should have resisted outside offers for bigger cable with his initial network obligation had run out. Pearce's angle in the expiration date would have come in mid-season and since there wasn't a chance of getting appreciably more from Ford his consideration of other offers was sound and fair.

Ford will be without representation on the networks for the summer after the Sunday night concert and Pearce goes off that company's pay roll at about the same time.

NEW MUSIC SETUP AT KHJ FORCES OUT STARK

Los Angeles, May 10. — Cancellation of music policy at KHJ by Lewis Allen Weiss, general manager of Don Lee chain, eliminates the post of chief director. Various radio leaders taking a crack at the baton. Move forced out Frederick Stark, in charge of the music department for the past nine years.

Aim of the change is to allow for a more flexible music policy and provide work for different sets of musical specializing. Station is committed to spend \$84,000 annually on music.

CBS Bests NBC at Golf

Washington, May 10. — Annual golf-course battle between Washington execs of NBC and CBS ended on Friday (6) with a smashing victory for CBS.

Team matches were played off at Spring Country club, with NBC taking its first licking from its rival in six years. Addition of some betting-blood during the past year, responsible for the upset.

Seve gave Larry Elliott, CBS chief executive, low guess of 18.5 and Paul A. Porter, network's headquarters comptroller, low net with 13. Second low by Keith B. Williams, NBC engineer, with 84. Gene Conklin, CBS salesman, now low net with 73. Pitting backslung during the year awarded slightly utilitarian prizes of golf balls, golf shirts and golfing gloves.

evans Adds Exes

Minneapolis, May 10. — Frank C. O'Brien, formerly on Detroit Times and Denver News staffs, and more recently editor of For News and radio program director for Minneapolis radio, has been named by Knox Reeves Advertising, Inc., Minneapolis, doing radio blurbs on O'Brien's behalf.

Reeves an executive sales promotion in Minneapolis.

In addition to the KST staff is Rosebuck, former editor of the Sportsman, who is the Boston and Detroit head campaign on Wheaties, with 11 baseball sport news

Radio Cost Public \$700,000,000 In '37

(Figures herewith are copyrighted by the Variety Radio Directory—Vol. II soon to be issued.)

More money is spent by the public to purchase, operate, repair and service radio sets annually than is spent to buy either magazines or newspapers. That fact effectively disposes of the oft-stated description of radio as a "free entertainment." It is only free outwardly and superficially. Comparative fiscal data adds up as follows for 1937:

Listeners' talks, keep Magazine

700,000,000

subscriber single
copies \$161,701,000
Newspaper readers spent for morning, evening and papers \$5
al readers publications \$11,179,000
Magazine subscription and single-copy totals as compiled by the Variety Radio Directory after separate tabulation of 383 general magazines and eight group publications. No technical or farm papers were included. The last ABC six months' averages were used as base. (Full detailed breakdown of figures will appear in Vol. II of Directory.)

SUNSHINE IS REPORTED SEEN IN OMAHA

Omaha, May 10. — Manager John Gilli, WOV, states that the station is now enjoying the best business in its history. Station now has no time for less than 7 a.m. and 9:45 p.m. excepting Saturdays and Sundays. This means that station has sold every possibility between these hours, but continues to have plenty, nevertheless, a number of net and local sustaining programs in keeping with station policy.

Advent into Omaha last month of the Atlantic & Pacific Tea Co. with two major grocery stores set off a wave of competition to radio advertising. A & P has not yet set its programs but will splurge over WOV daily beginning within next few weeks. Hinky-Dinky stores have bought sponsorship of some newscasts. United Food Stores have taken sponsorship of Uncle Tom's Playhouse.

Situation has developed into a small price war among grocers here, and foodstuffs are reported to be selling cheaper in Omaha than anywhere in the nation.

Advertising campaign on Nebraska as the "white spot" of the nation is figured to have a large part in the advent of new stores here.

SHAKESPEARE GETS APOLOGY AND RE-RUN

Columbus, May 10. — To make amends for cutting Columbus's Shakespearian Birthday program at 13-minute mark couple of weeks ago, WNSR re-broadcast transcription of entire 45-minute program (8). Through error in the program department, it was thought broadcast was only a quarter-hour program and station engineers threw the switch at the end of 15 minutes.

Listener squawks led Jack Price, program manager, to have CBS sponsor the program. It was thought Sunday with apologies for the previous cut.

HAL KEMP WITH AGENCY

Stack-Goble Also Adds Fred Coll and George McKey to Staff

Harold Kemp has become a radio executive with Stack-Goble Advertising in New York.

After his departure from NBC about two years ago, Kemp joined the Hollywood office of Ruckelshoff & Keefe, Inc.

Fred Coll and George McKey have joined Kemp to do radio agency in New York.

Both were formerly with Publicity associates, public relations outfit which Josef Israels is now carrying on alone.

MISSSES SHEPARD That Hit Aimed at Him Is the Target

Boston, May 10. — Hosts race and greyhound bunny chasing news has been played by the House this week for radio discussion. Bill, declaring racing news detrimental to the public and breeding gambling taste to the young and and for the bookies to trim the suckers, was inditely aimed at John Shepard, 3d, who carries the bulk of local race airings on the daily WAAB "Racing Matinee" sessions, a canned music set-up a couple hours in length daily.

During a recent hearing Rep. Milano, in blasting at radio stations, explained his bill's purpose was to release the events and international crises had to wait till after the eighth race, when the station would release the news. In addition, he termed the frames a "monotonous recital."

DETROIT NEWS TO CURTAIL AIR INCHES

Detroit, May 10. — Following suggestions made at recent publishers' conference, Detroit News (WWJ) hereafter will devote only one full page to radio news in its Sunday editions, in place of the usual two which it's been giving for past several years.

Ediet will not offer full weekday schedule of about one full page, including listings and Herschel Hart's "Air Gossip" column.

On the News' one page Sundays will be crowded not only the usual listings, but also all of any advertising to do with radio. Whereas, idly a half-page was formerly devoted to impressive art layouts of artists, hereafter photos will be restricted to non-commercial program art, whenever possible, even then, but no concern shown carried over newspaper's outlying, WWJ.

Hearst's Times and Ind. are expected to follow suit, with Times cutting down on one page of listings and the P. I. halving its present full page every Sunday. Times now carries about full page daily, with Pat McGee's "Radio Free Press" carries only daily listings on Sundays some features by Eddie Guest, Jr., and Frank Gill.

Philadelphia, May 10. — Philby Daily News again was a radio column today. Inaugurated one a couple months ago but it lasted just one day before the column disappeared in the tumbled caused to be pulled.

Ray Gathrid will again

100 Miles—For Free

Philadelphia, May 10. — What's believed to be a record for long-distance travel to air show is held by the and Burton Pierce, champions on WDAS. Couple drove 100 miles from their home in Philadelphia to the show in 15 minutes.

John M. Murray, for City of St. Louis, has joined Philip Associates, N. Y., program builders and talent agency.

REGIONALS IN STRATEGY HUDDLE

Chi 10. — Three radio meetings were held here Monday and Tuesday at Palmer House. First was midwest group of N.A.B. with Phil Loukes sitting in on general discussion. Main topic was paid president for trade association.

Second meeting was regional sales managers gathering for general talk. Tuesday session was for regional sales managers with topic being proposed rulings of commission at regional hearings on June 8 and mopping of regional strategy.

OFFER 'GANG BUSTERS' AFTER COLGATE RUN

"Gang Busters" now on the Colgate-Palmolive-Pearl payroll over CBS, has been submitted to Stack-Goble for the Bromo Quinine act.

Overstated price of the show figures around \$5,000.

Palmolive's contractual control of the program expires at the end of this year, but a successor client is being lined up in the event the usual opti isn't picked up in the meantime.

Esty's New Corporation

Albany, N. Y., May 10. — W. C. E. Co., Inc., has received a charter from the secretary of state to conduct a general advertising business. William C. Esty, F. Harper C. Lutz and Martha Guilfoyle are the officers.

Capital stock is \$600,000, with each share having a par value of \$100.

It is the Esty agency's second incorporation. Enterprise was originally chartered by William Esty Co., Inc.

ALL-VAUDE ROSTER

Joe Penner Group Recruited from Varieties and Burlesque

Joe Penner program for Cloc alt has one of the few more or less all-show his rostered.

His stonoges are ex-vaude Harry "istling" Lang is of Lang and Haley (Bernice Haley show is in N. Y. gown show). Joe Mark is of Markis and Rose Sydel.

roducer of the show is Max Haver, former Keith vaude actant. Joe Gene Austin, the tenor, is an alumnus of the vaude

GHOST GAG'S DRESS EXPLAINS

Di Writers to Carry Out Conception—Not Considered Collaboration

Script shows produced by Blackett-Sample-Hummers New York office are not collaborative. Frank Hummert points out in an elaboration and discussion of the status of dialog writers under his system of operation. Detailed synopses by Frank and Anne Shortt cover plot, situation and characterization. Dialog is added by hired writers working under the direct supervision of the Hummerts. These dialog writers are, and have to be, intermittently shifted and reassigned.

Recent addition of a "publicity" clause to dialog writer contracts issued by Al Pearce, is a defensive measure to protect the Hummerts' credit as feature writers and operators. Hummert script synopses with Hummerts have no objection to dialog writers crediting themselves or their bosses as long as the writing makes clear their actual status and participation in the creative process.

In further outlining the practices of the wholesale script writing staff, several policies are clarified by Al Pearce. Rights are bought for a well-known novel or play is bought, the inevitable rule is to pick up the characters and plot. The story ended on the stage or between the stars. "This was Jimmy's fine" began the air with the play-farcing finale of the play. From there, the writers took over.

Traer of "Lost Persons" is from a germ published years ago in magazine form. Rights were bought from estate of Robert W. Chambers.

One of the problems of the Hummerts is keeping characters in character. Rights were bought from the estate of Robert W. Chambers.

Hummert states that there is no word in the script, but a smart writer, or humanely could turn out, every line of script of the many used in Blackett-Sample-Hummers clients. But they feel that the initiative, the conception, the details synopses and essential direction, time, casting and nature of the serials is theirs. Without disparagement to the dialog writer, they feel that the dialog writers they candidly do not recognize that a collaboration in the literary or dramatic sense exists. They hire professional writers to do the detail work in mass production, radio show-writing, which permits low cost entertainment to non-star sponsors.

Organist, 7 Voices with

Swing Harist for RCA

Organist for his Victor records, RCA Maple Key next Sunday has Law White, the organist, spotted with a new record.

Ed Smalle's Seven Gals and Caspar Crowther, the singing harpist, will be heard with the consultant on the same show.

CHILE

Official language: Spanish. Money: Peso. Area: 286,322 square miles. Population: 555,872. Estimated number of receiving sets: 75,000 to 80,000. Tax or registration: None.

Duty on transcriptions and record: Finished transcriptions, cylinders and discs for phonographs and similar uses, 80 paper pesos per legal kilo; blank, 20 paper pesos per legal kilo. Sales tax, 5% of duty paid value; statistical tax, 3 1/2%. In addition, there is an internal tax: 0.50 pesos when the price does not exceed one gold peso (4 paper pesos equal one gold peso); 1 peso when the price is from 5 to 15 gold pesos; 2 pesos when the price is from 15 to 25 gold pesos; 3 pesos when the price is from 25 to 35 gold pesos; when the price is over 35 gold pesos, 0.50 peso for each 10 pesos or fraction of excess.

CB114, SANTIAGO DE CHILE

Operator: Radio del Pacifico. Address: Huertafanos 1153, Santiago. Power: 5,000 watts on 1140 kc. Affiliation: Hookup with CB82 and CB960, both of Santiago (their representative, Conquest Alliance Co., of New York, will also undertake to organize, at cost, any hookup desired by advertiser). Owned: 1934. (Note: Spencer & Vivado, Ltda., owners of this station, also operate but do not own station CB82, with which it has a network hookup shown under affiliation, and also engage in the repair of radio sets, manufacture of sound equipment for theatres, talking films and radio transmitters).

Co-owner, chief engineer: Isardo Vivado. O. Station manager: Jorge Quintero T. Program and musical director, artists bureau head: Donato Roman Heitman. Publicity director: O. Morelle.

Rep: Conquest Alliance Co., Inc., New York City. News: Obtained from El Diario Ilustrado (owner of CB82, operated by Spencer & Vivado) and the daily El Imparcial. Merchandising: None. Foreign language programs: Will accept; English and French hours current.

Electrical transcriptions: Have 3 turntables for records at 33 1/3 and 78 r.p.m. Best programs: mystery stories, comedy, dance music, semi-classical and classical music. Artists bureau: Yes; lists 20 artists.

Rates:

11 a.m. to 6 p.m.	one time.....
One	13 times.....
	26 times.....
	32 times.....
half hour, one ti	13 ti.....
	26 times.....
	52 times.....
quarter hour, one time.....	
	13 times.....

Presenting the World's Last Great Frontier: South America

Nowhere in the world today is there a frontier of the dimensions of South America. Rich in minerals, forests and natural resources—and still enjoying radio without the burden of excessive government interference—this vast area has more and more become the marketing cynosure of American advertisers.

In recognition of this fact, Volume II of the VARIETY RADIO DIRECTORY will present a picture of the commercial radio situation in South and Central America. This is the first thorough compilation made.

All stations are listed, and the great majority are listed with more details than are usually presented on U. S. stations. The sample to the left shows a detail of this work—the painstaking effort characteristic of the whole.

It is suggested that an immediate order will insure immediate delivery of the DIRECTORY after the date of publication. The price, as in the past year, is \$5 the copy, postage prepaid (but duty not prepaid in foreign nations).

VARIETY RADIO DIRECTORY
154 West 46th Street, New York

..... copies of VARIETY RADIO DIRECTORY (\$5 per copy, postage prepaid; \$5.10 per copy in New York City; duty not prepaid in foreign countries). Enclosed find \$.....

Name
Address
City
State

G. H. Payne on Programs

(Continued from page 23)

cense-holders to help about excessive regulation and unsympathetic treatment at the government's hands.

These are the chief black marks against commercial broadcasting in the view of the most vocal FCC reformist:

1. Still too many accounts promoting 'deteriorating drugs.'
2. Excessive plugs and blurbs.
3. Forcing sales of sponsors' products, principally through influencing children to buy certain articles.
4. Insistent dialog on so-called 'sophisticated programs.'
5. Over-sensational and excessively hair-raising kid entertainment.
6. Trashy comics, particularly those who think the height of humor is to swap puerile gags with the audience.
7. The mystics, near-lotteries, astrologers, numerologists, and health lecturers.

Accused by industry spokesmen of believing in government operation, Payne this week applauded 'more far-sighted elements' in the industry for strides in improving the standards of both enter- inment and radio advertising but insisted that more remains to be accomplished before the business can claim to be functioning in manner above rebuke.

Present controversy over whether radio is doing its job or not looks to the FCC clearer as encouraging and wholesome. Past few months' debate indicates greater awareness of the industry's responsibilities and suggests reason for hoping that greater improvement lies in the future.

Fact that the public seems to be fond of slap-stick and snout is no defense for the broadcaster who doesn't want to do better, Payne asserted. If the double-entendre form of joke and raucous punning is the public preference of the day, the stations, agencies and sponsors cannot duck responsibility, since they helped encourage demand for that grade of diversion.

Performers whose wit is not particularly witty have built up audience demand without help of the in-

dustry, according to Payne. High-powered propaganda emanating from the Federal Government has been combined with advertising which draws attention to these programs, has fertilized the field.

Better balance in programming, with emphasis on higher grades of advertising, and more intelligent evaluations, and cleverly-presented educational matter, is the crying need, Payne feels. One of the possibilities for smart production executives to replace the junk and dirt.

Hair-raising programs for children are still too numerous and too scary, Payne declared, although there is no question that progress has been greatest in this field. Comic-strip characters could easily be replaced by more respectable literary and historical figures who have as strong an appeal to the juvenile imagination. Particularly with dramatized stories of great men and women, carefully planned and skillfully presented, as witness the success of better grade kid books.

Payne Is Grand-Pop

Broadcasters should be particularly concerned about entertainment dished up for youngsters, thinks the FCC crusader, who is a grandfather himself and knows from experience the cultural effect of 'shoot-alot' programs. During formative years, growing generation can be encouraged to have more admirable literary and musical tastes if they are fed higher type radio fare, Payne claims.

FCC training sponsors and agencies along with station managers, Payne reflected deep dislike for the sales tactics used in conjunction with programs for children. The young mother to ask for Kohlen's Ketting 'Kake' type of promotion is undesirable, and doubly so when hooked up with a premium offer. The box-top type of patronage building aimed at youngsters ought to be discouraged.

Commercial plugs still are stretched out to excessive proportions on many adult programs, Payne commented. Despite all the talk, too many advertisers still do not appreciate the importance of white space, although the public has made it clear that the simplest commercial as-

nouncement often is the most effective good-will builder.

While surveys may indicate the public is satisfied with what it gets, mail from listeners demonstrates widespread displeasure with the output, Payne said. Cited raft of correspondence, particularly from mothers and fathers, concerning his demands for higher standards.

Analysis of unusual material stirred by beer and patent medicine advertisements, 'silly' gangster, hooded horse and gangster programs, and extravagant advertising claims. Many of all these have had a bad effect on immature minds.

Among the programs which have been condemned by viewers but repeatedly, in letters from irate parents are Tom Mix, Charlie Chan, Orphan Anle, Don Winslow, Gang Busters, and the 'Dick Merriwell' type of entertainment.

Adult listeners within their own right, according to their correspondence with the FCC uplifter, want less slapstick, profanity, claims that every sponsor's product is the 'purest' or 'best' of its kind, 'moralistic' or 'most delicious.' Features mentioned specifically in critical letters are some of the best-known on the air, including veterans from Hollywood and the legitimate stage. The FCC uplifter, who has written to the editor as any criterion, there is a grave danger that between station, agencies, and sponsors will kill the goose that lays the golden eggs. Many of Payne's correspondence complaints make a point of not buying articles manufactured by companies which pay the bill for programs that offend the sense of good taste, have a bad effect on younger generation, or contain too much advertising matter.

LEO FITZPATRICK'S CAREER DRAMATIZED

Detroit, May 10.

Leo Fitzpatrick, manager of WJR, here, takes part in dramatization of his role at WJR on tomorrow night's (11) airing of Eddie Guest's 'It Can Be Done.'

Fitzpatrick will drop off in Chicago for broadcast, while en route home from just to west coast. Dramatization will relate how Fitzpatrick, then young newspaperman, took over a bankrupt station (WJR) in 1925 after leaving the old Kansas City Night-hawks, and built it into one of the nation's few 50,000-wattors.

Jack Haley on Bread Program Sept. 30

Jack Haley goes on the Continental Bread payroll Sept. 30. It will be a Friday spot on CBS, 7:30 to 8:30 p.m. Agency, Benton & Bowles, said he same that had him on Log Cabin Syrup (General Foods) the past season.

WHAS Derbys WAVE

Louisville, May 10. WAVE cancelled an NBC commercial in order to join WHAS, local NBC affiliate, in broadcast of the Kentucky Derby Saturday (8). By extending the courtesy to WAVE, the fourier station, which has been a like favor it received from its neighbor outlet in 1957. Program which WAVE dropped was Chesterfield's Sport Review with Paul Douglas. Derby airing was underwritten by Brown-Williamson in behalf of Winston and Raleigh cigarettes.

Pond's Ponders 'Love'

Pond's Cold Cream (Lamont-Corlies) will decide June 1 on whether to continue the serial, 'The Love' Program has been on the NBC's since the beginning of this year, with the present contract expiring at the end of next month. J. Walter Thompson is the agency.

Pall Mall Mulls Downey

Morton Downey was auditioned last week by Pall Mall cigarette and the Compton agency with a view of having the vocaliste take over the spots now being filled by Dorothy Thompson on NBC. Compton has declared her intention of going on 13-week variation, starting May 30.

Inside Stuff—Radio

Posibility that the American Federation of Radio Artists and the National Association of Broadcasters may sign a contract by the end of this week. Considered more likely, however, that a final agreement will not be reached for a couple of more weeks.

Negotiators went into a huddle yesterday morning (Tuesday) and were still confabing late yesterday afternoon. While most of the issues have been settled in principle, there were still wide differences in actual terms when the groups went into the session. It was thought likely that the contending committees would indicate a mediately whether a contract could be signed this week.

Both networks have had their statisticians at work for weeks on the various terms submitted by AFRA, figuring out how much the application of such wage and hour schedules would raise broadcasting costs. Numerous counter proposals and modifications of the various offers have been made until the question of terms is now understood to be a complicated affair.

Negotiations, which have been going on since mid-January, have generally been marked by an absence of bitterness.

L. M. Clark and C. E. Hooper have split up their partnership in Clark-Hooper, Inc., and incorporated themselves as individual research operators. Clark will continue to do magazine and checking, while Hooper will specialize in checking radio program and also accept any magazine assignments that present themselves.

Clark and Hooper were originally with Daniel Starch's research organization. A group of publishers danced the pair some four years ago to do a defensive promotional job against radio. They were let at it very long before it was discovered that the mags weren't setting any of the best of the probing. Clark and Hooper subsequently sought to prevail upon agencies, advertisers and broadcasters to buy their service, but at the same time they carried on as quizzers of mag ad readership.

N. W. Ayer, Philadelphia, is reorganizing its planning and space-buying departments to co-ordinate and simplify operations. C. L. Jordan, vice and director of the company, was named by Harry Batten, pres, to assume complete responsibility of all planning and merchandising work.

Will be known as Plans-Merchandising department, in future, and will be in charge of James M. Wallace, head of former Merchandising Bureau. It includes a General Bureau, responsible for the complete program of the advertiser, including merchandising, promotion and schedules; a statistical and research bureau to make investigations and prepare sales analyses, and a library bureau.

Philo will discontinue this year its former policy of regional excursions in favor of one of national convention. Get-together skedded for Edgewater Beach Hotel, Chicago, ay 26 to 30. Firm's new bill is announced at that time.

Jo H. Chamberlin is in Hollywood doing a yarn on Bui Scribner's.

ac Parker's Bankroller

Philadelphia, May 10. Mac Parker, agency exec and commentator on WCAL, signed to do three 15-minute periods weekly for Sylvan Seal Inc. Set by Al Paul Lepton Agency.

Idale Fairs Atlas

Chicago, May 10. Tom Fizzle will handle press for Atlas transcriptions. Herbert Ebenstein and Atlas just moved here from N. Y.

FIVE STAR FLASH OF THE BAND BZ!

Larry Clinton and his orchestra

THE DIPSY DOODLE ★ A sensation for Victor; on records and on the SATAN! TAKES A HOLIDAY ★ air (8.15 P.M. Saturdays, WJZ-NBC!)

Collect 'em ★ Five song hits in as many months! "Dipsy Doodle" on Hit Parade 12 weeks; in ASCAP prize!

★ Proms at Yale, Princeton, Lehigh, Amherst, Drexel, Union, Bowdoin, Lawrenceville, 13,000 at Police Ball, Troy!

★ Opening May 26th at Glen Island Casino, for season; Oct. 6th at Lincoln Hotel, indefinitely!

★ Opening in October, New York Paramount Theatre! two week minimum; all this without ever showing his band in New York City!

UNDER THE EXCLUSIVE MANAGEMENT OF
ROCKWELL-O'KEEFE INC.
NEW YORK • CHICAGO • HOLLYWOOD • SAN FRANCISCO • LONDON

Covering an Area as Large as Ohio, KLZ Serves the Eastern Half of Colorado

Over 78% of the population is concentrated in the 30 eastern counties where 81.1% of the state's retail sales are transacted.

In Denver, it's KLZ

OBS Network—560 Kc.
REPRESENTATIVE THE KATZ AGENCY, Inc.

BINGO-TYPE SHOW ON WMCA

Nearest approach yet made over the air to the "bingo" type games played in flimies started last (Tuesday) night over WMCA, N. Y.

It's a weekly show, running from 11 p.m. to 12:30 a.m. each Tuesday, during which the announcer reads out questions and answers by listeners on official cards which the sponsor distributes. Cards are mailed in. Pair of Bermudan trips were offered on the first broadcast.

Sponsor is Facto Sales Corp., which sells no products, but is attempting to interest firms in having their transactions read out and answer the questions. Of the latter, most are based on fact, but enough on opinion to narrow down the list of closing contestants.

Facto plants its score-cards in taverns, clubs, house-party and other gathering places where groups can play. In between the various interrogations, recorded dance music is played from WMCA.

WASHINGTON BUZZ

Washington, May 10.

Headaches of broadcasters were symbolized by Lenox R. Lohr's discussion last week of public reaction to programs treating controversial subjects. No matter what you do, some listener is bound to take offense, NBC prexy commented.

We are called 'fascists' when Hitler or Mussolini speak over our networks. We anticipate the label 'Communist' or 'Socialist' when Earl Browder or Norman Thomas comes before our microphones. We are 'capitalists' when the representative of some corporation speaks, 'pro-labor' when the American Federation of Labor or the Committee for Industrial Organization broadcasts, network head related. 'We are 'radical' and 'conservative' and 'liberal' by turn, and, in view of some, may even appear 'patriotic' and 'subversive' at the same time.

But there's some solace in public reaction. Contradictory criticisms 'at least indicate we are keeping a fair balance,' he added.

School of instruction in radio production run by a former RCA staffer was the forum chosen last week by FCCer George Henry Payne for his attack on David Sarnoff, head of the RCA family. National Academy of Broadcasters, where Payne boiled over, enterprise of Alice Keith, who used to handle educational details for the octopus, while the 'faculty' includes several NBC department heads. School puts on a few shows locally, giving students a chance to do something besides make believe.

Even the clock in radio stations must comply with Federal specifications under the proposed new FCC rules. And the phraseology of the only a certain fair-haired maker of chronometers is in position to supply the type of time-keeper required.

Square-faced clocks are verboten under Rule 33.16 (1), while the exact sort remains somewhat of a mystery because the Commish forgot to list the ratio in stating that hands 'shall have dimensions appropriate to the dimensions of the dial in accordance with standard practice.' Mechanism can't vary more than 2½ minutes weekly or 10 seconds daily from standard.

Rules incidentally drum up business for the telegraph companies. No guess-work allowed under clause which says minut-denoter must be checked daily with Naval Observatory clocks, via Western Union or Postal.

Buffalo Papers Liberal

Buffalo, May 10.

Newspapers here have been increasing radio space rather than eliminating as on the west coast. Both Times and News are running special daily stories up to a half column in addition to regular stuff by columnists.

News has revised program listings to take mathematical table form and Times has increased table size from two to three columns for easier reading. Both afternoon dailies have now established a policy of keeping the radio section in the same spot.

Public Always Curious About Air Personalities

Baltimore, May 10.

H. C. Burke, managing director of WBAL, tied up one of town's best windows at Read's department drug store, located on one of most prominent corners of main drag, for display of products broadcast over station. Used packages of merchandise, mix of radio announcers and performers participating in various auditions and effective studio background featuring time schedule and station call letters.

Scenes of actual broadcasts and mix of announcers known to public only by voice received much comment from spectators constantly crowded around window.

New Radio Firm

Albany, May 10.

Empire Broadcasting Corp., Manhattan, has been chartered by the Secretary of State to conduct a general broadcasting business, with a capital stock of \$155,000. A total of 50,000 shares are valued at \$250 each, and 60,000 at 50c each.

Directors, holding 10 shares

Radio Master's Thesis

Detroit, May 10.

How to devise sound effects for a magic carpet's alighting, for appearance and disappearance of Genii and how to kill off 40 thieves without too much blood and thunder, are problems confronting Harry Goldstein of Wayne University, who is completing details for production of four stories from 'Arabian Nights' in WWJ's studios and aired over short-wave WQWJ.

Adaptation and production, together with compilation of director's manual, is Goldstein's master thesis in radio broadcasting worked under Garnet Garrison's direction at Wayne. Program will be staged before usual audience in four successive Tuesday nights and aired over WWJ's shortwave.

api are: Harold J. Bresson, Queens Village; Arthur M. Meyer, Jamaica; and Rose Pinnell, Mineola. Orville S. Sanborn was the filing attorney.

'Unkept Promises' Attack on WRNL Fails; F.C.C. Clean-Bills Station

Ashington, May 10.

First attempt of a broadcaster to stifle competition by charging that rival operator failed to live up to his promises resulted in sweeping victory for the accused last week when Federal Communications Commission denied request for revocation of WRNL, Richmond, license.

Without explaining reasons, the Commish gave the News-Leader a clean bill of health and pigeonholed the complaint of WMBG, Richmond, to the effect that newscaster in the Virgi is capital had not carried out intentions of devoting large amount of time and resources to cultural, non-commercial programs.

Complaint was based on evidence submitted when WRNL sought permission to move from Petersburg, with argument that novel type of service would be rendered in the Richmond sector. In asking dis-

missal, press-owned station's defense was that delay in completing studios and transmitter handicapped operations, but nevertheless the public interest requirement had been complied with. Also that WMBG couldn't ask for revocation under the law.

LORILLARD MAY BUY REGIONAL'S PROGRAM

Lorillard is dicker with the Don Lee Network through Lennen & Mitchell for the use of the former's 'Don't You Believe It' program on a national spot basis. Discs would plug Sensation cigars.

Account has the show currently running on Don Lee's San Francisco outlet, KPRC.

WLW SCORES WITH ANOTHER SMASH HIT

"MUSICAL STEEPLECHASE"

In line with the latest trend in successful radio programs, WLW goes out in front again with the "Musical Steeplechase".

An audience participation program with all the thrills and glamour of the race track combined with the excellent music of Josef Cherniavsky and his orchestra.

A fascinating program in which every member of the air and studio audience takes part.

Heard over WLW and The Mutual Broadcasting System.



A Listener-Tested Program From THE NATION'S STATION

Pacific Coast Notes

Bill Goodwin joined KNX (Hollywood) production staff.

That no smoking edict in Columbia's new Hollywood studios got a rise out of the boys.

Walter Guin, is set to produce and write four new sustainers for KFSO, San Francisco. Guin left the encephalitis spot on KFSO's "Toast to the Town" show to join the KFSO staff.

Tro Harper's "Madhouse Rhythms" evening sessions on KFSO, San Francisco, have been handed a Monday-Friday morning "after a fling in an afternoon period."

Lucy Cuddy, drama chief at KFSO, San Francisco, is again writing the annual San Juan Bautista Pageant to be presented at the old California mission shortly. KFSO's production director, J. C. Morgan, will direct.

Newell Chase is the new music director for the "My Secret Ambition" show aired from KFSO, San Francisco, under the Durkee banner. Chase is pianist and composer.

434 N.A.B. Members

Washington, May 10. Recruit-snarling drive of the National Association of Broadcasters is proceeding satisfactorily. Membership at the start of the month touched an all-time peak, with 434 stations on the roster and 340 already qualified under the new tariff schedule.

clisco, under the Durkee banner. Chase is pianist and composer.

Assistance League gathered in 4000 berries for charity as guides for Columbia Square rubbernecks.

CREATIVE BUSINESS

WREC Thinks Up Reason for Advertising—Straw Hat Vox Pop

Memphis, May 10. WREC got some big on a thoughtful stunt last Tuesday (6), which is traditionally "straw hat day" in this town. Men don the sailors on that day annually for the summer season.

Station lined up 10 participatory sponsors and had announced Malacorn Todd and Hugh Murphy make a mythical march around the downtown area, stopping in front of the time-buying hat stores and plugging the products in their windows.

BURTON PAULY MANAGES POWER-BOOSTED WLB

St. Paul, May 10. Burton Pauly, assistant director of radio broadcasting at University of Minnesota for the past several years, has been upped to manager of WLB, the university's transmitter.

WLB last week made its bow with power increased to 5,000 watts, a new assignment of frequency to 760 kilos, increased time schedule and a brand new transmitter. New setup gives the pedagogs' outlet an increase from eight hours to from 30 to 48 hours per week.

Under new allocation, Pauly's pet will share one-third its daylight hours with WCAI, St. Olaf college at Northfield (Minn.). WLB shares the 700 band with WJZ, NBC's key outlet in Gotham.

WLW STUNT SHOW HAS AUDIENCE ON 'HORSES'

Cincinnati, May 10. Musical Steeplechase, new Friday night 30-minute show on WLW directed by Josef Cherniavsky, started last week to feed to the Mutual web. It's a tune quizz with contestants selected from studio audience. They are placed on wooden horses which are moved to indicate progress of mental race.

Greenfield 100-Watter On Yankee-Colonial

Boston, May 10. WHAI, 100-watter daytime station at Greenfield, Mass., in the Berkshire Hills, is number 18 to the Yankee and Colonial Networks. Station (1210 kilocycles) is owned and operated by John W. Hargis, Republican candidate for the Massachusetts gubernatorial elections two years ago. Station inaugurated Saturday (7).

Basic one hour evening rate for Yankee becomes \$2,280 from \$2,220, and for Colonial, from \$1,600 to \$1,720.

Personnel of WHAI is Lee S. Greenwood, commercial manager; Warren M. Greenwood, offspring, program director; James L. Spates, from WMAZ, Springfield, chief engineer; Norman E. Whitaker, former WBZ and WBCA, Boston-Springfield, salesman, advertising manager.

Whiteman's 26 More

Liggett & Myers (Chesterfield cigarettes) has renewed Paul Whiteman for another 26 weeks on CBS. Whiteman's original contract covering a similar period started Jan. 7.

Early Grid Bidding

Oklahoma City, May 10. Broadcast of Oklahoma University football games has again been awarded to WKY over the bids of both KOMA and KTKO. WKY's offer was 50% of any sponsor fees collected with a minimum guarantee of \$2,500.

Primary Returns Sponsored

Philadelphia, May 10. Penny primary returns next Tuesday (17) on WCAU have been bought by Greyhound-Walsh. Sold by J. M. Korn Agency here. Program will include two live shows in auditorium studios, at 9 to 9:30 and 10:30 to 11, with returns running through entire evening.

Austin Returns to WCAU

Philadelphia, May 10. Herbert Austin returns to Philly from New York to joinspiel staff of WCAU. He replaces George Hogan, who is going to WNEW.

One Aggressive P.A.'s Clearing House System For Charity Time

Philadelphia, May 10. Philadelphia Health Council, of which Philly's 104 health agencies are members, announced that in the future it will clear all radio spots for institutions connected with it. That relieves kilowattars of the encumbrance of lower radio in the middle of a squabble between two or more hospitals for the same time.

New advertising war broke out by super-activity of Gert Fisher, p.a. for Mt. Sinai Hospital. By the time sleepy reps for other institutions got around to the stations to bid time for National Hospital Day this week, they found Miss Fisher had already tightly sewed up five outlets. Which caused such a squawk she was forced to relinquish a couple programs and the new agreement was drawn up.

WCPO'S NEW STAFFMEN; HAS TIE WITH WHIO

Cincinnati, May 10. WCPO staff has been bolstered by additions of Joe Young, continuity writer, lately with the United Press in Atlanta, and Paul Hodges, producer, up from the allied Scripps-Howard station, WPMI, in Memphis, where he handled special shows. John Brakebill has been advanced from continuity editor to program director of WCPO by Mortimer C. Walters, manager.

Station is framing a hookup with WHIO, Dayton, O., for a series of inter-city 'yes and no' quiz programs. Cincy Post and Dayton Daily News are to tie in with the stunt. Competition will be among teams representing civic and fraternal bodies.

Johannes Steel Withdraws From Anti-Nazi Position

Johannes Steel, air commentator on European politics, has resigned as exec secretary of the Non-Sectarian Anti-Nazi League. Names as cause the press of work. Steel is said to be, however, some internal dissension in the league.

Commentator talks thrice weekly, sustaining, over WMCA, N. Y., and its affiliated Inter-City system. Will make a platform tour at Town Hall, N. Y., on May 31.

WTHI Hit by Lightning

Hartford, May 10. WTHI was forced off the air Friday morning for several hours when its antenna was struck by lightning during an electrical storm. Back on the air at nighttime after emergency repairs the station again went off the air about 9 p. m. to allow repairs to be made.

During the day the station did not operate at full efficiency. Engineers from WBRZ and WTHI assisted in rigging up an emergency makeshift to the antenna to allow operation.

BOH

EAR through destination in Central Ohio

EYE through complete promotion and merchandising service

ALL YOU NEED IS CENTRAL OHIO

WBN

COLUMBUS

In Baltimore, it's

WFB

ON THE NBC RED NETWORK
NATIONAL REPRESENTATIVES
EDWARD PETRY & CO.



After Playing a Successful Eastern Theatre Tour

BUDDY ROGERS AND HIS ORCHESTRA

RETURN to the **PALOMAR**, Hollywood, California for an indefinite engagement

OPENING—Wednesday, May 18th

BROADCASTING via CBS Vocalion Records
Management: Music Corp. of America

MUTUAL'S CLOSED DOOR

'IDEA' SHOW IS VICK NOTION

Vick Chemical is looking around for a show for next season. Not seeking a name setup, but some sort of 'idea' program, or possibly a script show.

This season the account sponsored Jeanette MacDonald over CBS on Sunday nights. Morse International is the agency.

Cause for Envy?

Cincinnati, May 10. Bill Gold, WCFO news editor, is said to be only radio person holding a ticket for the Anna Hain electrocution, if and when. Death penalty of the accused blonde murderess, set for last week in Ohio penitentiary at Columbus, has been shoved back to fall. Thus far no woman has gone to the chair in Ohio.

Gold's duct is one of three the condemned woman was legally allowed to dish out. Other 25 tickets for the scheduled execution went to newspapers and county and state officials.

WFIL Cuts Transcriptions

Philadelphia, May 10. WFIL recording division making series of 5-minute platters for Personal Finance Co. Programs are dramatizations of short, short stories with commercials woven in. Produced by Margaret Schaefer, WFIL assistant program director.

Ralph Snyder new announcer at WKZO, Kalamazoo, Mich.

PROVES GOOD INTENT

WFIL Engineer Protects Station From Any 'On Purpose' Hits

Philadelphia, May 10. WFIL, by quick thinking on the part of an engineer, saved itself last night from charges of political skulduggery. Outlet was airing a speech by Charles J. Margotti, candidate for governor, when a transformer blew out at its transmitter and station went off the air.

Address was also being aired by WIP. Panelman hurriedly switched WIP channel into recording machine and made a disc of the speech. This was played back over WFIL a short time later when the transformer was repaired.

'HOTEL' SHUTTERED; LUM-ABNER LOAF

Hollywood, May 10. For the first time in its four years of airing, Hollywood Hotel will take a summer layoff. Respite runs from June 24 to Sept. 2.

Lum and Abner are also dropping out July 1 for a nine-week sabbatical.

Just What Doc Ordered

Hollywood, May 10. KFWB landed six Procter & Gamble transcription shows last week on a year's contract. Spinners are 'Ma Perkins,' 'The O'Mells,' 'Vic and Sade,' 'Pepper Young's Family,' 'Mary Marlin' and 'The Gospel Singers.'

Programs across the board also air on other stations of California Radio System.

AFFILIATES CAN'T JOIN SPECIAL WEB

Efforts of KGW, Portland, to Make Available All Oregon Loop of Small Town Stations Draws Nix from Mutual's Northwest Division

A VIOLATION

Portland, Ore., May 10.

Mutual has barred its affiliates in the northwest from linking themselves by telephone wire with any outside station for the formation of a regional alliance. Order will serve to squash ambitions which KGW-KEX, Portland, has been nurturing of making available a blanket state primary coverage by hooking up with six 100-watt stations spotted around Oregon. Most of the sextet are allied with Mutual's northwest branch. Because political sponsors have evinced an interest in the KGW-All-Oregon project, the situation may be brought to the attention of the Federal Communications Commission.

Carl Haymond, of KMO, Tacoma, and Mutual's spokesman in the northwest, is reported to have held that the direct wire hookups from KGW are an encroachment on Mutual's time and the understanding is that the five Mutual outlets involved will decline to be linked with KGW again. Carey Jennings, KGW gen.

Guest of Honor

Charlotte, N. C., May 10. Chair Shadwell of WBT, on personal appearance tour, was in a hall at Boone, N. C. Complained at the confusion out front by shouting 'Hey, I wish you fellows would quit running up and down the aisle.'

One of the two men bawled out was the Mayor of Boone, on his way to the stage to present Shadwell with a key to the city.

mgr., refused to comment on the impasse.

Speaking for KSLM, Salem, one of the sextet that Jennings had lined up for his regional, Harry Read said that while Mutual stations have been ordered not to accept direct wire programs from KGW, his station will abide by the ruling only insofar as it concerns the Mutual contract. 'But,' he added, 'if the new issue becomes one of public convenience and necessity, KSLM will reserve its own right to place that necessity in a prior position to any chain contract.'

Fred Weber, Mutual gen. mgr., declared yesterday (Tuesday) that although the national web had no control, responsibility or authority over the Pacific northwest matter it seemed to him that it was only fair that Mutual stations which maintain facilities should limit the use of those facilities to their own stations. What KGW is trying to do, he said, is tie up line facilities which are being underwritten by certain stations in the Mutual northwest group.

Cedric Foster, station manager of WHTF, Hartford, is now feeding his 'News of the Day You Were Born' to 14 stations of the Colonial network on Sunday night.

EDGEWORTH'S AGENCY SHIFT

Edgeworth Tobacco account (Larus Bros.) has switched from Blackett-Sample-Hummert to Cool, Warwick & Legler. Radio campaign is being developed by the successor agency. E-S-TV's last program for Edgeworth was the 'Alias Jimmy Valentine' adaptation.

DAVE DRISCOLL EARS HURT BY TUNNEL JOB

Dave Driscoll, special-events' mike-man on Mutual, is suffering from ruptured blood vessels in his eardrums after descending a shaft below the Lincoln tunnel, N. Y., for a broadcast.

Sudden compression of 20 pounds of air into the chamber in which he was with a crew of sandhogs injured Driscoll. Several months ago Bob Trout, CBS' special eventer, fainted when prowling deep in the excavations being burrowed for the new Sixth avenue subway in N. Y.

Bank Choir on Air—Once Dime Savings Bank of Brooklyn, N. Y., which has a five-minute commercial each Sunday on WMCA, expands the time to a half-hour Sunday (15) when institution's glee club will warble. Annually the bank trots out its workers, who form the choral group, on exhibition.

Plugs on program will be institutional. Regularly, on the five-min. periods, the plugs are for biz, with talks the listening lure.

HITCH YOUR
PRODUCT
TO....

WCAU
50,000 WATTS • PHILADELPHIA

Radio Daffodils

El Paso.—KFSM has studio produced show entitled "Thumbing Through the Telephone Book," informal half hour with Lloyd Merrill's orchestra, Jimmy Faust, tenor, and Roy Chapman, m.c. Chapman thumbs through the phone book, picks out names and presents them with passes to local theatres.

uncle, Ind.—When the varsity men of Muncie High got their letters in recent ceremonies Don Burton of Station WLBC got one, too, for broadcasting their basketball games.

Hartford.—As a reward for picking a new name for WTIC, some listener is to be awarded a day's fishing tri

Washington.—WMAL has native parrots to be judged by their diction, or and voice quality.

Washington.—NBC's two local transmitters quick to capitalize on the alter Winchell-Government workers controversy now raging in Washington. Stung by Winchell's crack that he had been told no women employees of Uncle Sam were pretty, WRC-WMAL joined with the Washington Times in sponsoring a government workers' beauty contest.

Oklahoma City.—Negro bootblacks from Oklahoma City shine parlors are invited to appear on WKY in competition for cash prizes before three judges who will base decisions on rhythm, tone, quality and radio fan mail.

St. Louis.—Allen C. Anthony, chief gabber at KWK with a portable mike was describing a big fire in residential suburb. Chief of Police yanked the mike from Anthony's mitts, ordered the gabber and his aid, Foster Bole, to beat it and handed a few sulphuric words into the mike. Station complained to Mayor who reprimanded the Chief and gave Anthony and Brooks permission to continue their work describing fire as long as they desired.

Race Sheet on WNEW

Man O' War Publishing Co. has signed for 52 weeks with WNEW, New York, for 30 min. time a day Monday through Sat. starting May 16. Race sheet publishers will sponsor Bob Carter on a twice daily stint of 15 mins. each. Handled by Metropolitan Advertising.

Gradually Drop Linguals At WPEN; So Teaching Its Audience English

Philadelphia, Pa. May 10. Ralph Borelli, in charge of Italian broadcasts on WPEN, will begin a series on Thursday tabbed "Lessons in English." Purpose is to teach language and culture to Italian-speaking members of WPEN audience.

Station recently announced it would gradually get away from linguals. Now other radio men wondering if that determination goes so far that they're going to teach everyone how to speak English.

N. Y. 'er on WTIC Show

Hal Gordon, tenor under contract to NBC Artists Service, has been sold for a commercial series on WTIC, Hartford, Conn. Program, "Traveler's Hour," airs each Sunday for Traveler Insurance Co., which owns the station. Gordon commutes from New York for the programs.

Ben Rocke Office Seeks Local Co-op Sponsor for Name Music of Week

The Eternal Twist

Charlotte, N. C., May 10. Program Director Charles Crutchfield, of WBT, hunted and found, for an interview over the air the day the Charlotte baseball season opened. The man who didn't go to the ball game.

Ben Rocke Productions, indie program, producing outfit, is sending Norman Livingston on a tour of towns next week to attempt to line up co-operative local sponsors for a Mutual web program to start in September. Rocke put the George Jessel Sunday night half-hour on Mutual, also under co-op bankrolling. Show currently has local sponsors in eight towns.

Proposed program for which Livingston is going after bankrollers will be tagged "Show of the Week," and is also aired for Sunday nights, running 30 mins. Show will rotate name bands weekly, and feature "songs of the week" and flash news. No m.e. has been set as yet.

Deal has been concluded with Music Corp. of America for that looking and agreeing office to supply the orchestras. Set already are bands of Tommy Dorsey, Dick Himber, Ruddy Duch, Henry King and Henry Busse. All programs will originate in New York.

Rocke himself is still away from his office sick. Hasn't been at his desk for six weeks.

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of his

WEB SUSTAINER SUB IS LOCALLY COMMERSH

El Paso, Tex., May 10. When advent of daylight saving time made NBC's Breakfast Club unavailable to KFSM, station inaugurated its own Breakfast Club show.

Now has five sponsors for music of nine-piece studio orchestra under direction of Lloyd Merrill, Jimmy Faust, tenor, and Roy Chapman, m.c.

KTBS on Blair List

Hot Springs, Ark., May 10. KTBS national representation is shifted from Gene Ferguson to John Blair. Deal was set in Chicago by manager Steve Cister.

COUGHLIN ON 70 STATIONS NEXT TIME

Detroit, May 10. Doubting this year's outlay, series of Sunday afternoon talks by Father Charles E. Coughlin will run for 30 weeks on about 70 stations, starting Nov. 6. Also will be priest's biggest coverage in history.

Aircasters, Inc., handles, Stan Boynton, prez of agency, will start bring up indie hookup immediately for half-hour addresses every Sunday at 4 p.m.

WJR here as key station, hookup will extend to both coasts, in contrast with only east and middle-west this year. Priest got tie start this year, following lift with Archbishop Edward Mooney over ecclesiastical approval, and series ran only 17 weeks.

WCKY's Grocer Gesture

Cincinnati, May 10. For their national rally day meeting today, leaders of Greater Cincy heard a message from their national president, Charles E. Smith, via a transcription and sound equipment set up by Lloyd George Venable, WCKY sales director. Same station enabled the grocers to hear the Forward America broadcast, which it carries and is devoted to cause of independent merchants.

Virginia Fallon, formerly with the Crealey organization and of late with the Ruthrauff & Ryan agency in Chicago, joined the L. E. Wilson station personnel Monday (9) as secretary to Wendell Jones, program director.

WOW Men Join Junket

Omaha, May 10. Bill iseman, promotion man, and Foster, newscaster, are on temporary leave from WOW accompanying 100 Omaha business men on a trade trip into South Dakota, Wyoming and Montana. Wusena, former Rec-News staff member, will cover the trip by daily dispatch to be broadcast here on the evening news, and may will record broadcasts from points of interest along the route. May records will be used later his man-on-the-street spiel.

POLLY'S DUAL PAYOFFERS

Polly Sheddle formerly of KSTP, St. Paul, and now on WHN, New York, has copped her first two participating sponsors on her "Polly the Shopper," 9 a.m. daily romp. She's been sustaining three weeks. Charler members are Powder (Hudson agency) and Fun out (Frank Kierman agency).

Something to get excited about!



WOR renewal business* for April 1938 was 57% AHEAD of April 1937.

Renewal business on WOR for the past three months of 1938 was 45% GREATER than that for the same period of 1937—and 1937 WAS a good year!

With advertising expenditures being cut closer than a miser's beard in ALL directions, America's smartest time-buyers are KE PROGRAMS ON WOR—and, in some cases,

They're RENEW-
ing WOR time because it is PRODUCT
... Plus-time, you might call it;

pays them back, dollar for dollar and more, the green salad they spend.

So, it sees that somebody's thin but keeping WOR's market covered—good times or bad. And you'll usually find that it's this country's BIGGEST advertisers. That's one good reason WHY they're BIG!

For further facts regarding WOR time, both sponsored and available, have one of our medals his bicycle from...Sales Office, NE 1440 Broadway; BOSTON, 80 Federal Street; Tribune Tower; SAN FRANCISCO, Russ Building.

WOR

Non-Aryans' Must Give 10 Years' Notice to Quit Austrian Perf. Society

Vienna, May 2. Austrian Society of Authors, Composers and Music Publishers (A.G.M.) will seek the adaptation of former Austrian laws for the entire Greater Germany in regard to minor rights concerning racial. On this subject Austrian jurisprudence was quicker and better than Germany. Since Jan. 1, 1938, cafe and restaurant owners and proprietors of other amusement places must pay to the A.G.M. fees according to the seating capacity. If a loud speaker is installed in Germany no such law was sponsored by STAGM, which represents the minor rights of authors, composers and illustrators in the Reich.

AKM is in the process of liquidation and, after the final payment to its members for income derived in 1937, will merely continue as collecting office for Berlin STAGM in Vienna.

Reports that non-Aryan authors, composers and publishers in their rights due them for 1937 can be dismissed as unfounded. But few more royalties will accrue to members who do not conform to the Nuremberg "Aryan" laws for 1938.

However, there are such men as Franz Lehar and scores of other noted composers. Lehar, under Jewish laws, can not quit Austria. He has given them the 10 years' notice. But music and text are inseparable, according to the law. Lehar is played more than ever. In the case of Emmerich Kalman, Oscar Straus, Johann Straus, Jr. and Granichstaedt the standpoint of AKM is easy. No play, no pay.

Income for author and composer is calculated at one-third each with a third going to publishers, the other non-Aryan. Whether Lehar will get his dues and the others ignored is still problematical.

Dance Hall Picketed

Detroit, May 10. Union members by day, but not at night?

So pickets are parading outside the Quadrille dance hall here, protesting in signs that spot is unfair to organized labor, because:

Even though four men playing in the band at the dance spot are members of United Auto Workers' union in the daytime at auto plants, they're not union members at night because they don't belong to the musicians' union, AFL.

Ask Tooters

To Hire Bosses Union-Driven

Band leaders and their managers have been asked by the American Federation of Musicians to co-operate with the organization campaign of the Brotherhood Railroad Trainmen by inquiring of the drivers of buses they charter whether they are union men. A letter signed by Fred Bremer, AFM recording secretary, Letter explained that while many of the drivers for a major transportation bus operation are organized, the union is company controlled.

Battle of Words

This town's long underwear are still stewing over what Tommy Dorsey said. Mr. Dorsey challenged Franco Auréli to get together the best classical musicians in the country—with Toscanini to help him. Tommy Dorsey would pay \$25,000 the symphonists couldn't play one of the Dorsey swing arrangements.

Dorsey's peeve was over a story which quoted Autori, conductor of the Buffalo Philharmonic, as saying the Federal union project, in assorted opinions of swing. Heading of the story had been, "Swing Form of Inebriety, Is on Skids, Musicians Say." "Swing has no appeal to the ind, the sentiments or the imagination—only to the feet." His reply to Dorsey's challenge was the another challenge—an assertion that if Dorsey collected the best swing men in the land they couldn't play a simple Chopin or Haydn symphony correctly.

EXCHANGE DEAL OFF

Price and L. A. Resume Identities For Consolidated, R-O-K

Consolidated Radio Artists, Inc. and Rockwell-O'Keefe, Inc. have by mutual agreement called off their dogs. The deal was made in southern California area. Rockwell-O'Keefe will continue to maintain control of the company. Spot Low Irwin will take over the leadership of Consolidated's interests.

Under the alliance, which went into effect several months ago, R-O-K will be in Consolidated's hands in California, while Consolidated's San Francisco office, formerly the NBC Artists' service, did the selling for Rockwell-O'Keefe in northern California.

English Copyright Claim on 'Water Boy' A Surprise Like Trapeze, 'Whiffenpoof'

2 Quit Consolidated

Paul Whiteman and Don Bestor have served notice on Consolidated Radio Artists divesting themselves of CRA management.

Bestor may return to the management of America management.

Waltham Name Spot Looks Hot; Goodman Socks

With Benny Goodman breaking record via 3,600 attendance at Nutting-on-Charles, Waltham, Mass., May 3 spot looks as one of the top spots on Charlie Shribman circuit of 20 dances and hot spot of New England. Majority are located in N. E. and spread thinly down to New Jersey and Reads's Casino, Asbury Park, N. J.

Goodman hit all time mark to break record of 34 set by Glen Gray's Casa Loma crew two years ago. Admish was and is \$1.10 per head. Goodman broadcast his Camel Club program from there. Spot opened Easter Monday with Russ Morgan and followed with Sammy Kaye then Goodman. Tommy Dorsey, May 10; Art Shaw-Red Norvo battling, May 17; Jimmy Dorsey, 24 and Casa Loma, June 6.

Operators exceeded the attendance limit allowed by law. Calls for 2,800 and was upped by 600 with police calls to handle turnaways at Goodman session.

One of those surprise ringmenet actions over a composition which the publishing trade has come to treat as belonging in the public domain is in the offing, with the controversy this time revolving around the folk-song "Whiffenpoof." The song, composed by Avery Robinson, has been riddling with copyright confusion during a recent visit in New York with a view of bringing suit to affirm his rights to the number. Two other instances in recent years in which numbers were promiscuously published because of the impression that they were in the public domain, till some one suddenly popped up with proof of copyright ownership were those of "The Man and the Flying Trapeze" and "The Whiffenpoof."

Robinson's musical background has been that of an amateur composer and honorary secretary of the Royal Philharmonic Society. He claims that the words and music of "Water Boy," a popular item in the repertoire of many vaudeville troupes, are exclusively his except a phrase which he took from a Negro spiritual. Robinson says that he turned over the composition for publication to the London firm of Inthorpe-Rogers, which subsequently transferred the right to Boosey & Hawes, Ltd., Boston Music Co., as it now belongs, got the number from B. & H. but says that he has never attempted to assert its exclusive rights to the song in this country. Robinson also states that he has never issued an infringement suit on the issue in the British courts and collected damages.

What he thinks caused the impression among American publishers that "Water Boy" was a public domain number was that the Boston Music Co., in applying for a copyright, had made some reference to the publication involved being an arrangement. Other publishers, figures Robinson took this reference as indicating that the song was in the public domain and put out their own arrangements.

All-Negro Orchestra

Chick Karale, formerly with Lucky Millinder, putting together an all-Negro orchestra. He is now in the audience for the final members needed to complete a 14-piece outfit this week.

Band Reviews

ARTHUR HERBERT AND ORCHESTRA (4)

Meadowbrook, N. Y. Meadowbrook Boys are the nucleus of Arthur Herbert's new sextet, now at the Hotel Ambassador's air-cooled garden, as the summer season is called. The Amb Garden is one of the coolest and nicest looking summer diners in town, gaily awning, with greenery and unostentatious flowers, inducing to a sense of cool comfort.

Herbert is guitarist at the helm, backed up by five men—contralto, violin, sax and bass. The quartet is very nice, and a treat for the intimate atmosphere. The boys versatily double into triple quartet, and even it up nicely with a rock of Vivaldi and the Italian rumba quota. A B.

ARTHUR WARREN AND ORCH. (7)

Hotel Lincoln, N. Y. Arthur Warren is up from Hollywood, Fla., and now in the Hotel Lincoln. He has been in the summer, he'll only play for dinner sessions. Warren follows Jackman Jones, whose dancing also registered with the localities. New combo organ, and even it up nicely with a rock of Vivaldi and the Italian rumba quota. A B.

Very nice sound of musical monitory, the localists also very nice, and even it up nicely with a rock of Vivaldi and the Italian rumba quota. A B.

Sterling Sherwin has placed My Cal in the spotlight. He is now in the Hotel Lincoln. He has been in the summer, he'll only play for dinner sessions. Warren follows Jackman Jones, whose dancing also registered with the localities. New combo organ, and even it up nicely with a rock of Vivaldi and the Italian rumba quota. A B.

"Can't We Forget and Forget." Frank Capano, Bob Adams and Pat Dworkin, taken by Melo-Art Music.

Kyser's Odd Reactions To His Musical Quiz

Kay Kyser's College of unusual Knowledge which idea he uses at the Paramount, N.Y., has been a two-week p.a., as well as on his Lucky Strike radio commercial, is bringing the audience plenty of things as well as headaches. Leader distributes cash and tickets of admission for questions answers to musical questions asked of jitterbugs selected at random from the theatre audience.

On the show last week he requested a sailor to name him two prominent trumpet men now leading their own outfits on the street. N.Y.'s swing ally, Tar bounced back at him by asking where was the street. It developed the sail had arrived in town only that morning and his first stop on a tour of New York was Times Square and the Paramount. Another girl when asked a question said she couldn't answer but she'd danced on the street up and the gal shagged it out.

On his radio commercial evening (4) Kyser asked his own theme used as a musical query, for one of the six students called from the studio audience questioned promptly labelled it Horace Heidt's signature. After admitting to a red face, Kyser demonstrated difference between his "Thinking of You" and Heidt's "I'll Love You in My Dreams."

Strepococci throat infection forced Kay Kyser out of the Broadway Paramount stage shows several days ago. Harry Belafonte, who does the title-singing, m.c'd in Kyser's place.

Unjoined toward the end of the week.

HUB NITERY OPENING

Boston, May 10. Ritz Carlton, ritz hostelry, opens its roof garden today (10) with a duo orchestra setup.

Caspar's outfit is for straight hoofing and Don De Vido's rumba band for the hip sways.

(tile Bowl)

Seattle, May 10. Dick Jurgens' band coming back to Olympic Bowl, opening for three weeks May 14.

Now at Jansen Beach.

Breakdown of Network Plugs, 8 A. M. to 1 A. M.

Following is an analysis of the combined plugs of current tunes on WPA, WIZ, WABC and WOR computed for the week from Monday through Sunday (May 2-8). Grand total represents accumulated performances on the two NBC chains, CBS and Mutual from 8 a. m. to 1 a. m. 'Commercials' refers to all types plugs on sponsored programs. "B" source "luna," denotes film song, 1 legit tunes, and "pop" speaks for itself.

Title	Publisher	Source	Total	clia.	Yvals.
Down is Now	Robbins	Pop	43	7	38
Please Be Kind	Harms	Pop	49	7	38
How Walked In	Chappell	"Goldwyn Follies"	47	12	22
You're an Educator	Remick	Pop	6	6	27
How'd Ya Like to Love	Famous	"College Swing"	6	6	27
Swing Like You	Remick	Pop	6	6	27
Little Lady Make Believe	Olman	Pop	7	7	26
Cry Baby, Cry	Shapiro	Pop	7	7	26
You Couldn't Be Cuter	Chappell	"Joy of Living"	7	7	26
Love in the Park	Mills	"Pins and Needles"	7	7	26
Tell Me One Thing	Robbins	Pop	8	8	25
I Love to Whi	Robbins	"Mad About"	8	8	25
On the Sentimental Side	Sanity-Joy-Select	"Dr. Rhythm"	8	8	25
Art in the Bonnet of Blue	Crawford	Pop	8	8	25
It's Wonderful	Robbins	Pop	8	8	25
Love in the Park	Famous	"College Swing"	8	8	25
Loveliest in the Starlight	Remick	"Her Single Love"	2	17	
At Your Beck and Call	ABC	Pop	3	14	
Goodbye, Joseph	Chappell	Harms	3	14	
Ti-Pi-Tin	Pop	Pop	5	21	
At a Periwinkle Counter	Handson	Pop	5	21	
Garden in Granada	Schuster-Miller	Pop	2	18	
It's the Dreamer in Me	Feist	Pop	0	17	
Where Have We Met Before?	Worcester	Pop	0	17	
You Leave Me Breathless	Famous	"Coconut Grove"	1	17	
Memorabilia	Remick-Ruby	Pop	2	17	
Good Night, Angel	Olman	"Radio City Revels"	2	17	
Whisper While You Work	Berlin	"Snow White"	0	13	
Time to Time	Shapiro	Pop	0	13	
Heigh-Ho	Berlin	"Snow White"	11	14	
My Love Is Ficki	Sanity-Joy-Select	"Dr. Rhythm"	13	5	
Let Me Whisper	Chappell	Pop	2	18	
Always and Always	Berlin	"Mannegun"	5	13	
On the Sentimental Side	Remick	"Snow White"	13	5	
My Little Red Book	Robbins	Pop	2	6	
Loch Lomond	Markis	Pop	2	6	
Two Bouquets	Shapiro	Pop	2	13	
Sunny Doodle	Lincoln	Pop	2	11	
I Simply Adore You	Kay-Yellen	Pop	2	11	
Stop and Reconsider	Pop	Pop	4	8	
Toy Trumpet	Circle	Pop	0	13	
I Can't Face the Music	Remick	"Theatre of Sunnyside Farm"	0	13	
In the Shade of the New Apple Tree	Chappell	"Hooray for Pop"	5	11	
Let's Sing and Dream	Remick	Pop	5	11	
Says My Heart	Famous	"Coconut Grove"	1	9	
I Can Dream, Can't I?	Solar	"Night This Way"	1	9	
The Time Is Here	Mario	Pop	6	10	
Oh, My Soul	Wer	"Fifty-Fifty"	3	8	
Why We're to Go	Feist	"Heart of the Golden West"	4	12	
Ga Ma Ma	Shapiro	"Remick I"	4	12	
Romance in the Dark	Paramount	Pop	1	7	
Who Do You Think I Saw Last Night	Pop	Pop	1	7	
Shadows on the Moon	Feist	"Girl of the Golden West"	1	7	
Just Let Me Look at You	Remick	"Heart of Living"	2	7	
Gettin' in the Fines	Berlin	"Dr."	2	7	
This Is My Night to Dream	Sanity-Joy-Select	"Dr. Rhythm"	1	7	
Put Your Love	Remick	"Pins and Needles"	2	7	
Why'd Ya Make Me Fall in Love?	Feist	Pop	3	5	
I Love You With All My Heart	Shapiro	Pop	0	8	
I Gotta Get	Fisher	Pop	0	8	
Thanks for the Memories	Paramount	"Big Broadcast"	3	7	
Oh, How I Love You	Walters	"Swing Your Lady"	4	10	
Three Blind Mice	Tenney	Pop	3	7	
Jezabel	Remick	"Goldwyn Follies"	2	5	
I Was Doing All Right	Chappell	"Joy of Living"	2	5	
Coffee and Kisses	Paramount	"Joy of Living"	2	5	
Remember, Girls	Mills	Pop	2	5	

ASCAP'S Legal Score Blanked as Fed'l Court in Washington Refuses to Rule PEPPER, BOSTON Bregman-Cohn Continue Groundwork For Their Own Publishing Business; Status of Rocco Vocco Uncertain

ASCAP's Legal Score Blanked as Fed'l Court in Washington Refuses to Rule

Counsel for the American Society of Composers, Authors and Publishers yesterday (Tuesday) expressed himself as puzzled by the way the special statutory court in the Pacific northwest decided the injunction proceedings which the Society had brought against the State of Washington. A year after the issue had been argued before them, the Federal appeals threesome held last week that the case did not come within their jurisdiction because the plaintiff cited in the petition wasn't \$10,000. Louis Frohlich, of Frohlich & Schwartz, ASCAP general counsel, said yesterday that the matter would immediately be taken to the U. S. Supreme Court.

Frohlich considered 'legal circles as a no decision' the memorandum handed down by the three northwest judges constitutes a break in the line of litigation success that ASCAP has been experiencing during the year throughout the country. Through the statutory court action ASCAP sought to have the Washington State anti-monopoly case aimed directly at the operations of the society, set aside on the unconstitutionality of the act.

Appeal against a similar Montana law was bound up with the arguments made against the Washington State statute, since one of the federal judges sat on both a trial court and the appeal.

Frohlich said that he figured that the Washington State issue would be brought through the review before the U. S. Supreme Court in the fall.

Seattle, May 10. H. W. Hoagland, associated ASCAP counsel, declared Monday (9) that the memorandum decision of the special statutory court in the Washington State anti-monopoly case did not in any way pass upon the constitutionality of the state act.

Broadcasters who have been active in the passage of the statute contended that they were the ones who were being hurt by the act.

ORRIN TUCKER IN MASON CITY JUNK DATE

Mason City, Minn. Orrin Tucker orchestra playing the second name engagement of the season at the Surf dance at Clear Lake, ran into a gas station mister. First a rainstorm kept the attendance down to a gross which nearly touched \$400 continually low for a name crew.

Then the storm hit the electric power system, darkening the town and nullifying the amplifier system at the Surf. The Tucker tuners barked away in the dark for three hours, but the rain was too much for the dim light of candles and lanterns.

Especially handicapped were the music originating in the bandstand where whirling could scarcely be heard in the huge ballroom without the aid of the mikes. When the lights flashed on, and the amp was revived with juice, the entire crew played overtime to appease the fans who had then given the outfit a big hand.

His performance under the handicap. Ted Weems' orch. is booked for May 17.

SEZ THEY

Will be Swing, Far Guesses

Hollywood, May 10. In the belief that true maxima music originates in the swing era, to will become the successor to swing, Paramount will introduce its first time in this country in "Tropical Hula".

The form of inimitable harmony is played on a variety of instruments, directed from the far flail brand coming from northern Mexico.

A Super-Plug

'Hollywood Hotel' program (Campbell Soup) on CBS will plug the erin firm's four, 'Music Maestro, Please' on four successive broadcasts.

First three will disclose how a hit song is written while the fourth show will play the number in its entirety.

4 SUED IN NEW YORK FOR INFRINGEMENTS

Harold Adamson, Jimmy McHugh and Robbins Music Corp., authors and publisher of 'Let's Give Love Another Chance,' from the Lily Pons hit "Hitting a New High," are joined as co-defendants with RKO Radio Pictures in a copyright infringement suit by Billy Gold, latter wants the usual injunction, accounting and damages, claim that his lyrics, of a similarly titled song, which he allegedly submitted to Robbins' Chicago office in February, 1936, was copied by the RKO musical script.

Millan's suit is in the Chicago federal court.

Two waltzes are involved in as many claims against Leo Feist, Inc., and a direct copyright claim against Nicholas Hatzopoulos of Athens, who authored the composition "Hitting a New High," which is alleged to be infringed upon melodically by Feist's "The Waltz You Saved for Me." Busse, maestro of the Hotel Shelburne, Atlantic City, orchestra, avers that four prime measures of his "Hiquillo" tango, copyrighted Dec. 20, 1935, is being infringed upon by Feist's "T-P-Tin," current waltz hit by Leo Feist.

Hollywood, May 10. Charging copyright infringement, Adele Halpern has sued 20th-Fox for \$300,000 damages in Federal Court.

Complaint alleges Miss Halpern's tune, "Back in Circulation," was lifted by the studio and used as "We're Back in Circulation Again" in the Sonja Henie starrer, "One in a Million."

Shep Fields Fulfills Pittsburgh Obligation

Pittsburgh, May 10. Date Shep Fields had to cancel at State, NY, Belvedere, April 1 because of an emergency operation for appendicitis, was filled in by the 27. In past, Fields has played here on his own, but management shooting him out of town, he has been replaced in as additional acts Phil Reagan and Dixie Dunbar-Tommy Wonder dance band.

Stanley gets Guy Lombardo Friday (13) for an early return engagement, but week May 20 still open due to some mix-up about proposed Adele Lyman booking. Only one thing set for June are Benny Goodman's "Band and Co. Edw. W. New."

Hal Kemp's Commitments

Hal Kemp is making his first recording this week under his new RCA Victor contract. He was last with Brunswick.

Kemp is playing college programs, dance dates and theatre prior to coming into the Hotel Astor, New York, July 6, where he succeeds Rudy Vallee who induces the Astor Hotel to play for the summer, May 24.

Looney Chet and Hank Looney (Fashion) the tunes for Paramount's "St. Louis."

'PEPPER, BOSTON' SWEET BOOTH'

Constant Antagonism of Broadcasters Puts ASCAP to Considerable Defensive Expense—No Opportunity to Open Up New Sources of Revenue That Might Ease Pressure on Radio

MUSIC ECONOMICS

Officials of the American Society of Composers, Authors and Publishers are keeping an alert eye on the present session of Congress for any sudden introduction of new copyright legislation. It is understood that radio and other users are exerting considerable pressure to have such measures brought out before Congress adjourns.

Spokesmen for the Society have for the past several months been trying to show radio that, by maintaining an antagonistic course, they are doing anything but lightening its own burden when it came to music costs. Broadcasters have been told that if they were smart they would stop trying to interfere with the radio's operations in the performing rights society and instead ally themselves with copyright owners in getting legislation passed that would open up new avenues of mechanical and performance rights income. As the field is broadened, copyright owners are assured, would be reduced on radio. As things now stand on the law book, copyright owners are barred from getting into the coin-operated fields. ASCAP feels that broadcasters ought to work with it in repelling the compulsory disc licensing provision of the copyright law and also the clause which exempts reproduction devices from performing rights associations.

Can't Expand By trying to handshake the Society radio has not only forced ASCAP to divert much of its income to legal and other expenses, but discouraged them from seeking to develop other fields of revenue so that it would not be necessary to look to broadcasting for more, if not at much, income. It has also been pointed out to broadcasting that in persisting to fight ASCAP they are only raising their own goose as far as the creation of material is concerned. If publishers can't get a reasonable return for their work from performing fields, they won't take the risk of turning out as many numbers as they are required to.

(Continued on page 41)

Bregman-Cohn Continue Groundwork For Their Own Publishing Business; Status of Rocco Vocco Uncertain

Sheet Sales Off

Pointed example of what can now be expected from the sheet music sales of a popular tune is the count on 'Bel Mir Bist Du Schoen.' With the returns from dealers now in, the net turnover on this song was under 180,000 copies.

'Bel Mir rates as the most published song in recent years, getting for itself returns of newspaper and magazine space, plus a mass of radio program content. It is in pre-radio days went to 600,000 copies, and better.)

TWO ARRIVE FOR RIGHTS' PROTEST

Leslie Boosey, president of the British Performing Rights Society, arrived from London Monday (9) to hold a series of conferences with the American Society of Composers, Authors and Publishers and the Canadian Performing Rights Society before making a personal protest against the Essing bill, which has been passed by Canadian House of Commons. Al Jean Bernard, director general of the French Performing Rights Society, accompanied Boosey.

It is Boosey's intention to appear before the Dominion's Parliament in Ottawa to challenge the Essing amendment to the Canadian copyright law. Boosey will point out that foreign governments, if I had the amendment, which seeks to limit fees charged for public performances for profit, violates Canada's obligations under the Berne convention. Bernard will appear in support of Boosey's contention.

Boosey is head of the London publishing firm G. Boosey-Hawkes, Ltd.

FRANKLIN ADVISING

Hollywood, May 10. Paramount has assigned Arthur Franklin as musical adviser on "Artists and Models Abroad."

Boris Morros, studio's music department head, will handle the scoring personally.

ASCAP Advance Warnings to Pubs on Expiration Dates of Copyrights

American Society of Composers, Authors and Publishers is sending any chance on losing any of its works to the public domain. Publishers who have marked music industry relations during the past several months. There have been instances of publishers not becoming aware of the imminent expiration of an original copyright until after another publisher had already stepped in and tied up the writers' renewal rights.

Prager Appointed G. M. of Leo Feist

While Jack Bregman is co-ordinating his new publishing venture, Bernie Prager succeeds him as general manager of Leo Feist, Inc. Prager has been with the Metro-Robbins-Feist organization for years as general sales manager and holds the same amount of stock as Bregman along with Stephen Levitt, the production manager.

Lon Mooney, vice of Chester Cohn, also resigned as Feist professional manager, becomes No. 1 executive for the new organization.

Bob Wright and Chet Forrest composed the songs for Metro's "Love Finds Andy in Italy." Ditties are "I've Got Music in My Heart" and "I'm All at Sea."

Sheet Sales Off

Though the consumption of the deal will have to wait until Walter Douglas comes out of the hospital, Jack Bregman and Chester Cohn last week made further progress in their proposed purchase of the Donatien, Douglas & Gumble estate by taking an option on Mose Gumble's and Joe Santy's stock in the firm. Bregman and Cohn, who recently gave up their executive posts in Leo Feist, Inc., are meanwhile also trying to work out a settlement arrangement with D. D. & C's creditors.

Whether Rocco Vocco, currently general administrative manager of the Warner Bros. publishing group, will join Bregman and Cohn in their publishing venture is still problematical. Vocco's contract with Warners expires this summer and it is understood that Frank Grassi, Hollywood agent, has indicated an interest in financing the 'enterprise' and that Rocco will agree to make his headquarters in the film colony and assume the direction of Mack Gordon and Harry Newman's musical affairs.

Another firm that Bregman and Cohn have approached about a catalog deal is the Joe Morris Music Co. Reaction of Morris and his partner, Arthur Ieleher, not encouraging.

It is understood that Bregman and Cohn have a 25% settlement on monies due him from D. D. & G. and that they are planning to borrow loan made to the firm. Similar dickering is now going on with the Teiler music publishing firm.

Vocco will spend the next several weeks on tour through the middle west, and he will be joined by others on the exploitation of the scores of two forthcoming WB releases, "The Cowboy from Brooklyn" and "Goldiggers in Paris." Vocco's contract with Warners provides for the payment of a high fee, a copy on all sheet sales above the 100,000 mark. E. H. (Buddy) Morris, head of the Teiler publishing firm, said last week that the group would be glad to enter the same cause in any new contract that it signatures with Rocco.

Once he disposes of his catalog Douglas, who was operated on a couple weeks ago for gallstones, will be in line to become salaried head of the Leo Feist's Protective Association. Douglas has inherited this berth to one that had been offered him in the American Society of Composers, Authors and Publishers. He was elected MPAA prez, but without salary, four weeks ago. Whether he will take over his new position and agency involving the licensing of mechanical rights now held by Harry Fox, MPAA, is not entirely up to Douglas himself. Among those who have put themselves on record as opposed to any such transfer of trusteeship and declared themselves as prepared to resign from the association if they are overruled are Jack Robbins, Buddy Morris, Ralph Peer, Sam Fox and E. B. Marks. Salary for Douglas has not yet been set for Douglas is \$20,000 a year.

MILLS WARNS REPUBLIC ON 'STORMY WEATHER'

Jack Mills has put Republic Pictures on notice about its proposed titling of a production "Stormy Weather." Mills holds that permission to use the title must be obtained from him since it is closely associated in the public mind with a one-time Republic star who is now dead.

Republic's Republic film in question is "Stormy Weather" published by Santy-Joy-Select, Inc. Peter Titulium and Jack Lawrence are the writers.

On the Upbeat

Karl Meilen from Pittsburgh opens Saturday (14) for the summer at Cavalier, Beach Club in Virginia Beach, Va.

Billy Catzone Three back into William Penn hotel's Continental Bar, Pittsburgh, for third time, replacing Three Guardsmen.

Tommy Tucker bringing his band east for dance engagements when he finishes up vaude tour with George Jessel after latter's air program fades for the summer.

Jack Martin and his band from the Arizona Billmore accompany Margaret Sullivan in her song for Metro's "Showdown Angel".

Frank Trombar's band renewed for 28 weeks at Los Angeles Billmore Hotel.

Louis Chiles and his Swinging Strings recorded 12 transcriptions for Standard Radio.

Raymond Scott and his quintet went on wax with "The Happy Farmer" and "Egyptian Barn Dance" for Brunswick.

Don Bestor to Adelphi hotel, Dall., starting May 31. Now one-nighting for CRA.

Karl Ines one-night ballrooming the midwest.

Enoch Light's debut at the Hotel Tati, N.Y., succeeding the long incumbent George Hall, will be for-coming.

3 TERRIFIC !! HITS
FOR YOUR PROGRAMS

AT YOUR BECK AND CALL

RAY NOBLE'S
LATEST BALLAD

**I HADN'T ANY ONE TILL YOU
YOU WENT TO MY HEAD**

ABC Music Corporation
799 Seventh Ave., N. Y. C.
FRANK HENNIGS, Prof. Mar.

mally premed tomorrow (Thursday) although he actually started May 8. Novelty of the cuff party will be Light's hosting of the music pub.

King's Jesters, current at Carlton hotel, Washington, D. C., come to N. Y. May 8 for Decca discs.

Low Diamond plays a week at New Eden ballroom, Chicago, starting May 15.

Al Johns set for illy's Lakehouse, Saratoga, N. Y., opened May 7 on evening New Kenmore hotel, Albany, N. Y.

Rudy Bundy plays first dance at U. of Kentucky, May 21, for CRA. Follows with three days at Summit Beach Park, Akron, O., starting May 28.

Ted Lewis and his band follow Jan Garber into Topsy's Cafe in Los Angeles, June 2.

Adrian Rollini trio opened at the Piccadilly Circus Bar, N. Y., May 5.

Conat Basie will conduct an amateur contest at Apollo theatre, N. Y., May 12 to select femme vocalist for his band. Chick Webb used similar stunt.

Violent Piero opens show at Ben Marden's Riviera, Englewood, N. J., May 19. Jack Lavin handling.

Skinnay Ennis will make records for Victor with his new orchestra.

Hal Kemp records three discs for Victor this week and bagged the Peckinbaek Bar, Baltimore for May 14.

Sammy Kay will switch from Brunswick to Victor when his ticket with former is up.

Marl Kenney opens in the Royal York, Toronto, May 28. Left Hotel Vancouver April 30 to play one-nighters on route east.

Dean Hudson and his Florida Clubmen return to the Normandie Ballroom, Boston, for the fourth ticket within a year, Sunday (8).

Gene Beecher into Onondago hotel, Syracuse, N. Y., June 1 for MCA.

Kay Kyser opens at Pennsylvania hotel roof, N. Y., May 31.

Jack Marshak opens Penn Roof, Pittsburgh, May 27.

Richard Himber set for Essex House, N. Y., starting May 27.

Exploitation Pun

For opening of Chick Webb at RKO theatre, Boston, May 5, band publicist Al Wilson cashed in on leader's given name by flooding town with live chicks. Wide sent to 75 newspaper people around town. Remainder of 300 were released on Boston Common with pedestrians changing 'em on May 4, day preceding opening. Gathered in plenty of newspaper space for band.

COIN MACHINE OPS ORGANIZING

Chicago, May 10. Some 400 automatic phonograph owners have organized themselves as the Illinois Automatic Music Machine Operators Association with the purpose of protecting their welfare and their industry.

Understood that primary reason for the immediate organization is to meet as a unit the unionized demands of the service men, which have been taken into the International Brotherhood of Electrical Workers.

With the IBEW operating as the collective bargaining agency for the service men, the operators look to the association to act as their collective bargainer. Basis of immediate round-table discussion on service men in the IBEW demand for an upped salary, asking for an increase from the present \$25 general weekly wage to a set \$40 salary. This is in addition to regular 20% commission which service men get on machine grosses over weekly receipts \$4, \$7 and \$10, depending on the size and style of the machine.

BUFFALO BAND'S 1ST REAL TOUR IN 10 YRS.

Buffalo, May 10. Harold Austin's orchestra, which has remoted from the Delmar ballroom over WGR for 10 winter seasons, is going on its first major road tour this summer. Itinerary opens May 27 with four days at Olcott Beach, N. Y., June 4 to 17 band will be at Chippewa Lake, Cleveland, 18, 19 at Geneva-on-the-Lake, N. Y.; June 25 to July 2 at Euclid Beach, O.; July 4 to 17 in Washington, D. C.; July 19-20 in Pittsburgh, and Aug. 1-25, Louisville, Ky.

Oddly enough, although this is Austin's first major swing through eastern cities, members of his orchestra have constantly been graduated to top flight bands. Former Austinites now play with Isham Jones, Dick Stabile, Woody Herman, Benny Meroff and Red Norvo. Danny Goff, arranger on "Your Hit Parade" started in similar capacity for Austin.

13-Year-Old Singer With St. L. Swingers

St. Louis, May 10. Bert Igou, program director and talent scout at KWK, spent several weeks visiting interiors and other entertainment spots locally and in adjacent towns in search of a warbler for Al Sarli's orch. on its numerous out-of-town engagements. Finally he was tipped off by his mother that Betty Barrett, 13, who lives next door to the Igou home, was pretty good. She was auditioned, clicked, and is now a regular member of Sarli's outfit, doing swing stuff.

Rico Marcelli's Group
Rico Marcelli, former concert conductor, has formed an 18-piece swing crew which he auditioned for Rockwell O'Keefe last week. Marcelli auditions for MCA later part this week.

Detroit Bookings
Detroit, May 10. Henry Busse band set to open Eastwood Gardens on May 27, with airings over station WWJ. Glen Gray's orch due in July 8 for week's stay. Ted Weems set to open Eastwood Symph gardens on same day as Eastwood throws open gates.

Inside Stuff—Music

Low-Metro-Robbins executives first learned of Jack Bregman's resignation as v.p. and g.m. of Feist, Inc., through the Varsity story last Wednesday.

With Bregman's resignation, Jack Robbins who had divested himself of band meetings, when headquartered in Hollywood, will resume these posts on the ASCAP and MPPA boards. Bregman heretofore held these posts. New elections, incidentally, must appoint a successor to Bobby Crawford who has been out of Crawford Music Corp. for some time, now a Hollywood agent. A couple of days prior to Bregman's quitting notice, Metro-Robbins had heard of this intention and had already notified ASCAP, through counsel, that Jack Robbins would assume the board post.

Musie Corp. of America is demanding a minimum of \$300 nightly on one-riters for newcomer Gene Krupa and everything up to \$600 (set figure) from promoters and operators. Buyers are burned at terms he is unable to do much about it. It's possible that they are making slight exceptions in special cases but general rule stands for most.

Regarded as big coin for a newcomer. Promoters point to Bunny Borgan, Tommy Dorsey and Benny Goodman who were bought for \$700 weekly and very often for \$250 nightly in the beginning.

Jack Mills is changing the title and lyrics of his "Doing the Conga" as the result of a letter received from E. B. Marks in which the latter publishes claims that he used the word "Conga" in a tune he copyrighted in 1936. Marks' publication was by Elsie Green and carried the title "Havana's Calling Me" with "La Conga" as the sub-caption. Similar issue was addressed by Marks to the Southern Music Co., which has already released a composition titled "La Conga."

Decca has already sold 20,000 copies of its recording of "Oh! Ma-Ma! (The Butcher Boy)". Although Rudy Vallee did the English adaptation of the lyrics, he didn't get around to doing the number for RCA Victor until after Decca had put it out with Dick Robertson. Song's melody was written by Paola Citterio and originally titled "Luna Mezzo Mare" (Moon in the Middle of the Sea).

John Hoyrstadt, Yale '26, who opens at the Rainbow Room, New York, had for his classmates Rudy Vallee, Ben Cutler, Lanny Ross and Henry Potter, all prominent in show biz. Cutler just opened at the adjacent Rainbow Grill (informal room) with his own band. Hoyrstadt is a mimic who, before going show biz, was instructor in history at Hotchkiss, Groton and Yale.

WE PUBLISH:

Rudy Vallee's Sensational Novelty

OH MA-MA

(THE BUTCHER BOY)

and
C. Lombardo's Waltz Hit

**I LOVE YOU
WITH ALL MY
HEART**

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LOUIS BERNSTEIN Pres.
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BERLIN BULLETIN

ALWAYS FOLLOW A LUCKY STREAK!
New Hits from the HOUSE OF HITS

You'll Be Reminded Of Me

By George Jessel-Jack Meskill and Ted Shapiro
FROM THE RKO-RADIO PICTURE
"VIVACIOUS LADY," starring Gi

Nick Kenny's "Overnight Smash"

Cathedral In The Pines

ic Lyric Ballad

Music, Maestro, Please

By MAGIDSON and WRUBEL

IRVING BERLIN, Inc., 799 Seventh Ave. N. Y.



15 Best Sheet Music Sellers

(each ending May 7, 1938)

*Love Walked In	Chappell
*Ti-Pi-Tin	Feist
*Pussie Be Kind	Harms
*Love to Whistle	Robbins
*Heigh-Ho	Berlin
*Oy Baby, Oy	Shapiro
*Good Night, Angel	Berlin
*My Heart Is Taking Lessons	Select
*On the Sentimental	Select
*It's Wonderful	Robbins
*Little Lady Make Believe	Timan
*Howdy Like to Love Me	Fernous
*Whistle While You Work	Berlin
*At a Perfume Counter	Donaldson
*Old Apple Tree	Witmark

* Indicates filmstrip song
The others are pops.

NIXON GRAND, PITT, FOLDS, CANCELS BANDS

Engagement of Fats Waller, Noble Sissle and Louis Armstrong at the Nixon Grand theatre, Pittsburgh, have been cancelled with folding of house this week. After several bad weeks, aggravated by local union trouble, management decided to shutter.

Last band, Jimmy Lunceford, to play house, April 28-29, was forced to take over the boxoffice for three days to get coin.

Harold Oxley, Lunceford's manager, parked in the wicket and stagehands, lights, Federal taxes, etc., were paid by Oxley from the take. He took a note for \$1,000 against the rest due band.

Stand-In Thumb nail

Appearance of Vincent Gomez, guitarist, on Benny Goodman program, April 26 made possible by use of a phony thumb nail. Strummer had broken his own specially tended talons and would have been forced to cancel engagement but for applied digit tip.

Leah Prima's elder brother, Leon, working a la his swing frere, will probably succeed Joe Marsala at the Hickory House, N. Y., next month.

Vancouver Dance Promoters See Trade Cross American Border For Names Banned from Canada

Vancouver, — Flashy exploitation campaign in this city for the appearance of Roger Pryor's band in Bellingham, Wash., has intense local promoters' squawks over inability to import name American bands into British Columbia. American village is only 50 miles from Vancouver and has no trouble in drawing the local dance crowd across the border when names are offered.

Canadian immigration officials here refuse entry to outside orchestras on the basis of an order-in-council secured in Ottawa by Vancouver Local 145. A. F. of M. Argument advanced by the union is that Canadian labor is protected by the ban, but promoters point out that the border-town set-up draws so much cash to American coffers that Canuck wage-earners are exploited rather than protected.

March date of Fletcher Henderson in Bellingham started the grumbling this spring, 4th plenty of added

rumbling when Eddie Duchin played to turn-away business on April 6. After the Duchin date all Vancouver dailies carried long social stories with lists of those attending, one paper placing the number at 2,000. With 80% of the gate drawn from this city, over-the-line managers are peering the streets here heavily. Many questions are being asked in official spots, but it is considered doubtful if the union's attitude can be changed, as even the Exhibition Association, with strong political affiliations, lost its fight to "sport a name band last fall.

Columbus,

Hoosier Hot Shots have been added to the Variety Club's Barn Dance tonight at Cattle Barn on Ohio State Fair Grounds. Show is built around Dick Stabile's orchestra.

Proceeds will be us to purchase truck with portable projection room to be sent to schools, orphanages, etc.

SPITALNY, INC., HAS NOVEL SETUP

If Spilny is among the bands incorporated as a business with stock issued and a regular corporation treasury, in Spitalny's case, because of the all-feminine membership, there are several unusual angles.

All girls hold shares in the band. These vary according to seniority and other considerations. But, as a penalty against raiding by other organizations, the stock also has provisos. Girls leaving to join others in show or radio forfeit their shares. But if leaving for matrimony or retiring from biz the stock is bought in and any accumulated dividends paid off. Spitalny has lost only five members in four years.

Phil Spitalny's all-girl orchestra was the only popular music aggregation to get the annual nod for merit from the clubwomen of the U. S. A. as per their Women's National Radio Committee. Award was made at the luncheon last Wednesday (4) at the St. Regis hotel, N. Y.

SEPIA SYMPH BY BILL STILL AT H'WOOD BOWL?

Hollywood, May 10. William Grant Still's "Lonesome Avenue," which has been done twice here, once with Clarence Muse reading the story and last week with Norma Gould doing it as a ballet supplemented by the Hall Johnson choir, is now being considered for production in the Hollywood Bowl this summer.

Still normally holds pretty close to classic routines but sepia symphony is considered serious enough to be worth a trial if the production values of the ballet can be stepped up, which Still's backers believe it can.

Leibert at Village Barn
Richard Liebert, organist at Radio City Music Hall, started doubling into the Village Barn, N. Y., this week, as a maestro of his own dance band.
Leibert continues at the console of the M.H., commuting between Greenwich Village and Radio City to make his schedule. He succeeds Johnny Johnson's combo.

ASCAP Radio

(Continued from page 39)

mult that broadcasting will in time start complaining about the lack of new worthy musical material, a plaint which is actually now going the rounds of the phonograph record manufacturers.

ASCAP holds that if the music industry is to survive on its present scale its money must derive almost completely from performance. Users for profit must make it possible for publishers to take a chance on things that won't sell sheet copies in incalculable quantities. Because this sheet music field has become of small import, writers must also have the incentive, again stemming from performing rights. If they are to create material that is only going to be performed, the writers must be convinced that it will be profitable for them to go on writing.

Maestro Stricken in Pit

Philadelphia, ap 10.
Eddie Russell, wander of pit band at the Allegheny theatre here, was stricken with a heart attack while on the podium during Friday afternoon's matinee. Excitement in the house caused a few minutes' delay in the show, until first-aiders took over. Russell is now recuperating satisfactorily, Joe Milopoff substiting for him.

SANTLY BROS.-JOY, Inc., and SELECT MUSIC PUBLICATIONS, Inc.

Have Consolidated and Are Now Operating Under the Firm Name of

SANTLY-JOY-SELECT, INC.

And Present the Following Song Hits by JOHN BURKE and JAMES V. MONACO from BING CROSBY'S Paramount Picture, "DR. RHYTHM"

ON THE SENTIMENTAL SEE MY HEART IS TAKING LESSONS THIS IS MY NIGHT TO DREAM

From Republic's Picture, "Under Western Stars," Starring ROY ROGERS, the New Sensational Song Introduced by HORACE HEIDT and His BRIGADIERS

DUST

By GENE AUTRY and JOHNNY MARVIN

A Sparkling New Novelty Song Introduced by GUY LOMBARDO SO YOU LEFT ME FOR THE LEADER OF A SWING BAND

ie Gottler and Harry Kogen—Orchestrations, Special and Double Versions All Ready

PINKY TOMLIN'S LATEST

LOST AND FOUND

In Preparation: BING CROSBY'S New Paramount Picture, "SING YOU SINNERS," With a GRAND SCORE by JOHN BURKE and JAMES V. MONACO

SANTLY-JOY-SELECT, Inc.

CELEBRATE THE 36RD YEAR OF THE S. ACTS

Agents in All Fields Conclude Comm'r Moss Has Been Just Talkin'

First week of May has come and gone, and Licenses Commission Paul Moss' annual anti-agent and licensing drive finds the Commission still only threatening and agents still unmolested. City and State are still minus new agent ordinances, and the agents are still unorganized. It's the same every year only this year there's been more activity and less result. Latest addition is I. Robert Broder, attorney who will apply his proposed panacea to the fall.

Attorney Broder enters the picture, with a method similar to that on the Coast, which started at top and worked down, unlike the current routine of starting with small fry. Wants cream of crop and then will seek worthy leaders. Will refuse to work with unions unless and until action is taken. Right is abolished and more equitable arbitration is set up.

Only Entertainment Managers Association is really organized in the booker-agent class. Theatrical Agents Association and Agents of America (n. y.-vaude group) is only temporarily tilted and little more than a shell as they can have 40 members out of a possible 400. None of majors in, either. Comm'r mostly of small fry who have kept biggies out.

TAKRA holds another convocation at the Edison hotel in New York tonight (Wednesday). Arthur Grossman presiding. It's hoped to have a member of Associated Actors and Artists of America address meeting. Thursday afternoon with reorganizing. Lou Randell. Will discuss revision of existing regulations. Will approach Actors Equity on revision of old charter. Want a more equitable arrangement for themselves to conform to present theatre conditions, replacing antiquated paper. However, some mixing with other agent groups. Equities have stated they will get their own house in order, referring to other matters, when and if seen fit.

Meeting of reps from various groups was held in Commissioner Moss' office May 6. Group turned him down on pledges to take out licenses until such time as they can get themselves set up, and with certain assurances by him in return. Moss is threatening. Dr. Walter Martin, said nothing is being done yet. Group was told of two specially assigned detectives and inspectors who will start cleaning up Broadway. He was saying that in years, say agents, and repeated it more than a month ago when he said he would permit of May 10 and 11. He's also threatening to shutter all theatres, minus licenses, and adequate equipment for shows of any type or size.

Philly's License Squalor
Philadelphia, May 10.

Lusty squawks that state agents have failed, because of politics, to make threatened crackdown on agenting without a license were confirmed by the Philadelphia Theatrical Managers' Assn. in secretary's adeline Woods' office Friday.

Members of the organization, all of whom recently paid \$100 for their licenses, claim to be respectable band bores and orchestra leaders are selling dancers and singers without licenses.

All but a few of the regular agents in town are licensed. TWA threatens to get its next meeting, to force those without certificates, if they don't pay up by that time.

They're trying plan to lobby through a new law covering their activities at the next steps of the legislature. They maintain there's no logic in their working under the ordinary Employment Agency Act, as at present.

CHORUS COMEBACK

Philadelphia, May 10.
Alton Root has been booked for the line of girls-ride for shows. Fourteen pretties added to current roster which opened May 6.

Troc's Sale to Hahn Ends Lyman Buy Talk

Nola Hahn, of the Clover club, Hollywood, having become owner of the Trocadero there, ends the ik about Abe Lyman, the 21 club owner in New York, and others dickering for that spot.

Lyman, now touring with his band, would like a permanent Hollywood spot for himself from which to broadcast. His brothers, Mike Lyman and Bill imon, are established Coast restaurateurs.

Deal is reported to have involved a payment of \$45,000, of which \$20,000 was handed over in cash. Indebtedness of \$47,000 was said to be listed against an inventory of \$90,000.

2 PITT NITERIES LOSE OK IN RUMPURCE

Pittsburgh, May 10.
Crank down word of Pennsylvania Liquor Control card this year closed the licenses of two of Pittsburgh's hottest spots, the Bachelor's Club and the Benjamin Harrison Literary Society. Letter place by where Maxine Sullivan, apple swinger, got her start.

Both were hangouts of the show business, and have been closed politically to beat rap for violations. However, board revoked permits for three years and also collected \$2,000 cash bond from each. Another place to get a similar rap was Matt Cavanaugh's place, a rave with the Pittsburgh newspaper crowd.

With the Liquor Board's sweeping power, a place with a rave with the Mansion, various casino, and Harlem Casino, night life in Pittsburgh has almost completely ended.

DAVE RUBINOFF OKAY AFTER OPERATION

Battle Creek, Mich., May 10.
Dave Rubinoff, who underwent an emergency appendectomy here last Friday, was reported today (10) as "definitely on the road to recovery" after peritonitis has been halted.

Violinist, who was stricken last Thursday, was taken to the Battle Creek Sanatorium here to undergo treatment that was hoped would prevent an operation. Dr. Walter Martin, who performed the operation, said the peritonitis had been localized and that Rubinoff would recover unless unforeseen developments occurred.

Rubinoff, who had earlier in the week given a concert here, was in the hospital, until he was taken to the Blossom Festival in Benton Harbor, Mich., yesterday (9) as well as to other engagements, as called for the near future.

Olsen-Johnson Break In New Vaudeville Unit

Fert Wayne, Ind., May 10.
Olsen and Johnson break in new vaudeville unit at the Palace here last week.

Includes Roberts and Ray, dance for the Palace and Royal vaude; Lynn Naberry, harmonist; Gilmore and Wells, novelty team; Walter Nelson, emcee; Three Blind Mice; the Rhythmites; and the Fanchettes. Mrs. Johnson stages from the audience.

36RD YEAR OF THE S. ACTS

Sharing Pact Pushes Circuit Revival as American Flesh Popularity

anner in which the Talis-Alien sharing deal on Williamson-Tal circuit is shaping up with the Snider-Dean chain figuring in is expected in New York to mean a revival of the former Australian circuit for American leg and other flesh units.

This route enabled shows or acts to jump from San Francisco to Australia, then play New Zealand and take in additional Aussie dates before going on to South African spots. Now understood to contemplate a break in this Frisco-to-Sydney hop with a week in Honolulu. Besides Sydney and Melbourne, shows would catch Melbourne and southern cities in Australia after enroute to South Africa.

Initial booking is virtually set, with Leonard Silman supplying a musical stock company of about 30, as a result of negotiations with Leon S. (Sam) Snider while he was in New York. Additional and more elaborate bookings loom as likely when Snider returns from London on his way back to Sydney. Snider claims that more flesh units or legit attractions would be set when he came back to New York.

Reciprocal projections were so successful in Australia that Snider expressed enthusiasm for future stage prospects in his country.

CURTIS & ALLEN SPLIT; COOP ACCORD

Curtis & Allen, which for years has been one of the leading N. Y. talent agencies for vaude and musical comedy, is now officially divided.

Charley Allen will continue in N. Y. under his own name, while Jack Curtis opened an agency this week in Hollywood. Max Winslow may be associated with him.

Parting is amicable, with Allen set to run long-time partner, Max Winslow, and Curtis vice versa. Both are operating individually without partners. Pair had been partners in a vaude unit for years and had a decade before they went into the agency business.

Just last several years Curtis had not been wholly active at the agency, stepping out on his own with several legit productions. Last place he presented "Behind Red Lights" on Broadway. Going to the Coast early this week, Curtis is expected to return to Curtis going out on his own.

Fred LaReine's Sideshows

Fred LaReine, following the amputation of both legs some months ago, is now functioning professionally once more. Except for necessary lip-ops in hospitals he has kept going with various outdoor shows since he broke his back, a six years ago, between vaude acts in Wisconsin.

Now has a "Seven Dwarfs" show in New York, for his Broadway revival, which opened for the season last week in Virgil is and is currently in Fresno-Yuma.

Unions' Compromises Permit Fox And Mich, Det., Continue Vaude

Democratic

Phone calls in inhop Rockefeller, who has been working on the Greater New York Fund benefit sked for tonight at the Madison Square Garden, go through direct. Operator switches right i Rockefeller. Not even a secretari intermediary.

USUAL T. A. CUT FROM GARDEN SHOW TONITE

Greater New York Fund, community rally to dramatize the effort to raise \$10,000,000 for N. Y. charities, will be held at Madison Square Garden tonight (11). Program is under the direction of William Gaxton.

As until yesterday, however, did the Fund expect, which include Winthrop Rockefeller, in contact with Alvin Karpis of the Theatre Authority. Agreed that TA would get its customary 15%, up to \$15,000 of the take, and 10% of anything above that. For a time, the Fund considered cutting in TA on the total take of the campaign, but this idea was dropped.

Several performers have come in from the Coast for the show, including Victor Moore, Richard Arlen, De Marcos, and others. About 35 performers will be connected with the performance tonight.

Jim Cagney comes in today from New York. He is expected, Mass., to participate in the Garden show.

Hollywood, May 10.
Theatre Authority, Inc., of New York, has been granted a California charter in Sacramento May 9.

R. Kornblum, attorney for Equity and the American Federation of Radio Artists, is designated the California agent for the organization.

COSTUMES ATTACHED BY CHORUS; NO WAGES

Indianapolis, May 10.
Nick Bolla's line of 12 girls, billed as the Streamlined Debutantes, who are to open the next day at the Capitol, have atched their costumes for back salaries claimed to be the cost of the show.

Formerly appeared on tour in Bolla's unit, "Can You Take It," and a bonus was promised. They have been banded in their names each week during its run. When Bolla failed to pay off here, girls went to the law, and sheriff put two trunks in the hoosegong pending settlement.

Givov's London P. A.

George Givov goes abroad this summer for a date at the Palladium, London, to appear on the bill for a month with options, opening Aug. 28.

Vaude Keying Busy

Following his July 28 broadcast in New York, Rudy Valle goes to Chicago to open the next day at the Chicago for one week. Next, Minneapolis for five days, followed by his return to N. Y. for his broadcast on Aug. 11.

Intermittent living in Chicago.

Detroit, May 10.
After paying costs to the bone, through cooperation of various uni., United Detroit theatres decided to maintain stage shows at the 4,000-seater, Michigan, throughout the summer. Chain previously issued two-weeks notice to stagehands and musicians after being ordered by Paramount offices to bring things into line following weeks of dismal grosses at the Rich.

After settlement reached last spring, under UD rep George Tremble tripped to N. Y. for confab with Par officials, musicians' union agrees to cut four men from Michigan's pit band and raise rate in line off, scale remains as is. Stagehands will take a 15% pay slash across the boards, while operators will go back to same pay-and-bonus plan in effect since last year's contract.

Illnesses of unions to take cuts, instead of letting town go vaude, will also mean continuance of stage shows as the Fox delivers here this summer. Fox figured to string along with vaude somehow, if opposition forces the Abe Martin, who opens Friday (13); Guy Lombardo, Eddie Duchin, Tommy Dorsey and Phil Harris' band in all are expected over the coming six weeks.

Box likewise has several attractions under contract, which figure to mean plenty of activity at the box. Among these are Abe Martin, who opens Friday (13); Guy Lombardo, Eddie Duchin, Tommy Dorsey and Phil Harris' band in all are expected over the coming six weeks.

ST. LOUIS QUITS VAUDE DURING SUMMER

St. Louis will be vaudeless this summer. Fox Theatre group, which has been running since the summer, will after Tommy Dorsey's orchestra plays a week at the house, commencing May 20.

Fanchon & Marco, operator of the site, has no prediction that flesh will be returned with coming of autumn.

100 LOSE JOBS IN DET. SUBURB'S NITERY BAN

Detroit, May 10.
Around 100 musicians and performers have lost their jobs as result of Detroit's new ordinance. Park night spots. Town is a 100,000 pop suburb of Detroit.

Edward E. Young, chief of suburb's police, issued warning last week to 14 spots, which previously had been licensed to perform. He declared immediately in compliance with a resolution passed by the suburb council. An ordinance to forbid dancing in niteries was up for third reading before the council when city attorney E. J. Young declared the new law wasn't necessary.

The ban eliminated two months of future collaborating by 11 residents against the nitery dancing.

Sally Rand's Vaude

Sally Rand's scheduled for several weeks of vaude before going to the Coast to picture picture Aug. 27, and the Star-Lake, Chicago, week of June 3. Second week at the latter theatrically.

MUSIC HALL, N. Y.

Arthur Mahoney & Joe Sproule, Ralph, Hudson, Carmody and the Girls. Los Rancheros, Nena Sandoval, Hilda Eder, Ethel Dale, Gail Bluet, Corp., Rockettes, Richard Leiber, and the Symphony. The show is a duet singing "Joy of Living" (REO), reviewed in VARIETY March 23.

A varied and enter stage production in four parts which employs considerable talent, is Russell Markert's current show. The show's Rally opens with a rather long dance fantasy in which Arthur has a part. The show is backed by the ballet corps. Her comes down to the stage on a new show. A few of the acts, when caught, probably because it seemed unwisely funny.

A very effective number, "Negro Heaven," opens with a little scene at the side of the procession and, in which a mammy (Sally Ellis) is trying to get the show on. As the act takes from this and a song by Miss Ellis, well rendered, the stage lights up on a scene in Heaven, with Hudson Carmody and the Girls Club. It is a good show, the lighting and staging aided immeasurably.

A touch of spring is given by Tommy Trent's Punch and Judy act. He appeared at the nearby RKO a while ago in a different outfit. Tommy Trent this time, that of a doll house. Not only is his work expert, but he also very much of a dancing marionette corps for a strong finish.

The finale, "Fiesta," is a show. The flavor is Cuban and Mexican, with the Los Rancheros leading off with a number of songs and guitars. Excellent trio signs off immediately with the Girls Club. Four dance singles follow, Nena Sandoval, Hilda Eder, Ethel Dale, and Gail Bluet. All lending flash. The Rockettes, in one of the fastest routines, they've ever seen, close the show.

In addition to the overture, "Capriccio Italiano," by Erno Rapee's M. H. Symph, the show also includes Richard Leiber at the piano. Business only fair Thursday (3) light.

ORIENTAL, CHI

Chicago May 8. Johnny Neppoleo, Joe Frank, Sophie Tucker, Evans Bell; There's Always a Woman (Col).

Sophie Tucker is back in town and the Oriental is once more looking like a different place. After several weeks of carmine, the show took the place of the ink currently.

She heads a new show, but it's all Miss Tucker for the bang-up entertainment. At the last show she sang (8) the show's first encore set and slammed home four encores. Your Bitter Getup gets the heart-lungs and she finishes with a new arrangement on "The Love Day." The story of 1912 when Sheldon Brooks first met her the show's story of 1912 is a good lead-in line for the song.

She looks like a good husband. May always, and her showmanship has few peers in the business. Four Frankengins, kids now quite grown-up, are a fine vaude act in dancing, instrumentalizing and clowning. Especially good is a group of dancing love-making and scarecrow routines, aided by bits of personality.

Also, the show's parrot, dressed, still rates as an excellent act. Johnny Neppoleo, Joe Frank, men and three girls, who do a little of everything, including a good show of skating, acrobatics and specialty dancing. Gold.

EARLE, PHILLY

Philadelphia, May 8. George Jessel, Norma Tuluague, Joanne Stone, Phil Barry, and the Earl, Ralph de Angelis, Ednell, Dancing Theaters, and the Girls. Tommy Tucker, George Loui Schroeder's house orch., "Marco Polo"

This show's fresh experimenting, having temporarily abandoned hand policy, plus first-run B films, and a British stage production, a successful second-run picture. Vaudeville has tried similar stunts.

The outstanding success, and this is apparently no exception, is George Jessel's act, including a 20-piece orchestra led by Tommy Tucker. With little to do, it's entirely unique. Some of the band are from Loui Schroeder's house orch.

Bright spots are Jessel and Josephine Stone, who comes on and sings one of his own tunes, and then comes on and sings one of his own tunes, and then comes on and sings one of his own tunes. The show is a good lead-in line for the song.

"American flag numbers," or of offense, is rather cheap (but they want a "number two to home"). This is a quick number, and the show's needs a song. The show's needs a song. The show's needs a song.

Four Co-eds open, flash set, and the show's needs a song. The show's needs a song. The show's needs a song. The show's needs a song. The show's needs a song.

Miss Star provides the real gem. Her act is a good lead-in line for the song. The show's needs a song. The show's needs a song. The show's needs a song. The show's needs a song.

ROXY, N. Y.

Loretta Lee, Myrtle & Peacock, Pat Denning & Betty Raye, Ken Davidson, and the Girls. Loui Schroeder's house orch., "Marco Polo"

All-around good show this week, though not the best in the smash. Slugging is something special, too. The show's needs a song. The show's needs a song. The show's needs a song.

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STATE, N. Y.

Monroe & Grant, Phil Regan, Buster West & Lucille Page, Hapsu (Perry's) Orch. (18), Sammy Samuels, Three Little Rascals, and the Girls. Loui Schroeder's house orch., "Marco Polo"

To accommodate the rather lengthy "Golden West" (M.C.), vaude act, this week is compressed to 33 minutes. The show's needs a song. The show's needs a song. The show's needs a song.

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"Whistle While You Work," in her Little Red Riding Pants' routine, and she sings with a sound as he works with two Indian clowns. The show's needs a song. The show's needs a song. The show's needs a song.

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STANLEY, PITTS

June King, and the Girls. Loui Schroeder's house orch., "Marco Polo"

It's taken Wayne King more than two years to get here since he first signed a contract with the show. The show's needs a song. The show's needs a song. The show's needs a song.

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EARLE, WASH.

Washington, May 8. Lou Murray, Bobbie Lane, Jack & Hopsy Wilson, Philis Dor, Hildred Halliday, Helen Wynne, Jack Lombardi, and the Girls. Loui Schroeder's house orch., "Marco Polo"

Plenty of effort behind this show, one of the most pretentious have staged since Harry Arger took over the show. The show's needs a song. The show's needs a song. The show's needs a song.

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Embassy Newseel, N. Y.

New York, May 8. The show's needs a song. The show's needs a song. The show's needs a song. The show's needs a song. The show's needs a song. The show's needs a song.

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FOX, DETROIT

Detroit, May 8. Sam Jack Kaufman's house orch., Frank Conroy, Perry Twinn, Harry Schickel, Danneberg (18), Joe & Jean McKenna, and the Girls. Loui Schroeder's house orch., "Marco Polo"

Good production gives current bill here plenty of zip and transforms the show into real entertainment. The show's needs a song. The show's needs a song. The show's needs a song.

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Variety Bills

NEXT WEEK (May 16)

THIS WEEK (May 9)

Numeral in connection with bills below indicate opening day of show, whether full or split week

RKO

SHOWMAN
N. Y. City (12)
Chick Wray (12)
Mamie (12)
Mamie (12)
Mamie (12)
Mamie (12)
Mamie (12)

CHICAGO
Palmer (12)
Palmer (12)
Palmer (12)
Palmer (12)
Palmer (12)
Palmer (12)
Palmer (12)

Low

NEW YORK CITY
Show (12)
Show (12)
Show (12)
Show (12)
Show (12)
Show (12)
Show (12)

WASHINGTON
Show (12)
Show (12)
Show (12)
Show (12)
Show (12)
Show (12)
Show (12)

Cabaret Bills

NEW YORK CITY

Hotel Belmont
Barry Calhoun
Barry Calhoun
Barry Calhoun
Barry Calhoun
Barry Calhoun
Barry Calhoun
Barry Calhoun

Hotel Belmont
Barry Calhoun
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RUSSELL MARKET

TOMMY TRENT

RETURN

ENGAGEMENT AT

CITY

MUSIC HALL, NEW YORK

Paramount

NEW YORK CITY
Show (12)
Show (12)
Show (12)
Show (12)
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Show (12)

WASHINGTON
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PHILLY OR TOURS

Philadelph

in window of local season, last

engagement today (10) in Grand

U. S. Acts for Aussie

Six vaude acts, booked by Sam

C. M. King, to tour the circuit in Australia, will sail from Van-

couver tomorrow (today) for

U. S. Acts for Aussie

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C. M. King, to tour the circuit in Australia, will sail from Van-

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Managers Ready Protesting Against WPA's B Way Invasion; Cite 'Pledge'

Managerial protest against the WPA theatre project encroaching on the Broadway legit theatre district has been distributed to the various producers for signing. It is charged that the invasion is a "violation of the original pledge" of the WPA producers. Managers "therefore ask that the Federal Theatre withdraw from and remain outside the theatre zone in Manhattan, as originally promised."

Shownmen point out that the WPA project is not only paying wages under the minimum union scale for commercial theatres, but is also subsidized by the government and "therefore offers unfair competition to an industry sorely pressed by high taxes, also costs of production and operation." Managers say they are in no position to make any claim as relief organization and appreciate the valuable work it has done in that direction, but believe it has overstepped the mark.

Protest was the result of the WPA taking over the St. James Theatre, which is in the heart of the legit zone. Relief people claimed there had been no formal agreement and that occupancy of the house was on a month-to-month basis. There were hints of damage action if the leasing arrangements were interfered with. That indicated a split in the viewpoint of some managers who seek all the coin possible from theatres, whether through the legit arm or commercial shownmen. Understood therefore that the present protest will probably be confined to managers operating theatres, but primarily to producers "who create the bulk of the production" of the American theatre.

According to future plans, WPA did not take the St. James over the summer, since the house is to be used next season by Maurice Evans for his projected regional company. When WPA first started operating in the theatre district it was agreed to remain north of the Grand Central 40th street, but there were exceptions. Protest is expected to develop further plans to encroach in the district. Producers prefer that the project should operate outside the borough of Manhattan entirely.

MEMPHIS WILL COPY ST. LOO'S MUNDY IDEA

City fathers of Memphis will emulate the St. Louis Municipal Opera with a local summer yodelling season of their own according to present plans. Committee of local newspaper men, civic leaders, etc., were in New York last week to make arrangements for city-angled canyoning.

Shows would be housed in the newly-built outdoor shell-theatre and start some June 1. Would employ same system of ticketing as Memphis, with same guests and local choruses.

Locust Theatre, Philly, Pacts for House Band

Philadelphia, May 10. Three months of picketing by the musicians union against the Locust theatre last week with the inkling of an agreement for a house band. Theatre, which is playing "You Can't Take It With You," had refused to use musicians at all. New bidders similar to that at the Fox Theatre, while the musicians are in the pit for straight shows and 12 for musicals.

Joe Carl, secretary of Modern Theatre Corp., signified pact for the house.

'WHIRLPOOL' ON BWAY

Hollywood, May 10. Manny Seft and Sidney Biddell, writers, are producing the David Lamson novel, "Whirlpool." Play is scheduled for legit production on Broadway next fall.

Switchboard Boom

Irvin P. Higginson, wealthy theatre enthusiast who produced the brief "Eye on the Sparrow" at the Yandebell, N. Y., last week, had six switchboards backstage, though the play called for ordinary electrical equipment. He specializes on stage lighting.

Our Town, at Orasco, N. Y., uses five switchboards because of the spotlighting required. Similar additional electrical apparatus is also used in other bare stage shows, including the Mercury Julius Caesar.

BALALAIKA AT CENTER OF C?

London, May 4. Gilbert Miller is declining to present "Balalaika" at the Center theatre, N. Y. Show will be done in connection with Associated Theatre Properties and Eric Maschwitz, and will be produced in the fall. Originally it was intended to be done by the Shuberts. They had an option, but allowed it to expire.

Metro, which owns the full rights, plans Balalaika as a 1938-39 release.

Pins and Needles' Record 15 Shows; Philly Union Cool

Record number of performances was played last week when "Pins and Needles" was given 15 times at the Labor Stage, small house on 39th street, N. Y., formerly called the Princess. Intimate revue sponsored by the International Ladies Garment Workers' Union used its second and third companies, the No. 1 troupe playing out of town. Show went on twice daily, including Sunday. Last time a performance given in between matinee and night.

While the union insisted that its people join Equity, the actors are amateurs drawn from shops and offices in the garment center. Nos. 2 and 3 troupes entered Equity, with the third company about to do so.

Times make performance in next times a week, unless extra pay is given. In the case of "Pins," one troupe played several weeks and the other appeared in eight. Sunday performances require additional pay, too, as the Equity break from the local musicians' union, despite its labor character. Although "Pins" employs only two paid for its music, it was forced to pay full scale for 11 men. Nine drew their coin without lifting.

House contract with totters calls for 12 men, but the salary of one was conceded as a friendly gesture.

Philadelphia, May 10. "Pins and Needles," which ended a three-week stand at the Chestnut last Saturday (7) got a little break from the local musicians' union, despite its labor character. Although "Pins" employs only two paid for its music, it was forced to pay full scale for 11 men. Nine drew their coin without lifting.

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TENTATIVE PLAN FOR HEAT LEAGUE

Somewhat similar to Former NRA Regulations, but is More Severe—Will Not Be Adopted Unless All Managers Agree—Actors' Association Would Grant Basic Contract in Return—Draft Sets 75c and 50c Maximum Fees

'ENFORCEMENT FUND'

Although the proposed code of theatre ticket control is described as purely tentative, the League of N. Y. Theatres has mapped out the most stringent regulations yet considered. Plan has been submitted to the league's manager-members, also to Equity. Each member of association council, whether in the city or on the Coast, will receive a copy.

League actor deal is described as a resolution of the American Theatre Council to lower ticket premiums. Equity people, who were not in charge of policy for one year if the managers put in a ticket control plan. League states that such agreement would be a basic one, with Equity, however. Managers have been asked to express their opinion of the code tomorrow (Thursday), but in so doing the shownmen will not be asked to sign that document. The plan is satisfactory to prospective signatories.

There appears to be a difference of opinion over the feasibility of the proposed rules. In some quarters shownmen say there are so many restrictions applied now, with the increasing union regulations, that they may hesitate to go further. Proposed control plan is along the lines of the former NRA legit code which failed. New act is a much more severe document, however.

Conceded that there are ticket abuses and that high prices should be curbed. Practice of making buy is blamed for excess charges and would be ruled out entirely by the new code. Agents who would be permitted to charge more than 75c over the established price for lower (Continued on page 48)

No Opposition Ticket for Equity Election; Foresee Quiet Meeting

It Was Dynamite

It was thought that the problem of blasting in the Sixth ave. subway had been taken care of during the debut performance of the San Carlo opera at the Center, N. Y., last Thursday (5). Charles Burke, of the company, and Sid Goldman, house manager, put the fix on with the contractor.

Later was told the curtain would ring down at 11:25, but the performance was late and the booming finale accompaniment rocked the building.

TMT CHAPTER OPEN ON COAST

Los Angeles, May 10. Local chapter of the Theatrical Managers, Agents and Treasurers union, affiliate of the American Federation of Theatre Artists, was organized last Thursday night (5) with Murray Pennock as representative in charge, pending the election officers.

New local, covering Southern California and Arizona, is subject to create jurisdiction of the national TMTA pending the annual election Aug. 1, after which local authority heads will be granted and permanent officers elected.

Closed shop for managers of legit or other types of amusements, theatrical and studio press agents, treasurers, box office men and ticket sellers will be declared June 1. Minimum wage for theatrical press agents (legit) under the new setup will be \$150 per week, with assistants drawing \$125. Legit house managers will be paid a minimum of \$100 a week. For travelling dramatic shows, company managers will be \$125, and for musicals \$150. Minimum scale for house treasurers will be \$75.

Pennock and Jack Pierré, veteran legit manager, were named as delegates to the Central Labor Union in which application for membership has been filed.

Stagehands' Election a Surprise; Anstett Defeats Brennan 2-to-1

It appears that he conducted his self at stage meetings. He appears to have lost some support during the winter, when he favored the increased de-

Union, but he knew the Local No. 1, International All race of Theatrical Stage Employees. New York stagehands supplanted their six-time re-elected James Brennan by a two-to-one vote. Total ballots for the new leader, Robert Anstett, were placed at 44, with Brennan getting only 444. Six of the majority was a surprise to working de-

Anstett said to carry the election he figured to repeat. It appears there was an undercurrent of dissatisfaction among members without jobs and those on relief, but the union leaders underestimated that feeling. Tipoff came when three of the four candidates were elected to the executive committee acceptances, making it a two-man contest. Even then most stagehands in the legit code did not think Anstett had much chance, however. Plenty of electioneering marked the campaign, which was orderly. Among the things mailed was a charge that an inner circle had the vote of securing work for Brennan. Brennan won the union's position in dealing with managers. He respected the leader for his assistance in the manner

There will be no opposition ticket for Equity's annual election, held for May 27 at the Hotel Astor, N. Y. Deadline for filing petitions for candidates was passed Saturday (7).

Regular ticket, topped by Arthur Byron, is assured of being elected. Beta Lyttell replaces Burgess Meredith as first vice-president. Latter was acting president until he went on tour in The Star Wagon. Byron, who is a vice-president, has been conducting weekly council session since then.

Indications are that the annual meeting will be the most peaceful since the militant group within the membership took form about four years ago. There was a succession of quarterly meetings which were interrupted by objections from the floor, while the administration was harried by resolution proposals.

Recently there was a rumormongering which was broken up over night. Rumor had it that the taking WPA people into Equity. Incident aroused the preponderant conservative element and the meeting atmosphere was clarified when the conservatives named the WPA as a non-committee. Since the naming of Byron and Lyttell there has been little agitation.

There was no real opposition group had gotten most of its proposals accepted and for the moment is satisfied. Yet until day after tomorrow, when the candidates set a blazing pace after being named acting president, quickly found that the WPA is not an easy assignment and he refused to reconsider when asked to run for office. He was elected to the position of an opposition ticket turned out to be the fling of only one name as a running mate. The election was on the council. Samuel Bonnell aims to secure the one year term as acting president. Regular candidate is John Lorenz.

Grisman Dicking For Pitt House, Opposition To the Nixon, Report

Pittsburgh, May 10. Reports are current that the Nixon will have legit competition next season for first time since the Alvin became picture house four years ago. Nixon is a theatrical man and a string of theatres across the country, known to be dicking for Pittsburgh, and he is in town couple of times within the last few days. He is dealing over deals with real estate men.

Just what Grisman could land, however, is not known. He is now the Barry, a grind film spot, but in some quarters he is being working hard to get the operator of the house, would be willing to dispose of his lease at a profit. Alvin is out since it's the Harris chain's key spot; ditto the Davis, former home of two-a-cry here, which is a theatrical theatre. Alford, Loew's film site, which has been dark for years, might be a possibility were not for bad location.

Source close to Grisman say Pittsburgh is one situation he's anxious to crack, since the Nixon has the legit field to itself and general opinion is that with improvement at all in biz, the town could stand two legit operations.

Dick Bennett Directs

Hartford, Conn., May 10. Richard Bennett will be guest director of the Connecticut WPA Federal Theatre Co. Its forthcoming production, "The American Dream," will open in rehearsal Saturday (7). Scheduled for a five-day run at the Avery Memorial. Play open May 24.

Guild Malls Own Prize

Newspaper Guild is contemplating giving its own prize for the best article of disatisfaction with the Pulitzer awards this year. Guild's life was principally awarded by award to Ray Sprigle of the Pittsburgh Post-Gazette for his piece on Supreme Court Justice Black's former membership in the Ku Klux Klan.

Attack on the story by Robert S. Allen, printed in the Nation last September, resulted in threat of a \$500,000 libel suit. This was never filed, and in some quarters was called a 'silent suit'. In the current issue of the Guild Reporter, Paul W. Allen, advertiser in the Nation, is the story is a rewrite on information which appeared in the Montgomery Advertiser in 1937.

Another award which irritated the Guild was the laurel to the Edmonton (Alberta) Journal in connection with tree press.

F.P.A. Goes N.Y. Post

Franklin P. Adams, last with the N.Y. Herald Tribune, resumes column at the N.Y. Post May 12, reviving his "The Conning Tower". His salary as reported in 1935 was \$21,850. He left the Herald Tribune when a reduction was suggested.

It is also planning to do some radio work on a sustaining program scheduled to debut next Tuesday.

For WIZ, the Guild has tentatively titled "Information Please". Clifton Fadiman will m.c.

Telly's Hollywood 'Express'

'Murder in Hollywood', which will be appearing shortly in the "Sunday" magazine section, is the inside of the William Desmond Tappan, who has been in Hollywood since 1925, which means of course to stand around Jim Tully. Story is one of those which have been rolling around for years and nobody dares touch it. Tully wrote it in a night and then admitted it was a work of fiction. Chi Tully said okay overnight.

Syndicate pays better than most for such as well as good. Paul Block's morning Pittsburgh Post-Gazette has dropped three-weekly "The Town" column for \$100 a week. Allard, Weekly News Digest, edited by Charles Holstein and George Jessel, also has dropped the column in others. Allard and Holstein, however, stick on reporterial staff, working on general assignments.

In addition, she's advertising department, only non-uniformed group in building, last year took in \$100,000 for those earning under \$50 a week and 10% for those over. To make for slacks, she's getting an extra day off every two weeks. Paring extension to mechanical staff, she's press and photo staff of stereotypes going few days ago, after moving its five-star desk to 1215 and 1216. It's in order to get the final edition run on time with abbreviated crew.

Her harshly told by her own drama editor, who has little over an hour now to knock off his legit notices.

Philly Hikes Daily Price

News of new rates in Philly was advertised last week. The price of publishers there to hike prices in Philadelphia was \$100 a week, effective Monday (9). All papers in both Philly and Camden went along with the press except the Evening News. Tilt was not only a victory for the newspapers, but for the other public over Robert McLean, of Jit Bulletin. McLean, who elected pres of the A.P. for months last year, was killed off in action of the N.Y. Times and Herald papers in upping rates and the demands of the newspapers.

Fischer's Colman Deals

George Fischer has signed with United Feature Service to write "Hot Whippers" column, column for the Scripps-Hawley column, other syndicate clients, a total of 175 papers. In addition, he will write a monthly page of pictures for the Mirror.

Robert Fidler, who formerly did the Mirror chore, now is contribute a monthly page of film features to the Literary Review, start with the August.

Window Publisher's Will

Will of the late W. F. Herman, publisher of the Windsor (Ont.) Daily Star, revealed last week an estate of \$50,000, of which \$50,000 was in Star stock.

Directed the Star Publishing Co. to pay household expenses of the

One Bell

Hollywood, ap. 10. New way to silence long-winded flacks was evolved by the N.Y. Herald Tribune. Hollywood rep. Press agents waxing too oratorical, are cut short by a gong, a S. J. Bovee.

Churchill will keep the flack-stopper on his desk, permanent, and in some quarters was called a 'silent suit'. In the current issue of the Guild Reporter, Paul W. Allen, advertiser in the Nation, is the story is a rewrite on information which appeared in the Montgomery Advertiser in 1937.

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OBITUARIES

EDWARD EMERY

Edward Emery, veteran actor, died in New York May 7 of a heart ailment. He was within a few days of his birthday. He was a brother of Winifred Emery, for many years leading woman for Sir Henry Irving. His father, John Emery, had found success on the stage, but his own ambition was to be an army surgeon. Death of the actor, however, he completed his medical course, forced him to go on the stage, his debut being at the Drama Guild, in "A Winter's Tale." He toured with the Wilson Barrett company, and then joined Sir Charles Wyndham, coming with the latter to this country. He changed to the Shubert management and supported Mrs. Fiske, Ethel Barrymore and Margaret Anglin. In 1903 he appeared in "Good News," his debut in musicals. He is survived by his wife, the former George Waldron, and a son.

THOMAS LYNCH

Thomas Lynch, 62, originator and driver of the once-famous Shubert team used in the Barnum & Bailey parade, died in Bridgeport May 7. He spent 32 seasons in the Shubert shows and was widely known for his driving skill.

He was born in Canada, he ran away from home and obtained a horse's job in an Ottawa stable. His family located him and he fled to the United States, heading for Philadelphia, then the headquarters for most of the large vaudeville acts.

He went with various shows and finally connected with the Barnum outfit, where he selected and trained the horses used in the Shubert hitch. At the time of his retirement, some years ago, he had full control of the Shubert team.

His widow and a sister survive.

LOUISE MULDERER

Louise Mulderer, 94, who played Juliet for Edwin Booth and supported him in his last years, died in New York. Born in Brooklyn of German extraction, she went to Germany to study and then came to the Opera House, where he became a Shakespeare role. After that she returned to Germany, where she became leading lady for the Fifth Avenue theatre, and then later for the Boston company.

She was a pioneer member of the Women's Professional League, a member of the Drama club and the Actors Fund. Funeral plans had not been completed yesterday.

JACK MASON

Jack Mason, for many years stage star and act producer, died in New York May 8. He was taken ill the previous day in the Central hospital. Mason began his career as a vaudeville actor, but found success in his liking and turned his attention to the creation of vaudeville acts, eventually gravitating to the musical stage. He worked for the Shuberts in the Winter Garden in 1914 and did numbers for the entire production for other managers. He was particularly successful as a dance star.

IRA A. HARDS

Ira A. Hards, 65, retired theatrical producer, died in New York May 8. He was 63 years old and had been chiefly interested in the Westchester Playhouse, Mt. Kisco, N. Y., summer theatre.

As a Broadway producer he was active for many years, producing other plays, including "The Madonna," "The Bishop Misbehaves," and in 1935 "Arrest That Woman," his last production. In each of his years in the show, playing that character from productions from 1893 until 1933.

His widow and a daughter survive.

SELYSTER J. CRIPPS

Selyster J. Cripps, 83, veteran upriver Ohio vaudeville actor, died April 28 at his home in East Liverpool after a lingering illness.

He was one of the first to lead East Liverpool capitalists who built the American theatre in East Liverpool, Ohio, the first vaudeville theatre in that district, now controlled by the Tri State Theaters, Inc. A son and daughter survive locally.

EDDIE NEAL

Eddie Neal, 51, former East Liverpool vaudeville actor, died May 1 at his home in Marion, O. He trouped in the circuit for many years, and the close of the world war in a song and dance turn.

His widow and two daughters survive. Burial in New York, O.

LOTTA ELLIS

Lotta Ellis, 73, veteran stock company actress, died of a heart ailment May 10 in the Edwin Forrest Home in Philadelphia.

She had lived at the home for nine years. She was married for 26 years before. Miss Ellis and Maude Adams frequently appeared together in the Shubert Stock Company in Minneapolis, the Broadway Players in Chicago, and the Million Dancers in Chicago, and the John Golden Little Theatre in New York. She was a native of Beloit, Maine.

CHARLES M. FRY

Charles M. Fry, 57, band and orchestra leader, died at his home in Philadelphia on May 7. A violinist, for 10 years he led his own band on Million Dollar Pier, Atlantic City. He directed the Moore band for 23 years and from 1930 to 1932 was music director of the Atlantic City Beauty Pageant. He also conducted Fry's Philadelphia Band and a dance orchestra, bearing his name.

CHARLES HOBWITZ

Charles Hobwitz, one of the early pop songwriters and vaude actor, died April 11 in the Bronx. He was married to the late Lillian, who vaude with Charles V. Bowers, with whom he also collaborated on many famous songs. He also wrote many vaudeville sketches.

FRANCIS W. EDLER

Francis Walter Edler, 62, formerly musical director of the Orpheum circuit, died of a heart ailment April 18 years and also director of orchestras in a number of theatres in southern and western states, died in a Wichita hospital, May 5, after an illness of several weeks.

Survived by his widow, an adopted son and a daughter.

MRS. MAX SCHLOSSBERG

Mrs. Max Schlossberg, wife of one of Adolph Zukor's oldest associates in the film business, died of a heart failure in her home in New York City, May 8, after a long illness.

She had headed the department in Paramount which handles weighing machines, candy and other concessions in picture theatres.

CLARK ROSS

Clark Ross, 55, in New York, May 8.

He produced "Love in the Tropics," "Cynthia," and "Oh! Oh! Nurse," and with Harry L. Cort did "The Bragards," and "Masha."

Surviving him are his widow, two daughters, his mother and brother and a sister.

LINA COVINGTON HARELL

Lina Covington Harell, Charlotte, N. C., woman radio commentator and newspaperwoman, died suddenly May 10 at her home of a heart attack.

She left newspaper work to become news commentator and radio columnist with first WSOC and later WBT in Charlotte.

FRANK WILLING

Frank Willing, one of the vaudeville team of Willing and Jorgan, died May 4 in the Los Angeles Cancer hospital.

Prior to forming the act with Jorgan, which toured the old Orpheum circuit, Willing was a member of the Exposition Four. He is survived by his widow.

JACK FLAUM

Jack Jacob Flaum, 42 years old, died May 10 at his home in Saratoga, April 30, after a lingering illness of 10 months.

He was married to a woman connected with his brother in a vaudeville booking agency.

Interment Park Ingolds, L. I.

DORIS BLEAU

Doris Bleau, 31, first lady, who earned her living under the name of Diamond Kitty, died of a heart ailment May 4 at her home in New York.

She once weighed 130 pounds, but later reduced to 65.

Survived by her mother.

JOSEPH P. MANLEY

Joseph P. Manley, musician with the Shubert Stock Company, died in Hartford (Conn.) hospital. He was a musician there for 40 years and a

PARKS IN DENVER FIGHT

Elitch and Lakeside in Hot Competition in Denver

Denver, May 10. Denver looks for a battle between Elitch and Lakeside amusement parks in the summer, even more than in years past, for business, especially in the dance pavilions.

Elitch is starting at the opening of the season. For the first time both parks are opening on the same day, and with their college hops in sight. Before, alumni organizations of the University of Denver are competing in the selling of tickets for the dance. But this season the crowd will be split. Both parks expect to have a band all season in an effort to capture the dance trade. Elitch will switch to a flat rate for the season, as against the former plan of a nickel a dance. Lakeside has used the flat rate for several years. At Elitch will charge 40 cents for men and 20 cents for ladies.

Orrin Tucker will open at the Trocadero at Lakeside, with Joe Sanders, who is leading the baton at El Paso, Lakeside.

HARTFORD PARK RENEWS

Hartford, May 10. Closed for six years, Capitol Park, once the most popular amusement park in this section of New England, reopens on May 28 under the management of a New York syndicate.

Marathon Hamlet

(Continued from page 1)

third extra salary, since the time consumed would amount to around two full performances. However, the stunt may become a cliché, and the Hamlet as an endurance test for actors, particularly the lead.

Hamlet has asked Equity to rate the full-length "Hamlet" as a spectacle, which per se five weeks of rehearsal would be full and complete. It is to start the long version at 8:45 p.m., with a half-hour intermission. The rehearsal of the full-length version started earlier and had a longer intermission. It was played six weeks.

"Hamlet" long and short is slated for one month, with six weeks the limit. Equity will also play Part 1 of "Henry IV," with Richard Arliss, who has been granted actor-manager status by Equity, no longer comes under the alien player restrictions.

So many of the musicians Local 400 leaves three or four men outside open his mouth without catching a cork or a Mickey Finn?

The public has been obliged to absorbing certain "facts" in the gazette: "Stars are winking, pictures are getting poorer, Grade B product is Grade D (is labelled), and admissions are off 35% anyway." So the stars, the pictures, the product, the price, for a while?

It seems to me, that the film business is in a bad way, and has to be saved by the public.

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Flying Allens Back, Despite 17-Year-Old Daughter's Fatal Fall

Rochester, N. Y., May 10.

Flying Allens of Batavia will return to balloon jumping with the opening of the carnival and county fair season.

Flora Allen thought they were all through last year after the sister died of a fall from 1,000 feet to her death. They packed up their equipment and said they were all through.

But this is a new season and the call of the open skies and crowds is too strong. Both their father and grandfather were balloon jumpers. It's in the blood, so they'll carry on without Gloria.

Store Exploiter

(Continued from page 2)

stars, Eddie Cantor, Kate Smith, Bob and Sully, Lowell Thomas, Earl Carroll, Gertrude Noyes, Robert Taylor and scores of other well-known stars.

Participated in programs dramatizing current events at Hearns. Overlooked 14th street, have spoken to the people assembled in front of the building. The program, such public figures as: General Hugh S. Johnson, the still of New York, Senator Wagner, Agnes LaGuardia, Fannie Hurst, Grover Whalen, many others.

To dramatize the new fashions, and their small cost, the store staged a fashion show. The show was a success. The store was a success. The store was a success.

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1939 PLANS TAKE SHAPE

Million amusement section of the New York World Fair, 1939, to take form this week with announcement by Grover A. Whalen, executive vice president of the fair, that a concession contract had been signed. It was for one of the highest of all the exposition grounds.

New York exposition officials now have contracts for all the additional concessions which are ready for taking. Actual construction of the fair grounds will start next month. It will cover 280 acres and be capable of handling about 250,000 visitors daily.

First pact was with International Publishing, Inc., of New York City, contract, calling for building of a 250-foot tower from which mechanically operated parachutes will operate for visitors.

Nearest approach to nudgy suggestion is a "Nude Parade" in the fair's official "Living Magazine Covers," with an artist and some beautiful models. "Nude Parade" is a modest city, and "Science versus Crime" are among other shows proposed.

Unique crane-derrick ride costing \$300,000, which will transport 100 passengers in a cage from land in high-sky tower over the lake, also is among numerous projected features. Crane takes about 100 feet into the air during 5-minute trip.

Thus far plans have attracted the various villages, including the South Seas town, Alpine village, French A. Village, and about 100 feet into the air during 5-minute trip.

Although reported high bids had been received on the rest room construction, the fair officials are still in this decision, for supplying of accessories for the rest rooms, including the right to supply the water for the privilege of having its product used. Advertising value is also being considered.

The Fair is also planned to be its own sign shop.

Det. Gets the Itch

Detroit, May 10.

If common council approves, petitions will soon begin to circulate to get the city to ignore the "Itch" of the Fair in 1940? on next fall's ballot.

Town has been planning world's fair spot for several years now, but has been too ill to go farther than staging a miniature fair in convention hall. However, big moguls are now working hard to get U. S. okay the "Itch" of the Fair in 1940? on next fall's ballot.

KIDS GROW AMBITIOUS

Carolina Amateurs to Add a Real Top and a Buffalo

Charlotte, 7 C. May 10. Bennett, 13, and his friends, composed of York youngsters, is about to spread out by adding a real big top to its equipment, and a small manager, and increasing the number of performers, according to Joe Bennett.

The tent that is to be bought will accommodate around 1,000 people. A buffalo will be purchased, and the first animal in the menagerie.

The circus will show at York road in the first year. It will visit several neighboring towns. The show, a strictly amateur organization, will include a number of actors, including the clown, number about 5.

CIRCUS ROUTES

Week of May 16

Cole Bros.-Beatty-Detroit, Ohio, 12; Philadelphia, Pa., 13; Baltimore, Md., 14; New York, N. Y., 15; Washington, D. C., 16; Baltimore, Md., 17; New York, N. Y., 18; Philadelphia, Pa., 19; Detroit, Ohio, 20.

Inging Bros.-Barnum & Bailey-Toronto, Ont., 12; Baltimore, Md., 13; New York, N. Y., 14; Philadelphia, Pa., 15; Detroit, Ohio, 16; Washington, D. C., 17; Baltimore, Md., 18; New York, N. Y., 19; Philadelphia, Pa., 20.

Robbi Bros.-New York, N. Y., 12; Philadelphia, Pa., 13; Baltimore, Md., 14; Detroit, Ohio, 15; Washington, D. C., 16; New York, N. Y., 17; Philadelphia, Pa., 18; Baltimore, Md., 19; Detroit, Ohio, 20.

making motion picture musicals make **SENSE and DOLLARS!**

(An Advertisement for Paramount's "Cocoanut Grove")

Recently there has been widespread criticism in the trade of "clambake musicals" "Clambake musicals" are big vaudeville shows with lots of music, lots of girls, lots of gags...but practically no human interest, no heart punch, no real story. What this industry has been demanding, needing, is a **new formula for motion picture musicals**. And Paramount, ever a pioneer in picture enterprise, has succeeded in discovering that formula; creating that kind of picture.

Paramount's "COCOANUT GROVE" has music, a good share of it among the finest tunes turned out by Hollywood's musical colony in the past two years. "Says My Heart" and "You Leave Me Breathless" will definitely rank with such hits as "Thanks for the Memory" "COCOANUT GROVE" has a strong marquee lineup...Fred MacMurray, Harriet Hilliard, one of the top names of radio, the Yacht Club Boys, Ben Blue, Rufe Davis, Billy Lee, Eve Arden. "COCOANUT GROVE" has the necessary elements for a big time musical picture.

But "COCOANUT GROVE" is more than a musical picture. "COCOANUT GROVE" has story, one of the finest human interest stories the screen has seen this year... the true-to-life adventures of a swing band, a kid they adopt, and the girl who adopts them. From start to finish, "COCOANUT GROVE" holds your interest by the heart tugging story itself. The dances, the tunes, the music are not just tossed in. They are natural parts of the plot itself. At no time does any song or act seem unreal or "just stuck in" to pep up the show.

We have screened "COCOANUT GROVE" for hardboiled exhibitors, many of whom have been frankly skeptical about the possibility of creating a new and more successful musical motion picture formula. To a man, they have praised "COCOANUT GROVE". Audiences at public previews have said the same.

"COCOANUT GROVE" marks the beginning of a new era in the musical motion picture. Book it and you'll soon see why.

Paramount Pictures Inc.



VARIETY

15¢

Published Weekly at 154 West 45th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$4. Single copies, 15 cents. Entered as second-class matter December 22, 1906, at the Post Office at New York, N. Y., under the act of March 3, 1879. COPYRIGHT, 1938, BY VARIETY, INC. ALL RIGHTS RESERVED.

Vol. 130 No. 10

NEW YORK, WEDNESDAY, MAY 18, 1938

56 PAGES

HOLLYWOOD TALKS BACK

Television Nothing to Fear?

All-informed research engineers regard two hours of television daily about the limit and have no idea how many years before even that much of a schedule can be set up. They confess many unsolved technical problems. But even greater problems concern how to arrange the financing of television practically.

Latest estimates are that not over 25% of prospective television entertainment will be via the broadcasting of film. Not because it won't or wouldn't be available, but because it doesn't fit the medium. Film is described as incongruous and ill-adapted.

Engineers are amused at radio and film fears of televisi More details on current vista in the radio department.

Humiliated, Frustrated, Double-X'd, Song Pluggers Often Die Young

Death of Addy Britt, professional mgr. of Donaldson, Douglas & Gums, last Saturday (14) stirred his former conferees in Tin Pan Alley to philosophizing over the circumstances that make their literally a heartbreak career. It isn't the stiff competition, they mused, that bring down the professional man in his prime of life, but it's the accumulation of bitter disappointments, of having to contend with petty chicanery, double-crosses and the humiliating station in life that he finds himself while making the rounds of his daily contacts.

Night before he was stricken Britt told friends that he was deeply sore at heart because of what had just happened to two of his numbers at one of the networks. After finally inducing two leaders to play the numbers, Britt learned at the eleventh hour that they had been crossed off the list by a minor program executive. In one instance it was a case of a "misplaced" arrangement, while for the other no reason at all was given, although the No. 10.

(Continued on page 55)

Howard Hughes Plans 'Round-World Fight As N. Y. Fair Bump

A 'round-the-world fight in behalf of the New York World's Fair will be attempted next month by Howard Hughes. He is due to hop off for Paris early in June bearing invitation to European nations to the New York exposition in 1939. Hughes will step off in Moscow and then take the northern route back to the U. S., completing his globe-circling feat.

Individual flights out of Paris probably will be taken. Fair's invitation also may be flown to more distant countries around the globe by leading aviators of other nations.

Airplane jump is a promotional project for the fair as well as a good venture in behalf of America.

Hughes, former film producer, is an aviation enthusiast and holds several coast-to-coast flight records. The world hop is a cufo of course in the interests of aviation and because of friendliness towards N. Y. fair sculps.

Long 'n' Short of It's They Must Drink Plenty of Beer

David Ballard, giant doorman formerly at the International Casino, on Broadway, sails for Havana this week where he begins his first theatrical engagement as a walking ad for a Cuban brewery. Was booked from New York by Fally Markus.

Polar Brewery wants the giant to cruise around town with the firm's v-p, who is a five-footer. Pair will hit various high spots, requesting sponsor's product. Figure it's a good promotion and 'dignified' bally.

AIRPORTS AS SPOTS FOR NEWSREELS

Click of newsreellers at railroad terminals is focusing attention of shortsie exhibitors toward the major airports.

Idea, at the latter, would be driven in theatres, on the airframe basis, for night departures, and housing in the airport buildings proper, to coincide with the majority daytime flights and arrivals.

Bootlegging Kayoes 'Beerless' Niterly Idea

Element of possible delays in arrival, with a signal system to apprise waiting visitors to the airport, is part of the scheme of things to attract biz to the aviation field cinema.

Allied Youth, Inc., godfather of the floppero 'bootless beer garden' idea, is formint a new offshoot, tagged Allied Yuls for 'abstainers' over 21.

Local niterie, not worrying about possibilities of apofian from several so of soda-pop Evers, however, for they remember folup of several such spoz year or 30 ago, when liquor's sponsors withdrew support after fin'ing 'abstainers' smuggling more - paint - than - pop stuff into spot.

Pix Producers Defensive, But--

Won't Take All the blame, But Harkening Plenty to Home-Office Behests to Bring Costs Down--However, the Coast Long Objected to 'A' and 'B' Coupling, Plus the Many Theatre Gimicks

EYE-OPENING FIGURES

Hollywood, May 17. Hollywood on the defensive is something new for the film producing center. OI timers cannot recall when studio executives and their first line assistants ever have had to do so much explaining. It's a new experience but Hollywood is said to have the answers.

In rapid succession, representatives of the New York head offices have made their regular spring visits to the producing plants and left behind reams of worldwide distribution figures. Conferences between East and West have lasted until early morning hours. Behind closed doors at each studio the eastern spokesmen have proved their case that the cost of Hollywood films must be trimmed. The cloth, they say, must be trimmed to the size of the customer. In this instance, the customer is the combined total of film rental income which since last fall has been progressively diminishing.

For the first time in years the picture makers have been carefully studying the income sheet. Heretofore, the eye jumped gaily from profit to profit. Today, there are some red figures which represent boxoffice headaches. Certain films, liberally budgeted and cast with the

Name Value at Polls

Oklahoma City, May 17. What's in a name will be decided in Oklahoma's forthcoming election with an assortment of names carrying from Joe E.rown to Oliver Cromwell wooing the white voters. Other names include four Rogerses, Mae ost campaigning for commissioner of charities and corrections, a Wilkie Henry Theodore Roosevelt, S. Wilcox, Brigham Young, Daniel Boone, Huey Long, Sam Houston III, John W. Davis and John L. Lewis.

List of famous name flings has increased in Oklahoma with each election since Will Rogers, a country school teacher bearing the same name as the state's noted humorist, rode to victory a congress-at-large race.

Mechanized Variety Show, Labeled Vaude-Vision, 5 Acts, in 1st Showing

Subtle Revenge

Philadelphia, May 17. Latest trick to give stations the jitters about man-on-the-street shows has been unearthed by WDAS here. Employe of a store or firm which has a dille edge to the mike and when asked his name gives moniker of one of the company execs.

To every question by the gabber, guy gives dumbest answer he can think of. Some big-shot industrial officials, as a result, have appeared to be pretty stupid and station has been receiving plenty of squawks.

Vaudeville, minus acts or scenery, and also minus live musicians, premred at the RKO Hamilton theatre, New York, Monday night (16) under aegis of B. A. Rolfe and Jack Horn. Labeled Vaude-Vision, stunt employs projected sound on film, the celluloid track replacing the pitten. Act's musical timing is synchronized to the reels and projected scenery serves as background. Pictured backgrounding on required shot is adequate.

Reps of every remaining phase of vaude including Martin Beck, who fixed this first public showing, plus indie agents and bookers came to see the new, mechanized vaude. General impression after o.o. is, that something may come of it. The onday night audience was spontaneous in its enthusiasm, almost muddling the sound synchronizing via 'encores. This problem might be corrected with elimination of encores a la burley, or in some signal system to be worked out whereby encores could be served without stepping on toes of succeeding turn and jaxting up the timing.

Regulation five-act show Three Dancells (girl dancing trl Paul Le Pal (magico), Mae

Due-Bill Biz Due For Court Airing Via Suit

Due-bill biz in New York is set to be given a thorough airing this summer or early fall. Associated Advertising Co., through its attorney Edwin J. Shio, has filed suit in New York supreme court for \$10,000 against Trade and Exchange Advertising Associates, and 22 individual suits for like amounts against its wampum peddling members charging restraint of trade and other unfair practices. Bert Kay, head of Associated Advertising, is

(Continued on page 55)

THE HOUR OF CHARM

MUSIC THAT LINGERS ON



PHIL SPITALNY PERMANENT ADDRESS PARK CENTRAL HOTEL, NEW YORK

ZANUCK VS. COLUMBIA

DOUBLE-EXPOSURE

Showmen who have deplored the expose of Hollywood technique in motion picture making, finding damaging at the box office, may have had a semblance for plausible rebuttal from other showmen who held that the inside story, if making the film fairer, might be an asset. These few believed that the more show-biz-conscious the public became, maybe it wouldn't hurt in the long run.

But now has come a situation, where, for the first time, is crystallized what may be a major fault of the picture business. The recent blasts against "poison" stars and "inferior" vehicles have assumed a new manifestation in the past week, and right in the theatre for in whence sprang the beef at Hollywood. This new form of expression is a wide-open hissing of poor films.

It's not the good-humored hissing of the heavies and cheering of the Lone Ranger who he exclaims, "Hi-Bo Silver" to his trusty steed, as has obtained in some houses. "This new hissing is a vicious, vitriolic, frankly antagonistic razor at the screen, which becomes the recipient of the razzerbony from an idle public that just seems about tired of paying for inferior film entertainment.

heretofore, many a time, one has heard the expressions, "This isn't as good as their last one." It's a shame the story didn't hold up, after starting off so well, or other relatively innocuous public opinions. The word-of-mouth, after all, has long been a privilege of any amusement patron. In almost as often, the word ping has proved a direct asset to certain entertainments which may not have fared as well from printed criticism, in the main, such expressions of opinion have been.

they seem to have had their reactions crystallized by recent propaganda against certain Hollywood standards, trade significances and exhibitor-producer wranglings. The word seems too much 'in' on a phase of the cinema—the exhibition end—that it should know or care little about, so long as the film entertainment dispensed is generally adequate.

It presents a new trade problem. Perhaps, heretofore, the public's alleged strike against bad pictures was unconscious. Anti-Hollywood blasts seem to have created a product-consciousness which compels serious industry thought. It means a reeducation of the public in favor of film attendance.

Arthur Loew Reports Healthy Biz For U. S. Films Around the Globe

Hollywood, May 17. Ling business anxieties in America are not shared by executives engaged in film distribution and production in foreign countries, according to Arthur M. Loew, vice-president in charge of foreign distribution of Loew's, Inc., who arrived here Monday (16) on the Mariposa from Australia. His window of first months' trip extending over 30,000 miles, a third of which he made by airplane, itinerary was from Europe to Egypt, India, Straits Settlements, Philippines, Java and

Progress, Loew said, is reflected in the consistent and healthy increase in public patronage of films, particularly of American make, and the substantial betterment of exhibition conditions in all countries. All good American pictures are doing splendidly throughout the world. When in Australia, Loew said he arranged to increase his company's theatre holdings to seven houses with recent additions in Perth and Adelaide. Others are already situated in Sydney, Brisbane and Melbourne. Loew said: "ere has been substantial progress in foreign picture making and efforts of foreign governments to foster picture business are encouraged because any increase in quality films stimulates public interest in pictures to the benefit of the better class of American-made product."

ins here several days to New York.

Mik Feld East. Milton H. Feld, recently parted from 20th-Fox as a producer and re-directed on a deal to join Metro, is due in New York May 21. He left the Coast Saturday (16), while in a slump in Kansas City, his home town, on the way in.

BRISKIN BACK AT COLUMBIA

Hollywood, May 17. Columbia is recalling Sam Briskin to the executive production office, held at the studio for eight years prior to his departure in 1934. During the last three years of his regime at the Gower street plant, Briskin was credited with the success enjoyed by the producing force. At that time he was drawing \$2,300 a week. Toward the end of 1934, he left after receiving a \$100,000 salary. He later returned to the Harry Cohn-over stock allocation. After leaving RKO last November, Briskin had contemplated going into independent production but, at the instance of Cohn has abandoned the venture to return to his old post at Columbia. Understanding is that Cohn has ambitious plans for the studio any that with the return of Briskin he can detail most of the production routine to Briskin, permitting the Columbia prod. unit time to concentrate on his lines.

'THIS IS NOT THE FIRST B.O. SLUMP'

Picture Industry as Come Before—Good Will Always Command Business—Insure

REFUTES GOLDWYN

By JOHN C. FLINN

Film industry is demonstrating to all American business the principles of sound financial recovery, predicted upon the creation of higher output, in the picture business. The challenge of a dimly lashed public buying power with more attractive.

"This is not the first, or the second time, the picture business like other industries, has passed through a period of business depression. Creative ingenuity and management acumen, plus a awakened sales and some exhibition enthusiasm have carried us through in the past; the same attributes and enterprise will carry us through again."

Darryl F. Zanuck, head man at the 30th Century-Fox studio, is talking about the film business, giving some impressions of current conditions in the industry. Occasion for discussion is the fact that he is drawing up the pile of work that is on his desk, as he intends to bow out of Hollywood next week for a two-months' vacation in Europe, first recreation away from the studio he has been in for two years. The picture lack really is going. Other planned vacations were canceled after tickets had been bought.

"I'm serious about having some fun this time," he said. "Vacation is my most important business. I've been a poor office slump is not due to poor pictures," Zanuck said, "nor is there any basis for Sam Goldwyn's conclusion that the public is on a picture strike. The record shows that the general public just hasn't as much money for film entertainment as it has a year ago. If all films were suffering at this time there might be some truth in the 'strike' argument, but the fact is that hit pictures are drawing bigger than any time in the past five years. The public is shopping, the fan is selecting his 'must' pictures and paying to see them. He is forced to pass up less attractive films."

Public Shopping for its 'Must' Pictures. At this, fleet agents of current film rentals. It shows "In Old Chicago" is way out in front, and "The Sign of the Cross" is second. Two Sonja Henie pictures, "This" and "Happy Landings." The second picture is leading "This" although put into release when conditions generally were regarded less than rosy. It will be a winner in America better than \$1,800,000. You don't have to rest the case on our company's figures. Every studio in the past year ran show the same thing that his getting pictures, are running the picture business anticipated, that flops are getting less. "This is a long-chance game, involving heavy risks. But we have budgeted that when the picture is rough and the public buying spout that the only way to policy is to strive for more hit films in other words, to risk more. That is why our own company's picture budget has been increased this year by \$3,000,000 for the same number of pictures made last season. Don't know whether the net profit at the end of the season will show as well as the last year, but I don't foresee anything about that. But I do know with extra appropriation, more intensive promotion, and the increased popularity of some of the summer players, we have brought about a record two-year high. We will have a better lot of boxoffice."

(Continued on page 12)

Showdown on Charles R. Rogers' Universal Squawks at Tomorrow's Meeting; Blumberg Back to Coast?

Clever, These Photos

Hollywood, May 17. Three shots at one time is the record made by Eddie Cronin-weather, still cameraman at Metro, filming Clark Gable in the act of falling into a mud puddle. Cronin-weather operated one bulb with each hand and another with his foot.

SEE \$3,500,000 'DOMESTIC ON 'SNOW WHITE'

"Snow White" in the U. S. and Canada stands to record a domestic take of between \$3,250,000 and \$3,500,000, according to the trend of income at the close of the 13th week Netprint Drive held by RKO. On this basis the take already is around \$2,500,000 for the Disney feature. That's the biggest in the history of RKO.

Depmet, driver honoring RKO's distribution chief, also is the longest in the history of the company. The campaign ended officially on May (13), and on that date the only circuit to have exercised the privilege of booking the Walt Disney film was the Saenger (E. V. Richards) chain, of the Paramount group. A matter of terms.

Julius Levy, general sales manager of the company under Depmet, has recently returned from seven weeks' tour of RKO exchanges, and his observations of conditions are that general conditions might continue to show a slump for the balance of the summer. The south, where crosses held up while other parts of the country were slipping, began to feel the drop last week.

Whether or not RKO will hold a national convention this year is not yet indicated. Possibility is that RKO may decide on regional sessions.

WESLEY RUGGLES-PAR MULLING NEW DEAL

Hollywood, May 17. Wesley Ruggles and Paramount are dueling on a new contract between the producer-director and his new European vacation. Current nut runs nut with complete Ruggles, "You Sinners," which is washing up.

RKO's 38 Scrips

Hollywood, May 17. RKO writing staff now has 38. It's not in eight months. 'Scrips are working on 22 scripts.

WALD'S TRIO OF AGENTS

Los Angeles, May 17. Jerry Wald has asked the super-agent to straighten out his three-way agency tangle with Zappo Marx, Inc., Myron Selznick & Co., and Leland Warner writer declares the three still claim interest in his picture, but he has damaged a his represent:

Charles R. Rogers may quit Universal, and Nate Blumberg, likely to return to the Coast late this week. Whether Rogers stays, and in what official capacity, or whether he quits, will be known definitely, following a special board meeting at Universal tomorrow (Thurs.). This meeting was called by Rogers, who here will be a squawk.

Rogers' present U contract, at \$2,000 weekly, has around three years to go. A settlement might be made, depending on circumstances.

Actually, what twist tomorrow's board meeting may have depends entirely upon Rogers. His grievances will be thoroughly analyzed and answered.

Summed up, the issue may concern a question of ability and management organization. Although, Rogers has been more or less secretive about his trip and its purposes, it is no surprise as the trade has an "on" familiar with Rogers' intentions for some time.

For the past two months, at New York, under Blumberg's supervision, Rogers has been on the Coast, trimming the management and cutting all deadwood. Some of those dropped from the rolls have been Rogers' appointees.

Hollywood, May 17. Nine pictures in various stages of production and six more already ready to go, under Blumberg's supervision, when he pulls in from New York this week. Six pictures are scheduled for release, the cutting rooms are "Rage of Paris," the Danielle Darrieux starrer; "Pony Express," the "Planning Pictures" (Continued on page 13)

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Liquidation of Warners' Holding Co. B and Renraw, Inc., SEC Discloses

Washington, May 17. Unscrambling of the corporate depositories in which the three Warners parked some of their WB stock came to light (Tuesday) in the latest Securities & Exchange Commission report on the stock transactions of corporate insiders.

Liquidation of Holding Co. B and Renraw, Inc. was unveiled in the statement covering March operations by which the trio transferred some of their holdings to their own personal accounts. By distributing the paper, Renraw portfolio was sliced to 1,590 shares of the \$3.85 cumulative preferred. Each brother took 2,717 shares from the strong-bought, boosting interest of each in his own name to 143,750 shares.

No changes in arch in their holdings of common or debentures. Albert Warner accounts for \$9,648 common and \$1,750,000 worth of bonds; Harry M. Warner, 62,500 common and \$1,070,000 worth of bonds; and Jack L. Warner, 88,000 common and \$1,183,000 worth of bonds. In addition, Albert is indirect owner of 154,400 debentures through Holding Co. B.

Only other deal in film paper was insignificant. T. P. H. Warner, J. P. H. Warner, picked up 10 shares of Pathe common, raising its stake to 91 shares.

Reports on financial interests of new directors showed Gordon W. Brown, New York, rec'd on the Pathe board, has 1,200 shares of common but John Dobney Penick of New York recently secured the same. Universal has common, has no money involved.

H'wood Turf Club (In Ingleswood 10 Miles Away) Opens June 10

Hollywood, May 17. Hollywood Turf Club, Warners' opposition to Hal Roach's Santa Anita track, has begun its homecoming publicity for the opening season 10-June-17. Track is called Ingleswood Park, though actually in Ingleswood, a separate city 10 miles from Hollywood.

A huge sucker list was treated to the spectacle of a messenger boy in a brand new tiny flat coming up to the door with a special package. Package when opened revealed a swank brochure of the track.

Inside was an application for the 1938 season tickets at \$50 per person. Even working scries were flattered by inclusion in the list of those who had \$50 not working.

**AARONS, FANCHON OFF
PAR PRODUCTION STAFF**

Hollywood, May 17. Two Paramount producers, Alex Aarons and Fanchon, will be dropped from the studio payroll when their contracts expire next month.

Aarons leaves after he completes his current production of "The Blues," early in June. Fanchon and her brother, arc are likely to team as a producing unit.

Van Dyke's 'Sweethearts'

Hollywood, May 17. Van Dyke draws direction of 'Sweethearts' at Metro, previously assigned to Clarence Brown. The picture, Eddie and Marion MacDonald, are top-bracketed this Victor Herbert musical.

MOPEET CO-STARTS

Hollywood, May 17. Freddie Bartholomew and Judy Tulin will be teamed for first time in "Lillian Parlane" at Metro. Jack Cummings will produce for an original by Katharine Bruce.

Seek Bunny's Heirs

Heirs of John Bunny, pioneer film comedian, are being sought by the Dime Savings Bank, New York. When he died, 13 years ago, the comic left an account at the bank. Officials of the institution are now trying to locate the widow, Clara Bunny, or a son, John Jr. Later he is reported to have visited an eastern studio recently in search of work in a film shop.

Amount in the savings account is not disclosed, but it has piled up at compound interest since before Bunny's death.

Grand National Discloses Cash Balance, \$91,657

Hollywood, May 17. A cash balance of \$91,657 on hand was reported to Federal Court by Grand National on statement of receipts and disbursements for April. In addition to the savings account, being in 77.

Receipts during month were \$84,955, and disbursements totaled \$69,086. Reserve fund for payment of producers' participation in rentals drew \$12,532.

Deal for Tex Ritter to make two months' pictures for G.N. was approved by the court, with Al Herman, partially financing and directing. Under the arrangement, Ed Finney, supervisor, and Ritter each receive \$2,000 per picture, which carries a budget of \$100 apiece.

Finney's claims were settled by the studio for \$12,100, plus \$5,000, in consideration of waiver on return of 10 westerns he made the studio and an accounting of profits on films. Court also okayed purchase for \$15,000 of "Held For Ransom" from International Fil.

Dressluf's Deal

As his first production for Grand National, under Guy Dross, now visiting New York, will make an all-girl western. He's on tap for six musicals, and deal went to shorts as an indie unit producer for Distribution. Visit east is to get cast, leaves next week for G.N.

Dressluf will work in conjunction with Fanchon & Marco.

Gene Raymond to Chi:

Mebbe Pitt, Phila. A. C. Closing last night at the Paramount, N. Y. Gene Raymond goes to the Chicago theatre, Chi. next week, where he closes 'at 26. He's been off the six musicals, and deal went to shorts as an indie unit producer for Distribution. Visit east is to get cast, leaves next week for G.N.

Dressluf will work in conjunction with Fanchon & Marco.

PAIR OF FASTIES

Hollywood, May 17. Florence Rice and Melvyn Douglas are set for the top roles in "Fast Company," going into production at Metro this week.

\$5,000,000 EPICS ARE OUT

All Production Costs
Whittled 20%—Two
Weeks Clipped from
Shooting Schedules—Trim
Coin in Player

Hollywood, May 17. Paramount's economy wave has whittled the \$100,000 budget of the 1938-39 schedule with the lone exception of "Men With Wings," now in production at a cost estimated at \$125,000. Other budgets on the new production slate have been whittled down to meet the demand for a 20% reduction by Barney Balaban, president, who has been here for three weeks in Stanton Griffiths, executive chairman, conferring with Adolph Zukor, board chairman, William LeBaron, production chief, and other studio execs.

Salaries of uncontracted actors and writers' length of shooting schedules, cost of story buys and other expenses, have all reduced to meet the economic restrictions which have been laid. Highlights of the new policy are:

Former eight-week shooting schedules are reduced to six, with other types trimmed in proportion.

Supplies and materials are maintained at a high artistic standard but lower salaries.

In addition to these there is a general lightening in all departments to cut down little leaks which grow into big money in a major picture.

Bidding against rival companies for novels and stage plays is out.

Salaries of actors and writers are maintained at a high artistic standard but lower salaries.

Salaries cut among character and other featured players not under contract is general. Paramount officials declared. In one case, a character actress who recently spurred anything less than \$5,000 a week with a five-week guarantee, is currently willing to take \$1,750 with a one-month injunction of half release of the film pending outcome of the suit. Action is sketched for hearing next October. Sidney R. Fleischer is attorney for the plaintiff.

'Radio City Revels'

Hollywood, May 17. Charging plagiarism, Benue Russell, New York lawyer, says that Wright, has sued RKO for damages of \$20,000 in Federal Court.

Writer claims the picture, "Radio City Revels," was based on his story, "Dream Me a Song," which was rejected by the studio.

**'Union Label' Exhibit
In SF with Pix Stars**

Hollywood, May 17. Bolstered by a list of Hollywood union members, the first 'union label' exhibit ever held in California was drawn here last week at the Civic Auditorium. Hollywood stars who participated in the show were: Fred Astaire, M. G. Lawrence, centive event, Wallace Berry, Rochelle Hudson, Jimmy Gleason, Olivia de Havilland, Eddie Quillan, Edith Fellows, Bontia Granville, Roy Rogers, Helen Hayes and Mickey Rooney.

Grant exhibit by carpenters, millmen, garment workers, typographers and a dozen of other unions participated in the event.

3 In, 2 Away at M-G

Hollywood, May 17. Two pictures were launched at Metro last week and three finished, subject to retakes.

Starters were "The Great and the Beautiful" (Wendell Willkie) and "The Girl in the Red Velvet" (Marie Amund).

Women's Answer: "The Girl in the Red Velvet" (Marie Amund).

With Practically No Opposition, Senate Passes the Neely Bill, But It's Not as Dire as It Sounds

Trial and Error

RKO Jefferson, New York, has a funny suit on its hands from a femme patron who, in pique, tried to bite the dogman, with result she lost a pivot front tooth. She's suing for the loss of the molar.

Altercation arose when she and her escort were barred from trying to bring in a dog. She returned, and with her escort, the theatre's attache thought she was trying to smuggle the pooch. After some words the licensed patron bit him.

Tarkington Sues WB Over Penrod's Brother's Film

Court action again t Warner Bros. over the film "Penrod and His Twin Brother" was brought last week by Booth Tarkington. Suit in New York supreme court seeks an unspecified amount of damages and to halt further release of the pic.

Tarkington, who sold all his literary works up to 1931 to Warners, claims "Penrod and His Twin Brother" is not his creation, but was written by authors hired by the studio. Since it was not his work and was therefore not included in the sale, the producers have no authority to use his name and his characters, the novelist alleges.

Warners have 30 days to answer the suit, after which Tarkington has the privilege of applying for a temporary injunction to halt release of the film pending outcome of the suit. Action is sketched for hearing next October. Sidney R. Fleischer is attorney for the plaintiff.

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Toughening Him Up

Hollywood, May 17. Robert Taylor's second western, "Toughening Him Up," is being released by Mercury-Lasker. His current film is "Give and Take."

Wallace Berry is set to share the lead with Taylor in the "3-in-1" feature.

Washington, May 17. Though not a "record vote" (meaning a rollcall), the Neely bill was passed by the Senate late this afternoon. This, while perhaps not causing anything as dire to the motion picture industry as it sounds, does manifest the greatest forward step yet made in this type of U. S. anti-pic legislation. Of about 50 Senators present, no more than a half dozen scolded "noys" were polled.

With a similar bill pioneered in the House, due to the committee taking no action, it will die there. Which, of course, means that legislative campaigns must commence with the next session of Congress in the fall. Congress adjourns in four six weeks, and there's the almost chance of anything being done at this time.

The Neely bill was passed with 30 yeas. One was an added clause exempting shorts similar to newsreels, as previously. The other, upon Senator Borah's behest, eliminates the provision which would have exempted exhibitors from any liability for refusal to pay for copyrighted pictures.

Fellows' enliveners again were struck with the meagre tactical opposition presented by the film community. The other, upon Senator Borah's behest, eliminates the provision which would have exempted exhibitors from any liability for refusal to pay for copyrighted pictures.

Debutary discussion of the Neely bill outlawing block booking opened Tuesday in the Senate. The reformer presented a motion to consider (Continued on page 10)

Pins-and-Needlers' Hollywood Bonanza; Flock of Historicists

Hollywood, May 17. Business is booming among costumers and garment makers, constructing strange raiment for the impending bonanza of historical pictures. Tailors and seamstresses are busier than they have been for several years.

Period costumes are required at Paramount in "If I Were King," "The Sign of the Cross" and "Men With Wings" now in production, with Zane's almost ready to shoot. "Knights of the Round Table" in the offing.

Warners is reading "The Sea Hawk" by Rafael Sabatini, "Dodge City," and "The Valley of the Kings," with "The Life of the Virgin" and "The Sign of the Cross" at 20th-Fox requires period clothes as does "Northwest Passage," "The Sign of the Cross" and "Men With Wings" now in production, with Zane's almost ready to shoot. "Knights of the Round Table" in the offing.

More head-stomping will be demanded by Sam Goldwyn's "Groucho" and still more by Selznick-Int'l's "Rings of Hell" and "Gone With the Wind."

Harriet Chase to M-G

Louis, May 17. Harriet Chase, local girl who, as Harriet Chase, has been appearing in "The Sign of the Cross," visited the native home last week and announced her engagement to a local boy, a former Marine, who, Miss Fox, who appeared in several St. Louis Little Theatre productions, is now in Hollywood where she is under option to Metro. Parker, signed recently by Universal, is now in Hollywood making a first picture.

Blame It on Spring Fever: Lefty's Nostalgic Vaudeville Cavalcade

By Joe Laurie, Jr.
Coolidge, Cal.

Dear Joe: Thanks a lot for your letter telling me all that's going on in the Big Town. Although this place is a part of the U. S. and we get newspapers and a radio, we don't get the show news as quick as you kids do in New York. I mean the important show news. Of course if a picture actor is making or a picture actress gets her fourth divorce we get that news, but I mean really important news like you wrote me about Billy Roy bringing vaudeville back. Well, editors just don't think that's important news here. I can just imagine them saying, "Bring back vaudeville? What's judging by the way he's been doing things up to now; everything is on a big scale with him—just like the guy that weighs coal."

I guess he'll open his show with an overture by Paul Whiteman, Benny Goodman, George Olsen, Ben Bernie, augmented by the New York Philharmonic orchestra led by Toscanini. Then the Lukens, Rath Bros, Rice and Prevost and the Seven Bricks would follow, followed by Ryan and White, Doyle and Dixon, Boyle and Brazil, Evans and Lee and Bisset and Scott. Then a lot of sketches like Howley, in "The Bandit"; Imhoff, Leonard and Corine, in "The Fast House"; Crane and Day, in "The Whyming Whoop"; and Willard Simms, in "Flinders Flies". Then a load of mixed acts like Mack and Walker, John and Mae Burke, Brendel and Butch, Doyle and Rigel and Williams and Wolfson. Some flash acts would fit in right about here—for instance, Lasky's Trained Nurses, Gus Edwards' "School Boys", Girls and Redheads, and Chip and Marble.

Opening Intermission would be three White Kuhn's, Duffy, Geisler and Lewis, Stepp, Mehlinger and King and Clayton, Jackson and Durante. Ted like to see Honey Boy Evans, Lew Dockstader, Arthur Rigby and Eddie Leonard go on right about here, then the Howard Bros, Clark and McCullough, Canter and Lee, Howard and North and Wynn and Lewis. Then the single women led by Sophie Taveris, who has a new number, "The Party". Then the Rhythm Girls, Charlie Lane, Walter C. Kipps, Joe and the Rhythm Boys, Meehan's Dogs and Long Tack Sam, and the Exit March to be played by Sousa. The only trouble with a show like that is, what would happen if it didn't? It would be a real disaster. I mean, if you had a lot of arguments about spots; some of 'em wouldn't want to go on before the soup and then there'd be an argument who was to go on between the soup and the coffee. I know a lot of acts I can get him that would be glad to follow a good show.

Can you imagine what a big show in vaudeville should come back? Taylor and H. & M. would start making trucks that carry irons and high hats; scenic artists would learn how to paint drops in one, center door fancy, kitchen sets, and a drop in the middle. The vaudeville would use Union and Postal would start doing a good business, the railroads would take up all their uppers; route books, rosin boards, spangles, lights and electric lights for agents would be sold by the railroad. The vaudeville would like Freeport looks now, agents and bookers would start eating again, the Palace theatre elevators would be greased up, and music publishers would talk to actors that are not on the radio.

Aggie just told this letter over my shoulder and accused me of smoking marijuana. She set to tell the boys and girls back there not to count on vaudeville being back, but only this they can't do. They can't count on their fingers. Ain't there a song called, "I Can Dream, Can't I?" So long kid, see.

P.S.—Fred Allen sez: "Only one letter makes the difference between click and cluck."

DeWille and Uncle Sam Settle Taxes

Washington, May 17. Money worries of a well-known DeWille were softened somewhat, at least by compromise in a four-year-old tax suit. Months of negotiations came to a close Thursday (12) when the Internal Revenue Bureau agreed to accept \$9,857 from Cecil DeWille, owner of DeWille Productions, Inc., in settlement of a suit for \$25,235 more on the basis of 1934 earnings.

Last year, the New Dealers listed DeWille as a horrible example of tax dodger, although, it is pointed out, his contention that Productions was a legitimate concern and not a device to evade the Government.

Gals Team for Series

Hollywood, May 17. June Lant and Lynn Barr have been dramatically tied for "Sol Wurtzel's" new series, "Meet the Girls," to be started June 6.

Carlson's Dauler

Hollywood, May 17. Richard Carlson, who is off from the Broadway stage by David O. Selznick, is working a double shift, acting in "The Young and the Rubidivous" and writing an original story for S.F. Before he took up acting, Carlson was associate professor of English at the University of Minnesota.

Ching on Their Own

Hollywood, May 17. Lee Ching and Dick La Marr have opened their own agency on Sunset strip.

Both pulled out of the Leo Morison agency.

Mike Connelly to Coast In Behalf of Screen Guild

Mike Connelly, lo checker in the east for the Screen Actors Guild, will be shifted to the Coast for the summer. Leaves next month when production in the eastern studio starts down for the hot months.

While in Hollywood, Connelly will attempt to adjust two claims he has had pending for the last several years, one against Orsatti. It covers years before becoming associated with SAG, when he was an agent in the Jenie Jacobs office. According to Connelly, he and Orsatti recently set deals for Gladys George and John Eldridge. Claims he never received his percentage of the commissions.

Connelly also has some interest on a pending decision regarding talent agents, to be handed down by the Federal Bureau of Labor Claim for the Miss George percentage is covered in a pending suit by Connelly against Orsatti.

'Zaza' Bows In

Hollywood, May 17. Ilsa Miranda, Italian import, makes her debut in Paramount's "Zaza".

Albert Lewin produces.

Big Coin Suck

Hollywood, May 17. After visiting the rubes of Olives Under uspection, several executives, raised the classification of the Edmund Brown picture debut in Paramount's "Zaza".

Chandler is realizing "The Sin Never Sets" to sit at room as his current chore is completed.

P. S.—Rabbit Stew

Hollywood, May 17. Former chief lack of an indie outfit looking for a job, and that he could not find a public relations faster than rabbits multiply.

With each of his letters to major studio publicity chiefs he sent a crate containing a rabbit.

NEW SEQUELS IDEAS BEING REISSUES

Those companies with few new pictures coming through are still busy in their preschool and exploitation department, getting out new text and ideas for the summer reissues. Unprecedented number of oldies being reissued, and some are being used to frame new preschool material.

Either original notions have run out or, mainly, new ad stunts and exploit'ion ideas are back of the new campaign.

Chicago, May 17. Reissue of the Rudolph Valentino flicker, "Son of the Sheik," goes into the Babylon & Katz Grand May 28 for a run. Also set for several key cities dates for B. & K.-Great States. Deals made here by Joe Plunkett, who came in from New York.

No Checker to Tally Scores, Par Golfers Let Themselves Go

A few respectable golfers, plenty of dubs and a few whose ability to count all strokes, lost balls, missible, etc., is doubtful, attended this year's Paramount annual golf tournament Thursday (12) at the exclusive country club, Rye, N. Y., with J. E. McDermott, general auditor of company, turning in the best score. He shot an 81 in the morning and 85 in the afternoon. A Ross Ford checker was not assigned to the tournament, which makes the records a bit dubious, but the results of the tournament even disgraced as they stand, among them Bill Lawrence, reedy executive, who said he got 82 in 18 holes and Vincent Trotta, chief of the art department, who turned in a 90.

George Cavanaugh, district manager upstate N. Y., was estimated at 190 for 18 in view of lack of actual picture, but Cavanaugh finally took the figure of a nude, among prizes given out, which others were not to accept, including Paul Phillips, Par theatre real estate head, who's married.

Behind McDermott, the best score was 88 in the morning and 87 in the afternoon, was shot by Ray Kemmer, accounting executive, while Don Thruston (12) shot 88 holes, got an 88 and 85. Roger Clement, actor, brought in 86 in the a.m. and after luncheon returned to shoot 87 in the afternoon. Other scores for 18 holes only were Ed Taylor of the distribution department, 89; Clark checker tributed by picking names from a hat—prompted to keep the Lawrences from getting in from forgetting to check strokes, putts, etc. that they did.

Producer-director John Ford, who is assigned writers to develop the "Hamilton" story.

LADY HAMILTON FOR LLOYD AS PAR OPUS

Hollywood, May 17. Paramount's "The Life of Lady Hamilton," one of the biggies on the pull card stage on the Paramount stage, will be produced by Frank Lloyd as soon as he finishes "I'll Be King" now under way.

Producer-director John Ford, who is assigned writers to develop the "Hamilton" story.

The Girls' Eye View

By Marian Squire

'Robin Hood' an Extra's Holiday

The Adventures of Robin Hood" is an extra's holiday extravaganza, with thousands of people milling about the castle and the Greenwood Forest all handsomely done up in Technicolor. Errol Flynn wears his tightest belt, and leaps about defeating hundreds of opponents, all at once, in single-handed combat.

A handsome and colorful figure in flowing capes and brocaded vestments, the villain Bala Rathbone who meets the fate he has been meeting various times in the costume of the costume designer. The villain is a fencing boss with Flynn which ends his nefarious career. Claude Rains does well with the double-dealing Prince John and Herbert Mundin, as Flynn's right hand man.

Flowing robes in various shades of sati

as "Mad Marian."

Even Miss de Havilland's lighter scenes are done with a look of faint trepidation. This scarcely deepens as she is led away, presumably to await execution, giving the impression that she knows as well as the audience does that she'll be rescued by Robin Hood.

Eugene Palette and Alan Hale fit into the picture well as Friar Tuck and Little John, respectively, and former box office names like Montague Love and Robert Warwick turn up in the cast.

Temporary relief of the unemployment situation is one of the greatest assets of the making of films in the spectacle industry.

Radio City Music Hall Goes Astrological

The Music Hall stage serves up a glittering astrological show. "Stars at Midnight," Rosario Orellana, is a singing number surrounded by girls posed in flowing white. Stage revolves to a Grecian pergola with the ballet in full white tulle skirts border, paillettes, and pointed paillette trimmed bodices.

The Rockettes, reasonably enough, represent erudite, wearing short white costumes with black garters, one sleeve green and one red, and red shoes with black garters. They are singing a song about the power of Mercury appears on the backdrop.

"Serenade to the Stars" is sung by Jan Pearce and Rosario Orellana, and the girls are singing a song about the power of Venus appears on the backdrop.

Most effective of the "Stars at Midnight" is a song about the power of Mars appears on the backdrop.

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Incorporating Hockey Clips in U Feature Brings Mad. Sq. Garden Suit

Universal Pictures Co., Inc., 14 N. W. Exchanges, Inc., and Thru Film Exchanges, were sued Thursday (18) in N. Y. Supreme court by the Madison Square Garden Corp. for alleged damage to the latter's goodwill and rep. as a result of the inclusion of hockey clips in the feature picture, "Mad. Sq. Garden," which was made up to make up a great part of the defendants' picture, "Tad of the Crowds." The Garden Corp. asserts Universal in exploiting the picture falsely represented that scene of professional hockey which exhibited in the picture had actually been taken in the Garden. This misrepresentation, the Garden contends, has injured its chances of future sales of picture rights in the Garden to other prospective producers. It asked for a permanent injunction to stop continued showing of the pictures, and also the damages it has already sustained. If any, up to the court. As yet the defendants have not answered the complaint.

The long-running feud between the Garden has been for causing clean sport of every description the complaint makes the objection that Universal had used shots of professional hockey games taken at various times for newsreels and feature films. These flashes, the Garden avers, were taken during the final playoff of the cup games between the N. Y. Rangers and the Detroit Red Wings teams in April of last year at the Madison Square Garden. One of the latter auditorium, the complaint states, peritted the shots to be taken under the Garden's permission. The Garden had imposed that they were not to be used in feature picture without special permission and the payment of adequate compensation. The defendants not only violated this agreement, but broadcast circulars to exhibitors representing that the hockey scenes were taken in the Garden and that by giving the picture a wrong impression.

The picture, "Tad of the Crowds," was first shown at the Central theatre, New York, last December. The Garden contends that the defendants caused the theatre's management to exploit the picture with posters connecting the picture with the picture, "with intent to increase the picture's revenue, but to the detriment of the plaintiff's picture." Not only that, but the Central's press agent asked the Garden's press agent to supply space in the latter's lobby on hockey nights for the purpose of boosting the picture and giving the public the impression that the picture and the Garden games were identical. The complaint states the suit is unusually large and just what damage has been done by the Garden by the picture, other than the Universal failed to state in the Garden corporation, is not quite clear.

Stanley L. Griffis, of Paramount, is chairman of Madison Sq. Garden, Corp.

Oklahoma City, May 17. — Oklahoma City's now famed "Case of the Sawed House" has come to a close. Federal grand jury indicted with dismissal of Mrs. Fern G. Chadwick's suit against Universal, Madison Enterprise Co., and the theatres and Warner Bros. Theatres. Mrs. Chadwick, chiropractic's champion, claimed \$250,000 damages, \$15,000 actual and \$10,000 exemplary, on charges that Universal had deceived her through a picture of the scene of the sawing apart of her house, ruined her reputation, credit and standing, suggested that she had been evicted from her home, and was in financial straits.

An Oklahoma City loan firm had foreclosed on the land under half of the house, and been unable to sell her property or buy the property under the other half of the land and sawed the house in two at the dividing line between the two lots.

Nix Sterilization Pic

Albany, May 17. — Court of Appeals upheld today Educational Commissioner Graves' fine of two, limited to \$100,000, on "Children's" picture with sterilization theme. Chief Judge Crane and Justice dissented. Reported court used film privately.

For Productions and Principal Film Exchange appealing.

Power's Scholarship

Incidental, May 17. — Tyrone Power has established an annual award of \$50 for a senior scholar of the Schuster-Markin School of Drama showing marked ability in the field of drama. Power continued training in a stage, screen or radio career. The film star, a native of Chicago, made announcement of the award in a telephone call from Hollywood Saturday (14) night to an audience attending the local school's anniversary stage production, "Dancing oods," in Taft auditorium. Power was honorary chairman of the event, which was in the nature of a memorial tribute to Mrs. Helen Schuster Martin, who founded the school in 1906.

Mrs. Patia Power, mother of Tyrone, came on from the Coast for the occasion. She was the first to attend in girlhood. Walter Connolly and Janet Flynn (Gina Marx), among other scholars who received training under Mrs. Martin, wired their sentiments from California and London, res. closely.

WB Cuts Plans to 52 Features for 1938-9; Emphasis on Shorts

Dallas, May 17. — Warner Bros. will produce and market 52 pictures for 1938-39 season. Instead of 60 as previously announced, the studio has cut back to 52, of which 30 are shorts. Seated, sales chief, after long distance contacts with Jack Warner and B. Wallis, said that from south and western sales' clasp he here. However, same budget as last year. Seated said that 'this will allow for a proportionate increase in the production of shorts. He said that WB in a position to produce consistently high grade motion picture shorts. He indicated his company would get behind the short subject more vigorously than in the past.

Warner Bros. will increase its one and two-reel output for 1938-39 to 100. Additionally, the studio will employ more color than has in the past. Prior to leaving New York for Dallas, Norman Moray, chief sales manager, indicated his company would get behind the short subject more vigorously than in the past.

A large Warner delegation, from N. Y., headed by Grad Seale, Carl Laemmle, Norman Moray, Roy Haines and others left Friday (13) for the three-day Dallas meeting which will be presided over by Ben Kalmenstein, western-southern sales chief. S. Charles Einfeld proceeds to Los Angeles from Dallas to make other return to New York. Clayton Bond, WB's film buying chief, who went to Los Angeles for this meeting, is the season started, joined up with the crowd at Dallas.

Hollywood, May 17. — Around 16 features will be put into production within the next eight weeks. The studio has made other have either been completed or are in the final polishing stage. The studio has indicated its plans for Warner's '38-39 program topped 36 to 42.

The studio's heavier briefs load the cartoon producer is abandoning plans to make "Rip Van Winkle," feature length, this year.

UA Meets Thursday To Finalize Roach

Hollywood, May 17. — United Artists board meets Thursday (19) to finalize a new contract with Roach. Meanwhile, others are working out the details. Part is for eight months, but later than December. Roach is prepared to finance Roach's entry into the picture. Mr. Glavin, UA proxy, paved the way for Roach's entry into the field. Mary McLeod planned in to the meeting.

20th-Fox Reads Its Own Shorts Prod. East

Studies of 20th-Fox on 10th avenue, New York, New York, are being read for start of first short features which company will turn out in 1938-39. The studio's company has two small stages in plant which are deemed adequate for the production of shorts.

Some shooting will be done under the Movietone neptswell unit. Lew Lehr is the principal, comedy series set.

NEA'S N. Y. CO. NO STRESS PICTURE EDUCATION

to-visual education ill come into its own at the National Education Association convalesce to be held in New York starting June 30 when the production of motion pictures in the classrooms will occupy one full session. Important announcement also is scheduled on the principal of short features program, instituted by the NEA and the Hays office.

Besides speech by the motion picture chairman of the National Council of Parents and Teachers, Al Kelher, director of the motion picture commission of the Progressive Education Association, will make a demonstration of Human Relations films. These are the shorts that have been cut or edited out of features, no longer currently being released. Pictures will be tested with typical high school students in attendance.

Educators also will be given first hand glimpse of activity by the National Advisory committee on the use of motion pictures in education, which was carried out with the aid and co-operation of the Hays office last summer in N. Y. Three panels, set for June 1, 2 and 3, will discuss the use of motion pictures in education. Teachers at session will pass on the appraisal also.

Bill Krelway for Big Trees Hollywood, May 17. — William Krelway and a crew of 100 are shooting exteriors among the big trees at Eureka for Warner's "Valley of the Giants" picture.

Location trip had been postponed twice before because of cloudy weather.

PROXYING PARK'S NEXT ANNUAL MEET, JUNE 21

Paramount has the same proxy committee again working on the annual shareholders' meeting, to be held June 21. They are Barney Glisan, Adolph Zukor, and Stephen C. Kalaghan. Routine authorization of capital stock setup of the company was the first item on the agenda. The proxy committee worked out a preferred stock, under conversion plan, and the election of directors. The committee consists of the principal business of the meet.

Some discussion may arise regarding the company's compensation, as it is understood that he now draws a weekly salary of \$10,000 to be expended on insurance benefit.

O'Connor, Will West

John O'Connor, general manager of RKO theatre, heads for the Coast to confer with this week to set up the company's Pacific slope theatre set-up. O'Connor will probably spend some time on the Coast.

Arthur Hill, RKO's home office talent chief, goes to the Coast for a conference with Pandro Berman, studio chief, on Friday (20). May be gone also around two weeks.

A Thrush He'll Be

Hollywood, May 17. — Charles Boyer, French film actor, is preparing for the first in Walter Wanger's "Allegro" now in the final stages of production.

Ann Ronell and Vincent Scotti wrote the ditty titled "This is the Life."

Directors Considering AFL Tieup To Force Producer Recognition; Will Fight Against Guild Decision

Hollywood, May 17. — Following a series of letters between the Capra and the Guild, the 20th-Fox executive suddenly terminated execution of a conference with the Guild. The studio's president said "I do not feel that any of the many problems can be solved or our industry benefited by further statements." Negotiations for a working pact with the Screen Directors Guild are definitely off unless the unit managers and assistant directors withdraw from the organization and seek separate agreements.

At the present time there is no probability of a split in the Guild ranks, all three units having voiced confidence in the SDO negotiating committee headed by Capra. Craft is expected to mark time pending a hearing before the National Labor Relations Board on its petition for recognition as bargaining representative for the directors, unit managers and assistant directors.

In the meantime there is a possibility the directors will consider the advisability of applying for an international charter, probably to the American Federation of Labor. Leaders have pointed out such affiliation would prove invaluable to the directors should it decide on drastic action in an effort to force producer recognition.

Capra's latest letter to Zanuck asserted that negotiations were renewed at the instigation of the Screen Directors Guild, producers, and not at the request of the Screen Directors Guild. He criticized cessation of parties and in view of producer attorneys because the Guild had a petition pending before the NLRB and stating that they were well aware of that fact when they resumed negotiations.

Capra's latest letter to Zanuck was in reply to a letter of May 7, 1938, written in answer to a letter of May 5, 1938, dated May 5, 1938.

"You state that our letter of May 5 was taken to the trade press at the same time it was sent to Mr. Schenck. In this you are in error, we were taken to the trade press both to you and to Mr. Schenck before the letter was released for publication. I regret that the same consideration has not been shown to our committee. I first knowledge of your communication was derived from reports in the daily papers, which appeared at that time, to have a text of your letter in the possession of the press."

'Proposal

"You ever further when you refer to the report our committee made to the Guild. We did not report that the producers would accept our membership as constituted, provided the unit leaders withdrew. But we did report that this proposal had been made at our conference. When the unit leaders withdrew, the result was the conclusion of our committee that an acceptable compromise could be worked out on certain lines. Only upon this basis were we willing to submit the question to our committee."

"Finally, you are mistaken when you infer that negotiations were terminated by our insistence on the fact that Mr. Hawks and I went to see Mr. Schenck and discussed the problem with him. But you are wrong. We only after we had received an invitation from Mr. Schenck and the executive committee of the Guild desired to reopen the discussion. After our conference with Mr. Schenck, we requested a meeting but only at his suggestion, and after he assured us the request would be favorably received, we had no intention that you desired to commence negotiations only upon condition that the association withdrew from the Guild or desired to utilize the discussion merely for the purpose of forwarding to us a carbon copy of the ultimatum presented by us some eight or nine months before."

"Of course our respective committees were not appointed to reach a final agreement, nor did I indicate in my letter to Mr. Schenck that I was. They were negotiating committees only. Nevertheless, we understood that they were to be in order that a sincere and stren-

uous effort might be made to arrive at a solution of the problem. We were not to be given the power to reach a final agreement to us, but we felt entitled to make a sincere effort to reach a three major studios meet in formal negotiations, all questions relating to the legal status of the negotiations had been fully discussed and settled prior to entering into negotiations."

'Conference Welcome to Both'

"If you were unwilling to negotiate unless the assistants were separated from the Guild, should have been so informed at the beginning. The conference in which we participated, was as welcome to you as to us. You were familiar with our desire to maintain the unity of the Guild. Yes, the directors and assistant directors were predicated upon vision of the Guild."

"The reasons you advance in your letter of May 7 why your counsel have deemed the negotiations 'unwise' are not persuasive. For you assert that your attorneys have pointed out the inconsistencies of the Guild's position. The Guild and 'also that (our) Guild had instituted proceedings before the National Labor Relations Board. Surely the conflicting contentions of the parties with reference to the Guild's position, should have been fully set forth in correspondence between the two committees last year. And we must assume that the members of your committee were aware of the proceedings instituted on behalf of the Guild before the National Labor Relations Board. And we must assume that the members of your committee were aware of the proceedings instituted on behalf of the Guild before the National Labor Relations Board. And we must assume that the members of your committee were aware of the proceedings instituted on behalf of the Guild before the National Labor Relations Board."

"It would serve no purpose or useful purpose to continue discussion of this sort. For the issue between us is clear. On our part we believe that the Guild should be recognized as bargaining representative of the assistant director and unit managers have the right to form themselves into a union and elect representatives of their own choosing, and to elect representatives of their own choosing. You believe, however, that the Guild should be recognized as bargaining representative of the division of the Guild, and the recognition of its membership into divisions of your own creation."

"Only two conclusions can be drawn from your sudden and abrupt termination of negotiations. (1) That you never really intended to negotiate unless you could split the Guild and divide it into two parts, and your committee acted for the producers without full authority. (2) That you were not prepared for an organization of our own selection, and that we should be represented by our own chosen representatives of our own choosing. In this respect has been the basis of the Guild's position. The provisions of the Wagner Act are hence, we assume this Guild will appear before the NLRB and request that it negotiate by dissolving its organization and dividing its members into two groups."

Zanuck declined to answer the Capra communication, but said: "The directors and assistant directors press statements. I feel that too much has already been said and that the directors and assistant directors very. I do not feel that any of the many problems can be solved or our industry benefited by further statements."

Would Stagger Employment

A plan to stagger employment in the motion picture industry, stabilizing productions over a 12 months' period, is being drafted by the National Labor Relations Board for presentation to producer Jack Hoken, president of Motion Picture Industry, and 644 other members of the conference, said the situation in the motion picture business is that it is the most unstable in the motion picture industry. He said plans are being made and night for a few months, and that the close

(Continued on page 53)

Better Product Hypos Philly Biz; 'Robin' \$26,000, 'Chase'-Swing \$20,000

Majesle (Fay) (2,300; 25-35-50)—

THE REPORTER

Speedy Musical Treats Eye and Ear

"COCOANUT GROVE"

(Paramount)

The Players: FRED MacMURRAY, Harriet Hilliard, Yacht Club Boys, Ben Blue, Eve Arden, Billy Lee, Rufe Davis, Harry Owens, Dorothy Howe, George Walcott, Red Stanley, Ray Gardon.

Director
Original and screenplay
Photography
Songs
Art direction
Music direction
Film editor
Assistant

Sy Bartlett, Olive Cooper
Leo Tover
Ralph Freed and Frederick Hollander, Harry Owens, Frank Loesser and Burton Lane, The Yacht Club Boys, "Jock."
Hans Dreier, Earl Hedrick
Boris Morros
Hugh Bennett
Roland Asher

Tuneful music, a story that's a pip, fine performances by Fred MacMurray and Harriet Hilliard, and spectacular sets, all contribute to make Paramount's "Cocoanut Grove" a simon-pure hit.

**PARAMOUNT'S
"COCOANUT GROVE"**
an excellent musical which will please generally and is a cinch for business in all trade categories, in keys and burgs.

Daily Variety

FILM BOOKING CHART

(For information of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distribution companies for the current quarterly period. Date of the releases as given in the running time of prints are included.)

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WEEK OF RELEASE	TITLE	IS.	TALENT	DIRECTOR	TIME	WHEN REVIEWED MINS. BY VARIETY		
2/25/38	WHO KILLED GAIL PRESTON? ARSENAL LUPIN RETURNS PORT OF MISSING GIRLS CASUALTY OF WAR HOLLYWOOD STADIUM MYSTERY LOVE ON A BUDGET STORM IN A TEACUP PENROD AND TWIN BROTHER	Ralph Cohn John W. Considine John W. Considine Harry Sherman Robt. Sisk Schaefer Max Golden A. Korda Bryan Fox	Col MGM MGM MGM RKO Rep MGM UA WB	Mystery Mystery Drama Drama Con-Dr Con-Dr Con-Dr Con-Dr	W. Cadeau-D. Terry M. Douglas-W. Williams J. Allen-M. Stone W. S. Van Dyke P. Arty-Karus-A. Lane N. Hamilton-E. Vane J. Frawley-S. Byington V. Leitch-R. Harrison M. Mann-Twain	Leon Urusha C. C. Conners Carl Brown L. L. L. L. L. Christy Cabanne David Howard Bert Leno Victor Saville M. McCann	60 75 40 45 30 66 30 85 62	3/7 2/23 4/8 3/23 3/30 3/30 3/12 3/9 3/12
3/4/38	ROLLING CARAVANS START CHEERING MERRILY WE LIVE ROMANCE IN DARK MAID'S NIGHT OUT TRISON WINGS SALLY, IRENE AND MARY MAD ABOUT MUSGO SLIGHT CASE OF MURDER	Col Col Nat Perrin HAI HAI RKO MGM 29th 29th WB	Col Col Musical Musical Comedy Rum-Dr MGM Rum-Dr Musical WB	J. Loden-E. Stewart W. Connolly-Durante-P. Kelly C. Bennett-B. Burke-P. Kelly G. Swarthout-B. Boles J. J. Fontaine H. W. Watson-M. C. C. C. A. Faye-F. Allen-J. Lang D. Durkin-H. Marshall F. G. Robinson-J. Bryan	Joe Levering C. C. Conners N. Z. McLeod H. C. Potter Ben Holmes James Cagney Wm. Seiler Norman Taurog Lloyd Bacon	78 85 76 87 87 87 96 85 85	2/9 3/2 3/23 3/23 3/9 3/2 3/2 3/12 3/12	
3/11/38	MAKING THE HEADLINES THE FIRST HUNDRED YEARS DANCE OF RICHARD DANGEROUS TO KNOW HAWAII CALLS CALL THE MESQUITES WALKING DOWN BROADWAY CRIME OF THE MALLEY LOVE, HONOR AND BEHAVE	Col MGM MGM MGM RKO RKO 29th 29th WB	Rom-Dr Con-Dr Rom-Dr Rum-Dr Rum-Can Rum-Can Rum-Can Rum-Can Com-Dr	J. Holt-R. Roberts R. Moulton-M. W. Bruce J. Moulton-M. W. Bruce C. Fairclough-M. Wong C. Brewer-J. S. Cobb W. S. Van Dyke B. Trever-F. Brooks J. Kline-C. Moore W. Morris-F. Lane	Lewis D. Collins Dick Thomas Wm. Nigh J. M. Sweeney Edward Cline Norman Foster N. Foster John Simon Stanley Logan	66 75 75 80 72 72 65 65	3/23 3/18 3/18 3/18 3/2 3/2 3/2 3/2 2/18	
3/18/38	GIRL OF GOLDEN WEST BULLDOG DRUMMOND'S PERIL FUNG OF NERBORG REBECCA OF SUNNYSIDE FARM THE GAYBY GIRLS ADVENTURES OF MARK POLO NIGHT CLUB HUSTLER STATE POLICE HE COULDN'T SAY NO	Wm. A. McGuire Par RKO 29th UA UA MGM WB	MGM Mystery Rom-Dr Rum-Can Musical Musical Rum-Dr Rum-Dr Comedy	J. W. MacDonald-N. Eddy J. Barrymore-L. Campbell L. Ayres-N. Mack S. Temple-R. Scott J. Hulbert-F. Ellis C. George-B. Rathbone B. Rogers-J. Clyde J. Kline-C. Moore F. McHugh-J. Wyman	R. Z. Leonard S. Hagen L. Ayres-N. Mack Norman Foster T. Frelaud Norman Foster Graham Cutts John Simon Lew Seltzer	120 66 66 66 72 72 61 57	2/29 3/18 3/18 3/18 3/2 3/2 4/29 4/6	
3/25/38	LONE WOLF IN PARIS HE LOVED AN ACTRESS JUDGE HARDY'S CHILDREN ARSON GANGBUSTERS MR. MOTO TAKES CHANCE JEZEBEL	W. MacDonald Wm. Rowland MGM MGM Rep WB	Mystery Musical Con-Dr MGM Rep WB	F. Lederer-F. Drake B. Lyon-L. Velez-W. Ford L. Stone-M. Rogers J. LaRue-R. Livingston L. Lorne-R. Hudson B. Davis-H. Fonda-G. Brent	Al S. Rosell Wm. Rowland L. Stone-M. Rogers Joe Kane John Huston Wm. Wyler	102 66 66 66 66	4/13 3/18 3/18 3/18 3/18	
4/1/38	WHEN G-MEN STEP IN FLOATING CITY LAND OF FIGHTING MEN TIP-OFF GIRLS CONDEMNED MEN OUTLAWS OF SONORA ISLAND IN THE SKY GOODBYE, BUCK ARMY	W. MacDonald Erich Pommer Maurice Coste Par RKO RKO 29th WB	Con-Dr MGM Western Rum-Dr Rum-Dr Western MGM Com-Can	J. Holt-J. Wells L. Fenton-C. Veidt L. Fenton-C. Veidt L. Nolan-M. Carls-R. Karna S. Elfers-L. Stanley J. Nequill-J. Joyce G. Stuart-M. Whalen C. Whinnier-A. Brady-T. Brown	C. C. Coleman-J. Wells Carl Hart Louis King S. Elfers-L. Stanley Geo. Sherman Herbert Leeds Ray Rickey	60 55 55 77 58 58 58	3/18 5/18 3/23 3/23 4/29 4/29 5/18	
4/8/38	FEMALE FUGITIVE THIS MARRIAGE BUSINESS CAPITAL PUNISHMENT RAVING RECKLESS LIVING WOMEN ARE LIKE THAT	E. B. Derr Cliff Reid John H. Lee Sol Lesser Val Paul RKO WB	Mono RKO 29th WB	Meller Drama Western Com-Dr Com-Dr	E. Venable-C. Reynolds V. Moore-A. Lane L. Fenton-C. Veidt S. Ballew-E. Knapp N. Grey-R. Wilson-J. Saxe K. Francis-O'Brien	Wm. Nigh Christy Cabanne J. M. Sweeney Ray Taylor F. MacDonald Stanley Logan	76 60 60 76 76	4/13 4/13 4/13 4/13 4/13
4/15/38	FLIGHT INTO NOWHERE SAILING ALONG ZAMBOANGA TEST PILOT HER JUNGLE LOVE JOY OF LIVING UNDER WESTERN STARS IN OLD CALIFORNIA DIVORCE OF LADY X NURSE FROM BROOKLYN MURDER FOR SCARLET	Col Col Col Col Col Col Col Col Col Col Col Col	Col Col Col Col Col Col Col Col Col Col Col Col	MGM MGM MGM MGM MGM MGM MGM MGM MGM MGM MGM MGM	J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells	Louis D. Collins Sonnie Hale Vic Fleming C. Ardenbaum Vic Fleming Vic Fleming Vic Fleming Vic Fleming	65 40 130 130 130 130 130 130 130 130 130 130	5/4 2/9 2/9 3/23 3/23 3/23 3/23 3/23 3/23 3/23 3/23 3/23
4/22/38	THERE'S ALWAYS A WOMAN IN THE MIDDLE HEART OF ARIZONA GO CHASE YOURSELF THE FEUD WAGON BATTLE OF BROADWAY LADY IN THE ROOM ACCIDENTS WILL HAPPEN	Wm. Perberg MGM MGM RKO Rep 29th WB	Comedy MGM MGM RKO Rep 29th WB	J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells	Allen James Allen James Allen James Allen James Allen James Allen James Allen James Allen James	62 62 62 62 62 62 62 62	5/4 5/4 5/4 5/4 5/4 5/4 5/4 5/4	
4/29/38	CALL OF THE ROCKIES TO THE VICTOR WHIRLWIND HORSEMAN TWO-GUN JUSTICE COLLEGE SWING ROMANCE ON THE RUN FOUR MEN AND A PRAYER RETURN OF SCARLET PIMPERNEL BELOVED BEAT	H. L. Decker Maurice Coste M. & A. Alexander Maurice Coste Lewie Gensler Herman Schom RKO UA UA WB	Western Rom-Dr GN MGM MGM Rep UA UA WB	W. F. Fyfe-J. Lederer W. Fyfe-J. Lederer W. Fyfe-J. Lederer W. Fyfe-J. Lederer W. Fyfe-J. Lederer W. Fyfe-J. Lederer W. Fyfe-J. Lederer W. Fyfe-J. Lederer	Allen James Allen James Allen James Allen James Allen James Allen James Allen James Allen James	62 62 62 62 62 62 62 62	5/4 5/4 5/4 5/4 5/4 5/4 5/4 5/4	
5/6/38	THE MAIN EVENT DOCTOR RHYTHM LAND OF THE UNDERWORLD JONES FAMILY IN PARIS SINNERS IN PARADISE TOMMY BLANE IN FANAMA	Col Col Col Col Col Col	Col Col Col Col Col Col	Col Col Col Col Col Col	J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells	Danny Dare Frank Tuttle Frank Tuttle Frank Tuttle Frank Tuttle Frank Tuttle	62 62 62 62 62 62	5/4 5/4 5/4 5/4 5/4 5/4
5/13/38	THE LAW OF THE PLAINS THE SHOW GOES ON HOLD THAT KISS GUNSMOKE TRAIL PHANTOM RANGER STOLEN HEAVEN GUN LAW VIVIGIOUS LADY GANGS OF NEW YORK KENTUCKY MOONSHINE AIR DEVILS ADVENTURES OF ROBIN HOOD	Col Col Col Col Col Col Col Col Col Col Col Col	Col Col Col Col Col Col Col Col Col Col Col Col	Col Col Col Col Col Col Col Col Col Col Col Col	J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells	Sam Nelson Sam Nelson Sam Nelson Sam Nelson Sam Nelson Sam Nelson Sam Nelson Sam Nelson	62 62 62 62 62 62 62 62	5/4 5/4 5/4 5/4 5/4 5/4 5/4 5/4
5/20/38	SWISS MISS NUMBERED WOMEN COCAINOT GROVE BLIND ALBI BASKALS	Col Col Col Col Col	Col Col Col Col Col	Col Col Col Col Col	J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells	John G. Blystone John G. Blystone John G. Blystone John G. Blystone John G. Blystone	72 72 72 72 72	5/11 5/11 5/11 5/11 5/11
5/27/38	MYSTERY HOUSE YELLOW JACK HUNTED MEN DESEPT PATROL KIDNAPPED CRIME SCHOOL	Col Col Col Col Col Col	Col Col Col Col Col Col	Col Col Col Col Col Col	J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells	Lew Seltzer Lew Seltzer Lew Seltzer Lew Seltzer Lew Seltzer Lew Seltzer	62 62 62 62 62 62	5/11 5/11 5/11 5/11 5/11 5/11
6/3/38	THREE DAYS WEEKEND THREE COMRADES SAINT IN NEW YORK JOSETTE RACKET SHIP LITTLE MISS THROUGHERED	Col Col Col Col Col Col	Col Col Col Col Col Col	Col Col Col Col Col Col	J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells	Frank Ruzicz Frank Ruzicz Frank Ruzicz Frank Ruzicz Frank Ruzicz Frank Ruzicz	62 62 62 62 62 62	5/11 5/11 5/11 5/11 5/11 5/11
6/10/38	THE TOY WIFE YOU AND ME ONE WILD NIGHT SUSPICION GOLDDIGGERS IN PARIS	Col Col Col Col Col	Col Col Col Col Col	Col Col Col Col Col	J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells J. Holt-J. Wells	Frank Ruzicz Frank Ruzicz Frank Ruzicz Frank Ruzicz Frank Ruzicz	62 62 62 62 62	5/11 5/11 5/11 5/11 5/11

"BEST OF THE RITZES" IS BOXOFFICE VERDICT ON "KENTUCKY MOONSHINE"



Take **SAN FRANCISCO**... where it's playing to extended time! Take **KANSAS CITY**...topping their "Life Begins in College" in smash run! And **RICHMOND**...a sizzling day-and-date run beating many of 20th's biggest—including "Life Begins in College." Or **DETROIT**... another honey for profit!

In these times, isn't it grand to have 20th Century-Fox delivering an endless supply of Big Ones!



THE KEYSTONE OF YOUR FUTURE

Col. Salesmen Move On to Chi for Co.'s 2d Regional Con.

Announcing a program of 56 features, including 16 westerns, Columbia announced the opening of its regional Sunday (15) in New York. A meeting of the branch chiefs followed, with the announcement of production being topped by individual exchange huddles for discussion of the problems confronting the exhibitors. The regional salesmen, including Pittsburgh, Cleveland, Cincinnati, Buffalo, Boston, Albany and New York, will be in Chicago for the second regional salesmen's conference, which opens today (Wed.) in Chicago, to be followed by similar sessions in Denver and San Francisco.

The Col program for '38-39 will be supplemented by four serials and eight western reissues. New group of 16 horse operas embraces 10 Charlie Starretts and six historical westerns.

"You Can't Take It With You," to be produced by Frank Capra, will not be included in the Col '38-39 blanket contract, this one to be sold separately.

CAPRA ELECTED PRES OF DIRECTORS' GUILD

Hollywood, May 17. Screen Directors Guild voted rank Capra into presidency at its election May 15. He succeeds a King Vidor, now in London on assignment in Metro.

Other officers named: W. S. Van Dyke, replacing Leslie Milstone as first vice president; Ronald Neame, replacing Tullie, as second vice; later taking over the secretaryship from Richard Wallace, as executive secretary. John Ford as treasurer.

Twelve directors returned to inaugurate the new officers are Herbert Biberman, Capra, John Cromwell, Ford, Gregory LaCava, Robert Mamoulian, Milstone, Neame, Eddi Sutherland, Tuttle, Hawks and William Wellman. Three new ones are William K. Howard, Leo McCarey and Van Dyke.

Only 25 of the membership of 130 is due to cast ballots. The election is construed as a confidence to the committee negotiating a new pact with studios.

June Dir tors Guild election is on June 19.

Miss Russell Sues to Void Agency Pact, Asks Refund

Los Angeles, May 17. Charging her agency contract was not a technical one, Russell entered a counterclaim in superior court in the \$31,146 suit against her agency, the Small Co., agents.

Her firm was entered into a five-year pact with Small Co. and Jane Broder in 1934 on a split commission basis. Jane Broder, she contended, is not a licensed agent in California, thus voiding the contract.

In her cross-complaint Miss Russell demands the return of \$4,000 already paid to the agency in commissions.

Beverly Brothers and Jesse Team for N.Y.; Norma Out

Beverly Brothers, from films, has been booked into Low's State, N. Y. May 26, for one week. Will be a foil for George Jessel, who will head line.

Norma Talbot (ed. in Jessel), who has been playing with her husband on the current vaude tour, declined to play the State.

20th-Fox Tuning Eight

Hollywood, May 17. Eight pictures currently getting musical treatment, the recording department is at 20th-Fox is working overtime.

Five are being released for the Darryl F. Zanuck and Sol M. Wurtzel has three being tuned.

Baer Tries Again; Heavyweight has been signed by Metro for a Pete Smith shot with a patriotic background. His last hit work was in "The Price of the Lady" in 1933, also Metro.

Pictures in production at this rate raised to 35, as of May 11, or three more than were before the camera two weeks ago. Studios upped total of pictures released to 348 during past week, 50 in the cutting rooms and 114 more to take the cameras before completing current season's schedule of 582.

Columbia

Features	Westerns	David Low
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In the cutti

"THE SECRET OF TREASURE ISLAND" (erial), produced by Lou Weiss; directed by Elmer Clifton; no writing credits as yet. Cast: Don Terry, Gwen Gaze, Grant Withers, Robert Borwirth, Walter Miller, Charles Rousner, Stanley Blystone, P. J. Kelly, Colin Campbell, Warner ichmond.

"WEST OF CRETEENNE," formerly titled "SWINGTIME IN THE SADDLE," produced by Harry L. Ducker for the Irving Briskin unit; directed by Sam Nelson; original screen play by Ed Earl Repp; photographed by Benjamin Kline. Cast: Charles Starrett, Iris Meredith, Bob Nolan, Dick Lory, Ed Leary, Beady, Ed Lee, John B. O'Brien, Art. Adams, John Tyrrell, Jack Rockwell, George Chesbro, The Sons of the Pioneers.

"HIGHWAY PATROL," formerly titled "STATE PATROL," produced by Wallace MacDonald for the Irving Briskin unit; directed by John Coleman; screen play by Robert Kent and Stuart Anthon; story by Lambert Hodge and Lucius Ballard. Cast: Robert Page, Jacqueline Wells, Robert Middlemass, Arthur Loft, Al Bridges, Eddie Foster, Ann Doran, George McKnight, Eddie Laughon.

"HOLIDAY," produced by Everett Riskin; directed by George Cukor; screen play by Sidney Buchman and Donald Ogden Stewart from stage play by Philip Barry; photographed by Frank Pinner. Cast: Katharine Hepburn, Cary Grant, Norma Nolan, Lew Ayres, Henry Kolster, Ann Dorn, Mabel Colcord, Thomas Brand, George Panaczko, Maude Hume, Horne Murphy, Allen Carlin, Elida Fowright, Benay Burt.

"PIONEER TRAIL," formerly titled "VALLEY OF VIOLENCE," produced by Larry Lamour; directed by Joseph Levine; original screen play by Nat. Perlmutter; photographed by James S. Brown, Jr. Cast: Jack Jackson, John Barclay, Dick Bollittier, "Tuffy" Campbell, Sil itaker, Marin Sais, Hal Talbot, Tom Beaumont.

"CITY SHADOWS," formerly titled "NO GREATER LOVE," produced by Wallace MacDonald for the Irving Briskin unit; directed by Al Rogell; screen play by James S. Brown, Jr. and Lou Breslow; story by Joseph King, Grace Goodall, George Humbert, Margaret Fielding, Minerva O'Connell.

"DRIFTERS OF THE LAW," produced by Larry Lamour; directed by Bill D. Collins; original story and screen play by Gordon Rigby; photographed by Fred Niblo, Jr. and Lou Breslow; story by Frank Drake, Frankie Drake, Tommy Bupp, Sylvia Bromley, Ward Bond, Hal. Talbot, George S. Brown, Jr. and Lou Breslow; story by Frank Drake, Vernon Dent, Greta Granstedt, Guy Usher, Hal Bridge, John Wray.

"YOU CAN'T TAKE IT WITH YOU," produced by Frank Capra; original play by George S. Kaufman and Moss Hart; screen play by Fred Niblo, Jr. and Lou Breslow; story by Frank Drake, Frank Drake, Tommy Bupp, Sylvia Bromley, Ward Bond, Hal. Talbot, George S. Brown, Jr. and Lou Breslow; story by Frank Drake, Vernon Dent, Greta Granstedt, Guy Usher, Hal Bridge, John Wray.

"THE GLADIATOR," produced by David L. Low; associate producer, Edward Gross; directed by Edward Sedgwick; based on novel by Philip Wylie; photographed by George Schneiderman; Cast: Joe E. Brown, June Travis, Robert Kent, Dickie Moore, Lucien Littlefield, Ethel Wales, Don Douglas.

"SINGING GUNS," produced by Harry Decker for Irving Briskin unit; directed by Sam Nelson; original screen play by Bennett Cohen; photographed by Benjamin Kline. Cast: Charles Starrett, Iris Meredith, Bob Nolan, Pat Brady, Dick Cuthbert, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

Grand National

Features	Westerns	David Low
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Pictures now in cutting rooms or awaiting presses are:

"HELP FOR HANSOM," produced by J. P. Kennedy; directed by Harry Fraser; screen play by Frank Gaygas, associate producer; directed by Arthur Rosson; original screen play by Scott Darling; photographed by Tom Gallagher. Cast: Robert Montgomery, Robert Francis, Dick Powell, Billy Van Every.

"WHIRLWIND HOBSEMAN," formerly titled "WHIRL AND COWBOY," produced by Max Aderstein; directed by Bob Hill; original screen play by George Plympton; photographed by Walter Hiers. Cast: Ken Maynard, John H. Alexander, Guy Gillois, Earl Dorr, Bub O'Neal, West.

"SIX-SHOOTING SHERIFF," formerly titled "TRAILS WEST," produced by Edward Gross; directed by Harry Fraser; original screen play by Harry Fraser; photographed by Walter Hiers; Cast: Ken Maynard, Robert Montgomery, Glen Strang, Dick Kramer, Ed Piel, Walter Catton, Bruce Dwire.

"RENEWED RIDES NORTH," being produced by Criterion Pictures; directed by Harry Fraser; original screen play by Harry Fraser; photographed by Walter Hiers; Cast: Ken Maynard, Robert Montgomery, Glen Strang, Dick Kramer, Ed Piel, Walter Catton, Bruce Dwire.

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Paramount, having cleared product needed for the 1937-38 program, a busy on the 1938-39 schedule, with two already finished and in the cutting room and two currently in production. Metro has one finished and one in the cutting room and two already finished and in the cutting room for its new schedule. Walt Disney is preparing one feature-length cartoon that will go out during next releasing year.

Columbia

Features	Westerns	David Low
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"THE TOY WIFE," formerly titled "MILE PROFOUND," produced by Merian C. Cooper; directed by Richard Thorpe; story by Joe Atkins from adaptation of a French drama by Henri de Launay and Ludovic Halevy; photographed by Oliver Marsh. Cast: Louise Rainer, celyn Douglas, Robert Young, H. B. Warner, Catherine Mace Libby Taylor, Barbara O'Neill, Lillian Dyal, Alma Kruger, Walter Catton, Edward Penn, Margaret Irving, Clifton Rosmond, Esther Muir, Lew Payton, Alan Pearl, Mimi Seltman, Myrtle Anderson, Gertrude Sutton, Lora Lee Anne Allen, Violet McDermold, Willa Pearl Curtis, Cornelius Bulard, Ted Collins, Jess Clark, Ed Allen, George F. Ved, Albert Clorin, Robert Spindus, Edwin Van Sloan, Hal LeSueur, Tom Rutherford, Douglas McArthur, George Douglas, Natalie Caron, D'Arcy Corrigan, Jack Gardiner, Eder Alexander, Jean Barry, Edith Craig, Rafaela Ottiano.

"YELLOW JACK," produced by Jack Cummings; irected by George Seitz; on a play by Edward Chodorov; photographed by Lester White. Cast: Robert Taylor, Margaret Sullivan, Francis Toste, George E. Stone, Henry Hull, Buddy Ebsen, Sam Levene, Andy Devine, William Henry, Janet Clayton, William Hopper, Robert Armstrong, Robert Cochrane, Douglas MacCall, Henry O'Neill, Ben Taggart, Frank O'Connor, Harry Strang.

"THE COINTEGRITY" (for 1938-39 season), produced by Hunt Stromberg; directed by W. S. Van Dyke; screen play by Claudine West, Ernest Valda, Donald Ogden Stewart, based in part on book by Stefan Zweig; con- tribution to dial. Talcott, Jennings, photographed by William Dyer, Norman Shearer, Tyrone Power, Robert Morley, Alan Ladd, Gladys George, Lillian Dyal, Alma Kruger, Walter Catton, Edward Penn, Margaret Irving, Clifton Rosmond, Esther Muir, Lew Payton, Alan Pearl, Mimi Seltman, Myrtle Anderson, Gertrude Sutton, Lora Lee Anne Allen, Violet McDermold, Willa Pearl Curtis, Cornelius Bulard, Ted Collins, Jess Clark, Ed Allen, George F. Ved, Albert Clorin, Robert Spindus, Edwin Van Sloan, Hal LeSueur, Tom Rutherford, Douglas McArthur, George Douglas, Natalie Caron, D'Arcy Corrigan, Jack Gardiner, Eder Alexander, Jean Barry, Edith Craig, Rafaela Ottiano.

"SHOWDOWN ANGEL," produced by Joseph Mankiewicz; directed by H. C. Potter; screen play by Waldo Salt; photographed by Joe Ruttenberg. Cast: Robert Taylor, Margaret Sullivan, Francis Toste, George E. Stone, Henry Hull, Buddy Ebsen, Sam Levene, Andy Devine, William Henry, Janet Clayton, William Hopper, Robert Armstrong, Robert Cochrane, Douglas MacCall, Henry O'Neill, Ben Taggart, Frank O'Connor, Harry Strang.

"THE WOMAN'S ANSWER," formerly titled "ENEMY TERRITORY," produced by Edward Chodorov; directed by Robert Sinclair; screen play by Edward Chodorov; story by Margaret Mulken Bannister, photographed by Ray J. Cast: Herbert Ross, Robert Morley, Alan Ladd, Gladys George, Lillian Dyal, Alma Kruger, Walter Catton, Edward Penn, Margaret Irving, Clifton Rosmond, Esther Muir, Lew Payton, Alan Pearl, Mimi Seltman, Myrtle Anderson, Gertrude Sutton, Lora Lee Anne Allen, Violet McDermold, Willa Pearl Curtis, Cornelius Bulard, Ted Collins, Jess Clark, Ed Allen, George F. Ved, Albert Clorin, Robert Spindus, Edwin Van Sloan, Hal LeSueur, Tom Rutherford, Douglas McArthur, George Douglas, Natalie Caron, D'Arcy Corrigan, Jack Gardiner, Eder Alexander, Jean Barry, Edith Craig, Rafaela Ottiano.

"LORD JEFF," produced by Sam Zimbalist; irected by Richard Thorpe; screen play by Val Burton and Bradford Ross; photographed by John Seitz. Cast: Freddie Bartholomew, Mickey Rooney, Herbert Mundin, William Hall, Lillian Dyal, Alma Kruger, Walter Catton, Edward Penn, Margaret Irving, Clifton Rosmond, Esther Muir, Lew Payton, Alan Pearl, Mimi Seltman, Myrtle Anderson, Gertrude Sutton, Lora Lee Anne Allen, Violet McDermold, Willa Pearl Curtis, Cornelius Bulard, Ted Collins, Jess Clark, Ed Allen, George F. Ved, Albert Clorin, Robert Spindus, Edwin Van Sloan, Hal LeSueur, Tom Rutherford, Douglas McArthur, George Douglas, Natalie Caron, D'Arcy Corrigan, Jack Gardiner, Eder Alexander, Jean Barry, Edith Craig, Rafaela Ottiano.

"GIVE AND TAKE," produced by Sam Zimbalist; irected by Richard Thorpe; screen play by George Bruce, Harry Ruskin and George Oppenheimer; original story by George Bruce; photographed by Oliver Marsh. Cast: Robert Taylor, Margaret Sullivan, Francis Toste, George E. Stone, Henry Hull, Buddy Ebsen, Sam Levene, Andy Devine, William Henry, Janet Clayton, William Hopper, Robert Armstrong, Robert Cochrane, Douglas MacCall, Henry O'Neill, Ben Taggart, Frank O'Connor, Harry Strang.

"THE GREAT WALL," produced by Bernard Hyman; directed by John Daviner; no writing credits released as yet; photographed by Joseph Ruttenberg. Cast: Robert Taylor, Margaret Sullivan, Francis Toste, George E. Stone, Henry Hull, Buddy Ebsen, Sam Levene, Andy Devine, William Henry, Janet Clayton, William Hopper, Robert Armstrong, Robert Cochrane, Douglas MacCall, Henry O'Neill, Ben Taggart, Frank O'Connor, Harry Strang.

"TOO HOT TO HANDLE," produced by Lawrence by Robert Taylor, Margaret Sullivan, Francis Toste, George E. Stone, Henry Hull, Buddy Ebsen, Sam Levene, Andy Devine, William Henry, Janet Clayton, William Hopper, Robert Armstrong, Robert Cochrane, Douglas MacCall, Henry O'Neill, Ben Taggart, Frank O'Connor, Harry Strang.

"REMAKE OF THE LITTLE BOY," from a production, directed by William Nigh; screen play by Marion Orth from novel by Gene Stratton-Porter; photographed by Joseph Ruttenberg. Cast: Jackie Coogan, Lillian Dyal, Alma Kruger, Walter Catton, Edward Penn, Margaret Irving, Clifton Rosmond, Esther Muir, Lew Payton, Alan Pearl, Mimi Seltman, Myrtle Anderson, Gertrude Sutton, Lora Lee Anne Allen, Violet McDermold, Willa Pearl Curtis, Cornelius Bulard, Ted Collins, Jess Clark, Ed Allen, George F. Ved, Albert Clorin, Robert Spindus, Edwin Van Sloan, Hal LeSueur, Tom Rutherford, Douglas McArthur, George Douglas, Natalie Caron, D'Arcy Corrigan, Jack Gardiner, Eder Alexander, Jean Barry, Edith Craig, Rafaela Ottiano.

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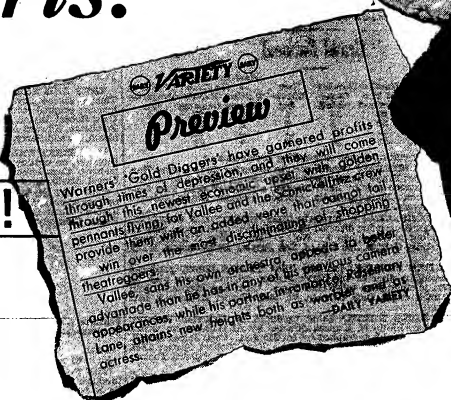
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What Warners did for the depression with *Gold Diggers of 1933* Warners do for the recession with the '38 *Gold Diggers* *In Paris!*

**IT SAYS SO
RIGHT HERE!**



"GOLD DIGGERS IN PARIS"

with **RUDY VALLEE**
ROSEMARY LANE • HUGH
HERBERT • ALLEN JENKINS
Gloria Dickson • Melville Cooper
Mabel Todd • Fritz Feld • and THE
SCHNICKELFRITZ BAND
Dir. ted by Ray Enright
Music Numbers Created and
Directed by Busby Berkeley
Screen Play by Earl Baldwin and Warren Duff
Story by Jerry Wald, Richard Macaulay and
Maurice Leo • From an Idea by Jerry Herman
and James Savaron • Music and Lyrics by
Harry Warren and Al Dubin

The 'Robin Hood' Company!

The 'Crime School' Company!

The 'Gold Diggers' Company!

The ACTION Company!



When Exhibitors Need It Most..

"Holiday" "Holiday" WILL BRING BUSINESS IN JUNE...

because it's a
great picture a dramatic
warmly romantic love story
directed by GEORGE CUKOR, who
gave you "David Copperfield
Camille and adapted by
SIDNEY "Theodora Goes Wild"
BUCHMAN and famous DONALD
OGDEN STEWART from the sen-
sationally successful Broadway
stage play by PHILIP BARRY

KATHARINE CARY
HEPBURN GRANT

Holiday

DORIS NOLAN · LEW AYRES · EDWARD
EVERETT HORTON · HENRY KOLKER
BINNIE BARNES · JEAN DIXON · HENRY DANIELL

Screen play by Donald Ogden Stewart and Sidney Buchman
From the stage play by Philip Barry produced by
Arthur Hopkins · Directed by GEORGE CUKOR

Produced by EVERETT RISKIN

A Columbia Picture



NOT FLATTERING N.A.B.

radio attention has been focused upon the number of conspicuously inconspicuous persons suggested for the paid presidency of the National Association of Broadcasters. Insiders, however, report that there is no real danger of any of these lemons being picked.

'Lemon' is the precise language being used by some of the network and station executives.

What seems to be happening is that certain radio men see no harm in flattery this (or that) personage by launching a junior boomlet. Nobody takes much of the nominations seriously and it seems to make the parties involved feel good.

Some of the suggestions have been so obviously and extremely silly that the nominating panels have been closely scrutinized for some telltale wink. It calls for pottering-faced of a high order.

A different slant on the kidding around is that the practical jokers may be flattering their friends for they're not flattering the N.A.B. Identification for a gag of the names of obscure job-seekers with a position that ought to have prestige and ought to be filled by a man capable of inspiring general—not clique—enthusiasm is not deemed, by many broadcasters, a sure-fire method of instilling confidence, either inside or outside the broadcasting industry.

Paid president of the N. . . if he is to have any magic or effectiveness, must be a bigger man than a pig's back and must be hospital-clean of any suggestion of a political pay-off.

AKRON HOLDS CLINIC FOR SALESMEN

Akron, May 17. A successful 'sales clinic' has just been held here under the auspices of the Ohio Broadcasters Assn. Fred Book, sales manager of W.C. Time, talked 14 salesmen into putting up \$50 each to defray costs of the meeting.

Whole idea germinated from Book's complaint that stations here aren't selling as well as they should. Actually most of the radio salesmen know very little about radio and not very much about salesmanship.

Present idea is to have sales clinics once a year.

Cincinnati, May 17. Twelve salesmen from competing radio stations in Greater Cincinnati will be allowed two minutes each to blurt their facts in a half-hour program on WKCY May 19 at 8:30 p. m. Time is on the house.

Each salesman will be invited to vote for their choice of the best salesman in the lot. Winner is to receive a bronze medal from L. B. Wilson, head of the station.

E. C. 'Jim' Krautner and Jack Troutman, of the W.W.S.A. sales department, represented Crosley organization at sales meeting of the National Broadcasters Association in Akron.

Mary Pickford SPONSOR-STAR
Campbell-Ewald is working on a program for Mary Pickford's cosmetic line. It will likely include the picture actress in CBS 58. John Brennon is the account executive.

Mia Pickford's previous connection with radio was as m.c. for a CBS series bankrolled by Idealtoys and as central figure for a stock company idea for Royal Gelatin.

Joe Penner Available
Hollywood, May 17. Joe Penner is casting about for a new sponsor in line as Coonall is understood leaving air. Meanwhile, Lavin Campbell, radio host of Buttrick & Ryan agency, is here for discussions with Al Johnson on new libby contract.

Edward Robinson-Claire Trevor is town "recently set for new stretch of 28 weeks, starting after summer layoff.

Thompson's summer layoffs
J. Walter Thompson agency has laid off around 25 employees in its New York office. Retrenchment for summer.

No important posts saved, and only one casualty in the radio department.

TRANSAMERICAN'S 69 QUARTER HRS.

Despite Long Faces Within Industry, Contracts Closed Since April 1 by Clark Or Belles Pessimism

SCATTERED

Despite the general panic among station sales reps that they have been having a tough time imagining new spot accounts, the Transamerican Broadcasting & Television Corp. has cleared 69 quarter-hours of new business since April 1. These 69 units are now running on a weekly schedule via die live programs from anywhere from one to 17 stations on Transamerican's list. Business acquired through both the New York and the Chicago offices.

Following is a list of the accounts:

Sponsors	No. of Hrs.
Griffin Milk.....	6
Internal, Hawteller.....	6
Quaker Oats.....	3
Sayman Soap.....	3
Chrysler.....	3
Drift.....	3
Libby-McNeill.....	3
Manhattan Soap.....	3
Sinclair Oil.....	3
Armstrong Cork.....	3
Knox Gelatin.....	3
Utilities Engineer.....	3
Popicle.....	3
Hamilton's Oil.....	3
Bath-o-sweet.....	3
General Foods.....	3
Hackstone.....	3
Halo Shampoo.....	3
Onida Silver.....	3
Lusterine.....	3
Brown & Williamson.....	3
Vocational Service.....	3

Betty Garde's Frenzied Inter-City Air Acting

Betty Garde, radio actress, some of her cross country studio dashes last week for a series of successful programs. Went on in New York as Mrs. Jiggs of the Cabbage Patch at NBC and then jumped into the 'Lorenzo Jones' sketch as Belle Jones. Third program related a jump to Boston where she was on the Al Pearce 'Watch the Fun Go' program.

After the repeat Pearce broadcast at 1:30 a. m. in Boston she hopped the train to N. Y. in time for her 10 a. m. 'Mrs. Wiggins' assignment at NBC next morning.

WABC ANNOUNCERS' SOVIETIZED COTTAGE

Group of WABC, N. Y., announcers and producers have jointly taken a house at Lake Hopatcong, N. J., for the summer. Boys don't see enough of one another during the working day, and so are making it one happy family for the summer.

In on the rental deal are John Allen Wolf, Arthur Millet, Jack Slapp, Paul LaPorte, Ray Passman, Bert Furer, Frank Ostro, Ralph Edwards, Melville Allen, Arthur Munderoff and Lee Little. Total is nearly a third of the CBS personnel in John Carlin's production department.

Adopt Sign Language

Buffalo, ay 12. Editor, VARIETY: Last year's VARIETY Radio Directory carried a series of signs used by announcers and production men in programs and rehearsals. I believe there are about 20 of them in the book indicating every possible 'move closer to the mike' to 'snap out of it, you're running over'.

The book here recently had a meeting and decided to make the VARIETY Radio Directory symbols standard for radio and WKWB.

Would it be possible to get extra copies of those pages on which the symbols appeared? It would be helpful to the advertising and production people for the control booth.

Addison, Pa. Advertising and Publicity Director, WKWB-WGR.

'Goldbergs' 3rd Time Hop

'Goldbergs' switch time again May 30 from 12:15 p. m. to 1 p. m. on CBS.

It's the third switch within a year for the family program, which dropped to its current spot from a 3:30 p. m. slot.

Thompson's summer layoffs
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No important posts saved, and only one casualty in the radio department.

Policy Complications Prompt Warnings To Network from Selling Agent

Welcome Back Party

Chicago, May 17. Having gotten the General Mills hour back on its web, NBC is reading a heavy schedule of exploitation.

On May 25 is losing general shindig at the Drake hotel, and will play list to all people who have a share in the broadcast activities of General Mills.

AFA SPIELERS SET FOR CONV.

JUNE 12-16

A Sunday to Thurs y convention and a convention of the AFA will convene will occupy the Hotel Statler, Detroit, June 12-16, inclusive. The Advertising Federation of America, Switch puts Clark Lawrence of KRNT, Des Moines, in the chair for the sales managers division of the National Association of Broadcasters which will hold a convocation. Low Avey of Buffalo was originally scheduled to preside.

Chief speakers before the convention will include Roy Durstine of B.B. & O. handling the theme, 'Advertising Must Put on Good Show.' Edward F. McCready, labor relations director of RCA, will discuss Labor Industry and the Public.

Lowell Thomas and Henry Obermeyer are the topners for the program committee and Leo Nebel of Swift & Co. is the get-out-the-delegates chairman. Joe Hartigan of Campbell-Ewald, who is chairman of the Detroit welcome brigade, Detroit station staffers with official responsibilities include Ruth Franklin Crane of WJIT and A. M. Dantzer of WXYZ. Tommy Dorsey will play for the banquet.

Public Utilities Advertising Assn., of which Kenneth Masters of Cincinnati is the president, will devote a session to radio. Bob Landry (Vanuxem) and C. E. Hooper, radio director, will make talks.

'Howie Wing' in East

Kellogg is spotting the 'Howie Wing' serial in the East, using 'Howie' as the lead-in to the serial. Kellogg is spotting the 'Howie Wing' serial in the East, using 'Howie' as the lead-in to the serial. Kellogg is spotting the 'Howie Wing' serial in the East, using 'Howie' as the lead-in to the serial.

White on the Coast and Firestone are open at the Palomar early June 29 for a minimum of four weeks.

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NBC's local department and official family scurried together for a series of huddles last week after the Transamerican Broadcasting & Television Corp. had informed the web that it would institute a restraint of trade action if any further attempt were made to bar the California (McClatchy-KFWB-KYA) Network from servicing a contract that it had obtained from Procter & Gamble; P & G's order was to have started Monday (10) and involved a quarter-hour units the week.

In order to fulfill the contract the California group, which includes four McClatchy stations, all of which are affiliated with NBC, would have recorded the programs direct from NBC's wires to the Coast, or while NBC's network is feeding the show to its own KFI, Los Angeles. NBC took the position that the arrangement would not be between Transamerican, which represents the California Network, and P & G was against NBC's policy of letting stations but its own affiliates broadcast NBC-originated programs.

NBC's policy is to have its adamant thumbsdown attitude Friday afternoon when it suggested that the McClatchy stations should go to do the billing direct to P & G and thus have the relationship treated as a 'spot' sale. Transamerican's representative firmly objected to this proposal on the ground that NBC would be cutting itself in on business that it had made no attempt to obtain. It was also pointed out that by foregoing the acceptance of such deal NBC was leaving itself to still another action from Transamerican, namely, invalidating the contract. The result of contractual relations existing between McClatchy and Transamerican.

Okay Hit CBS

Two of the quarter-hour shows ('The General' and 'The Howie Wing') in the California Network contract were to be picked up from a CBS station. Columbia readily granted this permission. NBC's station relations department is to decide whether it had stand that once a program is cleared over an NBC hookup it's an NBC program.

NBC recently turned down permission for Transamerican to record off the air all NBC Blackett-Sample-Hummert programs as part of a spot placement deal, but Transamerican elected not to make an issue of this case. NBC has its own commercial transcription recording setup jointly operated with its affiliate, RCA Manufacturing Co. Inc. The program would have been recorded for the first time by the Dan Lee Network. Program is 'Don't You Believe'—a comedy starring Elaine Elgerts (Lorillard) has KPRC, San Francisco, originating for it. All the NBC stations are in the city's hookup.

Schedule calls for two 15-stations a week.

C.A.B. PLEASE NOTE

Buffalo Museum Cocker Als is to Register via Auto Horns

Clinton, Buffalo, ay 17. WGR's Museum Clink, can determine if he has listeners without resorting to a CBS radio broadcast. The show is 9 a. m. from the 18th floor studio overlooking downtown Buffalo. The show is open at the Palomar early June 29 for a minimum of four weeks.

Buchman therefore gives a 'root-to-top' tour of the station's studio and asks motorists who are tuned in to give a responding 'root.' The show is open at the Palomar early June 29 for a minimum of four weeks.

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The show is open at the Palomar early June 29 for a minimum of four weeks.

CBS REFUSES CRIME STORY

CBS turned down Blackett-Sample-Hummert's offer to place the 'Alias Jimmy Valentine' show for Dr. Lynn's Toothpaste on the air. The show didn't want to be identified with any more crime stanzas. Network figured that it had enough headaches from 'Gang Busters' (Palomino).

Show starts on the NBC blue for this account June 6.

Tires Not Sharing Motors' Attitude; Goodyear Latest Spot Recruit

Indications are that all the major tire companies will be on the air with commercials of one type or another during the next few weeks. Latest brand that's arranging to do something is Goodyear. Spotting is being done through Arthur Kudner.

Heavily reduced requirements in the auto manufacturing field is forcing the tire element to step up their ballplay among car owners. Figures there's a huge percentage of the latter who, while hesitating to buy new vehicles, will readily agree to the suggestion of re-tiring for the summer rollover.

U. S. Tires is backing Ben Bernie on CBS while Goodyear and Firestone are already involved in trans-

HERB SANFORD, BBD&O, TOURS WITH DORSEY

Herbert Sanford, B.B.D. & O. radio exec, will be out with the Tommy Dorsey band for the next 10 weeks, if not more, to supervise the Brown & Williamson broadcasts. Sanford will take them through Cincinnati, Des Moines, Chicago, Detroit and Denver, with the band playing theatre dates in each of these spots, and wind up in Los Angeles where Dorsey is scheduled to open at the Palomar early June 29 for a minimum of four weeks.

White on the Coast and Firestone are open at the Palomar early June 29 for a minimum of four weeks.

White on the Coast and Firestone are open at the Palomar early June 29 for a minimum of four weeks.

'PUBLIC OPINION' PRIDES SHOULD BE REGULATED RADIO ENTERTAINMENT'

Mark Ethridge Tells Bar Assn. Complicity of Washington in the Bad Practices of Past Cannot Be Overlooked in Moral Preachments

Washington, May 17. Broadcasting industry has emerged from adolescence and deserves treatment as an adult, with unbiased governmental supervision and end of policies which cause uncertainty, Mark Ethridge, temporary president of the National Association of Broadcasters, declared Monday (16) at an annual Federal Communications Commission were made as Ethridge, following example of David Sarnoff, William S. Paley, Lenox, Lord and Phil Kesten, wanted governmental authorities against stifling progress and registered strong protests against dictatorial regulation.

Broadcasters should not be treated as prisoners at the bar, WHAS, Louisville, executive vice president, said, and operators must realize radio has grown up, shaping their policy to encourage best uses of the medium. Chief need is a permanent policy which will end confusion and uncertainty, Ethridge said. He called temporary licenses "grossly unfair, unjustifiable and even whimsical." Six month franchises do not justify any useful, and the political influence should be eradicated and excessive program supervision should be removed. If there is anything fundamentally wrong with American broadcasting, Federal authorities must assume large part of the blame, Ethridge averred.

Monopoly, which he said has been created prematurely by a group of the persons obligated to judge the industry, could not exist "without benefit of the judiciary or the Commission" while government, which certified every operator's fitness, has complete power to learn facts about every industry member.

There is no desire on part of broadcasters to "dominate the Commission," but commercial basic radio must be recognized. Ethridge decried attempts to force broadcasters to feed content and education to the public. Great progress made in past few years but improvement must be made and literature taste could be raised by official desiring forcing stations to build programs according to taste of regulators. Imposition of "any sort of stifling regulations concerning program content" would be generally inane.

Public opinion rather than governmental prudes should be censors. Government and public should realize that air does not belong to any particular group. Broadcast industry needs freedom of action to serve public interest. From regulation should not be carried to extremes. "Responsible broadcasters would like to feel that the era of political pressure is at an end." That cases which are brought to hearing before the Commission are decided upon merit, rather than upon any other consideration.

Trade spokesman declared: "After the Commission has established the responsibility of applicants, as it does in its hearings, they are free to operate their own property within the limits of the regulations and public morals. They should not be confronted eternally by the spectre of potential arbitrary action on the part of a regulatory body."

Feg Murray Folds June 26

Fleischmann Yeast (standard Brands) retires the Feg Murray-Craig Nelson-Harvey radio contribution from its spot on the NBC-June 26. It emanates from Hollywood.

Food combine's other Sunday night program exploring Chase & Sanborn, which will keep its present cast vacant during the summer, since vacation periods have been provided for.

May Kelley With Baker
Mary Kelley has joined Phil Baker's supporting troupe on the Gulf Oil show. She was formerly with Eddie Cantor.

Who, Me?

Hollywood, May 17. Announcer at KFI-KBCA for years, Doug Evans has been let at Universal for a part in 'Ariadne to Talk.'

SAN FRANCISCO IS OPTIMISTIC

San Francisco, May 17. Although hit is off about 30% all over town, the night spots and theatres being particularly hard hit, one local industry who hasn't felt the effects of recession is radio. This in spite of the widely spread rumors that San Francisco has lost its radio production to Hollywood.

Lloyd E. Yoder, of NBC, Wilbur Eickelberg, manager of KFRG, and Phil Laaky, manager of KSFO, all agree radio commercial time is at its greatest peak in local history and the future is bright indeed. (Business in radio is about 25% above last year.)

In San Francisco are located two of the stations which NBC actually owns and operates. To keep them running, 250 employees are required on a permanent payroll, not counting the hundreds of musicians, actors and singers hired on a fee basis. On the payroll are 43 engineers, 19 announcers, a sales staff of 15. About \$150,000 is spent yearly on musicians at NBC alone.

Maximum Broadcasting studios here in the Palace Hotel, which has been coming the Coast for a commentator program. Sensation cingling, has finally settled on "You Believe It" program, headed by Bob Benson, will attempt to explode myths, legends and whatnots. Quarter hour show rides the Don Lee and McClellan networks twice a week. It idea clicks it will spread nationally in the fall.

Negotiations are on for Phil Baker's services starting next fall after another account and agency.

Renewal with Gulf Oil through Young & Rubicam looks odd, after a run of three consecutive seasons.

'Grouch Club' Shorts

Jack Lescoult, Arthur Ryan and Nat Hokin, of the 'Grouch Club,' California's 'Neighborhood' program, are in New York today (Wednesday) to make some shorts for Warner.

Stanza originates from KFWB, Los Angeles.

Absentee is seriously ill in N. Y. hosp.

'Discoverer' Gets % Recognition

Columbia Artists Bureau Settles Claim of Former Manager of Maxi Sullivan

BRITISH ANNOUNCER KILLED IN SPAIN

His first radio industry casualty report in Spain occurred May 15 with the bombing of Barcelona when J. Powell, station announcer and a Britisher, was killed. Was on the job splicing over station.

Powell was an ordained minister although he never practiced. He was born in Spain, the son of former British consul.

Joan Crawford's Impregnable
Arch Oboler is writing radio play for MGM's 'Good News' show May 19. Joan Crawford takes the lead in new 'Dark World,' an impressive drama.

Colgate Moves to Stop Sale of 'Gang Busters'; Property Thiers—Claim

Colgate-Palmolive-Peet has taken steps to restrain Phillips H. Lord from selling the program series or the title of 'Gang Busters' to some other radio sponsor. Action, which was filed in the Federal court yesterday (Tuesday), has the soap manufacturer claiming that it is not only the sole owner of the title but also the basic theme of the show.

Injunction seeks to have Lord also restrained from issuing any statement that he has sold or is about to sell the 'Gang Busters' series. Letter went on the C-P-P payroll in January, 1938. Lord's contract with Palmolive has until October to go, but the commercial holds that the show is its own whether Lord goes or stays.

Injunction proceedings were presented by Lord's attorney, the show on the market recently.

PHILLIPS LORD'S 'LLOYDS OF LONDON'

Phillips H. Lord is working on a present series based on the historical background of Lloyds of London.

He says he got the rights to the air use of the name and access to the insurance company's files while on his recent visit to London.

Don't Believe Anything But the Commercials

Hollywood, May 17. P. Lorillard tobacco outfit, which has been coming the Coast for a commentator program.

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Baker Going Elsewhere

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My Idea of a Well-Balanced Evening Radio Schedule Is—

VARIETY herewith adapts to radio a stunt it used years ago during the heyday of big-time vaudeville. At that time the trade was given a forum to the imaginary vaudeville bills which in individual opinions were ideally balanced for entertainment.

For the radio make-believe along similar lines VARIETY frees its amateur program-makers from all budget, time clearance or other practical curbs on fanciful building of the perfect radio evening.

What's your i

1.—Toccantini symphony with Heifetz, Flagstad and Melchior for solos.

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Further Television Demonstrations; Kolorama Angels Very Reticent

to Corp. of America is holding further public demonstrations of cathode ray television in New York this week. Programs made by coaxial cable from the Empire State building to the RCA building in Radio City. Last week the Kolorama Laboratories of Irvington, N. J., held a further lab demonstration of its scanning method. A new company also publicized last week sets for as low as \$1, but for reproducing of visual images alone. Sound would have to be synchronized through radio via an undistorted coloration.

Out of the increasing amount of publicity and claims, demonstrations and guesses there remains no small amount of sheer rumor. What is said and exaggeration end and fact begins is the still-uncertain realm of speculation.

Revived talk about scanning mechanically in preference to cathode ray scanning is pool-pooled from major labs. It is not that mechanical scanning cannot produce faithful television, but that the mechanism has failed at intervals and not able to step up to the resolution toward which cathode ray experimentation is working.

Not Held Back

It seems to be the conservative opinion of insiders that caution is a reason, because television must be right before it goes on the market. RCA, for one, ignores legends that fear of it is being held back. It is pointed out that the millions invested in experiments is money that would be unwelcome returning in television sales.

Perhaps another year or longer is the more prudent time for the companies to pass along to the Radio Manufacturers Association their recommendation for standardization of standards of transmission and reception. That is a possible milestone, but even that is not a guarantee of a whistle for the game to begin.

Mechanical scanning of the Kolorama Laboratories televised pictures by 4 feet and 4 by 4 feet in size, both with surprisingly clear images. Picture, 9 by 12 feet in size, was shown in the rear of the lab screening room as a preliminary tentative sample. Results were fairly good.

Kolorama hopes shortly to get its eight-sound method out of the laboratories. Company, which from the outset has had the theatre screen and projection of television in its mind, presently is hoped of setting up in one or more theatres.

Screened test was the third made publicly in the last nine months, with Kolorama results about 40% improved over those shown in December last year. Engineers in charge do not claim the television pictures were sent any better than came from the picture device and in fact, they say, New Jersey laboratory building, they did contend that their equipment setup was better than any broadcasting over ranges of 100 miles and upwards though no actual test has yet been made. Kolorama has no radio license. Their invention is described as low frequency, visually lighted, frequency requirement being only 250,000 cycles.

Scenes shown on the screen were scanned with 225 lines and were 11. Screens were 22 feet from eye level in the case of 3 by 4 foot picture and about 20 feet for 4 by 5 foot one. In comparison with Kolorama line picture, RCA's mechanical scanning Association is judged at the moment calls for 441-line image on the screen. It may be higher in a year or two.

Image on screen appears a light blue, blue though not as bright as credited as white light. Newerel clips alone were employed, such as the most intense in the color material today for television tests. Despite obviously intriguing practice, flicker and noise are still present though not nearly as noticeable as in previous tests. Arthur C. Levey, RCA's chief consultant with Scophony, Ltd. of England, en-

joying scanning system, will be back in New York from the Coast shortly to huddle with backers on several programs. Levey is Monogram Pictures' British representative.

Mystery of who is backing Kolorama still remains just that. Asked if William Fox, formerly head of Fox Films, was backing the enterprise, a representative of Kolorama emphatically denied it.

After making the denial, he said that even bigger interests were supplying the coin. Kolorama has a staff of five engineers, researchers and experts besides office crew.

DON LEE - CBS TOBACCO SWAP PEELS

CBS Westcoast and the Don Lee Network are on the verge of switching tobacco accounts. If the deal goes through CBS will get the Brown & Williamson business which has been running on Don Lee, while the latter will acquire the Baykay Phillips cigar program. Baykay has been running on Don Lee, while the latter will acquire the Baykay Phillips cigar program. Baykay has been running on Don Lee, while the latter will acquire the Baykay Phillips cigar program.

Neal D. Ivay, of McKee, Albright & Tied up with Don Lee, is now handling the details for Baykay.

CBS' Interpretive Key To County Figures Of Joint Research Comm.

CBS' Market Research Division will release to the trade this week its computation of the percentage of radio ownership and the total families by individual U. S. counties. Data was attached to a reprint of an estimate of radio ownership by individual U. S. counties as compiled by the Federal Bureau of Investigation. Third section of Columbia's latest statistical collection is devoted to a breakdown of the U. S. census for 1930 by counties.

By a comparison of these various series, figures CBS believed that the relative radio 'saturation' and the importance of any county can be seen at a glance. Also the approximate increase in radio families by counties, since 1930.

LARRY CLINTON ON RCA IN VICTOR NAME PLUG

RCA's tie Key program will start using name bands featured on Victor records. Only the name will be adhered to throughout the summer.

Larry Clinton crew will be first. Morton Downey will guest on same date, m.c'ing as well as vocalizing.

Mac Murray's Sponsor

Mac Murray, ex-filmite, this week took a new sponsored program, which will air locally over WJLA, N. Y., 10 minutes daily. His new sponsor is supplying the bankroll. Bit was played direct.

Among the show include Sammy Ryan, Bob Barker, Brotherton, and Bud. The show is called 'Jazz Ward'.

PROBABLE NEW PUNISHMENT SYSTEM

F.C.C. Will Discontinue Spanking - Before Proving - No Official Publicity on Programs Unless and Until Investigation Shows Cause

CURBS CRANKS

Washington, May 17. Adoption of uniform procedure by which broadcasters accused of program offenses or other violations of public interest obligation will not receive premature black eyes was forecast in Federal Communications Commission circles this week.

After weeks of examining squawks from listeners, the FCC special committee on handling of informal complaints is squaring away to adopt a more satisfactory method - from both the industry's and the governments' viewpoints - to strain the custom of handing out temporary licenses pending further investigation.

Discussions about the possibility of finding a definite yardstick with which to measure complaints have been in progress for the past month. Summary of the nature of the protests and report on how they have been handled, the panel is nearing completion. Likewise recapitulation on the length of time needed to decide what to do with a broadcaster whose conduct has drawn criticism.

Spawning license practice is practical, the panel says. Since late in April, there have been no more leaders of the fact that most of the FCC's late extensions of temporary licenses in place of regular licenses pending further investigation.

Probability is that in the near future the FCC will put into operation a rough similar to that of grand juries. Stations which are named in let rs from listeners will be called on, as in the past, to make an explanation or answer to any protest. If the license expires while the incident is being studied, the renewal will be forthcoming with definite understanding the Commission has the right and power to take action upon expiration of the six-month period.

For protection of broadcasters, no publicity will attach to the preliminary investigation. Only the complaint will be kept confidential while it is being weighed. If the FCC later concludes that the offense was sufficiently serious to merit a formal inquiry, the station will be notified to defend itself at a hearing called to determine if issuance of a renewal will serve the public interest. Only after the public and other members of the industry know what the trouble is, will the station be notified of the offense.

Volume of work in the law department of the FCC is being reduced by the scrapping of temporaries. Regulators realize there is so much going on in the industry that it is impossible for the attorneys to complete an investigation in less than four to six months. Hence there is little point in giving operators of stations or the defendant a hearing. It might as well pass out regular renewals and then-if the case is found to be a violation of the law, the next renewal papers come in.

admitted to Newark. Newark, Conn., May 17. Radioists gheeding in for summer at this shore town.

Tin and freize (Mr. and Mrs. Tim Ryan, John Dickerson, and Fiddle and Ronnie Ance) among recent visitors.

Young & Rubicam Deny O'Keefe Suit Over Cancelled Packard Program

Office Magic

Detroit, May 17. Several new wrinkles in lay-out for advertising agencies are being incorporated in new annex to Y&R, Inc., here.

Conference room, 26 by 33 feet, is equipped with new devices to present aid materials to clients. To right of door, under overhead lights, is a series of seven panels which slide out of sight on roller bearings. Radio and photographs are built into Annex, designed by Marcus Burrows, includes nine private offices, each with built-in full length of one wall, and provided with disappearing shelves and typewriter desks.

NO CONVENTION THIS SUMMER LIKELY

Washington, May 17. Unless the permanent paid president is elected earlier than appears probable, no summer convention of the National Association of roadsters is likely.

Usual June or July assembly of the trade is off this year, according to present intentions of the NAB bosses. In view of the fact that most leaders will gather next month for the Federal Communications Commission rule hearings and so brief time has passed since the special session for ratification of the reorganization plan. No general meeting planned, but the board probably will convene during the FCC debate period.

A fall convocation seems likely, but if the directorate succeeds in picking someone to step into Mark Ethridge's shoes. Plan is to have a general session by plan for the 1938 session of Congress shortly after permanent head is chosen and before acquainted with some of the more important industry problems.

Probate Judge Neck-Deep In Claims to Estate That Was Radio Dramatized

Wichita, Kans., May 17.

Judge Clyde M. Hudson of the probate court here figuratively been buried under an avalanche of mail from claimants to the \$100,000 estate of the late Margaret Schuchter, whose case was broadcast by the Skeely Court of using Her May 1. The case was dramatized in a series of announcements stating previous to broadcast that the case was not being reported to invite additional claimants. A local lawyer had filed protest with Skeely Court before the broadcast stating that he would hold broadcaster liable, as his firm represented the only real heir, and if the case was publicized over the air it would cause additional litigation.

Schuchter case will be tried before Judge F. N. Williams June 1.

Norman Prescott Agenting

Nor an Prescott, who formerly did a variety mentalist act, has opened an office in N. Y. to peddle radio programs. He is now being handled by Agent also has several actors under contract, including Wallace Reid and Freddie Astor among recent visitors.

Walter O'Keefe, comedian columnist, claiming a suit filed in New York supreme court that the agency, Young & Rubicam and the Packard Motor Co., breached their 22-week radio contract with him before it was concluded and wants them to pay him \$48,750. In their answer, defendants deny they owe him anything because he orally agreed to cancellation of the contract when and if Packard decided to wind up its time over the NBC.

O'Keefe claims that he originally admit, they entered a contract last November for 22 weekly broadcasts over NBC. Agreement was to cover from Jan. 4 to May 31. O'Keefe's pay was fixed at \$4,000 per week to March 1, and \$3,750 for the remaining run of the contract. He avers he was fired without cause by NBC March 1, the remainder of the O'Keefe agreement would be rescinded. This mutual agreement they claim was inserted in the original contract with the comedian and with his consent. When Packard decided not to renew its radio time after March 1 immediately notified O'Keefe.

On Thursday (12) asked the court to direct reply to their defense.

The motion was denied by Justice Justice O'Keefe. Trial in the \$50,000 damage suit asked for by O'Keefe, and profits from the RKO picture 'Go Chase Yourself' brought by axwell Hawkes and O'Keefe, begins today (18) in N. Y. supreme court before Justice William Williams. Suit also seeks an injunction restraining RKO from showing the film.

O'Keefe contends that the idea of a traveling trailer family was submitted by him to a projected sponsor for a radio program and that the picture was an infringement on his idea. He claims that he was not paid for that because of his radio connections, O'Keefe probably had access to the picture and was able to write the trailer for RKO, is represented by Howard E. Reinheimer.

Spook Radio Editors

Cleveland, May 17. Hill & Knowlton agency for Sohio, known to 30 radio editors from 10 Ohio cities up for a studio banquet to announce 10 new comedy series over WTAM. After the free food, as a gag station executives were putting on a listening scries through a 15-minute aired quiz.

Question was worked out by manager Vernon Bricker and p.a. Bob Daley, who up some laughs and excited the radio editors. The critic Tom Manning acted as official emcee, and the station was filled with a whimsical atmosphere of click ticks writers and phones ringing.

Bonebrake to KOCY

Oklahoma City, May 17. Plaza Court Broadcasting Co. scheduled to take over KFCR Friday (19) with call letters KOCY. M. H. Bonebrake, commercial manager, leaves WKY to pilot the station in its new studio building at Plaza Court, old location of WKY.

Complete new mechanical equipment for the station, including transmitter constructed atop the building in which the studios is housed.

George Harvey Back to WGN

George Harvey, 36, May 17. George Harvey, 36, May 17. WGN local news staff after a sabbatical as salesman for the Mutual ap- "with a-

Superstitions Cherished, Not to Be Ridiculed, Is Dick Fishell's Slant

After carding a special-event broadcast last Friday (13) from a freak luncheon held by the Anti-Superstition Club, WMCA, N. Y., suddenly cancelled and let rival station WNEW relieve it of the burden of broadcasting.

gram without the knowledge of Dick Fishell, 'special-events' chief. When Fishell learned that his secretary had made the arrangements in his absence, he strove to get the station out of the 'spot' on the grounds that many listeners are themselves superstitious and might never be offended or irked by firing the proceedings, which flaunted such 'fears' as smashing mirrors, strolling under ladders, etc., on an 'unlucky day.'

WMCB did, however, broadcast a semi-supernatural-leering show same night with Frankie Basch off tating. Fishell says that he had no other sort of program Miss Basch put on.

All present at the luncheon WNEV

alred did not participate in scoffing at legends, however. Two mob sisters sent by the N. Y. World-Telegram to cover the stunt could not be induced to do any of the 'unlucky' things.

**American League Games
Re-enacted Over KSL**
Salt Lake City, May 17. Sponsoring the first American league baseball re-enactments: ever

heard over KSL, in Salt Lake City, N. W. Ayer Agency this week started testing the local 50 k.w. CBS affiliate for merchandising power with base-

Ant Paste on NBC

San Francisco, May 17.
Kellogg's Ant Paste, the latest
sponsor to join those using National

Broadcasting Company's 'Woman's Magazine of the Air,' started the first of a series of 13-quarter-hours yesterday (16). The magazine will be extended 15-minutes on this day, from 3:00 to 3:15 p.m., for this new commercial which will be broadcast over Red Network stations KPO and KFI.

On the program will be Janet Baird, home economist; Armand Girard, bass-baritone; the Four Pages Male Quartet; Pan-Americans, Latin

rhythm group, and Ricardo's orch.
Agency is William A. Ingolsby
Los Angeles.

W. C. Fields Due Back

Hollywood, May 17.
W. C. Fields is expected to return to Chase & Sanborn broadcasts in a few weeks.
Comic walked out several months

to Chase & Sanborn broadcasts in a few weeks.

Comic walked out several months ago in tiff over scripts.

WCSC's Dock St. Series

Charleston, S. C., May 17. WCSC has set a series of broadcasts of one-hour duration to be remote from Dock St. theatre, oldest in America, which has been restored during past year. Ith WPA funds.

Before a visual audience Victorian-era songs and music and patter will

be presented, plus sailing in of news
and sports which took place before
turn of century.

Pier's Nickelodeon

George Hamid's Million Dollar
Pier, Atlantic City, is the latest to
adopt nickelodeon films. Operators
erecting new theatre on the wharf
to show ancient on 16 mm. scale.
Adds to newsreel, kiddie film and
vaudeville theatres there.

Oldies will be shown with official
opening of the Pier June 25.

Election Returns Sponsored

Election returns, which once were regularly aired as sustaining serv-

WCAU, not only for returns, but for a studio party while they were being gathered.

CALL CROWD

Versatility Challenge Taken Up

Editor, VARIETY

In a recent issue you printed a story, 'Star Claims Versatility Tops,' with reference to Station KXBG of Okmulgee, Okla. I am here at, central really being in the same, and more probably—Super Tops—for the following reasons, as you may judge by the qualifications of some of the members of my staff, namely: Roger Basile, bilingual announcer, commentator, description m.c., violinist, actor and interviewer.

Ferdinand Blond, announcer, producer, actor, continually writer and gag producer, who announces in French, English and Italian—and also sings. Roy Malouin, bilingual announcer, tap dancer, actor, singer and m.c.

Johnny Lalonde, bilingual announcer, singer and Victor recording artist, actor, m.c., and choir leader.

Among the other announcers, we find the Province's champion amateur photographer, who is one of our announcers who also speaks French, English, German and Spanish, a star personality imitator, a poet, etc.

Among the engineers there are two pianists, a saxophonist, a wood carver, a heavyweight boxer and the world's worst golf player; the chief engineer, Len Spencer, plays a mean fiddle and is an old vaudeville waltzer in the act of tango and rumba dancing.

The writer himself played sax in an orchestra for a couple of years, and a complete orchestra and choir can be formed with our staff of some 35 people.

Plenty more could

be listed.

SAY PROPAGANDA MAKES ENEMIES

Congressional Hearings Develop Strong Attack on Proposals—See Opening Wedge of Serious Social-Political Significance as Well as Private Capital

Washington, May 17. Campaign to put the Government in the radio business skidded Monday (16), when members of the House Naval Affairs Committee turned on the Celler bill, authorizing construction of a high-powered short wave station at Washington for the purpose of countering 'violent' foreign propaganda being piped into South America by Germany and Italy.

A low-powered transmitter would cost too much; non-commercial programs would tend toward dullness; and high Government officials would be saddled with 'terrible responsibility' for 'broadcasts that left off-end some opponents declared. General consensus was that private industry could furnish more attractive radio fare, improve Pan American relations and spare Uncle Sam the embarrassment of any slip-ups that might be made by ineptuous s. akers.

Attack on the proposal for Rep. Emmanuel Celler, New Yorker, who favors the legislation drew no surprise after hearings for a 'War West Coast short-wave Thursday 121) in the Canadian House of Commons. Visible antagonism of Chairman Vinson, Georgia Democrat, and other members of the House apparently is already demising. Sir ilar fate hinted is being predicted for the Chavez-Medina Senate bill, since some opponents of the legislation are skeddled to be heard by the Upper House group Wednesday (18).

Sentiment of the committee was seen in the favorable reception given Mark Eridridge, temporary president of the National Association of Broadcasters, who urged that government should encourage private operators to continue and improve the service they are now rendering, rather than attempt by itself to 'embark upon a deliberate program of propagandizing through shortwave broadcasting. Opponents of the foreign radio bill of the U. S. would only breed ill-feeling, NAB reps declared, and Government would place in an uncomfortable position as regards censorship that would be unavoidable in picking and choosing speakers. U. S. operators likewise would cause retardation and possible abandonment of interna-

(Continued on page 36)

Telephone Vox Pop Draws Bell Veto On Grounds of Privacy Invasion

Two Dummies

Montreal, May 17. Armand Marlon, new French-language comic at ia Bergen, is being groomed by station CKAC. Marlon, with two dummies, was called.

English Actors' Union Protests Amateurs On Radio-Cinema Series

London, May 10. Series of air shows planned by B. C. in collaboration with Gaiety Artists' Federation lodged protest at proposed mixing of professional and amateur talent. V.A.F. declared importation of fresh non-pro stock would mar an already overcrowded vocational field, and that, in the circumstances, it didn't wanna play.

Situation brought B.B.C. and G.-B. representatives into a huddle, out of which emerged decision only to use paid talent, concentrating contest on performers who had never had an opportunity of making the big time. For purposes of ruling, it will apparently suffice that talent shall have received payment at some time or another for its act, so bringing newcomers into eligibility.

Horace Stoben Moves

Toronto, May 17. Horace Stoben, station relations manager in Canadian Broadcasting Corp., formerly stationed in Ottawa, has been transferred to Toronto. Both production staff previously at Ottawa is being moved.

Production activities will now be centered in Montreal and Toronto.

WWJ's Audience Shows

Detroit, May 17. WWJ has skidded three audiences shows for the summer in its 360-seat radio theatre. They are 'Souvenirs' Sundays at 10:30 p.m.; 'House Party' Thursdays at 10:30 p.m.; and 'Radio Extra' Fridays at 10:30 p.m.

Last show will affect kids, who according to Detroit's curfew law can't attend theatre after 10 p.m., unless accompanied by older person.

ore Ale Shifts

Montreal, May 17. J. Walter Thompson Agency has taken over the Black Horse Ale (B.H.A.) account. New preparing newspaper campaign.

Radio program to be tied up for the fall.

by 17. Executives of the Bell Telephone Co. have saved the CKAC proposal to originate a Vox Pop radio telephone.

Idea was to call on six people to deliver a two-minute talk on a current subject via telephone. Answer-dials from the station and the audience listened in.

Station execs figured to expand the program to include long istan telephone interviews.

Bell Telephone engineers arranged a trial broadcast and reported everything OK. Supervisors frowned on the project on the ground it transgressed on the privacy of telephone subscribers.

Quiz Londoners For Subsequent Airing in U.S.A.

Buffalo, May 17. Sig Smith, WGR - WBWB announcer, is now out of England for a vacation. I'll do a series of man-in-the-street interviews in London. The Broadcaster Co. will make transcripts to be shipped back here.

Plans a number of questions including typical American slang to see whether Londoners can understand it.

CKWX, 100-WATER, STRESSES SPECIALS

Vancouver, B. C., May 17. Faced with tough competition from more powerful stations, CKWX, local 100-water, is stepping out energetically to build-up listener interest in its special-event broadcasts.

Project started four years ago—under an experimental license and last October went under a regular short-wave license.

Arrival of spring pepped up the campaign and saw CKWX technicians and announcers everywhere with mobile short-wave units or a portable transmitter. The station has plenty of novelties to its credit including a bridge-opening broadcast from tug in mid-air, arriving a boat race on the launch, running commentary on the annual air-show, covering the arrival of war-prisoners from China, ski-championships on Grouse Mountain, and numerous others.

Drys Express Anger

Unbec. May 17. Lucerne critics have lodged a protest with the Canadian Broadcasting Corp. over a broadcast which emphasized the phasis in the Molson Brewery News-cast over station CFCF, Montreal.

CBC officials have requested that station CFCF pressure the brewer to modify the copy.

French-Canadian newspapers have also been pressured lately in relation to 'Cure de Village,' also sponsored by a brewery. Letters from the city and clergy call for modification of the references to use of beer.

Edmonton's 'Buy Row'

Edmonton, May 17. As a goodwill gesture Lucerne local station CFCF is deciding to sponsor a 'Buy Row' campaign via spots in its 'Molson Brewery News-cast' over station CFCF, Montreal.

Transcriptions Switching In West Canada

Vancouver, B. C., May 17. Switching of 'Easy Aces' (discs) from CKWX to CJOH last week marked the beginning of a general shake-up in the spooling of Sterling records' transcriptions.

Fate of 'Lorenzo Jones' and 'tella Dallas' is doubtful, but for the present they continue on CKWX. Bayes Aspin's 'Backstage Wife,' however, is reported due off very shortly.

It is said that this show will be banked from CJOH, Lethbridge, CJAT Trail; CKWX, Vancouver; CFCF, Saskatoon; CFCF, Kamloops, as well as several Eastern Canadian stations.

CJOH copped another disker this week when Glidden Paint, switched from CBR, government outlet here.

Paint company's five-minute spot was difficult to fit into the national advertising schedule without overlapping some expensive network sponsor.

WEMBLEY STADIUM ADS ON NORMANDY

London, May 10. Wembley Stadium and the Ramsay Carnival have each booked a series of spot announcements on Radio Normandy.

Kathleen Court (England), Ltd., non-advertiser, booking spot announcements from same station to advertise Coolan.

Docs Rap Mexico

Houston, May 17. Texas State Medical Association's governing body last week urged medics to boycott Mexico because the latter has permitted the broadcasting of attacks upon the profession. Resolution also took the Mexican government to task for allowing the airing of extravagant claims of miracle cures and remedies.

Resolution did not name Dr. J. R. Brinkley, who has been charged with fraud from Mexican high-powered outlets since 1932.

Dept. Store Trys Air

Montreal, May 17. T. Eaton Co., largest department in Canada, has bought a series of sponsored spots on station CFCF, Montreal, from the

TAKING IT SERIOUSLY

British Board of Spelling Game Control is Conspicuously

London, May 10. Following success of Spelling Bee, B.B.C. plans to foster new craze, which is a variant, under title of the 'Ghost Game.' Latter is actually an old pastime in new guise, game being the one in which a word is spelled out letter by letter until one player is forced to add a letter completing a fresh word.

First effort will be May 22, when tens of six a side, representing parents and children, are being selected.

For radio purposes, alterations and additions to normal spelling rules will be employed, and arising from this B.B.C. intends to shoulder responsibility for forming a British Board of Spelling Game Control. Details of codification of rules are under consideration.

French-Language Stations Delay Toronto Office; McGillivray Reps CKAC

Montreal, May 17. Station CKAC has appointed Joseph H. McGillivray its exclusive station sales representative in Toronto. Plan has been under discussion for the establishment of a special office in Toronto to handle time sales for CKAC and several other French-language stations.

This idea has been shelved for at least three months.

Carroll Levis on Hunt; Comics Very Scarce

London, May 10. To find 12 artists for his next radio show on 24, Carroll ('British Bowler') Levis left London on a month's tour of the country. He is holding auditions in Swansea, Liverpool, Leeds, Chatham and Stratford (London), inviting unknown poor talent and amateurs who have never had an opportunity of broadcast time.

Particularly will Levis's search be devoted to discovery of new comedians.

7 Yrs. on Normandy

London, May 17. Spink & Sons Ltd., jewellers, has renewed its contract on Radio Normandy for the seventh year. First broadcast of the series of announcements from that station was placed with the International Broadcasting Co. in February 1931.

Ladner, Ltd., and British Brands, Ltd., have renewed the contract of the International long-term series of weekly dance concerts and announcements from Normandy.

Clear Way for Possible Ratification Of Havana Pact This Session

As in the past, the Havana Pact is being discussed by the Senate. The pact was signed by the U. S. and Cuba in 1934, but it has not been ratified by the Senate. The pact is a trade agreement between the U. S. and Cuba, and it is being discussed by the Senate. The pact is a trade agreement between the U. S. and Cuba, and it is being discussed by the Senate.

The present domestic situation is a factor in the discussion of the Havana Pact. The pact is a trade agreement between the U. S. and Cuba, and it is being discussed by the Senate. The pact is a trade agreement between the U. S. and Cuba, and it is being discussed by the Senate.

160 Non-Web Stations Within Terms Of A.F.M. Musician Hiring Pact

Copies of the plan of settlement and schedules have been mailed out to the non-network affiliated stations by the broadcaster committees which had done the negotiating with the American Federation of Musicians. Stations whose income is under \$200,000 are exempt from the agreement. Since there are about 200 of these, the union can look for further musicians employment only about 160 stations of the non-affiliates classification. Estimated additional employment from such source is 500 musicians.

Quite a number of these indie stations have had musicians on their payrolls as a regular thing, with the aggregate pay roll for 1937 amounting to \$750,000. Under the schedule now proposed this annual expenditure should be upped another \$750,000, making it a total of \$1,500,000 a year that the non-affiliates will agree to spend for musicians during the next two years.

139,220 DEAR SIRS ON 7-WK. WLW BAIT

Cincinnati, May 17.

il count of 139,220 requests for samples of Saymen's Soap during a seven-week offer on WLW is reported by Robert Jennings, head man of the Cradley stations' biz department.

Sponsor uses a thrice-weekly morning 15-minute program with mountain music by talent from the WLW-WSAI staff.

ARTHUR SIMON TO WPEN

Succeeds Dwight Rorer as G. M. of Philly Station

Arthur Simon goes in as station manager of WPEN, 1, 0-watt Philadelphia station, June 1. Succeeds Dwight Rorer, who returns to his law practice. Appointment was made yesterday by Hyla Kiczales, general manager of WOV and WBL, N. Y., and WPEN, Philadelphia. Simon was at one time with Vauers's Const staff and in the treasurer's office at NBC.

Cedric Foster on MBS

Hartford, May 17.

Cedric Foster, station manager of WTTT, station manager of the "You Were Born" program to the Mutual network on May 22. Also continues to be fed to Colonel Assisting Foster are Bob Martineau and Jack Lloyd.

Cremo's Summer Tests

Cremo cigars started a test campaign for a stretch across the sun-air over WABC, CBS, N. Y., fountainhead, this week with Arthur Godfrey piping up a live show from Washington. Two other CBS-owned stations, WEEI in Boston, and WBBM in Chicago, will carry all of the programs for the sponsor.

Dependent on the results of the test will be Cremo activities on the air next season. Account, which was once a big web advertiser, had been off the ozone for some years before nosing out with a series of local "treasure hunt" programs produced locally in seven key towns last winter. Most of these are now off.

Lawrence Gumbiner is the agency on the account. Gay Phillips Fitzsimmons, Jr., 523 player, added to staff orchestra at WOV and WGL, Ft. Wayne.

MICKEY OUT, BOB HOPE IN

Hollywood, May 17.

Lord & Thomas agency and Walt Disney have called it quits after weeks of Mickey Mouse on air for Pepsi.

Agency has signed Bob Hope to head variety show in fall for toothpaste outfit.

Idham Replaced

Columbus, May 17.

Benny Bee has replaced Nason Oldham as tenor of the Melody Land program which WHKC originates for the Mutual web. Oldham left show because of illness. Maids of Melody and Organ John Agnew remain on program.

NO MORE GRACE TO INDUSTRY

Washington, May 17.

No period of grace for harassed broadcasters wanting more opportunity to digest the rule revisions which the Federal Communications Comm. ion proposed early this month.

After granting three-week delay and broadening the scope of the previously-listed super-power hearings, the FCC last week rejected petition of the National Association of Broadcasters for additional time to compile economic and technical data and to prepare arguments. Consequently, the NAB chiefs shied plan to have informal discussion with the Commish about general regulatory problems, including the barrage of questionnaires for economic data, and will present comprehensive protests against excessive governmental dictation when the new policy issues are aired.

Menken's 'Experimental Theatre' Over WMCA

Larry Menken, who recently left a writer-production berth at CBS, has made a deal with WMCA, N. Y., to co-produce an "experimental theatre" series of dramatizations. Programs are slated to start in June, with a white date as yet unset.

Radio adaptations from works of Robert Louis Stevenson and Edgar A. Poe are included in the series. WMCA will cut the time for the shows and Menken supply them gratis in an effort to attract sponsor interest.

Grocers' Angle

Oklahoma City, May 17.

Froeter & Gamble and General Mills, co-sponsors of Oklahoma City Indian baseball games over KTOK, offer a case of wheaties or ivory soap to each batter hitting a home run.

KTOK buys the Wheaties or Ivory at retail from the first grocer calling the station after hearing the broadcast.

There's a Mrs. Bottle

Asbury Park, May 27.

Phil Baker's "Bottle," Harry McNaughton, was married the today to Marion Turpie, champ femme golfer.

Ceremony was witnessed by Mr. and Mrs. Harry VonZell and Ward Wilson, "Beetle" on the same show, and Mrs. Wilson.

1st Mr. Fix-It Back

St. Louis, May 17.

Ray C. Schroeder who originated the "Mr. Fix-It" program over WIL in November, 1936, has returned to his stint for the David G. Evans Coffee Co. after a 12-months' absence. Schroeder abandoned the air waves a year ago to take up a copy desk job on a local rag but tossed that overboard to help run a weekly in the sticks.

During his absence from WIL the "Mr. Fix-It" program was conducted by Leo A. Maginn.



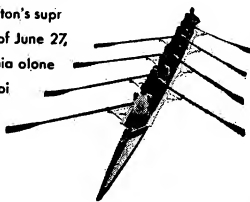
SEABISCUIT-WAR ADMIRAL DUEL - A CBS SPORTS EXCLUSIVE

On May 30, the long-awaited meeting of Seabiscuit and War Admiral will focus holiday-attention of a nation's festive track. Exclusively through Columbia Network facilities, sports fans of all America will share the best seat in the crowded grandstand; will follow every detail in this \$100,000 duel between Man-of-War's Son and Grand-son. Bryon Field broadcasting. More than 10,000,000 CBS listeners heard Lowrin race to gallant victory in the Kentucky Derby, May 7. More millions, through June, July, August and September, will hear the most important races of the season as they are run at Aqueduct, Belmont, Empire, Jamaica and Saratoga. They will be covered in detail by Bryan Field; broadcast exclusively over the Columbia Broadcasting System.

ONLY ONE NETWORK BROADCASTS

CBS AUDIENCE FIRST TO LEARN ANSWER

Greatest meeting of collegiate crews in the country is the annual regatta of Poughkeepsie on the Hudson. Rowing enthusiasts today if this year, with its bumper crop of good will produce a successful challenger to Washington's supremacy. Columbia's audience, early in the evening of June 27, will be the first to learn the answer. For Columbia alone will be seated in the officials' lounges, on the track and at reserved vantage points along the course...broadcasting the race as it happens!



SLANDER BILL IS DEFEATED

oston, May 17. State Senate last week defeated a radio slander and defamation bill G. Bowker, by a vote of 11 to 1 after strong objection had been interposed by the Massachusetts State Broadcasting Association. House had passed the bill May 5. Bowker measure sought to hold station owners and political speakers liable for slander. In addition to the latter bill the House adopted an amendment, proposed by Rep. Charles J. Innes, banning ship-to-shore radio telephone systems and

other facilities not engaged in public broadcasting for hire. Bowker measure had been directed toward Leland C. Bickford, editor-in-chief of the Yankee and Colonial Network, news services, and his employer, John Shepard, III. Bickford had recently declared over the air that the members of the General Court could be bought anywhere from a \$10 bill to a pound of tea.

Hubbell Robinson Sails With Lewis, Devine June 24

Hubbell Robinson, Jr., of Young & Rubicam, sails for Europe June 24. He will be gone for a month. Booking passage with him are Tom Lewis, who produces the Kate Smith-Calumet show for Y&R, and Jerry Devine, freelance scriptist.

Ralph Sayres, formerly sales manager of KTV, Philadelphia, has joined the sales staff of the Associated Recorded Program Service.

FUGITIVE FROM 'SMALL TIME RADIO' SAYS N. Y. RADIOITES WOULD FLOP IN STOCKS

Alumnus of Inland Broadcasting After Seel and Hearing Manhattan Up Close Thinks Better of the Stations Back Home

(The Anonymous Bu-Requester of this article is now in N. Y., a consolation prize, radio and known to VARIETY before and since.)

Years ago, every vaudevillean looked to the Palace, in New York, as his Mecca. Even one week in that theatre meant success, even if nothing further was achieved. Today every artist in radio has

his eyes—a network show—or, at least a consolation prize, in New York station. Announcers, singers, musicians—the more successful they are in their local fields the more certain they are that the greatest glories await them in New York, or Hollywood. Any success is no success unless it bears the net-

work, New York, Hollywood stamp.

In New York, all effort is expended on the network shows, but what radio job has been done on local shows. They seem even less important than the "fill-in" in the newspapers. Any local announcer who is not in the grade in the sticks. One ubiquitous announcer on a leading New York station said in the sticks. His "v" sizzles and pops and how the tubes bear up under it—let alone the listener's ear. It is difficult to comprehend. Other announcers grate on the ears when they tell how they saw something, and go into more and more sloppy pronouncements. So-called commentators and news reporters mispronounce names in the news: the name "Smetana" has been in the news for sometime now, and only last evening three different news reporters gave three such wholly different pronunciations that the serious news became very humorous, at least to one listener.

Participating programs in the sticks pride themselves on the quality of accounts per ited on these Personality Programs, yet listening to one of these stuttering, stammering, Ladies of the Morning, talking about a product "everyone knows and uses," getting her tongue so tangled up in the name's mispronunciation, gave joyous relief from what otherwise sounded like the patent insides of a country weekly, with its liquor and medicine advertising, ranted that radio stations have a right to these ads, but hardly the most suitable for these feminine personalities. In the sticks these feminine programs are able to project friendly, likeable personalities, without resorting to goosy sentimentality, baby talk, and smelling of over-the-fence soap.

Those A. M. Requests

New York local musical and variety shows still play requests for Mrs. Roosevelt, and play Happy Birthday for Mrs. Klettenhuff. In the sticks the musical programs lose the dignity and the polish that bespeak earnest preparation—with special arrangements for the week-end numbers. One network trio did one arrangement of a number (not particularly popular, and not particularly good) three times in a space of two months. A trio in the sticks did a special arrangement of this number once, continuing on later programs with newer numbers.

A singer who couldn't get on in the sticks with even one sustain a week, with the help of a local talking, fast-talking money-spending promoter is now on a National network several times a week.

In New York, from the snappiest receptionist on up, they know all the answers in radio: exceptional talent and exceptional shows, without money, or fast-talking promoters, or contacts with the right people, find only closed doors. In the sticks, they're not so sure they know it all—they listen to people and to show. They make their decisions, and you're not told to "come back some Tuesday".

Meanwhile, from the sticks they come—spending hard-earned money—singing heart-breaking songs, week and months—and they come because they believe what they read—that radio WANTS new talent, new ideas and new shows. After a while, they join the rest of the throng in talking about the "break"—the style singer who was blocked every time by men who insisted on caring for her hours away from the microphone—the baritone who did "big" in the sticks but auditioned for the wrong person—the announcer who did network from the sticks but never a local from the big city—the girl with the wonderful voice and air personality—the trio with its great singing arrangements—the quartette—the...the...well, the breaks—that's all—the breaks.

What's the answer? Not the agents who get one or six stars and spend their time nursing temperaments. Not the receptionist, who must keep saying "no" or get fired. Not you—you're too busy with a million and one other things—but who? but what? but how?

Andrews Sisters fly to New York from Chicago next weekend to record eight ditties for Decca. Now on Whigley program.

CBS BROADCASTS U. S. GOLF EXCLUSIVELY

A game played by over 6,000,000 Americans is a natural radio. As in 1937, only Columbia will attend the big matches of the year—the National Open from Denver, (June 9-11) the P. G. A. Championship from Shownee-on-Deleware, (July 10-16) the National Amateur from Oakmont, Pittsburgh, (September 12-17) the Women's Amateur from Wilmet, Illinois, (September 19-24). The latest in field equipment and shortwave transmissi will ensure an accurate report of every important drive, chip shot and putt. America's Ace Sportscoaster Ted Husi will be at the microphone.



THESE EVENTS AS THEY HAPPEN!



CBS "SERVING"—ALL 1938 AMERICAN TENNIS CHAMPIONSHIPS

Only Columbia microphones will be permitted of the major tennis tournaments played in the United States this year—including the first home defense of the Davis Cup in ten years. U. S. L.T.A. officials credit much of last year's record-breaking attendance at Forest Hills to Ted Husing's colorful accounts of the matches played there. Columbia listeners will readily understand why, for they know the excitement of shifting court fortunes as they are reported against a pulsating background of stroke and volley. They already anticipate CBS descriptions of the North American Zone Finals (August 11-13) the Inter-Zone Finals (August 18-20) the National Doubles, Men and Women, (August 22-27) the Davis Cup Finals (September 3-5) and the National Singles, Men and Women, (September 7-17).

CBS

1,000 Newspaper Radio Policies!

There's no trick to getting up a list of radio editors with such names as, say, Ben S. Gross. Ben Gross writes the radio column for the *New York Daily News*. The *New York Daily News* circulates 1,718,217 copies daily, and 3,026,323 on Sundays. You don't need any kind of research to spot Ben Gross, Dinty Doyle, or others writing for newspapers of such circulation.

But what about the *South Bay Daily Breeze*?

That's a good paper, too, read by 3,218 citizens of Redondo, Calif. It carries radio information with the same fidelity of the bigger papers. It circulates among people listening to radio sets just the way the giant *News* does.

But did you ever find the *South Bay Daily Breeze* in any "standard" listing of radio editors or policies?

If your lists aren't inclusive, you can improve them by checking against the radio editors' section in the forthcoming Vol. II of the VARIETY RADIO DIRECTORY.

Policies of 1,000 newspapers are listed. And the information includes:

Type of material used by the radio editor; type of cuts or mats accepted; stations regularly listed in the editor's column or log; pertinent personal information on the editor; and type of newspaper (morning, evening, Sunday, etc.).

Insofar as can be determined, this list is the most comprehensive ever issued anywhere. It is suggested that an immediate order of the DIRECTORY will insure an immediate delivery after the date of publication. The price, as in the past year, is \$5 the copy, postage prepaid (but duty not prepaid in foreign nations).

VARIETY RADIO DIRECTORY
 154 West 46th Street, New York
 5 copies of VARIETY RADIO DIRECTORY (\$5 per copy,
 postage prepaid; \$5.10 per copy in New York City; duty not pre-
 paid in foreign nations)
 Enclosed find \$.....
 Name.....
 State.....
 City.....

Doctors' Diathermy Machines Growing Problem to Radio, Walker Explains

Washington, May 17. Weapons with which to fight ether smothering diathermy machines were asked of Congress, Monday (16), by the Federal Communications Commission.

With doctors' diathermy becoming more and more of a problem to broadcasters, the FCC sent to the Capitol the draft of a proposed amendment to the 1934 law under which any device shouting out interfering signals could be gagged. Acting Chairman Paul A. Walker explained that growing practice in pairs radio service and demands drastic steps.

In the opinion of the Commission, unless measures for suppression or mitigation can be promptly undertaken, there is real danger that the usefulness of a large part of the radio spectrum for commercial purposes will be destroyed," he said in a letter to Vice-President John N. Garner.

Suggested new Section 339 of the Communications Act would give the FCC power to make such rules and regulations and to prescribe such conditions and restrictions as are needed to prevent interference with radio signals from any apparatus which uses radio frequency energy and radiates emissions causing or capable of causing interference to either the transmission or reception of radio signals. Penalties of the act would apply to any individual employing such equipment in a way inconsistent with conditions prescribed by the government.

No Take Shields Proposed amendment is result of prolonged FCC study into possible means of improving situation caused in many metropolitan areas where medics have installed electrical treatment machines without taking proper precautions to shield their tubes. Research has shown it is possible to insulate the devices so

there will be no racket on broadcast frequencies, but since the expense is considerable most doctors are unwilling to take the necessary preventive steps. And the Commission has no authority to force them, inasmuch as they legally are not guilty of unlicensed operation of radio transmitting equipment.

Unlikely anything will be done this year. Commission letter does not bring the matter before any legislative committee and the adjournment date is so near there is only a slim chance that parliamentary maneuvering can be accomplished at this session.

KIRO PHONE GIRL DOES AD LIB BROADCASTS

Seattle, May 17. Dorothy Swanson, working night shift on KIRO switchboard, now doing sub-deb in "Feminine Forum" over this station every Saturday morning ad lib.

Voice a natural with plenty training at the board which makes her a class m.c. of femme gender with quick thinking.

WCCO's Program Crises

St. Paul, May 17. For seven successive days rain halted Minneapolis ball game, leaving WCCO's program staff at their wits' end all in time which had been set aside for the diamond contests.

Washed-out week was the longest stretch of straight postponements in Minneapolis since 1, 2, in the old Western league days, when the team didn't play a game for a month because of rain and bad weather.

Glen Gray's Casa Loma cover opening until June 25 via W-O-K.

BOOKS SIX MONTHS AHEAD!

—without ever showing his band in New York City! Alton Cook in the World-Telegram says "There is your rapidly rising figure among the new bands, the man to be heard from next season!" A sensation on records, on the air, as a composer, at college proms!

Larry Clinton and his orchestra

Booked in April by the PARAMOUNT THEATRE

—for October! Two week minimum! And that on top of being signed by the Glen Island Casino (opening May 26th) for the entire summer season, and by the Lincoln Hotel (opening Oct. 6th) for an unlimited engagement.

presented exclusively by

ROCKWELL-O'KEEFE INC.

NEW YORK • CHICAGO • HOLLYWOOD • SAN FRANCISCO • LONDON

The Other Hand

San Francisco, May 17. Add to now-it-can-be-told lore of recent threatened Newspaper Guild strike, retail dry goods merchants, controlling heavy slice of daily paper advertising, guaranteed publishers that in event of strike they would not take radio time. Department stores reported that the first radio salesmen to approach them with time proposition presented a station owned by a newspaper.

'CORRECTIONS LIKE CONFETTI'

innipeg, May 17. Radio columnist of the Winnipeg Free Press, who has been among the legion of his craft complaining about insane time allocations made by networks and stations, last week informed his readers that one local station, WPG, had actually agreed to take the rap for these derelictions. Under its new system an announcer's slip will be issued if the changed program on CJRC, telling when the listed program will be heard, or whether it has been cancelled entirely.

In its explanatory announcement CJRC apologized privately for the embarrassment it has been causing radio editors and stated that as a further protection the day's schedule will be checked with the morning editions, rather than the evening papers, so as to make things more accurate for the rural listener. Free Press' columnist commented that he hoped the Canadian Broadcasting Corp., which rains correction sheets like confetti, would make the same offer.

WLW's Flag Pole Antenna

incinnati, May 17. New receiving antenna for WLW-WSAI short wave broadcasts, attached to 75-foot flag pole atop 48-story Carew Tower, Cincinnati's tallest building, will be dedicated May 19 with a special program from 12:45 to 1 p.m.

Explanations of how pickups are made by the equipment from Crosley's mobile units and pack transmitters, operating in Greater Cincinnati, will be made by Jim Rockwell, technical supervisor; Joseph Whitehouse, chief transmitter engineer; Charles Butler, studio control supervisor; and Bob Booth, mobile unit engineer.

Lofty receiver escapes street noises and will not be endangered by lightning. It was designed by Crosley engineers and will be in automatic order to relay pickups by telephone lines to master controls of both stations in Crosley's principal broadcasting building.

Mobile units have a 50-watt signal.

WIP Shuffles Staff

Philadelphia, May 17. General shake-up in exec staff of WIP was made by prez Ben Gimbel last week with double-balled purpose of cutting down on the staff and increasing efficiency.

Jim Allan continues at top of new set-up as program director. Replacing Marx Loeb as his assistant, however, is Murray Arnold, formerly p.a. Arnold will continue the p.a. work, but will double in the programming.

Loeb has been shifted to production director, pushing Ed Wallis to night supervisor. John Facenda, former night supe, goes back to announcing staff, while gabber Tom Dune was let out to cut expenses.

Frisco's Bated Breath

San Francisco, May 17. Contest to select best local radio announcer has reached a deadlock with four local mikemen tied: Larry Keating and Abbott Tushman of National Broadcasting's KPO-KGO, Joe Walters of Columbia's KSPO and Tule Reed of Mutual's KFRC. Jury will listen some more before final vote.

Tushman won the cup last year.

Edgar P. Schutz, commercial manager of WFL, St. Louis, has been named for Federal Grand Jury service, which will keep him in town all summer.

Inside Stuff—Radio

Paramount has forgotten that \$20,000,000 radio to represent the 14 major industries of California smelted a rat and called off all bets.

Undesired anti-NBC Deal propaganda was to run rampant through the scripts and studio gaffed it would be sticking out its chin to be a part of any such arrangement. Pointed out that entire picture industry would suffer from Paramount to take pot shots at the administration through a radio tieup.

Deal was progressing to a point of near-consummation when studio ordered the entire project abandoned.

KRCS, Seattle, covered a tragedy from its backwashdown when two young women strapped by safety belts in a seaplane fell to their death in Lake Union a week ago Saturday (7). Studios of the station are located on the edge of the lake and employees looking out the window saw the plane dive into the water and overturn. Members of the KRCS staff reached the wreck by boat and released the bodies of the girls. Other KRCS employees broadcast a running description of the attempt being made to rescue the duo, their removal from the water and the attempt being made to resuscitate them by pulmonars.

Technical committee of the Joint Committee on Radio Research is meeting again tomorrow (Thursday) to try to get together on a formula for determining station coverage. Group is still at loggerheads on the problem, with two factions apparently unable to meet in middle ground. Whole thing has simmered down to an issue of broadcasters versus advertisers-agents, with the former element resolved to oppose any yardstick that will make program popularity the predominant feature and signal strength and area set ownership angles of minor significance.

Exploitation angles employed by radio sponsors in connection with counter and window displays, etc., were explained in detail and will, sans the Byrd and A. Schreyer, be discussed at a talk before the Lithographers' Association in N. Y. last week.

Most generally observed first rule of counter cards, Schmid declared, is the combination of a picture of a star and the product together.

G. W. Rightmire, president of Ohio State University, in his introductory remarks at the recent educational radio conference held up CBS brochure "Vienna, March, 1938: A Footnote to History" as a comprehensive and provocative statement of the case for radio's participation in current history-telling.

KOYL's Downtown Studio

St. Lake City, May 17. New KOYL Radio Playhouse premiered last week, as seven fresh shows were presented in the Old Masonic temple, which the local NBC affiliate leased for five years. Seating around 450, playhouse is situated in the downtown district. Ted Kimball, by Woodbury, George Snell, Jack Simmons, Floyd Farr and Dave Higgins handled the remotes.

Marion Bragg's Title

Marion Bragg has been given the title of chief announcer at WMAZ. He will direct activities of eight-man staff which comprises Lew Kent, Walter Graham, Earl Lord, Cloud Morgan, Wilton Cobb and Red Crowther. Bragg has been with station for eight years.

Lawton Miller has joined sales staff. His partner, Wallace Miller, is consultant for the station.

BARN THEATRES WILL BE RADIO-REVIEWED

WMAZ, N. Y., will cover nearby straw hats theatres this summer. Marti Starr will catch new shows an evening on a late-night niche. Starr reviews legit on Broadway regularly over station.

Summer sites which will be covered are all around New York City, which will per it critic to drive back from premieres in time for broadcasts. The haylofts on the Starz beat include spots at Suffern, Nyack, Dobbs Ferry, Mt. Kisco, Westchester, Pawling and Mt. Vernon.

Isham Jones booked for a season on radio, May 20, St. Paul, opening May 20.

DO A FINISHED JOB

in this Billion Dollar Market

The rich Southern New England market covered by WTIC rates a thorough-going, finished sales and advertising job from any advertiser who wants to make the most of its consistent billion dollar spendable income.

Manufacturers have found that it pays handsomely to run out and push up their sales and advertising programs with the help of Southern New England's most popular station.

Just look at the record for WTIC in this important area:

FRST

In Number of Network Advertisers
In Number of National Spot Advertisers
In Number of Local Advertisers

**WTIC 50,000 WATTS
HARTFORD, CONN.**

Representatives:

Actors Union Envisages NBC Pact As Bumps Smoothed by Negotiation

Principle of a uniform scale for national network sustaining programs for New York, Chicago and Los Angeles has been recognized by NBC in its negotiations with the American Federation of Radio Artists. Network officials have made an offer covering that idea, but it has not yet been accepted by the union.

Offer also included scales for local programs and regional and network programs for Chicago, Los Angeles and San Francisco. Other matters covered in the proposal included limitation of rehearsal hours, pay for overtime rehearsal and a re-broadcast fee.

While those principles have the approval of the AFRA negotiators, various other questions remain to be ironed out before an agreement can be reached for submission to the union membership. Among the open issues are scales for group and staff singers and a number of rules governing working conditions.

While AFRA execs are wary of outright predictions as to when an agreement with NBC will be reached, they hope to effect such a deal within a couple of weeks. Pacts with NBC and CBS are being negotiated at the same huddles. While the agreements will be separate, the terms are expected to be about identical. Think both deals will be signed simultaneously. Contract covering NBC staff announcers is understood to be virtually set. Negotiations are also going on with a committee representing the American Assn. of Advertising Agencies. Drive to sign a contract with recorders and transcription makers will follow, after which individual stations throughout the country will be approached.

Meanwhile, AFRA has been busy on other fronts. Mrs. Emily Holt, national executive secretary, was in Detroit last Sunday (15) for an or-

ganization meeting of the local there. Norman Field, exec-secretary of the Los Angeles local, and William Jones, exec-secretary of the Chicago local, have both been in New York within the last couple of weeks to give the views of their branches on the terms reached and pending so far in the network and agency negotiations.

Elsewhere, AFRA's ontreal local has signed a working agreement with the American Federation of Musicians local in that city and it is hoped the deal will lead to similar pacts between the radio union and the musicians in other cities throughout the country. Henry Jaffe, attorney for AFRA, goes to St. Louis today (Wednesday) for the beginning of negotiations between the local and representatives of all the stations there.

AFRA chapter in Racine, Wis., chartered April 22, has already signed a contract with WRIN, the station there, calling for wage increases averaging 42%. Negotiations have begun between AFRA and WEVD, New York, and applications have been received from prospective members seeking the chartering of a chapter in Alaska.

Complaint brought by the American Federation of Radio Artists against KPXY, Spokane, last week resulted in NLRB recognition of the union as bargaining rep. for performers at the station. AFRA execs see it as an important precedent established covering future relations with broadcasters.

According to the union, Ralph Rogers, an announcer at the station and active in AFRA affairs, was fired when the union reps approached KPXY with a request to begin negotiations. Since Rogers obtained other employment in Los Angeles, the question of his reinstatement did not come up. However, the union immediately filed charges with the NLRB and requested recognition as

bargaining representative of the station artists.

Board officials made a check of the station payroll with the AFRA membership list, effective as of the date of the union complaint. Decision granted AFRA the recognition sought, although in the meantime the union's majority representation had been altered by shifts in the station staff.

AFRA heads see the decision as establishing the precedent that such cases may be decided on the basis of the employee representation as of the date of complaint, rather than as of the date of the NLRB check. According to this view, station employers could not counterbalance the union's majority representation by hiring additional employees.

Expected that since the NLRB decision negotiations between the union and the station reps will be opened. There is no certainty, however, that an agreement will be reached soon.

RADIO UNIONS' SLOW GOING IN N. Y. C.

Organization of broadcast technicians, and more recently production and office workers, around New York, is still mail-paced. After more than two years of trying, International Brotherhood of Electrical Workers (AFL) has but two stations and a handful of members. The American Communications Association (CIO) fares somewhat better with six stations but numerically membership still isn't commanding.

Of the 22 odd stations in N. Y. area only eight are organized and are bound by union agreements. Stations WABC, WNEW, WBKN (Bronx), WBNB (Brooklyn) and combo WOV-WBIL are aligned with ACA. The IBEW has WEVD (labor station) and WINS (Hearts). Remaining outside the pale, although ACA claims members within are,

WNEW, N. Y., Gets Burn-Up Letter From Union; Shows It to Employees

Guenther Joins WSAI

Cincinnati, May 17.

Wilfred Guenther of the Frederick Ziv advertising agency has resigned to accept Bob Dunville's offer. Will be sales promotional head of Crosley's WSAI.

Carper Heads Sidles Co.

Lincoln, May 17.

Charles Carper was elected president of the Sidles Co. here this week, the company owning half of the Central States Broadcasting Co., which includes KOLC, Omaha, KFBR, Lincoln, and KFAB, Lincoln and Omaha.

Carper replaces the late Charles Stuart in the presidency, Stuart having died of a heart attack here recently. Carper had already been serving as an executive committee man over the broadcasting company.

Council Passes 50th Anniversary

National Council of Women, always radio-conscious, will tick off its 50th anniversary today (Wed.) with ceremonies over NBC at 1:30 p.m. Carrie Chapman Catt, Dorothy Dunbar Bromley and Dorothy Gordon will speak.

WEAF and WJZ (NBC), WOR (Mutual), WMCA (Inter-City), WQXR, WBBR, WAAZ, WNYC (Municipal), WWHL (Queens), WCWN and WFAB. Others outside are WARD (Brooklyn), said to be near negotiation stage; WILH (Brooklyn) now being picketed and WVFV (Brooklyn), due for hearing on ACA's charges before National Labor Relations Board.

ACA announced a drive to collar office man and production people. So far there has been little done in latter field. In all ACA boasts about 175 local members, total split between panelmen and few scattered non-technical employees.

Considerably burned up by a letter sent her by the American Communications Association, Bernice Judis, manager of WNEW, N. Y., last Friday (13) addressed an assembly of all the station staff on what she thought of the union and the letter sent her. Previously Miss Judis had the episode mimeographed and shown each employee of WNEW.

Letter criticized management of the station in its dealing with help, and announced that it thought it would have sufficient members within ACA to shortly have a showdown. At present the union has an unknown number of engineers of WNEW within its fold, though no contract has been negotiated for the panelmen and transmitter staff.

ACA also told Miss Judis that the union was now trying to organize the stenogs and office boys at the station.

In referring in the letter to a 'purge' of employees recently, ACA evidently had in mind the staff-shaving and salary slices that have been going into effect. Performers lopped off the payroll last week included m.c. Alan Kent, organist Roy Hamilton and two femme vocalists. Total saving weekly to the station is estimated at around \$400.

Von Zell Life of Party For Sal Hepatica Romp

Bristol-Myers will substitute a parlor show for Fred Allen when the latter goes off NBC for the summer.

Harry Von Zell will m.c. the charade. Young & Rubicam, agency on the account, has yet to pick a title for the program. Sal Hepatica will be plugged during the half hour.

Dagger-doling Vye Ratner of CBS has had a complete pint-sized wardrobe trunk constructed for the first trip of her as yet, aged 17, to New York.

PERSONAL

This Station is operated
and managed by the
owners, assuring you
PERSONAL attention.

WCAU

50,000 WATTS • PHILADELPHIA

Write to WCAU Philadelphia head-
imply call Wickersham 2-2000.

'F.C.C. SHOULD RE-DECIDE HEITMEYER CASE ON FORMER, NOT NEW, HEARINGS'

So Declares Ex-Senator Clarence Dill, Fighting Commission's Move to Start All Over Again After Court Rebuked Former Decision

Washington, May 17. Assistance of the U. S. Supreme Court will be sought in campaign to prevent the Federal Communications Commission from conducting new hearings in a case where it was spanked by the District of Columbia Court of Appeals for failing to observe procedural requirements of the Communications Act.

Trying to avoid unnecessary delay and expense, as well as to prevent the FCC from basing decision on a different set of facts, former Senator Clarence C. Dill, counsel for Paul R. Heitmyer, manager of KLO, Ogden, said Monday (18) he will ask for a review of the intermediate court's refusal to direct the Commission to show why it should not re-decide the Heitmyer case on the basis of the original record. Rift is of considerable import, from legal viewpoint, since it involves fundamental proposition of whether the FCC has the right to start in from scratch whenever its decisions do not satisfy the judicial reviewers.

Motion for a show-cause order was denied by the Court of Appeals last week. Dill had asked the court to direct the FCC to hand down a

new opinion on the basis of evidence received more than two years ago, instead of conducting another hearing with two new candidates for a local station at Cheyenne. Now he wants the Supreme Court to see whether the intermediate judges were justified in withholding the show-cause rule.

A Milestone
Heitmyer case is the one which was primarily responsible for new FCC way of settling cases. When denial the KLO exec's application was appealed, the D. C. court, speaking through New Dealer Justice Justin Miller, scathingly rebuked the Commission for not making special showing of fact before reaching a decision. Outlawed the process of thinking up reasons afterward.

In reversing the decision and remanding the case to the FCC, the appellate court did not instruct the Commission to grant Heitmyer's plea but said a new decision must be rendered in accordance with obligation to give applicants an explanation how the Commission reached its particular conclusion.

New hearing order, which was recommended by the FCC law staff

It's a Business

San Francisco, May 17. Radio Row pundits who wondered why a flourishing doral company's program last week only a few weeks on a local new work station are beginning to scent the reason. One lady who answered sponsor's offer to give a hundred varieties of trees and shrubs for a dollar, D.D. received three packages on three separate days without paying a cent. When the fourth arrived C.O.D. she didn't need to accept it.

Another gal who dropped a penny card, also requesting the assortment to be sent her C.O.D., received a reply that the supply was exhausted and a dollar bill!

Does not comply with the D. C. court opinion. Dill charged, but in contrast "circumvents and negatives" justice's instructions. Particularly when two new candidates—Frontier Broadcasting Co., hooked up with KGGC, San Francisco, and Channel Radio Corp., front for newspapers in the Wyoming town—are dragged in.

What Dill wants is to have the Commission re-decide the case on the original record, steered by the court's comments on the adequacy of the evidence about financial resources of Heitmyer. Without passing on merits of the original denial, the judges indicated clearly they felt the FCC was unjustified in holding that Heitmyer did not have ample money or backing.

Sports Programs Get Bragged Up by Stations In Newspaper Space

Philadelphia, May 17. Philly outlets during the past week using all their newspaper advertising space to plug sports programs. Rivalry is entirely uncensored, but practically the only radio ads in the papers are on these sport shows. Results from George Washington Tobacco, product of R. J. Reynolds Co., snapping up all the unbought sports commentators. Have purchased during past couple weeks Gus Davis, on WDAZ, and Warwick Ogbey on WHAT.

One station, which has no swap deal on time-spaces, paid more for an ad than its gross on the show for an entire week.

NBC Clears Spot for Sen. Minton

He Goes on After Farm and Home Hour to Scorch Anti-New Deal Publications

Washington, May 17. Flight against newspaper "undue" to the New Deal was carried to the airwaves last week putting NBC execs here on the spot momentarily.

Scathing attack on publishers who don't like the Roosevelt Administration as untold by Senator Sherman Minton of Indiana, who is the author of a bill which would put reporters, editors and owners in jail for printing untrue facts. Demand for time directly following the Agriculture Department's daily farm and home hour was satisfied by ranking apart the noon-day schedule on short notice.

Resuming his tiff, Minton forced NBC to open up a spot for his latest show. No pressure was exerted, but few officials knew better than to injure the easily-exasperated foe of economic royalists. He's a member of the Senate committee which is expected to conduct forthcoming probe of the radio business.

A sustaining network serial was sidetracked so Minton could reach the audience he desired. Anxious to get the rural listeners, because subject of his speech was a denunciation of Dr. Glenn Frank, head of the Republican policy committee, and Rural Progress mag. of which the former educator is editor.

Washington Buzz

Washington, May 17. Audience-protecting priorities of Commissioner George Henry Payne jarred plans of National Association of Broadcasters to file private complaints about lengths to which the government is going in regulating the radio business. Backed up by the American Radio Audience, Inc., headed by James J. Connelley, who formerly was connected with WLW, New York, the crusading FCC protested against any hush-hush sessions between licensees and members of the Commission, so the whole thing has been called off.

Treasure with his own receiver makes Senator Homer Bone, of Washington, share the State Department's concern over foreign radio propaganda being pumped into ears of South American short-wave listeners. Several times during last week's hovering on the Chaco in international-station bill, power trust later observed that his high-fidelity set doesn't work with average quality at the Mayflower hotel. Due to noise level caused by elevators and machinery in the building, Bone gets more growls and squeals than he does short-wave programs.

When homing pigeon fanciers hollered about discontinuance of noon-day time signals from the naval radio station, managers of the local WRC and WMAZ, gave up. Customary clock ticks were dropped when daylight saving time started, since the National Capital doesn't move the hands ahead an hour. Climax to listeners' protests was letter from a Maryland bird raiser who said 300 pigeon trainers in the suburban area need the signals every Sunday to check their stop-watches for the weekly races. So the clicks are back on the air.

Devious suit which has exasperated many licensees and lawyers would continue unchecked under the proposed rule revision. Holmquist said about forcing applicants to specify the exact site and type of antenna in asking new or improved facilities. At present, either a new-comer or a broadcaster wanting to improve his lay-out can file papers with promise to let the Commission know later where the transmitter will be and what sort of radiator he intends to use.

Frequently other stations which might be affected by more competition or interference fail to intervene in the case, only to discover when it's too late that the local or foreign design would have an adverse effect on their operations.

Paul Buck, former assistant manager of the St. Louis theatre, has bowed the sales staff of WLL, St. Louis.

75 MINUTES OF NEWS FOR CASH PER DIEM

Philadelphia, May 17. WFIL leading all other stations in town now with 75 minutes of sponsored news daily. Largest of new contracts is Swiss Colony Wins, signed for six 15-minute periods weekly for 12 weeks, through Dilbert Agency, New York. Pontiac dealers, Courtland-Ferguson Agency, and the Samson Clothing Store, direct, each took six 15-minute periods weekly for 13 weeks with optional renewal.

Hold-over sponsors include Tide-water Oil, which airs a 10 and 5-minute period daily, and Mrs. Morrison's Puddings, with a 15-minute period, times weekly. Station has INS wire.

El Paso's Pharmacy Dramas — El Paso, May 17. "Path treads of Medicine," new dramatic series on KTSM, El Paso, sponsored by Gunning Castel Drug Stores. Series subtitled "Heroes in the never ending battle of men against disease." Research and drama! by Courtney Bryson.

(ADVERTISEMENT)

W F B R GOES TO THE RACES!

Baltimore's No. 1 showmanship station not only broadcasts the races — but sells 'em!

Exclusively on WFBR:

"THE PREAKNESS" MAY 14th

Sold to:

AMERICAN OIL COMPANY

3 hours (2:30 to 5:30 P. M.) also fed to WRC in Washington, D. C.

4:45 to 5:15 P. M. fed to the entire Eastern NBC Red Network.

Described by Clem McCarthy

Exclusively on WFBR:

PIMLICO PRESS-BOX

(daily 11:45 A. M.)

Sold to 7-UP

VOICE OF PIMLICO

(daily 4:30 P. M.)

Sold to 7-UP

Two daily features direct from the Pimlico race track

Exclusively on WFBR:

THE PREAKNESS BALL

Fed to NBC Red Network. The party of the week, covered by "LIFE GOES TO A PARTY".

Exclusively on WFBR:

MARYLAND HUNT CUP

APRIL 30th

The classic of cross country racing

Described by Clem McCarthy

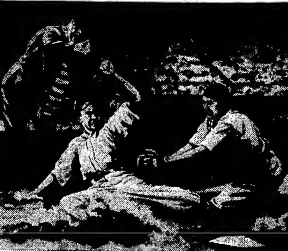
In Baltimore, it's

WFBR

ON THE NBC RED NETWORK
NATIONAL REPRESENTATIVES
EDWARD PETAY & CO.

COVERAGE

Where It Counts



At HOME PLATE in the Detroit Market

In a great market as in a ball park, "HOME" is the place where important results are decided — the place where the "hits" are made, where the winning runs are scored, where final buying decisions are reached.

Detroit is a city of HOMES. It contains 397,122 families and 17% of them live in single houses. * What a market for home furnishings, electrical appliances, food products, heating units, refrigerators!

And what an opportunity WWJ offers the radio advertiser wishing to sell this vast market of home makers! WWJ is the HOME radio station of Detroit. A telephone survey of a cross section of one thousand Detroit radio listeners made in March, 1918, revealed that all those listening 73.4% were tuned to WWJ!*

*Rosi-Federal Survey, 1916.
*George O. Hackett, independent market analysis.

WWJ
National Representatives
George P. Hollingsbury Company
New York : Chicago : Detroit : Kansas City
San Francisco : Jacksonville

MORE CAPITOL THUNDER

HOUSE BESTIRRED BY SEN. WHITE

Rep. MacFarlane Makes Strong Accusations Against R.C.A. in Patent History—Says Two Senators, Not Named, Were Influenced

MORE ANGLES

Washington, May 17. Corruption of lawmakers was charged against Radio Corp. of America last week in renewed attempt to obtain authorization for a house inquiry into conduct of the radio industry.

Race between house and senate groups wanting to pan both broadcasters and the Federal Communications Commission grew more intensive when the House Rules Committee, after stalling more than a year, showed interest again in the half-dozen resolutions tucked away in a pigeonhole. Group stirred into a march and hearing occurred less than 48 hours after the Senate Audit and Control Committee reported out the White-Wheeler resolution which would send the Interstate Commerce Committee sleuthing for monopolists.

Charging the entire radio industry with practices which are a threat to "free institutions of America," Rep. William D. McFarlane, chief Congressional brick-thrower, begged for favorable action on inquiry proposals with complaints about RCA behavior in the patent pool case and handling of stockholders' money. Several members showed unusual interest, while the generalized accusations were topics of excited cloak-room discussion.

In trying to wriggle out of patent monopoly indictment, RCA "debauched" government officials, McFarlane declared. Consent decree which broke up the pool was preceded by "payment of money in case to elected representatives of the people for interference with the activities of the Department of Justice," he added.

Not Named

Indignant members of the committee quizzed the Texan closely for a moment, but he declined to tip his hand after explaining that the "elected representatives" were two former senators. Names not given, but identity fairly well known. Understood he referred to pair of prominent Republicans who were close to the White House in the Hoover administration.

Cautioned by Chairman John J. O'Connor to handle the matter with light touch, McFarlane said his information came from "reliable sources" and has been checked twice. Accusation prompted Rep. Martin D. of Texas, to remark that conduct of the sort which by his colleague would constitute viola-

tion of Federal statute which prohibits members of Congress from receiving compensation for handling matters before government agencies. Carl Mares, of Michigan, and J. Will Taylor, of Tennessee, seemed quite shocked.

Charges Monopoly

No doubt about existence of a radio monopoly, McFarlane said, and Chairman O'Connor, who has close friends in the broadcasting business and has not been enthusiastic about a probe, heartily agreed. Texan pointed out that all clear channel and most high powered, regional stations "are owned, controlled or operated in the interest of or by the radio monopoly."

Besides the corruption charge, RCA was accused of hijacking the telephone trust into slicing the profit melon in the patent picture

field and of defrauding stockholders of millions. McFarlane said company funds have been misused, referring to an exhaustive financial analysis of the RCA in which he said David Sarnoff was "indicted most severely as incapable and inefficient."

Jealousy between representatives and senators was reflected by McFarlane. Remarking on Senate Audit Committee's sudden change of heart about unpeeling money for a radio inquiry, Texan asked the Rules Committee to hurry and report out one of the resolutions to the lower branch of Congress "will not be the tail of the kite of the senate." Agitation which has paved the way for an inquiry is 90% the work of house members, he added.

Only when house hearings were scheduled, McFarlane commented, did the senate purse-holders loosen

up and approve the White-Wheeler resolution. Solons "jumped forward" to get the inside track, he said, but there is no justifiable reason why the house should step aside, allowing the senate to "go through the motions" of cleaning up the situation.

Long threatened grilling for license holders and dispensers regarded as inevitable, although uncertainty continues as to whether there will be one or two probes. House group continued its hearing until this week, while the senate so far has not been able to take up the White-Wheeler resolution. May wind up in a joint inquiry, although the senate proposal is for a standing committee to do the work, in contrast to the house proposals which call for creating select agencies to exhume skeletons.

Material difference in the view-

point of the rival sets of critics. Less interested in personal scalps, White is motivated by a conviction the present act is deficient; the house gang is equally certain—and more interested in—political convenience and killing has occurred.

administration in a disturbing dilemma. Can't decide whether political consequences would be worse from a house or a senate inquiry. From some angles, each seems preferable, but both committees undoubtedly would have unfriendly members who would try to make partisan capital out of the blunders and misconduct which might be brought to light.

Nathan Oldham, WHKC tennor, laid up in Mt. Carmel hospital, Columbus, with rheumatic ailment.

When an advertiser buys a WLW program, he buys more than just a script and talent

he buys the combined experience of a program department trained

through the years in producing the kind of programs that have

built a friendly audience for WLW . . . the producer

assigned to the advertiser's program is selected from a staff of nine

production men because he is best qualified to

produce that particular program stories about the program

are given to more than 2000 newspapers in WLW-

land these WLW releases are written for newspapers

by newspaper-trained men . . . these things,

we think, are part of the story of **WLW**—the Nation's Station.



WCHNS
COUNT MOST
Halifax
Nova Scotia
Basic CBC
The Only Station
Covering This Large
Maritime Market
WEED & COMPANY
RADIO STATION
REPRESENTATIVES
NEW YORK - CHICAGO
DETROIT - LOS ANGELES

Oppose Government Radio

(Continued from page 27)

tional broadcasting by private industry, he added.

Ehrhidge's comments on the expense to the Government in erecting and supporting a shortwave borne out by testimony of Lieut. Comdr. J. B. Dow, Naval radio expert. Construction of the Washington transmitter would call for approximately \$1,300,000, instead of the \$750,000 authorized in the bill. Dow derided would total \$180,850 annually—or \$90,425 more than the measure provides. Entire South American continent could be effectively served, however, the Naval office was advised, plus the Caribbean Islands, Central America and Mexico. Two 10-kilowatt transmitters would be devoted to non-directional domestic broadcasts, he added, while three 30 kw transmitters would care for the long distance biz.

Musterling an impressive list of

Government big-wigs, including the President of the United States, the Secretary of the Navy, Secretary of War, and other Cabinet officials, the Civil declared that a U. S. short wave station had been approved and was to have been set up by executive order as early as 1933. "Misguided and selfish persons blocked the bill," he asserted, but Government support still exists and the President will assertive foreign interdepartmental report is expected to endorse the bill.

Celler's first misstep came when he suggested hearings should be strung out until the report could be received by the committee. "I think the best thing would be to postpone the hearings indefinitely," Vinson snapped.

Brooklyne's description of "damnable, designing programs" now being fed into South America by totalitarian governments was interrupted by Rep. Melvin Maas, Republican of Minnesota, who charged "we are having Government propaganda now," in speeches broadcast over U. S. networks by Federal officials. Roosevelt Administration is using domestic radio facilities to influence home knob-twisters, Maas indicated, and flood of New Deal propaganda would be released if Government ownership of a transmitter were permitted. Maas advocated a system patterned after the British American Airlines, in which private companies could get together with Federal assistance and conduct short wave transmissions to be supervised by the industry. Broadcasters could do a better job of it than the Government, Maas declared.

Propaganda Backfire
Celler's warnings about "veritable warfare as to the size and power of transmitters" being carried by totalitarian governments and the content and popularity of programs emanating from Germany, Italy and Japan—other countries were promptly knocked down by Ehrhidge's statement that propaganda had "found" backfire and that only 10% of the 2,000,000 radio sets in South America were capable of receiving international short wave programs.

Recent developments in Argentina, Brazil and Chile demonstrate the futility of the efforts of foreign governments to extend their influence into these Republics," Ehrhidge said. "Newspaper discrepancies indicate that these propaganda efforts have only served to make new enemies, particularly for the Berlin Government. . . . Students of Latin American affairs report that the net result of foreign propaganda efforts has been to intensify nationalist attitudes and set the Latin countries firmly against American ideological penetration. As a matter of international policy, it would seem to be a grave error for this nation to create the opportunity for the resentment and hatred which would result from any effort of the United States to actually encounter political propaganda preached by the spokesmen of other nations whose system of government is repugnant to us. As a matter of fact, it will be surprising if measures are not devised by the various Latin American nations to radios themselves to counteract what is termed 'pernicious propaganda' emanating from foreign short wave transmitters."

Status Quo

Pointing out that under present rules of the F. C. C. there can be no commercial return from the use of frequencies assigned for international broadcasting, NAB head insisted that present licenses of in-

ternational facilities are not urging that the prohibition against commercial use be lifted. "This committee has information concerning the listening habits, the program tastes, the needs of receiving units, the coverage areas and other data essential to determine whether an additional station would be warranted, and the chasing time for advertising his product in foreign countries. From the standpoint of receiving units, international broadcasting is on the same stage of development as our domestic radio service has been for more than a decade ago. Yet given the opportunity under a proper regulatory policy, it would seem inevitable that the initiative and ingenuity of the broadcasting industry will develop techniques which will result in mutual benefit to both industry and government."

Clarification of government policy by the committee is all that is needed, Ehrhidge said, and additional legislation would not be required to allow private operators to project their developments in the international broadcast field.

Ehrhidge predicted that the committee, in considering various angles raised by the Collar proposal, "undoubtedly will be impressed by the accomplishments of the industry in international broadcasting, particularly within the past year. The trend toward improvement will be governed by the committee's decisions with respect to the bill, he declared, warning that private enterprise might "entirely abandon the Spanish and Portuguese-speaking world if it" the Government, Maas declared.

Stiff struggle for a West Coast government transmitter was staged Thursday (12) when hearings on the Chavez bill were started before a Senate Interstate Commerce subcommittee. Treaties of expert testimony, however, appeared to favor an Atlantic coast location.

Engineers representing the Navy Department, the F. C. C. and the Bureau of Standards appeared in accord that there was urgent need for immediate construction of a U. S.-owned station which could counteract foreign radio power. The 50,000 annually would be used in control and program lines between Washington and Washington, D. C. and for sale were picked, according to Lieut. Comdr. Jennings Bryan Dow, Navy expert. Construction of proposed station would cost less than \$200,000. Dow declared—instead of \$2,000,000—far exceed \$100,000 annual budget specified.

Dow recommended three 50 kw transmitters, costing approximately \$268,500, and two 10-kilowatt sets at \$162,600, for the San Diego set site. That that complete cost, including construction, would approximate \$431,100. Operation, however, would be about \$35,320 annually for studio and an additional \$100,000 for actual cost of station and operate the transmitters, and an extra \$150,000 for miscellaneous expenditures. "The station for a 16-hour line between Washington and the West Coast, \$100,000, would be required each year in direction of programs, and actual cost of programs, Dow said.

Near Washington

While yet admitted "small advantage" might accrue to the Navy from having a station on the West Coast, preponderance of evidence showed experts favoring an East Coast location. Nearness to the nation's capital, superior transmission and fact that fewer frequencies would be needed, were advanced as reasons why an Atlantic Coast site would be preferable.

Responding to questions by Senator Brewster, Democrat of Washington, who championed the Senate proposal, Lieut. E. K. Jett, chief engineer for the Federal Communications Commission and Dr. J. H. Dellinger, declared that treaty arrangements with other nations could be effected without difficulty. Commission engineer pointed out, however, that some modification of existing laws might be necessary for Uncle Sam's first venture in broadcasting.

"Terrible struggle" being made by Germany and Italy to instill Nazi and Fascist philosophies into the minds of American Americans described by Albert K. Dawson, travel representative recently returned from tour of South America. Declaring "I think we are missing a very good bet if we don't get in with a Government station," Dawson told the committee of broadcasts in Spanish and Portuguese, which are being

More Talent

Washington, May 17.
Excess from the big radio network are wondering (maybe) if they have been pushed too far. Though into West Coast stations to take advantage of screen talent on the air.

Squabble over why a Government-owned short wave station should be constructed in Washington, D. C., rather than in San Diego, Calif., was announced by Rep. Emanuel Celler, of New York—sponsor of the Washington bill—by the Senate. The station probably is more talent to be found in Washington."

Even the House Naval Affairs Committee snorted—proving law-makers must be firm fans. Explanation that Celler was thinking of political big-wigs was unnecessary. What are Government-owned stations for?

dined into South American knob-twisters and urged that the U. S. "start pounding away" to offset foreign programs.

Few Ins Nations

Small number of short wave receiving sets in South America, it was claimed, but says it is increasing and five or six individuals listen on each set. "Pointing out that the country is interested in North American broadcasts, even though English programs are understood by few listeners and declared that broadcasts from this continent in Spanish and Portuguese probably would go over with a bang. American fans, representing approximately 90% of all pictures shown in South America, are exceedingly popular, Dawson added.

Considerable comment ensued at the Senate get-together concerning the unusual interest displayed by Senator Bone in phone company toll charges as they affect the radio industry. Washington liberal, surprising witness with his knowledge of high fidelity transmission and A.T.&T. affairs, appeared ready to do some research work into telephone industry's tie-up with broadcasting.

Chavez bill hearings resume Wednesday (18) with private industry skedaddled to speak its piece.

House hearings were postponed indefinitely Tuesday (17), following industry explanation of what is being done by private short wave stations in American broadcast field. Frederic A. Willis, assistant to CBS President William S. Paley told of Columbia's efforts to supply popular programs via W2XB but predicted "much of the most effective American broadcasting that will be done in South America will be accomplished by rebroadcast arrangements."

Answering Vinson, Columbia executives pledged "full co-operation" with government in matter of making short wave facilities available for Federal programs. "Assured committee Columbia is not lying toward the field of effort at the moment!" But urged that private operators should be permitted to develop South American possibilities for a future time.

Story of International radio development was continued by Boyd W. of General Electric executive, who outlined programs of the

type South America wants to hear. Musical broadcasts, talks on life in the United States, news broadcasts and sporting events have given Latin Americans good impression of this country, Bullard declared. "Anything in the nature of propaganda, however, would be resented, and educational programs not so highly indicated. Committee confined itself to leading questions on willingness of workers to cooperate in dissemination of government programs indicating compromise might be made for the passage of a government broadcast bill. Listened intently to testimony showing that the Spanish and Portuguese in South America are not without international fields.

Rep. Maury Maverick, of Texas, favors the bill but is not "ready" for its passage, he told the committee. "If the boys at the other end of Pennsylvania avenue are going to make up the programs, they will be so dull they will put everyone in South America to sleep," the Texan declared.

ARTISTS MANAGEMENT
PAUL WHITEMAN
ON
Chesterfield
CBS Network
1:30-1:45 P.M., EST

May 18th, Broadcast from
Nashvally
Spring Dance
Univ. of Tennessee

FEATURING
JOAN EDWARDS
FOUR MODERNIST
AL GALLODORO

All Paul Whiteman
Engagements Booked
EXCLUSIVELY
by
Artiste Management

IT 5:45 P.M.
MU 3-1888

Barnet BULLETIN
CHARLIE BARNET
And His Orchestra
Recording this week for
NAB Transcriptions
EXCLUSIVE MANAGEMENT
CONSOLIDATED

THE ONE MAN SHOW
By JAME WEST
HOW RADIO'S MOST POPULAR
FAMILY BRINGS YOU MORE
LAUGHTER, GEMS AND HEART-THROBS
Presented by Ivory Soap 99% Pure
LISTEN TWICE DAILY
NBC Red Network, 12:15 to 12:30 P.M. DST
CBS - WABC - 2:15 to 2:30 P.M. DST
IN - 3:00 to 3:15 P.M. DST
COAST
By COMPTON ADVERTISING AGENCY
MGY, ED WOLF-RKO BLDG, NEW YORK CITY

WENDEL
Radio Origl tor
ONE MAN SHOW
TWO VOICE SINGERS
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COSTUME
COMEDY SINGING
Address: 4321 N. Paulina St., Chicago

DON
THE RHYMING MINSTREL
12 O'CLOCK NOON
WEDNESDAY AND FRIDAY
Mutual Broadcasting System
FOR
BOSCO

WANTED
Girl under 25. Radio experience.
With baby voice. Must sing and
dance. Write particulars to
BOX 160, VARIETY, New York

AL LAMAR
and HIS ORCHESTRA
OPENING
RAINBOW ROOM
NEW YORK
MAY 18TH
FIFTH RETURN ENGAGEMENT

On the Upbeat

Beany crew opened Thursday (12) in Oltos Dinner Club, San Antonio, for two-week stand.

Eddie Varas's group in at Muehlebach hotel, Kansas City. Wired to NBC red night. Opens at Schroeder hotel, Milwaukee, June 7. Gets an NBC wire.

Charles Boulanger-orchestra set with Nick Schaefer Associates for a tour of one-night stands which will keep the crew on the road for nearly a year.

t. as opening attraction, Arnold's

Buddy Fisher current at 400 Club, Wichita, Kans.

Guy Lombardo plays two weeks of one-nights starting May 17 when he exits Fox theater, Detroit. Plays through east to south, followed by vacation.

ined to MCA

Kay year repeats Sunday (22) at its ballroom, Bridgeport.

Charlie Barnett and Hal Mattel set for May 22 and 29, respectively, at Pleasure Beach, Bridgeport.

Boony Goodman one-nights May 28 at Foot Guard hall, Hartford.

rejoined

Ted Lewis leaves his first location date in years at Toppy's Rost, Los Angeles, May 14 for ROK. Recently quit MCA.

Ray Benson into Stork Club, N. Y., May 14, replacing Bobby Parks' band. Alternates with Leo Mendez's rhumba crew.

Full all cocktailers are set for tonight at Casey hotel, Scranton, Pa., starting May 14.

Bob Grayson into Eddie Payton's, Pittsburgh niter, May 23 for index stay for CRA.

Andy Kirk closed at the Grand Terrace, Chicago, May 11, to begin two weeks of one-nights before going into Savoy ballroom, N. Y., for a month.

Edward Ward writing the score for 'Shinopone' music. He also composed the music for 'Let's Pretend It's True' to be sung in the picture. Bob Wright and Cecil Forrest wrote the words.

Al Jahn's orchestra has opened at Riley's Lake House, Saratoga Springs, operated by Matty Dunn. Unit played a winter engagement at the New Kenmore Hotel, Albany.

Lewis Bonick playing return engagement at Club Mayfair, Boston, and airing over NBC wire. Band played eight months on last engagement there.

Lee Elliott's Queens of Rhythm playing at Green Gables, Hazelton.

Tom Bree plays at Chez Paree, Chicago, until June 22.

Johnny Hamp opens summer season for Castle Farms, Cincinnati, June 3. stays until June 18, when Rita Rio will follow him for CRA.

O'Flynn Duo, Netherlands Plaza hotel, Cincinnati, June 11; Anderson and Ball, also strollers, Lorraine hotel, Madison, Wis., May 19.

Johnny Lago to Cavalier club, Virginia Beach, Va., May 28.

Isam Jones plays for Louie hotel, St. Paul, Minn., until May 20.

new engaged for Bill (itsburgh, Pa., niter from

ave into Paramount the... June 1, after playing... d, May 16-18 and Cap-

tol, Washington, ay... lo set... Surf Beach club, Virginia Beach, after July 23. It's an MCA'er. Into Commodore, N. Y., in Sept.

Jack Crawford to Kenneywood Park, Pittsburgh, May 17. Phil Levant into same spot July 20. Dick Stabile ditto on July 4.

Shep Fields booked for Aragon ballroom, Chicago, June 24.

Jimmy Joy plays Surf club, Virginia Beach, Va., week of June 23.

Art Leck arrives at the Jenkins's Pavilion, Ft. Pleasant, J. June 24.

Wally Felton plays a return date at Lowe's State, N. Y., June 16.

Horvath's Half-Weeks

Cleveland, May 17: Early heat spell put all ballroom bial the skids, forcing Charles Horvath to shift his Trianon into a cur led-summer policy sooner than he expected. Dance spot is keeping show as house band for three nights only per week.

Victory Patti's orch is final name outdressed for Trianon May 22, with a return one-nighter May 23. Horvath also-cutting his skater roll rink down to three a week.

Pokrass Back West

Sam Pokrass, 20th-Fox composer, leaves for the Coast, May 26 to the Three... He sold three songs while in N. Y., one, "I Best Wishes," to Jack Bregman, who has joined with Chester Cohn in the music publishing business.

Breakdown of Network Plugs, 8 A.M. to 1 A.M.

Following is an analysis of the combined plugs of current tunes on WEA, WJZ, WABC and WOR computed for the week from Monday through Sunday (May 9-15). Grand total represents accumulated performances on the two NBC links. CBS column, "denotes film songs, 1 legit tunes, and 'pop' peaks for itself.

Title	CBS	WABC	WJZ	WEA
Cry, Baby, Cry	1	1	1	1
Love Walked In	1	1	1	1
Don't Be That Way	1	1	1	1
You Couldn't Be Cuter	1	1	1	1
Please Be Kind	1	1	1	1
On the Sentimental Side	1	1	1	1
Something Tells Me	1	1	1	1
It's the Dreamer in Me	1	1	1	1
You're an Education	1	1	1	1
I Love to Whistle	1	1	1	1
Joseph, Joseph	1	1	1	1
How'd I Like to Love Me?	1	1	1	1
Girl in the Bonnet of Blue	1	1	1	1
Bewildered	1	1	1	1
Fall in Love with Your One	1	1	1	1
Why'd Ya Make Me Fall in Love?	1	1	1	1
Ti-Pi-Tin	1	1	1	1
At Your Back and in the	1	1	1	1
I Was Doing All Right	1	1	1	1
Gypsy in My Soul	1	1	1	1
Who Are We to Say	1	1	1	1
Dippy Doodle	1	1	1	1
Garden in Grandeur	1	1	1	1
In a Little Dutch Kin	1	1	1	1
Land of Manilow	1	1	1	1
I Can't Face the Use	1	1	1	1
Day Dreaming	1	1	1	1
Who Do You Think I Am	1	1	1	1
I Can Dream, Can't I?	1	1	1	1
The Goodbye Kiss	1	1	1	1
Coffee and Kisses	1	1	1	1
Moonlight in Walkie	1	1	1	1
In the Shade of the New	1	1	1	1
Let's Sail to Dreamland	1	1	1	1
Just Let Me Look at You	1	1	1	1
Always and Always	1	1	1	1
If It Rains, Who Cares?	1	1	1	1
Swingmin in the Corn	1	1	1	1
I Got a Guy	1	1	1	1
I See Your Face Before Me	1	1	1	1
Three Blind Mice	1	1	1	1
Thanks for the Memory	1	1	1	1
Colorado Sunset	1	1	1	1
Moonshine Over Kentucky	1	1	1	1
Glimmering in the Steeple	1	1	1	1
Loch Lomond	1	1	1	1
Oh, Ma, Ma	1	1	1	1
I Love You	1	1	1	1
There's a Faraway Look in Your	1	1	1	1
Ten Little Mice from Town	1	1	1	1
Love Is Here to Stay	1	1	1	1
More Than Ever	1	1	1	1
Latin Quarter	1	1	1	1

Active Bookings in Utah; Many Touring Bands Set; Adolph Brox' 28th Season

Salt Lake City, ay 17: J. B. Walke, president of the Old Mill, Inc., operators of a swank canyon resort, has booked Carvel Craig's band to open season May 28. Craig, currently at Hotel Whitcomb roof garden in San Francisco, spent 16 weeks at the Hotel Utah Starlite Gardens last summer.

Saltair will use travelling bands from two to four for weeks' engagements. Lagoon, suburban resort, also will employ well-known diskers. Ill. Slocer, formerly with Kay Kyser, has organized a seven-piece band and will move into the Mojito Lane, Friday (20).

In Salt Lake City, Eugene Jelenick will move from the Hotel Utah Empire room to the hotel roof garden, while Wally Williams and his band will replace the Three Bavarians in the Rendezvous, beer-and-pretzelry the same holiday.

Jerry Jones, owner of the Rainbow Rendezvous will alternate using an outfit headed by himself and traveling bands. Check Webb's dated for May 25.

S. R. Covey, owner of Covey's Coconut Grove, supposedly the largest dancery in the United States (16,000 square feet) has again dotted Adolph Brox. This is the 28th season Brox has been under the Grove banner. Covey also has spot name bands for one night stands throughout the summer.

Morton Gould, baton of WOR's 'Jazz Nocturne,' will lecture at a City College (N. Y.) musical symposium Thurs. (19) on 'swing music and its relationship to the classics.'

Inside Stuff—Music

Harry Link, Dave Aaronberg and Francis Gilbert framed Saul Boruslein, general manager of Irving Berlin, Inc., shortly before he sailed for Europe. First they casually commented on the fact that "Good Night Angel" had attained big proportions and still the firm had not been annoyed with a piracy suit as happens with almost every song hit of late. Just for a rib Link wrote a tune of which the first 18 bars resembled "Angel" note for note, and called it "Broadway Dream Girl" just to make it sound as corny as possible. Stationary bearing the name of a phony Philadelphia music house was imprinted, and a letter was sent by registered mail to Boruslein with a copy of "Dream Girl" enclosed, along with the usual attorney's letter. Going to Link and Gilbert for advice, Boruslein was urged to settle for a couple of hundred dollars, the money to be used for a party to Boruslein on the day he sailed.

The sailing schedule, however, was confused and the party had to be called off. Boruslein tipped off on the vessel that the suit was a hoax, most fell through a parole, and remarked further that he couldn't imagine Gilbert wanting to settle anything.

Still in the music industry as curious, though rated as a common thing by the legal profession, is the situation which has such law firms as Roth & Schwartz and Julian T. Ables aligned against a suing group of publishers in the Electrical Research, Fred K. F. & Co., though authors and general counsel for the American Society of Composers, Authors and Publishers, represents the interests of Columbia and United Artists in this section, while Ables, legal for the Robbins picture company, is chie counsel of the ERPI defense battery with Metro and 20th-Fox, his special clients.

Publishing group which is seeking to collect around \$140,000 in back fees from ERPI includes Robbins Music Corp. and its affiliate, Leo Peis Inc., but their shares are small in comparison to the amount that might accrue to such concerns as G. Schirmer, Inc., Carl Fischer, Inc., and the Sam Fox Publishing Co. Trial of the case is slated to take place in June before Judge John Knox in the Federal court.

Shapiro, Berin & Co. has been made a defendant in an infringement suit brought byurray B. Tannenholz in the Federal court. Tannenholz claims that the tune, "So Many Memories," which Shapiro published in 1927, was at least to one that he submitted to the firm for the year before. He is asking for an injunction, exemplary damages and an accounting of its profits.

Song which Tannenholz, an amateur writer, brought to Shapiro was titled "Memories of You." Shapiro's answer is that the time the publishing house gave Tannenholz's manuscript the one-over Harry Woods, writer of "You Many Memories," was in Europe; also the copyright records in office in Washington has no resemblance whatever to Woods' work.

Cotton Club let a song go out of its current show because it was running too long. Title: "Let a Song Go Out of My Heart."

Music Notes

Leo Herbert and Jack... collaboration "You're Not the Sweetheart You Used to Be" to be published by Mills. Herbert teamed with Jimmy Hanley for forthcoming "Hou-cymoni in Hawaii" for Miller.

Frederick Hollander will do the score for Paramount's "Zaza," basing his tunes on French music in vogue at the turn of the century.

"Shadow Knows" by Leith Stevens, Buddy Faye and Irving Miller being recorded by Lewis Music Co. Due for plugs in Shadow show.

Blair Crosby crowned two ballads with the Paul Taylor Choir for recording.

Harry Arren and Johnny Mercer assigned to write the tunes at Warners "For Lovers Only."

Irving Mills has bought two songs from Sammy Stept and Sidney Mitchell, titled "Hold On to Your Heart" and "A Love Like Ours."

Al Cherkess, lyricist, has been signed by Republic Pictures.

Emil Coleman orchestra plays a Creek Club hop at Locust Valley, L. I., May 25.

Berton Lane and Frank Loess writing the score for "Beauty on the Beach" at Paramount.

Mills Music, Inc., is publishing tune, "Blue Is the Evening."

20th Fox's "Rascals," and Gypsy, from Grosvenor Films' (sh) "Adoniam Perform" note.

Adolph Deutsch finished the scoring for Warners' "Cowboy from Brooklyn."

Frank Churchill and Paul ster wrote three songs for Breco to warble in "Breakin' In."

Joe Jerome and Jack "I'm So Proud of You" (ory Song) for Warners' "Adoniam."

"Ain't Gonna" penned by Basil Smith and Walter Music publication.

ASCAP: THE UNPAID

Push New Machines on Taverns, Etc., Before Old Ones Paid For—Complaint

Chicago, May 17. Must machine operators are piqued against what they claim to be a move on the part of the music machine manufacturers to force new models.

Manufacturers are sending restaurant and tavern owners literature on the new machine, and then inform the machine operators that they have sent this literature out. This, the owners squawk, is merely a pressure move by the manufacturers to induce the in-between operators to purchase new equipment even before the present models are obsolete.

Number of Records

This is the basis of a general complaint against the manufacturers by the operators, who claim that the makers are constantly bringing out new models before the operators have a chance to get their money out of the current machines. This pressure motive, the operators say, is the reason manufacturers have jumped the number of records a machine can play from 12 to 16 to 20 and now to 24 in the space of a few years. Yet despite this 24-record machine, surveys and results have proven that the public rarely drops a nickel in the slot for more than three tunes which rate first in current popularity. The next three tunes are hit-or-miss, while the other records might as well be left out in the alley, as far as the public is concerned. Operators feel that these machines, with 16- and 24-record capacity are without genuine financial merit and are being introduced in them by operators who are constantly creating a false demand by making the location owner dissatisfied with the older models.

Music Machine Operators Association of Illinois is making a special effort to combat these tactics on the part of several manufacturers and is endeavoring to secure the cooperation of other operators throughout the country to join in battling such trade practices. There is a growing possibility that the operators' associations will go direct to the Government with allegations of unfair trade practices on the part of the machine makers.

FRANK CRUMIT DENIES ANY SONG INFRINGEMENT

Frank Crumit last week filed with the Federal court an answer to the infringement suit brought by the Alfranco Music Co. and Francis Ryan. She charged that Crumit sang the unpublished lyric of "The Spanish Shawl" in the tune of his own song, "A Gay Cabellero," over the air in 1932.

Crumit denied that he did the words of Miss Ryan's song in 1932 or any other time. He also pleaded that he was guilty of "laches" in waiting for six years to bring suit and that such "laches" was sufficient to justify dismissal of her complaint.

Cisco Back Home

Cleveland, May 17. Joe Cisco and his Maegies managed to return here, where he formerly troupe 12 years ago, after a C. O. opened at Willy's Garden, yesterday (16).

Otto Thurn's crew goes into Alibi-ville May 27, replacing George Heesberger, who is returning to Old Fielder Jr., Chicago. Gene's orchestra doing debut honors at Francis's Lyndhurst Club, one of town's old landmarks, and he comes to late tonight (17).

Hudson-De Lange Changes

Albany, N. Y., May 17. Hudson-De Lange Orchestra, Inc., has changed its name to Will Hudson Orchestra, Inc., according to papers filed with the Secretary of State. The president is Samuel J. Buzell of N. Y. C.

Asbury's Weekend Names

Readie's Casino at Asbury Park, N. J., will have same name band policy for weekends as last year. House's season-staying regular band has not been selected yet but comes in around Decoration day. Admissions will range from 75c to \$1.00. Later for weekends on weekend. All get Mutual broadcasting System wire.

Opened on Easter Saturday (17) with Art Shaw, Isham Jones followed May 9 and Benny Goodman on May 15. Red Norvo-Mildred Bailey combo comes in May 22 with Bunny Berigan, 28; Kay Kyser, 29, and Guy Lombardo's Sunday wire.

ASCAP NAMES DIVVY GROUP

Gene Buck, president of the American Society of Composers, Authors and Publishers, yesterday (Tuesday) announced the setup of the special committee, which will try to find ways and means of improving the public system of royalty allocation. This committee consists of Buck, John C. Payne, general manager of the society; Mills, chairman of the executive committee; Henry Spitzer, of Chappell & Co.; Lou Diamond, of the Music Publishers' Association; O'Connor, of Words & Music, Inc.; and A. Walz, of Kramer, of Galaxy Music.

Formation of this committee was recommended at a general publishers' meeting two weeks ago and arose from the admitted need for overcoming the huge discontent brought on by the present method of determining publishers' availability ratings. None of the publishers named to the special committee is a member of the ASCAP board of directors, or publishers' committees, or the publishers' appeals board.

Buck has again deferred setting a date for the annual dinner and meeting of the members. At this time it's due to a request he received from Walter Fischer, a member of the ASCAP board, who explained that an early June date would be incongruous to the standard publisher-sin-the-retail music dealers were to have their convention during that period in New York. The ASCAP meeting itself is usually held in April.

ON EUROPEAN BIZ

Irving Berlin Due for Eastern Show-Writing Sojourn

Saul H. Bornstein's present sojourn in Europe, where he is renewing of English rights in Chappell to represent Irving Berlin, Inc., is a matter of the European firm, however, Current rep to the special committee is a member of the ASCAP board of directors, or publishers' committees, or the publishers' appeals board.

Bornstein also has several Italian contracts, and is likewise clearing the song rights of the European (Disney) songs, now that the film is hitting the foreign markets in its song-subbed.

Berlin, himself, is due back from the Coast May 25, and will reside in New York City, where he will have a new stage musical for Sam H. Harris.

Bill Stein to Europe

Chicago, May 17. W. H. Stein, v.p. of Music Corp. of America plans for a six-weeks tour of Europe.

Will spend much of the time in London to strengthen the English rights of the MCA office, and then trip it to Paris and Cannes to set several shows. Due back by the middle of July.

IF THE WRITER IS NOT KNOWN

Litigation-Burned Publishers Now Just Won't Bother with Long Shots—Too Costly Defending Nuisance Actions

Doors of all the major firms in Tin Pan Alley are being firmly shut to amateur song writers as a result of the increasing number of infringement suits that publishers find themselves subjected to from this source. Expense of defending such unopened any envelopes that look as they come from amateur wri. s. One publisher who has for some 20 years welcomed the scribbles of neophytes last week notified his staff that the works of an amateur are not to be considered under any circumstances.

Several publishing houses refuse to accept any registered mail that gives indication of containing an unsolicited manuscript, while others now make a practice of returning unopened any envelopes that look as they come from amateur wri. s. One publisher who has for some 20 years welcomed the scribbles of neophytes last week notified his staff that the works of an amateur are not to be considered under any circumstances.

Within a period of six months this publisher has been forced to defend five infringement actions because in each instance he had given some consideration to a manuscript. The publisher, who is now charged with used as the source for a published number. Since it costs a million dollars to defend a case of this sort, the pub in question figures that the best policy is to pass up the contributions of all amateurs.

Common observation among the publishing trade is that every time a court hands down a decision awarding substantial damages to some amateur writer, who claimed that his work had been pilfered from there follows a flood of similar suits from the fraternity of unknowns.

NORMAN ELLIS SHARE HOLDER IN PUB. CO

Albany, May 17. Variety Music Publishers, Inc., has obtained charter from the secretary of state to do business in New York. Directors are Norman Ellis, holder of four shares; Mary Wigor, and Grayce M. Bernia, each holding one share. Capital stock is 10 shares of \$100 each.

Humphrey Slater, of New York, was filing counsel.

Norman Ellis was the writer of "Carelessly, along with Nick Kenny, which Irving Berlin, Inc. published under a year and a half ago. His first tune with Variety Music is "Starlight Dreams." Ellis is also an arranger and band leader.

Jittersbug's Junk

Flock of chartered motor buses will transport 1,000 Bridgeport, Conn., swing idolizers to the swing shrine de luxe at Randall's Island stadium May 29.

Horsehoe is less than 1,000 admissions away from being sold out. First annual swing fever for the benefit of the Los Angeles City of Hope Sanatorium, sponsored by its New York chapter, will be held for Madison Square Garden June 12. Affair will celebrate the silver jubilee of the song-writing of the Goodman orchestra will be on tap for a five-hour session of solid sending, jumping and dancing as well as the floor show.

Legal Decision Limits Cash Penalty On Infringement to Profit Ratio

Gumble Re-elected Prez

Joe Gumble was unanimously re-elected president of the Professional Music Men, Inc., at the organization's annual meeting last Friday night (13). Others re-elected: Rocco Vocco, 1st v.p.; Joe Sanly, 2nd v.p.; and Harry Link, 3rd v.p.

Michael Schloss named the new treasurer, Louis Schwartz, recording secretary, and Harry Lieberman, financial secretary.

'SAYS MY HEART' SAID BEFORE?

Harms, Inc., last week served notice on Paramount Pictures and the Famous Music Corp. that it considers the lyric, "Says My Heart," in the film, "Cocoanut Grove," to have much in common with "Tell Me More," title song of a Broadway show which was co-authored by the late George and Ira Gershwin. Producing company was informed that it would be held accountable for the inclusion of the number, while the publishing subsidiary was to be considered under any circumstances.

Harms claims that the first eight bars of the heart said song, coupled with the initial eight in the Gershwin song and that the similarity is repeated in other portions of the film tune. Burton Lane composed "Heart," Ralph Friend did the lyrics. "Tell Me More" was published by Harms in 1925.

BREGMAN-COHN OPEN OWN PUB BIZ JUNE 15

Jack Bregman and Chester Cohn will start their joint music publishing business June 15, although the firm won't open officially until July 1. They are still marking time on the purchase of Donaldson, Douglas & Gumble, waiting for Walter Douglas to recover from his recent operation to the point where they can talk final terms with him. Bregman and Cohn have also approached Porter Music Publisher, Inc., of Chicago, about a deal, and effected a tentative tieup on the west coast. Bregman, 34, yesterday (Tuesday) that he and his partner had three songs with which to get going.

Robert Lett, music printer, and Edgar Leslie, songwriter, declared last night that they had been discussed with Bregman and Cohn a settlement of the money owed them by D.D.G.

Summersport Week-Ending Name Bands; 3,000 Seats

George Pines, v.p. of the New York City, has been taken over by Charlie Shribman as summer dancery. Bob Gumbel, the New York City, has been taken over by Charlie Shribman as summer dancery. Bob Gumbel, the New York City, has been taken over by Charlie Shribman as summer dancery.

Spot will open June 3 with name band policy on weekends for its 3,000 seating capacity. Summersport will be installed. Prices and wedge and not set yet.

It Ain't Grammatical

New "How'd Ja" and "Why'd Ya" cycle song titles is off to a good start with "How'd Ja Like to Love Me?" "How'd Ja Happen to Fall for Me?" and "Why'd Ya Make Me Fall in Love?"

Another along the same line is "What's Your Name? Make Me Cry For."

A significant legal decision arising from Brunswick's allegedly illegal recording of a New Orleans dancery, "You Make Me Like 1940s, There's Why I Love It So," was sustained in the U. S. Supreme Court when that highest tribunal on Monday (10) refused to grant a writ of certiorari to review the case. It's the first time this special issue has been brought to the U. S. court, and establishes that an infringing song or recording can have a profit, say, only \$2, the damages are ill to that \$2, and not to any satisfactory fee, which may run into the thousands.

In other words, in the case of "You Made Me Like 1940s," the New Orleans indie publisher, Joseph John Davila, operating as World's Music Pub. Co., had established that a Negro dance tune, Brunswick, had waxed a similarly titled song, which was evidenced to be an infringement on the R.O. copyright. This suit is against the Brunswick-Balke-Clender Co. of N. Y., and antedates Brunswick's sell-out to Warner Bros.

As a result of the infringement, the court awarded \$4,000 damages and \$2,000 lawyer fees to Attorney Julian T. Ables, called in by Brunswick on appeal, was successful in getting a reversal of the court, cutting the damages to \$1,057, which was what the song netted on Brunswick. The \$2,000-lawyer fees were also cut to \$1,000. Ables argued, that the damages must be limited only to the extent of the profits, and that any arbitrary computation of \$10 per infringement copy, or any as iliar sum, is illegal. This suit was heard in Circuit Court of Appeals actions to the effect that the bench may award successful plaintiff's attorney fees.

On the appeal, also, it was first voiced that the lyric was "salacious," but since that question had never been raised in the lower court, the case had to be appealed on the law alone.

Since this decision, music copyright lawyers are wondering who's to prevent, therefore, any defendant who loses a case, from getting a nominal profit is shown. The damage would be less than the cost of the profit. If no profit, the court then could fix any arbitrary sum, just as a penalty.

ASSOCIATED MUSIC REVAMPS FISCALLY

Albany, May 17. Associated Music Publishers, Inc., New York, has increased its capital stock from 4,000 shares, 500 at \$1 par value and 3,500 at no par value, to \$5,000 at \$1 par value, and 50,000 at \$5 par value. Capitalization is thereby upped \$250,000.

Change of capital up with the secretary of state.

Recapitalization comes on the heels of the operation of the company, associated with its affiliated, Muzak, Inc., by the Warner Bros. Deal, was made by Clarence B. American Co. utilities.

Preakness Ball Clicks

Baltimore, May 17. Preakness ball, which climaxed the historic horse classic at Pimlico, Saturday (14), clicked to a good gross in spite of cold and all-day rain. Drew 2,700 stoo holders at \$25-to-\$5 scale. Field Fifth Regiment Armory.

Pat Kemp and arch and local combo under direction of Bob Lulu supplied dampening.

George Pines' Shake-Up

Chicago, May 17. George Pines, v.p. of the New York City, has been taken over by Charlie Shribman as summer dancery. Bob Gumbel, the New York City, has been taken over by Charlie Shribman as summer dancery. Bob Gumbel, the New York City, has been taken over by Charlie Shribman as summer dancery.

Audience, in Cars, Necks and Honks Jesse Crawford's Al Fresco Concert

By BOB POSEY

Lancaster, Pa., May 17. "Yes," murmured Jesse Crawford, "a strange, strange world, filled with a wide variety of things."

These philosophical murmurs escaped the organist as he finished robustly the most novel engagement of his varied career. He had just finished playing Leibel's Grove, an entertainment spot not designed for the organ.

Word "grove" probably suggested something of a night spot to Crawford, whose adventures in the interior have been somewhat limited. Arriving by taxi, whose meter passed the \$8 tick before it made the last turn in the road and started up the dusty hill, Crawford found Pennsylvania's very literal in their language. Theatre was a wood lot of several acres and the stage a 10-foot high platform. Woods full of benches, people, dust, I see leaves and air. Air full of dust, bees, bugs and ozone. Bugs got in the microphones and burst an unharmonious accompaniment to the organ. They also got in Crawford's nose, eyes and hair. Dust got on the keyboard of the automobile and also in Crawford's hair. Ozone made him sleepy and the clear chilly spring air made his fingers stiff. In these Pennsylvania groves one and all eat hot dogs, pitch pennies, play bingo or get their picture taken until the entertainment starts. At the first sign of the show the mob dashes not for the benches but for the automobiles parked nearby. Latter are more comfortable than the benches and provides privacy for necking to the hilling music of the mighty organ. And it isn't every day Pennsylvania can get Jesse Crawford to help with its necking.

But most important of all the cars give the audience a substitute applause, hundreds of horns, hooting

at either the right or wrong time. M. C. grinned all over his face and shouted over the din to Crawford, "Boy, you're slaying 'em. Give 'em more."

Cliff Grey, head man of the grove, has his own show and says they're all good because he books them himself. He also divys the concessions, checks the box office and takes the acts to dinner between shows. Stars like Crawford are always besieged for autographs but they're not regarded as authentic in these parts unless counterfeited by Cliff Grey.

O'Hare's In-and-Out Guest-Batoning Makes For Several Jam-Ups

Chicago, May 17. Husk O'Hare, who had booked several days of one-nighters through the northwest as guest director and with his own orchestra, has been making arrangements to get out of these dates following his deal for a summer's engagement at the north-side Coconut-Cut Grove dance in Chicago.

Several of the spots, such as St. Cloud, have okayed the cancellations, and it is understood that the Musicians Union has been in contact with other locals to straighten out other dates.

Meanwhile the local date for O'Hare and the northwest situation has put a couple of northwest instrumental groups in jam-up since they had previously arranged to appear under the baton of O'Hare.

San Antonio Cafe Fire
San Antonio, May 17. Ule Bern Inn, nitery here, was scorched \$500 worth when a fire broke out in the kitchen early Wednesday morning (11).

Blanche Cohen, R-O'K, Fractures Hip in Fall

Blanche Cohen, of the Rockwell-O'Keefe office, last week fractured her hip in a fall in the hallway of the building where the firm is quarters. She will be out for at least four months.

Miss Cohen assists in the band one-nighters.

WOULD REOPEN TACOMA CASE

Counsel for the American Society of Composers, Authors and Music Publishers, Monday (18) to reopen the Washington State injunction proceedings by asking the Federal tribunal in Tacoma for permission to submit testimony showing that the amount involved in the litigation comes to \$3,000. Special district court had the week before dismissed ASCAP's plea for an order declaring the Washington State anti-monopoly law unconstitutional with the explanation that it held no jurisdiction over the case because \$3,000 was not involved.

In the opinion of ASCAP general counsel, Frank B. Schwartz, the court's memorandum left the money question open for amendment. Show cause orders were then entered under the testimony either in person or by deposition, with Gene Buck, John G. Paine and the other as the stipulated deponents. If this step fails, ASCAP will take an appeal direct to the U. S. Supreme Court.

Washington state law requires all organizations of two or more composers or publishers to file a complete list of all their copyrights with the secretary of state.

Nebraska U. Students Rivalling Comm'l Spots

Lincoln, May 17. University of Nebraska took a mean cut at the indie dance here when the Student Union building was opened with Curt Tucker to a \$700 gross. Grosses at the other ball rooms, took a nose-dive for whole weekend, even though Freddy Martin was spotted in the Turnpike Casino the following evening.

Hotels are raising the biggest howl, because the last season's college bit ran around \$17,000 in the two hosteries catering.

Town is beginning to feel the effects of being over-balloomed as well as overeased (theaters).

Band Reviews

ENOCH LIGHT AND ORCHESTRA
Hotel Telf, New York

The Hotel Telf, where George Hall's orchestra was long a fixture, is a hip-priced eatery and a mating the Chinese restaurant type patronage, but on a bit better plane. Range for table d'oties runs from \$1 to \$1.60 for the sea food special, which gives an idea on the grill must be huge in its capacity to make it worth-while. Business has been turnaway almost nightly, and ditto for luncheon; no supper biz.

It follows that the dansapation must be effective to click with the vintage dansapation type it gets. Although the Telf also enjoys a wide vogue with the tourists.

Good Light's band delivers nicely for the hootology, mixing it up well, knowing when to give out an old-time waltz, modicy (in deference to the courted oldsters in N. Y. on a note) and when to dish forth the shag music. He has two okay vocalists, George Hines and Dorothy Howe. Abel.

BILLY SWANSON ORCH. (15)
La Crosse, New York

This is Billy Swanson's first important New York spot, smart Latin American nitery, and it delivers nicely if not scationally. Swanson is from Boston, a graduate attorney of Boston U. and has played around New England for a couple of years or so.

He has a nice personality and that surefire New England dance style which means that his music is inspirational to the hoof. The Telf is said for some other technically suaver combos. It's polish he'll go place and, as is, Swanson delivers more than adequately. Abel.

15 Best Sheet Music Sellers

(Week ending May 14, 1938)

*Love Walked In.....	Chappell
*Cry Baby, Cry.....	Shapiro
Please Be Kind.....	Harms
*I'm In.....	Feist
*On the Sentimental St.....	Santly
*My Heart Is Taking Leave.....	Chappell
*I Love to Whistle.....	Robbins
*Heigh-Ho.....	Berlin
*Good Night, Angel.....	Berlin
*How'dja Like to Love Me?.....	Famous
Oh, Ma Ma (The Butcher Boy).....	Shapiro
*You Couldn't Be Cuter.....	Chappell
*At a Perfume Counter.....	Donaldson
*Whistle While You Work.....	Berlin
*Revelation.....	Miller

* Indicates all usual song. † Indicates stage reduction song. The others are pops.

Ohio's Treasurer Has Band on Side

Some Musicians Work for Him Double—Also State Treasury Department

Columbus, May 17. contribution to the ranks of musicians in public office is a dance band leader in the state treasurer's office. He's Clarence H. Kniesly, whose name heads a 10-11 ing-band rapidly gaining favor with dancers in the part of the state.

Personnel of outfit includes musicians who have settled down to more prosaic jobs out of them in the state treasurer's office.

One of the latest who has dropped swinging as a vocation and made it an avocation is Fritz Hummel, the Casa Loma, Ted Weiss and White-man fiddler and slip-horn manipulator. He now toots his trombone in the Kniesly orchestra.

Sax section includes Harry Kennedy, formerly with Don Bestor; Carl Claggini, one of Phil Spagnoli's men in his male band days, and William J. Vaughn, who has played with Frankie Mas-

ters and Paul Ash, handles one trumpet. His mate is Robert Moter, a Joseph Chertusky's alumnus. Edgel Cunningham, formerly with How Williams and Dick Fidler, is on the bass viol and Harry Bowman, an old Al G. Fields' minstrel man, at the drums. Sam Smolin, one with Emerson Gill and others, plays piano, and Clyde A. riotti, formerly with Al Katz, guitar.

Band plays private parties and dances principally. Last Saturday night, May 14, at the Chillicothe Colonial Hall.

Worcester's 1st Feid

ster, May 17. For the first time in the history of WTAC, Worcester Telegram station, a studio orchestra fed NBC (Red) Carl Claggini, one of Phil Spagnoli's men in his male band days, and William J. Vaughn, who has played with Frankie Mas-

5 SONG SPECIALS

MOONSHINE OVER KENTUCKY
By Pollock and Mitchell
From the 20th Century-Fox Production
"KENTUCKY MOONSHINE"

The Sweet Hit of the Season
DON'T BE THAT WAY
By Benny Goodman, Edgar Sampson
and Mitchell Perlis

Successful Novelty Hit
I LOVE TO WHISTLE
By McHugh and Adams
From the New Universal Production
"MAD ABOUT MUSIC"

AS LONG AS WE'RE TOGETHER

THERE'S A VILLAGE IN A VALLEY

ROBBINS MUSIC CORPORATION
709 N. 14TH STREET, NEW YORK CITY

Feist

A new Hit by the writer of "I
My Margarita
By Marie Greener English Lyric

Berks and Latta's new Hit Song
Somehow With Somebody Else
Lyric by Edgar also Music by Joe Bar

A typical Donaldson rhythmic novelty
Why'd Ya Make Me Fall In Love
By Walter Donaldson

Jimmy Dorsey's rand Tune
It's The Dreamer In Me
By Jimmy Dorsey and JJ

Great Tune with a rock lyric
That Feeling Is Gone
Lyric by Walter Hunk
Music by Emmett (Bobby) Waller

**Who Are We To Say
Shadows On The Moon**
By Sigmond Reinberg and Gus Kahn
From the MGM picture "The Girl of the Golden West"

Leo Feist inc.
1629 BROADWAY

WE'RE CLAPS PETRILLO

A.F.M. PRESIDENT PANS CHICAGOAN

Calls Him 'Self-Advertiser' and Aserts Publicity on Petrillo's Income Hurts Labor

Joseph N. Weber, American Federation of Musicians prez, has brought his feud with James C. Petrillo, head of the Chicago local, to the membership's attention through a slashing attack upon the latter in the May issue of the 'International Musician,' the AFM's house organ. Weber, in a front page editorial, 'Democracy in the Federation,' scored Petrillo for making the Federation and locals look ridiculous by his self-aggrandizement and self-advertising and accused the Chicago labor leader of exaggerating his achievements in behalf of Chicago musicians and his guiding policies as an officer of the AFM. It was the first open evidence of a break between Weber and Petrillo in their 20 years of association.

Editorial explains that it was provoked by statements in a newspaper article which described Petrillo as 'the strong man in music' and in a position to take over the AFM presidency whenever Weber retires. Petrillo is also described as the most powerful figure in the Federation, even more so than Weber, and as 'the tail that wags the dog,' adding that what he does for musicians in Chicago sets the standard for the instrumentalists all over the country.

Salary Angle

Commenting on the income angle, Weber wrote that such boast not only injures the cause of organized labor generally but holds the Federation up to derision. Weber wants to know why Petrillo must continually advertise this fact and who cares, unless Petrillo himself wants to emphasize that he is more fortunate than other local leaders. Weber relates Petrillo's claim that the highest or best paid musicians are in Chicago, adding that the latter has done well by his membership. Best paid musicians, holds Weber, are to be found in the Toscanini orchestra in New York and in some Los An-

geles orchestras, 'but such things,' he adds, 'are only relative to the particular wage, as a lower wage in one town may, for practical economic purposes, be more favorable to a musician than a higher wage in some other town.'

Weber also takes issue on 'the tail that wags the dog' hypothesis. His editorial tags the statement as 'rather humorous,' adding that 'it is attempted by any one to assume such a position, more especially at a convention, would at best only give him the satisfaction a comedian would feel who found that his attempt to be serious was mistaken as extremely comical.'

'Federation and local officers,' wrote Weber, 'still recognize that they are not but highly responsible servants of their organization. They do not advertise themselves as highest paid labor leaders and propaganda is not made in their behalf that they are the whole cheese.'

Editorial states that Weber has not even considered resigning and that he will consent to serve the Federation as long as its conventions call upon him to do so. Veering to a reminiscent mood, Weber recalls how he helped Petrillo rise in the labor world and how one he held Petrillo to have possessed ability 'I never dreamed.' Weber wrote, 'that he (Petrillo) would play upon the gullibility of the public at the expense of the Federation. I have become disillusioned and disappointed and feel it keenly. In its protests (against Petrillo behavior), I am compelled to join the International Executive Board and share its resentment.'

James Petrillo, president of the Chicago Federation of Musicians, has received, it is estimated by his associates in the AFM, over \$110,000 in annual salary, expenses and gifts from his local. His conferees not so long ago voted him \$25,000 for a home, \$12,000 for furnishings and \$1,700 to build a garden. They also gave him an armored car and arranged to pay for a retinue of personal protectors, with the cost of the car and annual salaries for the guard figuring around \$25,000. Local also underwrote his income taxes, amounting to \$16,000.

Weber's salary is \$2,000 annually, and he gets \$3,000 for expenses. Recapitulation of Petrillo's cost to the local for last year follows:

Salary	\$26,000
Expense Fund	5,000
Income Taxes	16,000
House	25,000
Home Furnishings	12,000
Armored Car	1,700
Personnel	25,000
Total	\$110,700

CONSOLIDATED FRISCO BIZ PERKS

San Francisco, May 17.

Larry Allen, manager of Consolidated Radio Artists here, and Richard Dorso, in charge of land bookings, has Capitola-by-the-Sea, summer resort near Santa Cruz, on exclusive must contract with CRA. Covers 12-week summer season starting June 1.

Dorso has completed 12 exclusive deals in this territory, including Rio del Mar (Joseph Sudy), Del Monte Hotel (Freddie Nagle), El Patio Ballroom (Sid Hoff), Lake Merritt hotel, Oakland (Neil Bondush), Claremont Hotel, Berkeley (Don Koye), Sir Francis Drake hotel (Carl Ravazza), Whitcomb hotel (Bob Saunders), Uptown Ballroom, Portland (Billy Moore), Athens Club, Oakland (Denny Moore), Colombo hotel, Reno (Jack Trent), Guerneville Wood.

Wayne Husled, musical director of Michigan State Prison, in new quarters at Jonia Reformatory, Jonia, Mich., where he will act as pianist in the institution's orchestra.

Power of a Name

San Francisco, May 17.
Herbie Kaye, Chronicle radio editor, spent a whole night at Sweet's Ballroom in Oakland autographing when crowd thought he was introduced as bandleader Herbie Kaye.

He ended up with a blonde date, who still thinks he's a musician.

FRISCO EXPO DICKERS WITH MUSIC UNION

San Francisco, May 17.

Negotiations are under way with the Local Musicians Union, No. 6, and Harris Connick, director of 1938 Exposition, to iron out regular engagements for union musicians at fair.

On dickering committee are union president alter Weber secretary Eddie Love, treasurer Clarence H. King, Clark Wilson, Elmer Iissman and James G. Dewey.

Livingston Breaks Arm

Jerry Livingston fell and fractured his left arm while climbing to rostrum to lead at dance held at Mt. St. Joe school, Philadelphia.

Band played on minus leader who will resume next week. Several dates were cancelled this week.

THREE-NATION PROTEST TO CANADA

John G. Paine, gen. mgr. of the American Society of Composers, Authors and Publishers, spent the past week in Canada conferring with Dominion heads on the bill which seeks to limit the fees for performing rights. Accompanying him on the protests against the measure were Leslie Boosey, head of the British Performing Rights Society and Alpi-Jean Bernard, managing director of the French performing rights organization.

Trio received audiences from Prime Minister McKenzie King and the Dominion Secretary of State, Harold Binford. On Monday night (16) they appeared before the standing committee on banking and commerce of the Canadian senate.

Delegation charged that the bill which had been passed by the Canadian House of Representatives was in violation of the Dominion's obligation under the Berne convention. Similar protests were transmitted by Italy and Germany.

Dave Sells doing the score for Metro musical short, 'It's in the Stars.'

Another Smash Score from Remick!

I WANNA GO BACK TO BALI
Lyric by AL DUBIN
Music by HARRY WARREN

A STRANGER IN PAREE
Lyric by AL DUBIN
Music by HARRY WARREN

DAY DREAMING
Lyric by JOHNNY MERCER
Music by HARRY WARREN

THE LATIN QUARTER
Lyric by AL DUBIN
Music by HARRY WARREN

Gold Diggers in Paris
Lyric by AL DUBIN
Music by HARRY WARREN

REMICK MUSIC CORP.
RCA BLDG. NEW YORK



ip op une

IT'S THE LITTLE THINGS THAT COUNT

New, tuneful, catchy and smart

50c

IN MY LITTLE RED BOOK

Tops in any good catalog

50c

LA CONGA

HAVANA'S CALLING ME

The original, authentic Cuban dance

75c

THE SNAKE CHARMER

Larry Clinton's ace arrangement

50c

SID LORRAINE Gen. Prof. Mgr.
WRITE FOR NEWLY ISSUED ORCHESTRA CATALOG
EDWARD B. MARKS MUSIC CORP.
RCA BUILDING, RADIO CITY - DEPT. M - NEW YORK

N.Y. Fair Influx May Hypo Idea Of More Vaudeville Next Season

Not only the Warner Strand on Broadway but other theatres in the Greater New York zone are likely to turn to stage shows during the coming season, operators being inclined in this direction largely because of the anticipated N. Y. World's Fair influx next April. WB is practically set on a vaude policy for its Strand but it will not inaugurate it until September, together with first run product, although possibly some of the bigger pictures may be sold away to the Music Hall or other theatres.

Since the Xmas holidays, WB sold off and on about adding vaude also. It's still a question, however.

Brandt Bros. have been publicizing it.

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Larry Adler Due Back

After European Tour
Larry Adler, baritone singer, is returning to the U. S. this summer after several years abroad. Not yet set on any American engagements, Adler has been playing London musical comedy and vaude, as well as touring the continent.

Currently, he's at the ABC, Paris.

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15 YEARS AGO

(FROM VARIETY AND CLIPPER)

Bill at the Palace, N. Y., ran all the way from Helen Ware to Olsen and Johnston. The afterpiece was largely suggested by the latter, who, during a riot at the actors played all over the orchestra floor. Audiences loved it, and the troupe, which included Max Yoke, Karyl Norman, Tom Patricola.

Bert Lahr breaking in an act at the Jefferson, N. Y. Had a girl, 'ercedes, in the turn, but didn't really need it.

Brighton theatre, Coney Island, opened a week after to advance stage of the new Broadway dedication. Vincent Lopez' band topped.

Joe Cook at the Palace, Chi. doing his own act and most of the work in the Alexander Bros. which followed. Frank Timmy was leadlined.

Paramount announced 12 pictures for the first quarter of the new season. Was going in for special like "The Covered Wagon," but there were not many of those.

Goldwyn Corp. bought the Roosevelt, Chi., for \$1,700,000. Wanted to show window.

Capitol, N. Y., drew \$43,000 on a picture. Radio broadcasts Sunday night credits with pulling the big bit.

Douglas Fairbanks denied that he was planning to buy up houses for the "Radio Artists' show window. Regarded as an independent in those days and frozen out.

Now it was the automobile which was being blamed for falling business in picture houses. Pleasure cars set at 10,863.38.

Will Rogers signed to double into the N. Y. Palace from the Ziegfeld show for \$3,000 for one week.

Reported that Morris Gest had made a deal with Max Reinhardt to do "The Miracle" at the N. Y. Hippodrome.

Harry Mountford opened as see of the Paul Dullall put in to serve without salary. Mountford was getting \$25 a week. Fight between Mountford and Equity and the latter won.

B. S. Moss announced plans for the building of a picture theatre at B'way and 53rd.

Three benefits in N. Y. or the U. S. fund brought in \$100,000. At the Hippodrome and Metropolitan and Manhattan opera houses.

Saranac Lake

By Harry Benway

The ill Rogers build me court for the nurses.

Joe (Warner Bros.) Dabrowski, (Hollywood) and Hooper, here for the summer. Both ex-N.A.A.T.s.

Ruth Stewart, professionally known as Teddy Dager, is a newcomer at the Rogers.

These four strictly in-bed inmates now up: Sylvia Abbott, ex Gould, Rose Clark and Fred Essinger.

Mrs. Jimmy Seely in to visit her husband.

Little Frankie (Hooper) Newcome first hit his appendix, took three rip ops, tonsils were yanked out and now 19 molars gone. He's doing okay, though, exercising during the day.

Henry Wuench, of Richmond, who has been onzing here since 1926, got his ok to return home. He had a couple of minor ops.

Henry Kelly had her appendix taken out by Dr. Warner Woodruff. She's a Will Rogerite, who's doing nicely.

Ned McGushi w up from bed occasionally.

Maurice Pearson of Long Island, who N.Y.A.'d it here years ago, back for a summer vacation and general checkup.

Herman LeVine (Warner ros.) here for monthly checkup at the Will Rogers.

Josie Barrows, formerly of Josie and Willie Barrows, vaude team, is a newcomer at the Will Rogers.

Ford Raymond, who saw about 15 years of this zoning, about ready to pack up and try Kansas.

Write to those you know in Saranac and elsewhere who are ill.

BUNNY BERGAN'S ORCH.

12 Min. Band Setting

Paramount, N. Y.

Bunny Berigan's hot trumpet originally called to attention through the twing seasons conducted by CBS. During the first part of last week he was on the Admiration Shampoo

with Tim and Irene. Aggregation which made its bow at the Paramount with consisted of a crack band four, some a like number of reads, a pianist, a drummer, a bass player and a guitarist.

From this combination, plus a number of fresh arrangements, Berigan draws a 'litter' brew that is a good deal of fun to hear.

For stage purposes his layouts in the groove. The items are so varied, it's the interest on the upbeat. It's straight music from start to finish with no imitations of top-blowing or any other outbreak of suit behavior by some member of the band.

Berigan blends a keen sense of musicianship with a hard edge of the current trends in dancipation, and the outlook for him should be a bright one.

Oxford Boys (2)

12 Min.

Lyric, Anglo.

While most acts who litate orchestras use fiddles and trumpets for accompaniment, the Oxford Boys use the audience's impression vocally, using only guitar as played by one of the boys for accompaniment.

They are young and fresh looking, working in one and another in tail. The boys are Bro. Busse, Kyzer, Royal Hawaiians, Fred, Wayne King, and Clyde Mc.

They are good on trumpet imitations and effect of amplified music.

Fish with swing version of "Dark Eyes" in vocadance, and come back to do Mickey's Birthday.

During which they imitate Mickey, Duke, and other stars of the Disney menagerie. Make no effort to work to come on, but have one of number announce what's next by reference to radio program.

Expected to work to work. Keeps the act moving fast and is a relief from performers who try to be funny with their little bit.

Gene Raymond

Song, Patner

18 Min. Band Setting

Paramount, N. Y.

Date at the Paramount is Gene Raymond's first on Broadway since he quit legit for the films. Routine is carved out for him by Raymond through in a highly acceptable manner, especially with the females.

While he's no great success as a crooner, Raymond carries a tune easily enough. The timbre on the throaty side, with the uke accompaniment fitting in nicely with his limitation and style.

Between vocal items Raymond had a bunch of the musicians out to do a variety of things.

Bunny Berigan's contingent, Joe and his uke in a jam session. The incident went big with the little boys in the assembly.

Ode.

Movita and John Carroll

18 Min. Band Setting

Strand, Providence

Punch songs delivered nicely, but both need more stage appearance and training. Audience found it hard to follow the plot.

They are good on trumpet imitations and effect of amplified music.

Mary Lowe, WEAN announcer, introduced the pair, who explained it was their first appearance on any stage. Acted shyly, and Movita admitted she was a bit of a nervous wreck.

When singing "Red, Amigos, Red," they sang "At Daring" and "T.I.P.I.T.I." Numbers were well received and a few more appearances should correct their stage-consciousness.

Milo.

Falomo

Tango Guitarist

18 Min. Band Setting

Palomo is a white-tied chanteur of rhumba tunes. He approximates the Latin atmosphere now in vogue on the Continent, notably Tito Rossi, but Palomo's emphasis is on the Cuban rhythmic type.

He punctuates his vocalizing with

the guitar.

He punctuates his vocalizing with

the guitar.

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the guitar.

He punctuates his vocalizing with

the guitar.

He punctuates his vocalizing with

the guitar.

NEW ACTS

rhythmic self-accompaniment on the guitar. Withal, makes a good impression in a very pleasant form, such as the Ruben Stryker, who, in tests, furthermore, the distinction between what might be just a member of a rhumba band and being a soloist. Palomo successfully carries off the latter in nice style. Act.

Three Musical Stylists

Vocal and Instrumental

Hotel Belden, Canton, O.

Three musical stylists, with three personalities, former dance band musicians and with radio background, are expected to be a capable entertaining trio specializing in instrumental and vocal work.

Ben Hoffman, clarinet, trumpet and piano, and Ben Dede, bass, violin, and piano.

They use a variety of tin rules and musical organs for novelty, and for dinner music, offer semi-classical and musical comedy tunes. Currently routed in the Pick hotels.

Mock.

Moderate' Hit Out-Grosses Smash;

'Rat' Nets More Than 'Room Service'

Although it was rated only a moderate success, 'Brother Rat' earned considerably more money for George Abbott than did his smash hit, 'Room Service'. Currently in the final stages of its run, the latter show seems likely to wind up with a total gross of under \$1,200,000. 'Rat', on the other hand, drew a total of \$1,452,066.70, or over \$250,000 more.

Even considering the ill fates of 'Rat' have earned about \$100,000 in excess of the more highly-touted 'Room Service'. Picture rights for 'Room Service' brought \$250,000, while those for 'Rat' drew \$150,000. 'While 'Rat' fell behind its Abbott partner in Broadway earnings, Monte - Finckelhoff comedy more than made up the difference on the road. 'Room Service' never clicked particularly out of town, whereas 'Rat' topped its heaviest coin on tour. That was where the military school laugh-fest forged ahead.

Total take for 'Rat' out of town, including the Baltimore trout and the Broadway comedy's recent first night in Brooklyn amounted to \$881,568.15, in 93 weeks' playing time. In comparison, 'Room Service' has grossed in 83 weeks on the road, including last week's Milwaukee dates. There were two touring trunks of each show.

'Rat' ran 72 weeks on Broadway, grossing \$708,835.55. 'Room Service' has so far pulled \$688,014.85 in 51 weeks on Broadway. However, it is still running and is an outside possibility to go through the summer months. Chances are it will not gross more than \$50,000 additional.

Factor in the Broadway runs of the two shows was that 'Room Service' has remained at the Cort throughout, while 'Rat' was shuffled from the Belmont to the Broadway to the National and finally to the Ambassador. Also, while there have been comparatively few important changes in 'Room Service', the picture in 'Rat' were being shifted almost from the first.

'Rat' played 165 weeks on Broadway and the road and grossed a total of \$1,452,066.70. 'Room Service' has so far played 112 weeks on Broadway and the road, for a total gross of \$1,152,803.92. Both comedies were figured to open at about the same amount, with 'Rat' possibly getting by on a slightly smaller nut.

Sudden Diver
One thing about 'Room Service' has puzzled the Abbottites. It is why the show took a sudden slump in attendance last December when it really seemed to be on a roll. Murray-Boretz comedy had been running along for months at around \$16,000 a week. In the usual, pre-Christmas slump period it fell to around \$7,500, or \$8,000 in three weeks. Show came back to \$15,000 on the New Year and has not again dipped to below \$10,000 and has never recovered.

It was the only long-run production on the Abbott list that failed to go through a period of intermediate grosses. Shows always taper off as the run progresses, but the decline is usually gradual. In the case of 'Room Service', however, the attendance took a sharp tumble and then stayed at the lower level.

Jed Harris Gives Up Plan For London 'Doll's House'
Contrary to previous plan, Jed Harris will not present 'A Doll's House' in London. Instead, Harris has just Saturday night closed a two-week stand in Philadelphia, will probably not be played anywhere else by Harris.

Although Ruth Gordon, star of the piece, had previously expressed a desire to do the play in London, where she clicked in 'The Country Wife', she recently decided she was too tired after 33 consecutive weeks in their districts. Next year's festival has not been revealed.

Mazo de la Roche Sails; To Finish Play in London

Mazo de la Roche sailed yesterday (Tuesday) for London, intending to be abroad two months, during which she'll attempt to finish a new play, begun since the click of her 'Whiteleafs', at the Hudson, N. Y. Attended 'Whi' ing.

'SUBSTANCE' TO RUN THROUGH SUMMER

Definite decision to try for a summer run with 'Shadow and Substance', at the Golden, N. Y., was reached last week by Eddie Dowling and Lee Shubert, co-managers of the Paul Vincent Carroll drama. Installation of an air-conditioning plant for the Shubert-operated house has already begun.

Sir Cedric Hardwicke, star of the piece, intends to continue for the duration of the run, both in New York and subsequently on tour. Actor will later play in London, most likely with the same cast. 'Shadow' is currently in its 17th week in New York, and is expected to work weeks on the road. It's been grossing well over \$10,000 a week since its debut, and is expected to \$14,000, but said to be geared so it can operate at a low nut.

SURRY PLAYERS AGAIN EYE B'WAY PRODUCTION

Surry Players, preparing for their summer stock season at Surry, Me., are virtually decided on doing another New York production next fall. Groups made its Broadway debut last winter in a revival of Shakespeare's 'As You Like It'.

Burginies are still seeking a new play for straw hat trout, but expect to do a revival during the fall if it no good new play is forthcoming. 'Nuremberg Egg', which they put on at Surry last summer, was liked there, but is definitely out as a Broadway prospect. While some rewriting would be necessary, the insurmountable difficulty lies in the terms governing the connection with the play are held by the German heirs of the author, the late Walter Hasenclever. He has prohibitive terms for the rights. Stiffest of the hurdles is the specification that only 25 per cent of the receipts from the show may go to the producer.

Egg is said to be written from a liberal political and viewpoint and to express ideas contrary to Nazi dogma.

Clark 1st Yank Judge At Canada Drama Fete

Burreth H. Clark, of the Authors League of America, is in WI. going this week to judge the finals of the 6th annual Dominion Drama Festival, for Canadian little theatre groups. He's the first American to serve in that capacity.

Clark is scheduled to trip to Winnipeg in 11 special trains. Each of the 18 groups appears in a play of its own selection and performance during the festival. Shows are given every afternoon and evening. Groups taking part are the winners of prize trials in their districts. Next year's festival will be held in Ottawa.

1939 PRAYS TO SUCCESS

Most B'way Managers Firing Conservatively, Depending on the Seasonal Crop — More Musicals Likely — Theatres on Expo Site Unlikely, Due to Cost of Construction

SHAKESPEAREAN TAB

Legit showmen view the 1939 World's Fair in New York play productions, as promising to Broadway. Flushed by the success of concrete plans to lure visitors. Some managers are figuring on big business in theatres but most are conservative in their expectations. Much will depend on next season's hits, with indications that there will be more musical fare on the boards during the 1939 summer.

Presentation of shows on the fair site, Flushing Meadows, Queens, is doubtful, except one or two in tabloid form. It is considered impractical to build theatres on the site, particularly since the Chicago fair of 1933 and 1934 proved that visitors to the exposition were not theatre-minded.

In Chicago, the second summer of the fair saw the Loop without any plays during July, due probably to the tremendous heat there. During the first summer, managers expected to draw fair crowds with six shows. Yet only two drew any substantial business.

Standards to Get Trade
However, Chicago is neither comparable to New York in theatres nor attractions. Showmen figure that Broadway's reputation for high standards will draw a certain percentage of fair visitors, with the standards getting the trade. That Broadway, with its open air cafes, will be fully anticipated, too, yet the spending power of the average fair visitor is never large. Broadway looks to the improvement of its theatres to count, also, particularly the installation of modern cooking plants. The Loop did not offer a similar improvement.

Aside from several great attractions, legit attraction is slated for the fair. Shakespeare will be presented, along the lines followed in Chicago, in tab form. There were no Equity restrictions in the Windy city nor is expected in New York. While the play will be invoked here. The venture will be called the Globe theatre, (Continued on page 52)

Equity Will Absorb Chorus Branch After Amending AEA Constitution; Special Organizer to Be Proposed

See Page 4

More details of the 4 A's meeting, of interest to legit, on page 4 of this issue. Annual meeting slated for June 6.

DRAMATISTS TO JUDGE \$25,000 PLAY CONTEST

Committee of five will be named this week by the Dramatists Guild to award the playwrighting fellowships given by the Rockefeller Foundation. Body will consist of two dramatists, two representatives of the National Theatre Conference (university organization) and a literary drama critic or legit manager.

Rockefeller Foundation has given \$25,000 to cover the fellowships for three years. Of that amount, \$3,000 is for administration expenses. Balance will be distributed at the rate of not more than \$5,000, not less than \$5,000 a year. Tops for a single recipient will be \$1,000.

Fellowships will be outright gifts and will be awarded to the most deserving young playwrights to enable them to complete started scripts. Grants will not carry any strings on the completed script, but it's thought likely that if any plays completed under fellowship funds turn out to be commercial successes the writers in question will probably repay the money to provide an aid fellowships for others.

Winners of the five \$1,000 playwrighting fellowships given by John Golden will probably be announced shortly. Understood the committee, headed by Sidney Howard, has narrowed down the contestants to a handful and will ballot for the final five in a couple of days.

Barthelme Belasco Despair
Kerryville, Tex. May 17. Storyage of original scripts with a Texas background is causing Ramsey Yelverton and Clemens White, producers of initial south-western road, to lift their 10-gallon hats and scratch.

Geo. Abbott's 'Merchant' Revival; Phil Loeb, Sam Levene as Shylock

George Abbott is considering a fall revival of 'The Merchant of Venice', with Philip Loeb or Sam Levene as Shylock. Has already projected the casting of the play. The idea goes through, it will be the producer's second swing at producing a straight version of the play. He is already preparing a musical version of 'A Comedy of Errors', with score by Rodgers and Hart and with Jimmy Savoy and Teddy Hart already set for the cast. Understood his 'Merchant' would be straight version. Helen Hayes will offer her 'Merchant' production at Suffern, N. Y. This summer and may bring it to New York in the fall.

Abbott is also virtually set to produce another new comedy, as yet untitled. It would probably follow 'A Comedy of Errors'. Donald Crisp and Hume Cronyn are tentatively set for parts. Added to current negotiations from the first Broadway production, 'What a Life', these plans make Abbott's office the busiest in the city.

New York. Producer is now in Chicago working year, and starting of the musical, 'You Never Know', but is due back June 2 in New York. Producer is now in Chicago working year, and starting of the musical, 'You Never Know', but is due back June 2 in New York.

Chorus Equity Association will meet on Equity proper, Wednesday, when the Associated Actors and Artistes of America gave the American Federation of Actors jurisdiction over lines in night clubs and vaudeville theatres. Chorus organization part of Equity but holds a separate charter under the Four A's edit. Equity's council is the same for the chorus branch.

Seith Christianson, who was engaged to organize the night club field when Dorothy Bryant resigned as executive secretary of Chorus Equity, will be let out. Miss Christianson was formerly an organizer with the 13mm. Motion Picture Organization and her appointment provoked controversy in Equity, which is working out plan for absorption of Labor.

Equity's executive secretary, Paul Dullin, wanted to be dropped because he was opposed to the naming of Miss Christianson. About that time, Frank Gilmore withdrew to lead the re-aligned Four A's and Dullin was induced to stick for the three-year duration of his post.

Before the chorus branch can be absorbed, it will be necessary to amend Equity's constitution, to allow no restriction on chorus classification. This is limited to legit musical shows. CEA is financially sound, its assets being around \$125,000, favorably comparable to Equity's surplus. Executive committee of CEA is headed by William Fox.

Under the new chorus rules recently adopted, minimum wage is \$45 weekly in N. Y. (\$40 on tour), but for stock it varies. Formerly, minimum was \$25, now raised to \$30 weekly, provided admittance scale is not over \$1.

Last week's Fortune Galle was given a concession for the Jones Beach revivals, which will start for fourth summer season June 15. While \$11 top will generally apply, but prices at \$1.85 but the new \$20 wage was okay anyway, some going for Galle's Randall's Island.

Mrs. Bryant, who held the chorus secretariatship for 18 years, was given a scroll in recognition of her service. Last meeting of CEA will be held at the Center hotel, N. Y. June 3 at which reasons for merging with Equity will be held membership.

ROAD 'CAESAR' ENDS TOUR WITH 'BURY DEAD'

During its final road week, the touring 'Julius Caesar' gave a special matinee performance of 'Bury the Dead' at the Victoria Theatre, Toronto. Edmond O'Brien, Marc Anthony in 'Caesar', died the staging.

The performance was given as a benefit for the Toronto Star's charity fund, but the music union refused to let its members work on it. The show was put on by Milton Baron, 'Caesar' company manager for Alex Toles, as a commercial venture. Due to the music union's delay, there was only 24 hours available to bally the show. Seats were sold at 150 attended. The show, who had first encouraged the player to do the Julius Caesar drama at the Victoria Theatre, was given an extra one-night salary for lost cast and stagehands.

'Birth of Baby' Opens Musical in Cleveland

Cleveland, May 17. Despite opposition from some Clevelanders, 'The Birth of Baby' opened on a grand night. American Legion, Cleveland, Ohio, was the town's only legit. But Blair, Jr., manager, cancelled the show from the first. Blair knew, originally set for May 30 to give him a possible two-month run.

son.

OBITUARIES

ADDY BRITT

Addy Britt, 48, professional manager of Donaldson, Douglas & Gumble, died suddenly of a heart attack while at home in Los Angeles on Saturday morning (14). Death occurred several hours after he had attended the annual convention of the Professional Music Men, Inc., of which he was a charter member.

Britt had been in the music publishing business for over 25 years. Among his connections in a professional capacity were such as Renick Music Corp., Leo Feist, Inc. and Shapiro, Bernstein & Co. He was gen. mgr. of the Vincent Youmans Music Co. and had for years served Waterson, Berlin & Snyder as their rep.

He was also a songwriting member of the American Society of Composers, Authors and Publishers. His hits included "Was It a Dream?" "Aggravating Papa" and "You Made the Sun Shine Bright."

His wife, Lilyann, survives. Burial was in Cincinnati.

Further details in music sect.

MARGARET SMITH

Margaret Smith, a member of the headquarters staff of Actors' Equity, died in New York City (14). Formerly an actress in the Charles Frohman and other companies, she devoted her last years to administrative work for Equity and for the government. She was placed in charge of Civil Works Administration activities in 1934 and quickly organized that unit's activities in Los Angeles. In 1935 she took over Equity's interests in the Works Progress Administration. During the World War she had charge of the productions of the Stage Women's War Relief, giving performances on the streets of the Public Library to attract crowds which could be solicited for contributions.

She is survived by a sister, Nettie Barrett, also of the stage.

MARY WARE

Mrs. Mary Ware Kellogg Hardwick, 74, Federal theatre (Massachusetts) and radio actress of Springfield, Mass., known professionally as Mary Ware, killed May 11, at North Weymouth, Mass. She had been a built career on the Boston Post Road. Worked professionally with the Niagara Players, Niagara Falls (1927-28); Bonstelle & Niagara (Detroit and Niagara, 1930); Ashville Playhouse (Ashville, N. C., 1931, 1932); Buffalo City, Buffalo, 1934; Birmingham group, Birmingham, 1937; Springfield Guild & Reporter, 1938-1937; had extensive radio work.

Leaves a daughter and husband. Body cremated at Springfield.

ZITTELLA FLENN

Mrs. Zitella Flench Flynn, 87, known among circus folk as Madame Zitella, strong woman, died May 18 at Englewood, N. J. She had been a circus performer for 30 years, last appearing in New York in 1918. Born in 1851, she came to the U. S. in 1887, and joined the Barnum & Bailey circus and later the Foroughpour show. Also worked in vaude with Gus Arnheim, Phil Flynn.

Mrs. Flynn had been a guest of the Actors' Guild home in Englewood for the past 20 years.

BENRI ELSLER

Mrs. Elmer Rodman, 32, known many years ago when she was on the stage as Benri Elster, died May 18 in New York. An expert swimmer, she was one of the original "swimmers" who swam in the tank of the N. Y. Hippodrome when it opened in 1905. Following her retirement she turned to writing and was the author of "Chicago and Other Poems."

She is survived by a sister and two brothers.

XAVIER REITER

Xavier Reiter, 52, former French horn player in the Boston Symphony, died of pneumonia in Los Angeles May 12. He began his musical career as an itinerant musician, later attracted the attention of Richard Wagner and was brought to the United States under contract to the Boston Symphony. He was with the N. Y. Philharmonic from 1909 to 1923.

Survived by his wife and two sons, two daughters.

THOMAS W. SAYLES

Thomas E. Sayles, 47, who for many years played the piano and conducted his own orchestra at social affairs, died at his home in Albany, N. Y., after a week's illness.

He was a brother of Alex Sayles, manager of Fabian's Palace theatre. Survivors are his widow, two daughters, two brothers and two sisters, all of Albany.

GLENN BURL

Glenn Burl, dance orchestra leader, died in Omaha, May 10. The leader and his band were popular to dancers in four or five of the states in that area and had been touring the territory for about five years.

He is survived by his widow, Berline; his mother, father, a daughter and a son. Funeral services were held at the Burl home in Elkhorn.

HOBART E. SWAN

Hobart E. Swan, 52, Los Angeles theatre operator, was found dead in his automobile, May 13, in nearby San Fernando valley. Autopsy was being made to determine the cause of his death.

He operated the Temple and Victory theatres in Los Angeles and in McKinley's Regent theatre. Survivors: his widow.

THERLA HILL

Thel Hill, 32, film actress, died May 11 in Culver City, Calif., following three months' illness. She was a former Mack Sennett bit player, later a character actress in comic roles. She is survived by her husband, John Sinclair, screen writer.

ALFRED SHAVER

Alfred Shaver, 34, former agent, died May 10 in Hollywood, following a heart attack. He had closed his agency six weeks before on account of ill health. He operated penny arcades in New York before moving to the Coast 20 years ago. Surviving are his father and a brother.

JOSEPH BENNER

Joseph Benner, 76, last survivor among chaperones of the Cincinnati Local No. 5, I.A.T.S.E., founded in 1894, died May 10 in Los Angeles (50 years). He was a well-known actor, where he made his home with a wife and three children. Funeral rites and burial in C.

MME. ANDER MESSAGE

Mme. Andree Message, 79, widow of the French composer and herself a composer, died May 10 in Los Angeles after a long illness. She was the signature of Hops Temple, died in London, May 10.

Survived by her best known for her "Auf Wiedersehen."

MRS. CLARA E. HERNERT

Mrs. Clara E. Hernert, 70, Santa Barbara music impresario, died there May 15.

For years she arranged auspices for name concert singers at the Lobero theatre.

ROBERT CALLAHAN

Robert Callahan, 42, long vaude and recently in pictures, died May 15 in the Veterans home, 1, West 11th St., Los Angeles. He was known as Bob and Chuck Callahan. Military burial in Veterans cemetery there.

LUCIE STERN

Lucie Stern, 24, mother of Josef Hoffmann, concert pianist, died May 10 of pneumonia. She made her debut as a concert pianist in N. Y. at the age of 11.

CLAIR MATHEWS

Clair Mathews, 29, son of late J. C. Mathews, bookkeeper, died May 10 of pneumonia. He was a member of the Chicago office of Louis and Pantages. He was survived by a sister and two brothers.

HENRY SCHNEIDER

Henry Schneider, 42, film operator of the Adelphi theatre, Chicago, died May 10 of pneumonia in Chicago. He had been in the city of streptococcal infection May 12.

ROSE BEAUMONT

Rose Beaumont Phillips of the Beaumont Sisters (Rose and Nellie) died May 11 in Los Angeles at Lake Sanipe, N. B. Story appears in legit section.

VIRGIL JACK DOUGHERTY

Virgil Jack Dougherty, 43, former actor, and husband of the late

TUBBY TONY STOPS NATE MANN PRONTO

By JACK FULASKI

All but the roosters from New Haven laughed at the way Tony Galento bopped out Nathan Mann at Madison Square Garden last night. What was surely an unlikely 13th try for the fallen. Cheers from the crowd were laid out on the state. Nate and Jack had enough left to make the train for home.

There was no significance so far as heavyweight title matters were concerned, although the barometer was set to move high differently. He claims he can knock out any of the division's leaders and despite his downsize style Tony could be right, although it is questionable if he will get a chance to prove it.

Galento trains on beer and shows it, with a bay window of proportions. Outlines points out that the once unbeatable John L. Sullivan was not dissimilar in his habits and it took a man better to move him. Tony said he would annihilate Mann and made good the boast. The way he stood in the ring after defeat and took bows was one of the funniest sights the Garden has had in quite a while.

Seemed incredible for a man weighing 225 pounds, of not all the means to his success as the Galento. Mann chose to trade punches and made his first mistake. Then when he was on one side of the second round, he thought the count would be in his favor. He was able to continue, but whether he wanted to, only he knows.

HOWS

In the first frame the favorite snub his mitr wrist deep into Tony's midsection. He appeared to be in pain, mixed it in his fashion, using warnings and what not, drawing a warning and a warning. In the second round a left hook sent Mann almost through the ropes with the tummy flexing with both hands regardless, for which he nearly was disqualified.

There came a right roundhouse. Tony reaching from far back and catching Nate on the button. It almost seemed to the New Haven crowd leading with his chin. Few good boxers would be caught with such good timing. In the second round a left hook sent Mann almost through the ropes with the tummy flexing with both hands regardless, for which he nearly was disqualified.

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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, Los Angeles and New Orleans for those who prefer these news items; each has been rewritten from a daily paper.

East

Artie Shaw's band to fly in from Boston to New York again in a minute session in the Carnival of Swing being at Radio City. The band will do about 200 miles for a benefit appearance.

Billie Seward, screen actress, was under the extortion charge preferred by Louis Bamberger, now asking him \$100,000 for damaging her reputation, her credit and chances for employment.

Mrs. Vincent Astor re-elected head of Musicians' Emergency Fund last week. Dr. Danmarch, chairman of the board. First four months this year fund obtained \$97,738 worth of jobs for needy players.

Pins and Needles' co. in a jam in Boston. Joseph J. Jurnea, columnist, claims prior use of the title for his column in the Jewish Post. Court approved settlement of \$100 a week for the publisher.

Deaths and former employees of late David Belasco visited his grave Friday. Annual custom.

Postoffice cracked down on sale of tickets to Saxon State Lottery, said to be sponsored by Hitler. Being made the first practical.

"Shadow and Substance" to be produced by Joseph of the Actors' Fund May 20. Matinee.

Parking space for 40,000 cars near the new grounds, last status of for trailers. Sanitation and electric installations will cost too much to make the job practical.

Dwight Deere Wilson stubbed his toe in the Boston office. Married an Angel and injury developed complications, so his physician advised him to bed.

Jack Kyser headed a delegation last night to the Senate to demand the altering of "Star Spangled Banner" in the Senate. The high of the high house, which Kyser said he was going to swing the flag in a new way.

Eugene O'Neill denies any intention of collaborating with Thornton Wilder and later to deny all current reports to that effect. Guild will get his new play when it is ready.

Jack Kalish to Warsaw to recruit players to support Moll Picon on a will for next year. Miss Picon will be in the city for the next year.

Franklin D. Roosevelt, Inc. suing N. Y. Fair management for \$100,000 for alleged breach of contract. The fair management has been awarded to Swift & Co. Fair's defense is that the fair management was the company changing between the time of the bid and signing of the contract.

John Vernon Francis, 70-year-old British actor, arrived in New York on Friday en route to Hollywood. His new play, "The Sign of the Cross," is the Daniel Frohman spoke on the N. Y. stage.

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Coast

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Constance Bennett fled a new name in Los Angeles against Jimmie F. Cagney, Time magazine, asking \$350,000 for alleged defamation of character. Prevailing for she had sued for \$250,000.

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BIRTHS

Mr. and Mrs. Herbert Berke, daughter, May 3, in New York. Father is in Paramount; he publicly died.

Mr. and Mrs. Charles H. Starnes, daughter, in San Antonio, May 7. Father is p.a. for Intermate.

Mr. and Mrs. Charles H. Starnes, daughter, in Hollywood, May 7. Father is p.a. for Intermate.

Mr. and Mrs. Hal Roach studio, daughter, in Hollywood, May 10. Mother is the former Enid Perceval of London; father is film actor.

Mr. and Mrs. Ralph Sternad, daughter, in Hollywood, May 12. Father is art director at 20th-Fox.

Mr. and Mrs. Charles Walrod, son, in Hollywood, May 12. Father is purchasing agent for Selznick-Int.

Mr. and Mrs. John D. Pfeiffer, son, in Hollywood, May 12. Father is engineer at WXYZ, Detroit.

Mr. and Mrs. Robert Thomson, daughter, in Hollywood, May 12. Father is assistant superintendent of construction at RKO.

Mr. and Mrs. Miltie Krieger, son, in Los Angeles, May 13. Father is writer at Columbia.

Mr. and Mrs. Miltie Krieger, son, in Los Angeles, May 13. Father is screen player.

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MARRIAGES

Mary Lankey to P. Hugh Herbert in Beverly Hills, May 14. He's a writer in Hollywood.

Edith Sheinkman to Alex Evleva, Warner studio publicist, at 14, in Hollywood, May 14.

John Carl organ, announcer WTAR, Norfolk, to Dorothy Gandy, club hostess, James City County, Va., April 27.



The Greatest
Exploitation
Picture of
the Year



"YELLOW JACK" starring
Robert Montgomery • Virginia
Bruce with Lewis Stone • Andy
Devine • Henry Hull • Charles
Coburn • Buddy Ebsen
Henry O'Neill • Screen
Play by Edward Chodorov
Directed by George B. Seitz
Produced by Jack Cummings
An M-G-M Picture

THE NEW YORKER

PRICE

15¢

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Vol. 130 No. 11

NEW YORK, WEDNESDAY, MAY 25, 1938

56 PAGES

THE NEW YORKER

Chicago Shakes Nitery-Golf Cocktail To Get Out of the Rough; Boosts Jobs

Chicago, May 24. Golf and country clubs are scrambling to get on the show business bandwagon as a means of increasing their general revenue potentialities. Have found that sticking strictly to golf fees doesn't always add up to much coin, and only then they can figure on a few hours of daylight for their sheikhs. With that logic as a basis, they have begun to swing to the nitery plan.

Several golf clubs in this vicinity have already laid plans for such activities this summer, and others are working out to see more coin in the big apples than in the divot-diggers. New trend will mean important money for show business, particularly in increased bookings. The Bon Air Country Club here, which has just set Jack Demmy's orchestra to headline this summer, tried the stunt on a small scale last season and it worked out so successfully that it's increasing its talent and budget considerably this year.

Bunker Hill, formerly a private course, is going public this season, and besides golf is readying to offer a \$3 dinner and floor show. Twin (Continued on page 10)

France Sees Its Films As Aid to World Unity; Talk of Gov't Support

Representations from French film distributors of late are to the effect that France is becoming quite nationalistic-minded about its picture industry. Akin to the manner in which the French government gives financial support to its luxury liners, at a medium of international goodwill, a new feeling is for France to kindly toward its film product.

It's predicated on a forward-sight of late by French picture-makers in the world market and because the screen is recognized as a new cultural, patriotic and good-will ambassador.

French film exports in the U. S. are averred, will henceforth be tied to French Chamber of Commerce of New York, Inc., which is a semi-official Paris-New York commercial entity. The French C. of C. will have more than casual sympathy interest in French films coming into America.

Pass the Aspirin

Hollywood, May 24. How to handle studio athletes during the Shrine and American Legion conventions in the topic of conferences here among the studio publicity heads.

Under tentative agreement, each studio will appoint one man to supervise their men so as not to interfere with production. Shrineans convene here in June, the Legion in September.

NBC's Jitter Ward

NBC Artists Service has fixed up a "jitter ward" in which talent getting auditions can relax nervously while waiting tryouts. Room equipped with soft lights, chairs and literature. Formerly aspirants to a NBC pact just paced the corridor before marching to the mike.

HILLBILLIES' IDEAS OF B.O.

Now that the hillbillies have grown up and wear shoes, says Dave Kapp, recording exec for Decca of which his brother, Jack, is prez, they have grown-up ideas on prize. Most of ten now command royalties on their waxings, instead of the usual \$25 and (glory!) recompense for a flock of "billy" pairs.

Furthermore, most of 'em in the Dixie belt and in the midwest, are regularly on radio stations, and command ready-made followings at their recordings. They plug frankly and frequently over the air, now that they're interested in the royalty divvy.

Mysterious Mummy Case

By BOB LANDRY (Hereafter written and edited by Thomas Hutchinson. Superseded by "The Mummy Case" in the New York Times, May 24, 1938, in which it was reported that the mummy case was found in the tomb of the pharaoh Seti I.)

From the "Mummy Case" by Bob Landry. The "Mummy Case" is a mystery story which is a worthy recognition of the basic distinction, the "physic" thing. Here was the pharaoh's air experiment, turning from mere demonstration of "air engineering," possibilities to the further complexities of the

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BUT NO 1 GAMES: 'WHOWAS FIRST?'

Stunts and Idea Programs of All Kinds, but Many Carbon Copies—Multiply as the Sustaining Open Season Sets In

CONFLICTIONS

Audience-participating programs and the whole family of vox pop, stunt, game and novelty shows are becoming so numerous that they threaten to dwarf all previous episodes in radio's history of fondness for follow-the-leader. This type of show is getting a terrific wearing out in a hurry, now that the long summer of 1938 has set in.

Small coil of the idea shows, involving little beyond a fee for the original conductor and perhaps \$50 in cash prizes, is what recommends them. No union music on most of 'em.

Sustainers which used to be equipped as "loyalty set to music" now are belittled for erudition. Several immediate production problems have arisen.

The idea programs run afloat of prior claims of origination to an extent far greater than other types (Continued on page 25)

Most important of all—the television industry has not completed its laboratory tests. Nor will the Federal government release it from "experimental" classification for a long time to come in well-informed showmen. Failing such an okay by the U. S. Government, television cannot be commercialized.

neering as a... and city of dramatic narrative. In continuing the yarn of the splendorous, mummy case whose

Fascists Ogle Canada Kilocycles As Means for No. American Propaganda

Map's Elastic Borders

WMCA, N. Y., is issuing what it terms "Johann Steel's Map of the World." Designed to plug foreign-events' commentator's series.

Map has movable cardboard boundaries to European and Asiatic countries. Listeners are told to shove the lines around as frontiers alter in the ever-changing map of the world as they listen to Steel describe the events.

A radical economy idea being talked among certain music publishing executives is the elimination of the time-honored "professional" departments. Theory being that they've been outmoded and more or less needless for some years. Top plugs are solicited outside of the firm's offices, and even in the halcyon vaudeville days the headliners were solicited backstage or while being (Continued on page 34)

SONG COS. SANS PROF'L DEPTS.?

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Deal is Reported under Consideration

Deal is reported under consideration whereby the Canadian Government will arrange for a greater number of foreign radio programs next year, talks having taken place with German, Italian, French and English broadcasting officials during and following sessions of the recent International Radio Conference in Cairo.

It is understood that Canadian Broadcasting Corp. officials are considering the advisability of bringing over more European programs and if allowing more time for these it is believed that American programs now coming over the CBC network will be reduced to a considerable extent.

Fascist states, it is reported, are particularly interested in an exchange of programs as soon as the Atlantic, from what can be understood, seems to be the aim of the Fascist states. Germany and Italy would be willing to send programs (Continued on page 35)

Color Mixing Held Cause for WPA Play Exiting in New York

Federal Theatre in New York has temporarily sidetracked its first scheduled musical production, "Sing for Your Supper," because of a difficulty over color mixing and counter-activity by supposed radical elements. Show was postponed until August and will be rewritten, it's understood, to eliminate white-Negro mix.

Objections were raised to alleged racial emphasis between whites and blacks in the play. Particular stress was laid on white chorus girls singing "Sing for Your Supper," who complained are said to have been told to continue or quit the project. After several days of bickering, alleged radicals took issue with local communist, who hinted at the "social" trouble. They said to have wailed him, declaiming any such movement. Show had only been rehearsing a short time when order went down to quit.

Action was decided on, it's said, when directors saw project radicals' beef getting too warm and when threat of expiring summer discount as non-actors before FTP, a frequently recurring allegation, came to a head.

Nix Hurley by Midgets

Harold Minsky, head of proposition of putting on show with midgets at the Stated was met by a troupe of midgets, who said: "What you are doing is a disgrace, even for

THE HOLLYWOOD NEWS

Selznick and UA Talk New Pact: Roach Set, Co. Speeds Production

GETS TOO TOUGH TO TILT

Another Fresh \$1,000,000 Bankroll For Universal; Chas. R. Rogers Out, Cliff Work In; Studio Prowlows On

Selznick-International continue to release through United Artists, under terms of a new contract now in negotiation. Not only the Selznick pact but general UA policies and the 1938-39 production schedule were discussed last Friday (20) at a meeting in the home of Samuel Goldwyn, at which the producers expressed their confidence in George J. Schaefer, v.p., in charge sales, and agreed to grant him rather leeway in the sale of their individual productions.

Attending the meeting, in addition to Goldwyn, Schaefer and David O. Selznick, were Dr. A. M. Glanni, chairman; Murray Silverstone, chairman of the executive committee; Wanger, Edward Small, Hal Roach and his vice-president, Milton Kent; Max Silverstone, representing Alexander Korda, and Janice Mulvey, and Reeves Roney of the Goldwyn staff.

Conferees decided that UA produce the coming season's work to be sold strictly on percentage basis. Statement declared:

"The only fair way of determining the producer's return is the merit system—participation in the gross receipts determined solely by attendance at the box office."

First of the Small productions for 1938-39 will be "The Duke of West" followed by "Bride and Groom," "Man in the Iron Mask," "King of the Turf," "Two Orphans," "College Carnival," "The Lost World," "The Adventure of Beau Brummel."

Roach Starts Next Week

Hal Roach is due to start production next week on "The Green Eyes," an early "initialer" under the new leasing contract with United Artists, calling for a minimum of four and a maximum of six pictures annually for eight years.

Fredric March is set for the lead in "Heart" and Roach expects to close a deal with Irene Dunne for the femme lead.

New pact was approved last week at a meeting of the UA board of directors, which also voted to reduce its membership from 12 to six. New body includes the five owner-members: Harry Pictford, Douglas Fairbanks, Sr., Samuel Goldwyn, Alexander Korda, Charles Chaplin and Dr. A. M. Glanni, president.

Producers are preparing to rush to the exchanges one picture in the preview stage, one in the cutting room, one for release, and one as a preview and five more due to go into rotation in the next few weeks. Walter Wanger, "Blockbuster" ready for release after numerous title changes, is pushing plans for production of "The Great Dictator," based on Sacha Guitry's story.

Edward Small is polishing the screenplay for an untitled West Point picture featuring Jack Dunno, former champion, as his first release under his new UA pact.

Samuel Goldwyn is rushing the screenplay of "Kiss in the Sun" and has brought I. A. R. Wylie to Hollywood to script "Exiles" for early production.

First of Our Gang comedies to be produced at Metro since the kids' departure off the Hal Roach lot will be "The Kid from Pecos," by Lew McCowan, who checked in last week as "The Awful Truth" but was last Our Gang production at the old studio.

Kruger's Character Role

Hollywood, May 24. — Went from Hollywood far more than a year, Otto Kruger will play a character role in the untitled Edward G. Robinson picture to be produced by Paramount.

Kruger recently returned from his made three picture

Booby Prizes

Allied convention in Cincinnati passed a resolution to make an annual award to the person in the industry "making the dumbest speech" in a 12-month period. Rib is aimed at showmen who criticize American films after returning from Europe, or those with outbursts against certain stars.

Allied delegates neglected to exclude own membership from competition for prize, and next speaker after voting admitted he was speaking with consideration.

UA PAYS WAY FOR MORE IN '38-39

Policy of United Artists to eliminate flat rental deals entirely beginning with the 1938-39 season is expected to lead to increase in the number of percentage accounts among other companies. Among other distributors prefer percentage since it gives the sales force a true picture of the business position of the theatres and for the future makes it a simple matter to determine just how much rental can be paid out of each individual exhibitor.

"Anticipations are that the distributors will be more generous in carrying guarantees which otherwise would represent flat rentals though not likely that the policy to be adhered to will be as severe as that decided upon by UA. Producers of UA including Samuel Goldwyn, David O. Selznick, Walter Wanger, Hal Roach, Edward Small and, in behalf of Alexander Korda, Emanuel Silverstone, held a meeting in Hollywood at which it was determined UA would sell only on percentage this season. The policy goes into effect immediately.

UA refers to its new policy as the merit system, placing it squarely up to the boxoffice and the picture for a determination of what a picture's initial value actually represents.

Two seasons ago Warner Bros. started out by refusing to sell anything on the lot, one for the picture, the latter basis, however, as did Metro a few years ago when it refused almost all exhibitors in Chicago and elsewhere in a fight against percentage deals only.

PAR PRODUCERS SHIFT FROM LAZARUS UNIT

Hollywood, May 24. — Three associate producers removed from the payroll, the Jeff Lawrence unit and second unit, both again last week by president Barney Balaban's economy drive, shifting the unit to the production office.

Three who checked off the lot in the first blast were Fanchon, Al Aronson and Maurice Brown. They are to be shifted to Paul Jones, Bogart Rogers and Mel Shaver. Jones and Rogers are to be shifted to their current pictures, "Give Me a Sailor" and "Beauty and the Beast," respectively. Brown will be shifted to pictures on his schedule, will handle the other 11 units.

Paramount is considering 423 addition to its sound and stock library building to take care of the heavy production schedule now under way. Building will house sound music cutters in seven entire rooms, 13 vaults, rejection and assembling

Despite Will-Admission-But Summer's Business Will Determine Things for AVERAGE

Present scale of admissions is expected to remain stable throughout the summer, according to checks made of exhibitors in key spots and by trade organizations. Survey made about a month ago, which showed the average adult ion fee to be 22c-25c for the whole country, has not been altered by recent developments.

Admission fee will be maintained generally even in the face of a dip of 15c-25c in boxoffice take because exhibitors figure the warm weather months a bad period to make any general slash in the price structure. While some houses may put in a few summer price reductions, such as broadening the time limit for matinee prices, making outright cuts in establishing 2-for-1 nights, few exhibitors intend to juggle admission questions in next few months because they realize how difficult it is to bring them back to old levels in the fall.

Consequently, any changes in admission scales will be done quietly or by means which do not admit a regular cut, but enable the house to bolster attendance in a few key spots. Majority of exhibitors plan to check how business is this summer before launching on a wide admission price slashing campaign. Many are optimistic that there will be a trace of business revival by the time September rolls around. But if big slump is not improved or gives any hint that it will be by that time, wholesale price cuts may be in place in effect.

\$275,000 Commission Suits Vs. Laemmle Thrown Out of Court

Two separate suits brought by agents to recover \$275,000 each from Carl Laemmle as result of the latter's sale of Universal Pictures stock in 1935, were tossed out of court yesterday (Thursday) by N. Y. federal judge Knox for lack of jurisdiction. The suits were brought by Alfred M. Wolf, of Los Angeles, and George Laemmle, who claim to pay him 5% of the sale price if Wolf succeeded in obtaining a buyer. Wolf claimed he intended to pay him 5% of the sale price if Wolf succeeded in obtaining a buyer. Wolf claimed he intended to pay him 5% of the sale price if Wolf succeeded in obtaining a buyer. Wolf claimed he intended to pay him 5% of the sale price if Wolf succeeded in obtaining a buyer.

JOHN CLARK STILL LAID UP FROM OP

Though John D. Clark may not be able to return to his regular duties, several moves, no one will substitute him as v.p. over distribution in his absence. Clark recently has been in a serious gall bladder operation in Montclair, N. J., where he lives, but is reported rallying nicely. Three division sales managers, 201, Bill Sussman, in office. Clark's brother is continuing his active duties, but Clark was a co-producer of the sales office. Bill Clark is in charge of shorts and

U's Slogan

Slogan, "the exhibitors' company," has been quietly adopted by Universal. Based on slogan that forthcoming pictures will be made by exhibitor formula and with the exhibitor's stamp on it, in mind.

Company officials believe they can carry the theory into effect because almost all the men in key executive spots were formerly on the theatre end.

KENT REPORTS HIS FOREIGN FINDINGS

Idney R. Kent, president of 20th Century-Fox, on Monday (23) returned from London where he helped smooth the serious fight of the Cinematograph Exhibitors' Association against distributors on grading and rentals, and will help in any move to smooth the internal problems of the business here. Kent was abroad five weeks, visiting Paris, London, Rome, and other cities, attended sales meetings by his foreign staffs.

Kent thinks that the b.o. should move has been upward this fall.

He found British film business, generally, down around 15% under peak times but, generally, business in Europe is okay. The business which has not been so good in England and the continent is good and growing, he added.

He thinks that the b.o. should improve. He thinks that the b.o. should improve. He thinks that the b.o. should improve. He thinks that the b.o. should improve.

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BALCON QUITTING M-G TO PRODUCE ON OWN

London, May 24. — Michael Balcon, producer under Bouc, for M-G here, is drifting away to set up a new production company of his contract which terminates end of 1939.

He plans to start his own independent production company, presumably to cash in on the demand for quality pictures for quota credit pictures.

WRANGELL TO DIRECT

Holly, May 24. — Just wrangled been upped for a film called "The Girl in the Red Velvet" by Metro. His first assignment will be to direct "The Girl in the Red Velvet." "Still a little upset," said Cinefret. — It's cutting job.

Universal has been reinforced with another \$1,000,000, according to Wall Street, which money is additional to that recently obtained in London and here, thus providing the firm with a strong financial base for production.

Understood that this new money was in hand last week, prior to the recent showdown forced by Charles R. Rogers, relative to his status on production, although he may not have been aware of the matter. It is believed that his first knowledge of this came at the directors' meeting, which divided him of his staff duties. Rogers was executive v.p. in charge of production.

At that meeting last Thursday (19), there were present J. Cheever Cowdin, chairman, who presided; Nate Blumberg, president; Harry Fox, vice-president; Charles R. Rogers and his brother, Budd Rogers, Dan Collins, Dan Schaefer, Paul Brown, Fred Dan Schaefer, Paul Brown, Fred Taylor, H. Poch, L. Pennoch, Octavius Crockett and Teyton Gobson, secretary of the corporation.

After the crucial two and one-half hour meeting, Rogers spent most of the period complaining about the actions of Nate Blumberg and Maurice Fox, president and v.p. of the company respectively, because they had injected themselves into studio affairs, and that they were interfering with the company's business. [Their] moves were to bring down company overhead and eliminate the studio's losses. Rogers also told of his record of achievements on the lot and (Continued on page 42)

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Ritzes Set Hot Pace in L.A. With \$22,000, 2 Spots; Par Falls Back On Reissue, 'Hood' Strong '86 on H.O.

Los Angeles, May 24. Renhuffling of first runs after a period of holdovers, RKO's Ritz Brothers in "Kentucky Moonshine" (20th) and "Old Chis" (M-G) led to the Paramount and Katharine Hepburn and Cary Grant in "Holiday" (20th) and "Reckless Living" (20th). "Robin Hood" stands up better than anticipated in its second week at the Downtown and Hollywood. Other recent holdovers, "Test Pilot" (20th) and "Viscious Lady" are off the top lists and set for the nabes.

Estimates for this week
Chis (rauman-FWC) (2:20): 30-40-35-35—"Kentucky Moonshine" (20th) and "Old Chis" (M-G) dual. Smiles at the boxoffice will make the weeks in the top ten. Last week, "Old Chis" (20th) and "Island in the Sky" (1st) (20th) finished second and fourth holdovers.

Downtown (WB) (1:00): 30-40-55-65—"Robin Hood" (WB) (2d week). Will go \$9,000, above expectations, particularly in view of its first week last week; seems an answer to the query whether it can hold on its own stand without dual support; extra biz attributed to shorter shows and turn-over.

Four Star (F-W-C) (1:00): 40-45-55—"Sailing Along" (GB) and "The Avenue" (WB) (2d week). "Sailing Along" (2d week), like the Jessie Mattie musical, has improved in its second week, which added to last week's \$2,000 in additional improved to \$2,000.

olywood (WB) (2:25): 30-40-55-65—"Robin Hood" (WB) (2d week). First \$15,000. First \$15,000. First \$15,000.

Orpheum (Bdwy) (2:20): 30-40-55-65—"Robin Hood" (WB) (2d week). "Spot" (RKO) dual and vaudeville. Gaining by nicely with some new customers who like vaudeville since the only one presentation spot to show.

Fanfares (Pan) (2:12): 30-40-55-65—"Viscious Lady" (RKO) (2d week) and "Law of the Underworld" (20th) (2d week). Business off the second week was \$4,000 disappointing; Katherine Hepburn and Cary Grant in "Holiday" (20th) and "Reckless Living" (20th) (2d week).

Island in the Sky (20th) (2:10): 30-40-55—"Viscious Lady" (RKO) (2d week) and "Law of the Underworld" (20th) (2d week). Business off the second week was \$4,000 disappointing; Katherine Hepburn and Cary Grant in "Holiday" (20th) and "Reckless Living" (20th) (2d week).

State (Loew-FWC) (2:14): 30-40-55-65—"Kentucky Moonshine" (20th) and "Old Chis" (M-G) dual. Drawing from the shopping trade for good matinee business and should reach \$13,000. "Old Chis" (20th) and "Island in the Sky" (20th) turned in a neat \$11,000 on second.

Island in the Sky (20th) (2:10): 30-40-55—"Old Chis" (20th) and "Island in the Sky" (20th) dual. Main feature in the Sky (20th) dual. Main feature in the Sky (20th) dual. Main feature in the Sky (20th) dual.

Robbin Hood (WB) (1:00): 30-40-55-65—"Robin Hood" (WB) (2d week). Will go \$9,000, above expectations, particularly in view of its first week last week; seems an answer to the query whether it can hold on its own stand without dual support; extra biz attributed to shorter shows and turn-over.

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First Run on Broadway

Week of May 24
 Capitol—Yellow Jack (MG) (2d wk.)
 Columbia—Gangs of New York (Rep.)
 (Renewed in Current Variety)
 Capitol—Devils' Party (U) (2d wk.)
 (Renewed in Current Variety)
 Capitol—Saint in New York (Rep.) (2d wk.)
 Capitol—Saint in New York (Rep.) (2d wk.)
 Capitol—Saint in New York (Rep.) (2d wk.)

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That Kiss—Wayne King 21 1/2, Philly; 'Crime School' \$15,800, 'Lady' \$15,600

Blaise (Fourth Ave.) (3:00): 15-30-40—"Kentucky Moonshine" (20th) and "Old Chis" (M-G) dual. Should hit the spot at \$8,000. Last week, "Kentucky Moonshine" (20th) and "Old Chis" (M-G) dual. Should hit the spot at \$8,000. Last week, "Kentucky Moonshine" (20th) and "Old Chis" (M-G) dual.

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Philadelphia May 24. With only three initial-run bow lusers open, the picture market of other offering a highlight, tight week. "Kentucky Moonshine" (20th) and "Old Chis" (M-G) dual. Should hit the spot at \$8,000. Last week, "Kentucky Moonshine" (20th) and "Old Chis" (M-G) dual. Should hit the spot at \$8,000. Last week, "Kentucky Moonshine" (20th) and "Old Chis" (M-G) dual.

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GOODIAN '29, GROVE '96, HUB

Benny Goodman on the stage of the Memorial is swinging all the important business in town. The rest of the Rialto dismal. Dual, \$15,000. Last week, \$15,000. Last week, \$15,000. Last week, \$15,000.

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'YELLOW JACK' \$5,500, PORTLAND, ORE, MILD

Portland, Ore., May 24. Second week in the burg. First week, \$5,500. Last week, \$5,500. Last week, \$5,500. Last week, \$5,500.

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'4 MEN' \$8,000, DENVER; 'FOOLS SCANDAL' \$4,000

Denver, May 24. Rain over the weekend, but picture business at home and out of the mountains, keeping the theater district busy. First-run first-run are clicking well over average.

Aladdin (Fox) (1:4) 25-40—"Mirro Polo" (UA) (2d run). Excellent \$5,000. Last week, \$5,000. Last week, \$5,000. Last week, \$5,000.

Crosby and Ritzes Both Top \$7,000, OK in Omaha

Omaha, May 24. Attractions steady, but picture business outstanding. Orpheum and Omaha with new bills running close race.

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'Moonshine' Sock \$8,000, 'Yellow Jack' 'Wolf' \$4K, 'Viscious' \$2,400, L'ville

Louisville, May 24. Two houses with h.o.s. May Anderson with "Robin Hood" and Brown with "Yellow Jack" (2d week) are the best pics in town. "Yellow Jack" at Loew's. Sock won't break any records, while "Kentucky Moonshine" at the Rialto is pulling in the natives, partly through local pride in behalf of erieer Weaver, home town product. "Yellow Jack" (2d week) is a new film is the signal for plenty of free newspaper publicity.

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'Polo' \$400, Lincoln; 'Gold-Night Out' \$2,800

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KAY TUTTON LEADS OFF HOLLYWOOD, MAY 24

Hollywood, May 24. Kay Tutton leads off the picture market as the lead episode Joe Penner in "Strictly Academic" at RKO.

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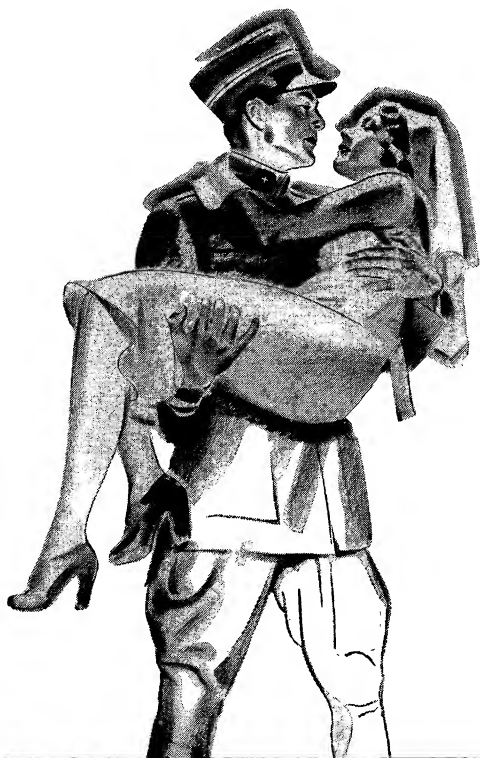
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ANGLO PROPAGANDA
Jerusalem, May 12.
Documentary films, made in England and intended to show what a great place England is, have inundated the country and are rapidly taking the place of trailers of coming attractions.

This picture has the priceless attribute of timeliness !



At this very moment Miss Helen Hayes is concluding a personal appearance tour of the key cities and towns of this country and Canada, packing them in with her triumphant portrayal of Queen Victoria. At this very moment Gary Cooper stands at the very summit of his career, a glorious box office name. At this very moment the ringing message of Ernest Hemingway's mighty story of a man and a woman who dare to face with their love the challenge of a world gone mad with war, finds a receptive audience of human hearts everywhere. Gentlemen, we give you . . .

HELEN HAYES and
GARY COOPER with
ADOLPHE MENJOU

in

"A Farewell to Arms"



A Frank Borzage Production

From the novel by Ernest Hemingway • A Paramount Picture
Screen play by Benjamin Glazer and Oliver H. P. Garrett

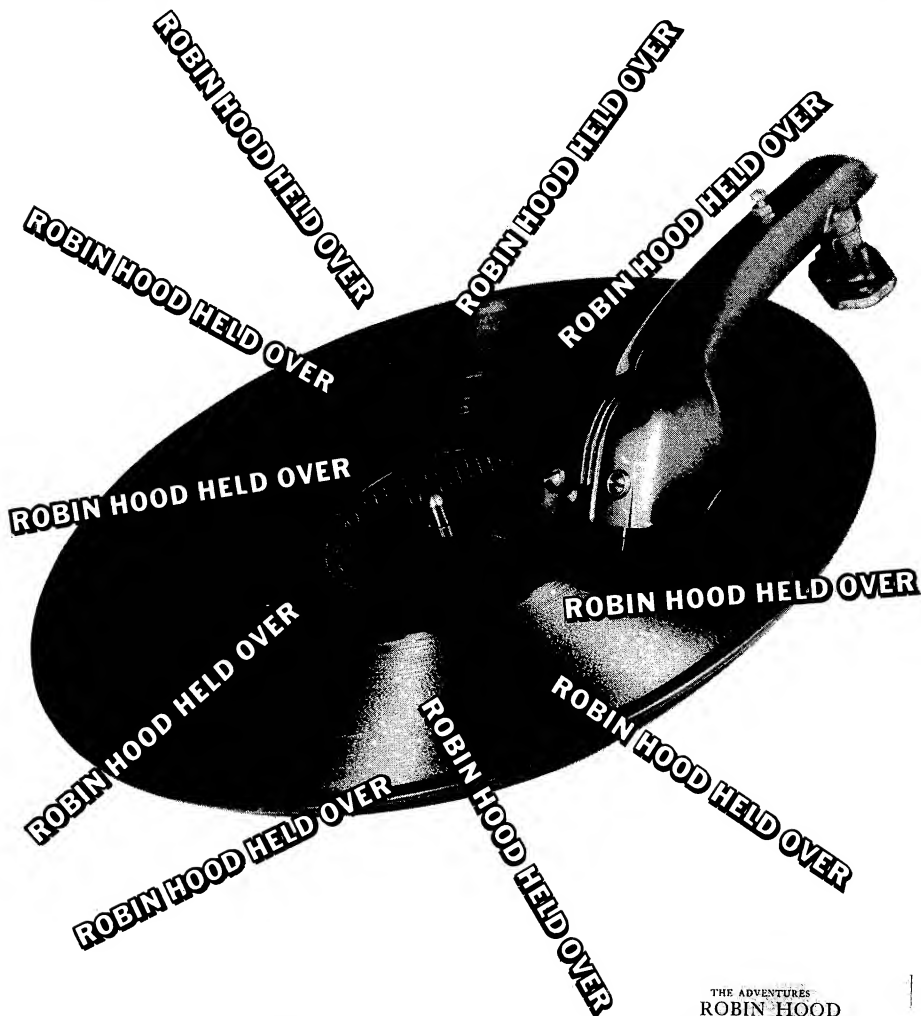
FILM BOOKING CHART

(For information of theatre and film exchange bookers, VARIETY presents a complete chart of feature releases of all the American distributor companies for the current quarterly period. Date of the reviews as given in VARIETY and the running time of prints are included.)

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WEEK OF RELEASE	TITLE	PRODUCER	TYPE	TALENT	DIRECTOR	TIME	WHERE REVIEWED	
						MIN.	BY VARIETY	
3/4/38	ROLLING CARAVANS STUART CHEERING MERRILY WE LIVE ROMANCE IN DARK MAIDS NIGHT OUT PRISON NURSE SALLY, IRENE AND MARY MAD ABOUT MUSIC SLIGHT CASE OF MURDER	Col Nat. Perrin Hal Rosson Harlan Thompson RKO Herman Schlom MGM J. Pasternak Sam Bucholtz	Col MGM MGM RKO Rep MGM WB WB WB	Western Musical Musical Musical Rom-Dr Meller Musical WB Meller	J. Ludeke-Stewart W. Connelly-Durante C. Bennett-Burke G. Swarthout-R. Boles Ron-Dr H. Wilson-M. Marsh A. Faye-J. Jones D. Durbin-H. Marshall E. G. Robinson-J. Bryan	Jax. Levering H. C. Potter R. S. McLean A. S. Roloff James Cagney A. S. Roloff Norman Taurog Lloyd Bacon	78 95 76 79 72 78 88 85	2/9 3/1 2/16 5/25 3/9 3/2 2/16
3/11/38	MAKING THE HEADLINES THE FIRST BUBBLED REELS BOSS OF RIO GRANDE DANGEROUS TO STEAL HAWAII CALLS CALL THE MESQUITES WALKING DOWN BROADWAY CRIME OF DR. HALLER LOVE, HONOR AND BELIEVE	Col Norman Krasna Dorothy Reid MGM Sol Lesser Wm. Berke Sol Wurtzel Ed Grainger Lou Edelman	Col MGM MGM MGM Rep Rep WB WB WB	Rom-Dr Rom-Dr Rom-Dr Rom-Com Rom-Com Western Com-Dr Mystery Com-Dr	J. Holt-B. Roberts R. Montgomery-V. Bruce Moultin-John Carroll C. Patrick-A. M. Wong B. Brecken-S. Cobb J. Mesquites C. Trevor-P. Brooks E. Bellamy-B. Read W. Morris-F. Lane	Lewis D. Collins Dick Tenebr Wm. Nigh Robert Florey Edward Cline John English N. Foster Sylvan Simon Stanley Logan	85 76 68 68 55 55 35 38	3/23 3/18 3/18 3/16 3/16 3/16 3/18 3/18
3/18/38	GIRL OF GOLDEN WEST BULLDOG DRUMMOND'S PERIL KING OF NEWSPAPERS REBECCA OF SUNTREET FARM THE GAIETY GIRLS ADVENTURES OF MARION LOLO NIGHT CLUB HUSTESS STATE POLICE HE COULDN'T SAY NO	Wm. A. McGuire Par V. Moresch RKO A. Korda G. Clegg W. Mycroft A. C. Carr Bryan Foy	MGM MGM Par 20th 20th 20th WB WB WB	Musical Mystery Rom-Dr Rom-Com Musical Drama Rom-Dr Action Comedy	J. MacDonald-N. Eddy J. Barrymore-L. Campbell L. Amy-D. Lewis S. Kemp-E. Pratt J. Hubert-F. Ellis G. Clegg-R. Baskin B. Rogers-J. Clyde J. King-C. Moore F. McHugh-J. Wyman	R. Z. Leonard Jax. Houtan V. Moresch Norman Foster T. Freeland G. Clegg Graham Cutts John Rawlins Lew Seltzer	120 88 68 80 72 72 61 61	3/18 3/23 3/30 3/9 3/2 2/18 4/8 4/8
3/25/38	LOVE WOLF IN PARIS HE LOVED AN ACTRESS JERRY HARDY'S CHILDREN ARM GUNGASTERS MR. MOTTO TAKES CHANCE JEZEBEL	W. MacDonald Wm. Rowland MGM Herman Schlom Sol Wurtzel A. C. Carr	Col GN MGM MGM WB WB	Mystery Com-Dr Com-Dr Meller L. Loyster Drama	F. Lederer-F. Drake B. Lyons-V. Velez-W. Ford L. Stone-M. Rooney-C. Parker J. LaRue-B. Livingston L. Loyster B. Davis-H. Fonda-G. Breen	A. S. Rogell Wm. Rowland G. Sec. Galt Joe Kane Nobert Florey Wm. Wyler	67 65 75 68 68 60	5/25 5/25 3/18 3/18 3/18 3/18
4/1/38	ON G-MEN STEP IN LAND OF FIGHTING MEN TIP-OFF GIRLS CONDORNS WOMEN OUTLAWS OF SONORA ISLAND IN THE SKY GOODBYE, REB AND GARY	W. MacDonald Erlich Pommer MGM MGM Par RKO Ed Grainger Sol Wurtzel	Col GE MGM MGM Par Par WB WB	Meller Drama Western Western Drama Western Meller Com-Dr	D. Terry-R. Paige-J. Wells L. Fenton-C. Veldt J. LaRue-L. Stanley L. Nolan-M. Carline-R. Karna J. LaRue-L. Stanley J. Mesquites-J. Joyce G. Stuart-M. Hayden C. Winneton-B. Brady-J. Brown	C. C. Coleman Jr. Carl Hart J. LaRue Louis King Leo Landau Geo. Sherman Herbert Leeds Ray McCrory	60 55 68 68 58 68 68	3/18 3/18 3/23 3/23 3/23 3/23 3/23
4/8/38	FEMALE FUGITIVE THIS MARRIAGE BUSINESS CAPITAL PUNISHMENT NAWIDDE RECKLESS LIVING WOMEN ARE LIKE THAT	E. B. Derr Cliff Reid MGM Sol Lesser Val Paul RKO RKO	MGM 20th 20th 20th WB WB	Meller Drama Rom-Dr Western Com-Dr Com-Dr	E. Venable-C. Reynolds V. Moore-A. Lane A. Marshall-F. Bittel S. Ballew-E. Knapp N. Grey-K. Wilson-J. Sawe K. Francis	Wm. Nigh Christy Canyon John H. Austin Ray Taylor F. MacDonald Roy Logan	68 70 70 68 68 78	4/13 4/6 4/6 4/13 4/13
4/15/38	FLIGHT INTO NOWHERE SAILING ALOONG ZAMBOANGA TEST PILOT HER JUNGLE LOVE JOY OF LIVING UNDER WESTERN STARS IN OLD CHINA DIVORCE OF LADY X NURSE FROM BROOKLYN POOLS FOR SCANDAL	Col Tait & Harris Louis Lighton Geo. Arthur Felix Young C. C. Siegel RKO Alex. Korda Ed. Grainger Marvyn LeRoy	Col MGM MGM Rep Rep Rep Rep WB WB WB	Meller Musical Outdoor Rom-Dr Rom-Dr Rom-Dr Western Drama Rom-Dr Drama Rom-Com	J. Holt-J. Wells J. Matthews-J. Whiting C. Gable-S. Tracy-M. Lloy D. Lamour-L. Milland J. Hume-L. Fairbank-J. R. R. Rogers-S. Burdette C. Gable-J. Faye-A. Lane M. Oberon-L. Olivier S. Elters-C. Kelly C. Gable-L. Gray	Louis D. Collins Sonnie Hale T. H. Harris Vic Fleming G. Archambaud J. Hume Joe Kane C. Mackowan T. Freeland T. Whelan Sylvan Simon Roy Logan	62 84 84 128 81 81 85 85 80 87 87	5/4 2/9 4/27 2/2 3/23 3/23 3/23 3/23 3/23 4/13 4/13
4/22/38	THREE'S ALWAYS A WOMAN INTERNATIONAL CRIMINAL HEART OF ARIZONA GO CHASE YOURSELF THE FEUD MATHES BATTLE OF BROADWAY LADY IN THE MOOR ACCIDENTS WILL HAPPEN	Wm. Perberg Max Landauer Harry Sherman Bob Sisk A. H. Hackett Sol Wurtzel Louie L. Starr Bryan Foy	Col Col MGM Col Col 20th 20th WB	Comedy Comedy Western Comedy Comedy Comedy Comedy Com-Meller	J. Blomell-M. Douglas R. Keller W. Boyd-G. Hayer J. Penner-J. Hall B. Steele-M. Weldon V. McLaglen-E. Muir F. Myster-F. Ellis R. Keagan-C. Blomell	Alex. Hall Rita Stevenson Les Selander Edw. Cline Geo. Marshall Geo. Marshall Arthur Lubin	82 85 68 76 82 82 60	5/4 4/27 4/20 4/20 4/27 4/27 4/27
4/29/38	CALL OF THE ROCKIES THE CALL OF THE WILD WHIRLWIND HORSEMAN TWO-GUN JUSTICE COLLEGE SWING ROMANCE ON THE RUN FOUR MEN AND A PRAYER RETURN OF SCARLET PINKET BELOVED BIRD	H. L. Decker Maurice Coster M. A. A. Alexander Maurice Coster Lewis Center Herman Schlom Alex. Korda Bryan Foy	Col Col WB WB WB WB WB WB	Western Rom-Dr Western Western Western Meller WB WB	C. Sturrett-L. Meredith W. P. Fox-L. L. L. L. L. C. Maynard-J. Barclay R. McCoy-B. Campion M. Ray-B. B. B. B. B. D. Woods-F. Ellis J. L. Nolan-L. Green S. Stewart-E. Barnes-M. Scott B. Comp-D. B.	Allen Jones Rita Stevenson Chas. Lamont Allen Jones Allen Jones Gus Meins John L. Green Hans Schauf D. B. B. B. B.	78 82 82 68 68 86 62	2/2 2/2 2/2 3/23 3/23 3/23 4/13
5/6/38	THE MAIN EVENT DOCTOR RHYTHM LAW OF THE UNDEFEATED JONES FAMILY IN PARIS SINNERS IN PARADISE TOMMY BLANE IN PANAMA	Ralph Conn Emanuel Cohen Bob Sisk Max Golden Ken Goldsmith Bryan Foy	Col Col Col 20th 20th WB	Mystery Musical Comedy Comedy Drama Com-Meller	R. Paige-J. Wells B. Crosby-M. Carline C. Mello-A. Shirley J. Prossy-S. Byington J. Bole-M. Evans L. Lane-F. Kelly	Danny Darr Frank Tuttle L. A. S. S. S. S. Mal St. Clair Jas. White Wm. Clement	86 58 54 65 59	4/13 5/4 5/4 4/13 4/13
5/13/38	LAW OF THE FLAINS THE SHOW GOS HOLD THAT RESS GUNSMOKE TRAIL PHANTOM RANGER STUNNED HEAVEN GUN LAW VIVACIOUS LADY GANGS OF NEW YORK KENTUCKY MOOSEHEAD AIR DEVILS ADVENTURES OF ROBIN HOOD	Col H. W. Wilson J. Conaside, Jr. M. A. A. Alexander Maurice Coster Par Par Par P. S. Berman A. Schaefer K. MacGowan Trem Carr Henry Blanke	Col Col MGM MGM WB WB WB WB WB WB WB WB	Western Rom-Dr Comedy Western Western Rom-Dr Rom-Dr Rom-Dr Meller Musical Action Hit-Box	C. Sturrett-J. Meredith A. Neale-F. Carroll D. O'Keefe-M. O'Sullivan J. Randall-L. Stanley T. McCoy-S. Karna G. Raymond-D. Braden C. O'Brien G. Rogers-J. Stewart C. Bickford-A. Dvorak R. H. H. H. H. H. B. Wallace-B. Blake E. Flynn-O. de Harland	Sam Nelson H. Wilson E. L. Marin Sam Newfield T. Freeland Andrew Stone Dave Howard Geo. Stevens Jas. Cline John Rawlins W. K. B. B. B.	80 70 80 80 80 80 80 80 80 80 80	4/13 4/13 4/13 4/13 4/13 4/13 4/13 4/13 4/13 4/13 4/13
5/20/38	SIX SHOOTIN' SHERIFF SWISS MISS NUMBERED WOMEN COCAWANT BLIND ALBI RASCALS THE DEVIL PARTS MYSTERY HOUSE	M. A. A. Alexander E. B. Derr C. C. Siegel Cliff Reid John Stone Ed Grainger Bryan Foy	MGM MGM MGM 20th 20th 20th WB	Western Comedy Drama Meller Musical Drama Drama	K. Maynard S. Lane-H. H. H. S. Lane-H. H. H. F. MacGowan J. Wilkes-R. Hudson M. Ray-B. B. B. B. H. B. B. B. B.	Harry Brown C. C. Siegel A. S. Roloff Low Landers J. H. H. H. H. J. H. H. H. H.	72 68 68 55 77 55 55	5/11 5/11 5/11 5/11 5/11 5/11 5/11
5/27/38	YELLOW JACK MURDER MEN DESERT PATROL KIDNAPERS CRIME SCHOOL	Jack Cummings Harold Hurley A. W. Hackett K. MacGowan Bryan Foy	MGM MGM WB WB WB	Meller Meller Western Rom-Dr Drama	R. Montgomery-V. Bruce L. Nolan-M. Carline Barb Steele-W. Meldon W. B. B. B. B. H. B. B. B. B.	Geo. Stevens Louis King Sam Newfield W. W. W. W. W. L. B. B. B. B.	83 83 80 80 80	5/5 5/5 5/25 5/25 5/25
6/3/38	THREE ON A WEEKEND THREE COMRADES SAINT IN NEW YORK JOSETTE RACKET SHIP WIVES UNDER SUSPICION LITTLE BLUES THROUGHOUT	H. W. Wilson Wm. Slatrom Ben Marky Barney Sorecky Ed Grainger Bryan Foy	Col Col WB WB WB WB	Comedy Rom-Dr Rom-Dr Rom-Dr Meller WB	M. Lockwood-J. Lodge-B. Ray R. Taylor-T. Sullivan L. Hayward-K. Stunt S. Simon-D. Amelie-B. Laub L. Crabbe-J. Rogers W. Williams-F. Patrick J. Chapman-J. Lissi	Carol Reed Ben Hines Ben Hines Paul Beebe John Rawlins M. Curtis	100 71 70 80 104	5/11 5/11 5/11 5/11 5/11 5/11
6/10/38	HELD FOR RANSOM THE TOY WIFE FOUL AND MERRY RIDERS OF BLACK HILLS ONE WILD NIGHT GOLDENLOCKS IN PARIS	GN Marion C. Cooper Fritz Lang Wm. Berke John Stone Sam Bucholtz	GN MGM MGM 20th 20th WB	Meller Drama Rom-Dr Western Meller WB	G. Withers-D. McHaffey-J. Muhal L. Rainer-M. Douglas-R. Smith R. Sidney-G. R. L. L. L. J. Mesquites J. Lang-L. Talbot-S. Feter R. Valters-B. Lane	Clarence Kricker Richard Thorpe R. Sidney-G. R. L. L. L. George Stork an Nancy Farrow Nancy Farrow	80 100 100 100 100	5/11 5/11 5/11 5/11 5/11 5/11
6/17/38	HOLIDAY CRIME OVER LONDON LORD JEFF PRISON FARM THE MUFFLED DEAL THREE BLIND MICE BLOCKADE HEN WERE YOU BORN	in Col Col RKO RKO RKO WB	Col Col Col WB WB WB WB	Drama Mystery Rom-Dr Meller Drama Drama Drama	K. Hepburn-C. rant M. Grahame-P. Cavamaugh R. H. H. H. H. R. H. H. H. H. J. Fontaine-D. de Marney L. Fonda-M. Carroll C. Rains-J. Cooper	G. G. G. G. G. A. S. Roloff J. H. H. H. H. J. H. H. H. H. J. H. H. H. H. J. H. H. H. H.	82 82 82 82 82 82	5/14 5/14 5/14 5/14 5/14 5/14

The Broken Record



Crime School, too!
First engagement
(N. Y. Strand) in
third smash week!

THE ADVENTURES
ROBIN HOOD
photographed in Technicolor
ERROL FLYNN
OLIVIA De HAVILLAND BASIL
RATHBONE CLAUDE RAINS
PATRIC K.
ALAN HALE •
IAN HUNTER •
Directed by MICHAEL CURTIZ.
Original Screen Play by Nor
Sean I. Miller • Based Upon Ancient
Legends • Music
A First National Picture

Now and for '39—WARNER BROS., the *Action* Company!

CHIEF BOOKER CROSSBOWS

No Self-Respecting Nabes Will Play 'Em—Survey of Several Key Spots Indicates the Jorktown Nabes Cautenances 'Em Because of the Extra Few Dollars

ADMEN'S PROBLEM

Sponsored films, either produced by one industrial firm or a commercial group, are beginning to be viewed by certain exchanges as a means of cutting down overhead. Upward cost of distribution is a vital factor in this new slant towards commercial pictures. Thus far, only independent or semi-independent exhibitors have been reported having thought, though at least five important companies have been asked to distribute a recently completed science fiction short.

Commercial film protagonists argue that the showing of such sponsored subjects containing no blatant advertising matter is much the same as dignified advertising in a magazine.

Advertising agency men, interested in continuing to make pictures for clients, believe that they are to go into theatres and continue to enter playhouses, it must be done on the basis that their product is a real entertainment addition to a program. They contend that their subjects must have scientific, educational or historical value, and must be presented with a publicity story that has some news merit as against commercial shorts that are blatantly advertising and closely resembling ads in publications.

Backing these sponsored productions with purported entertainment value charge that distributing on a basis of payment to the exhibitor will in time harm the commercial field. Their theory is that paying the exhibitor \$2 or \$3 per 100-1,000 seats, per picture, immediately takes such sponsored product off the gold standard of entertainment. They claim that it leaves the exhibitor wide open to having any exploitation or advertising blurbs shoved across.

Idwest's Nix

Chicago, May 24. Exhibitors in the midwest territory, especially in the big burgs, are generally stiff-necked in their refusal to accept commercial films as new spots on their program as a means of saving on film costs. Allied organizations, from time to time, have been attempting to make deals which meant considerable cost for the treasury if they would pledge their members' screens for commercial films. Many of these deals included offers of pay to the theatres for the exhibition of these industrial, but feeling on part I, members was such that Allied nixed any commercial film deals.

Result has been that most the industrial has been restricted to showings in the smallest of houses and generally in the bush-league towns where there is little theatre, and no feeling of competition for the public's patronage exists.

General exception to these sponsored reels is the political film in Chicago and the midwest. While the big houses have been actually steering away from using political reels during campaigns, the smaller houses have been distributing the reels pretty generally, and for free.

New England Apathetic

Boston, May 24. Advertising shorts are actually not vital in New England because many of the modern commercial reels have been distributed by the exhibitor as a cognizant of the current whimsy-du-

That Good?

Hollywood, May 24. As one of the world's greatest forces for culture, education and entertainment, Hollywood deserves a special honor for its 50th anniversary, taking into consideration the resolution adopted by the Los Angeles Board of Supervisors. Request for the special celebration will be sent to Washington for Congressional action.

do about them and have mulled the question intently.

Allied Theatres of assuettis, comprised of the major exhibitors, has taken no official action on commercials, but individuals and chain groups in this association are known to be cold on the subject, in view of past unpleasant experiments with screen advertising.

Independent Exhibitors, Inc., covering the indie field in New England, likewise has taken no official notice of the situation that appears to be coming to a head in the industry, but it is expected that this group will fall in line with the others when it is reached, if any, at the national convention in Pittsburgh currently.

rev.'s Pro and Cons

Providence, May 24. Commercial films have no place in Providence, Rhode Island, theatres, according to Ed Fay, president of the local theatre owners' association, and Ed Reed, manager of Strand indie. Tony Romano with a string of second-run and neighborhood theatres, declared himself for them.

As far as the Association is concerned, 'Fay pointed out, 'theatre-goes pay to be entertained and not to be advertised. He said that there has no place in first class theatres and we don't want them here.' Reed took the opposite position, saying he stated that the public didn't want commercials thrown at them after they paid to get in.

Romano, however, stated that commercials are being shown in his neighborhood houses and though some may not like them, they haven't seen any squawks yet.

Coast Off 'Em 10%

Los Angeles, May 24. Fewer than 40 theatres in the Southern California-Arizona area are inclined to accept commercial films, a canvass of exchange and theatre operators and officials of the Los Angeles Theatre District and Southern California reveals. Of the total number of exhibitors collecting from both sides of the mountains, less than 20 are members of the local TOI, membership of which covers Arizona in addition to Southern California.

Chain-operated houses throughout the territory have consistently refused to accept commercial films. Careful checking has failed to uncover a single theatre in the greater Los Angeles district using the paid fields.

Play for the commercials hereabouts are confined to the smaller spots and outskirts of the smaller cities, where admissions run from 5c for children to 10c for adults.

One reason cited by TOI officials for the harsh policy regarding commercials throughout the territory is that the so-called recession has had a less damaging effect on box-office in this sector than in any other part of the country. Economic conditions will have to be clear of the industry, they pointed out, before operators in the better nabes can be induced to change their former criticism by installing them.

'Necessity' in the NW

Minneapolis, May 24. All out-of-town showings in territory, including the Twin Cities, hood spots, including that of Minnesota Amis Co. (Par), as well as several of the area's big theatres, use short advertising films to supplement their revenues. These shorts are not run in excess of five minutes at any of the houses. Use of the films here is defended as 'a way to keep the audience interested in the theatre.' The National Theatre local indie organization, makes an attempt to exercise any control over its members' screen's advertising. President, points out, Stiefes, who

says he never even has seen one of the advertising reels, contends that the use of non-theatricals is purely an individual matter and problem.

Bennie Berger, former Northwest Allied president and large indie chain operator, who uses the reels in two of his Twin City first-run loop houses as well as in his neighborhood and out-of-town situations, claims 'they're absolutely necessary.'

'We can't get along without that additional revenue,' says Berger. Besides, we don't feel that the reels are objectionable to enough patrons to count for anything or matter. They run a very short while and infrequently have picture as well as verbal plugs and there's usually a pretty girl to adorn them.

Exhibitors here claim they have had no complaint on the score of these advertising reels. Two local companies, Ray-Bell and A. Smith, manufacture them. The Alexander Co. of Denver also places a number of them in the Twin Cities through a tie-up with Northwest Allied which nixes the organization some dough.

Even Own Trailers Not Liked

Seattle, May 24. Commercial films aren't liked a bit in this area. L. O. Lukan, president of Allied Exhibits of Northwest, says there is no welcome for 'em. 'I've seen them in every form,' he says, 'and am apposed to showing them. We have been unable to win audience approbation; in fact, criticism is openly derogatory and harmful to the theatre showing them. Only one exhibitor here doesn't want them, but lately veiled is there any chance for favorable reception.'

Members of member-exhibits are in similar vein. Le Roy Johnson, gen. mgr. of Jensen-von Herberg indie in Tacoma, says he doesn't want them. Patrons don't care to have advertising forced upon the screen. 'There is even a question as to how much trailer advertising we can do for our patrons,' he says. 'I've seen the idea that they pay to see advertising, and to get by, it must be very heavily sugar-coated.'

Only for the Smallest Nabes

Louisville, May 24. Exhibitors in the Kentucky and southern area, particularly in the small towns which support only one house, are inclined to accept commercial films, as a filler, and to enter the slim revenue now prevalent. Patrons up to date have not shown any interest toward the advertising films, as percentage of outgo commercial footage is so small that the element of member-patron hardly realize that the film is a commercial proposition. As long as the entertainment and educational quality of the films holds up, indications are that the advertising reels will be used sparingly by small town and exhibitors, whenever they can get them. Situation with the deluxe houses is more complicated. There are a string of 18 houses in Kentucky and southern Indiana is of the opinion that there is no place for commercial reels, with the possible exception of village and barge houses. He believes that patrons are critical to a program of entertainment when paying 25-40c admission, and that for the most part, patrons of commercial reels, the structure of good-will which has taken years to build, there is no room for anything beyond the material benefits derived from the advertising plug.

Ma's Nix on Gimmicks

Baltimore, May 24. Local exhibitors in the Maryland area against double featuring, bingo, banks and all giveaway gimmicks. They are also against the application to commercial films. Handful of small indie barge operators are using these films, but houses count for little in general setup.

Exhibitors' association views the shorts as a means of keeping the audience to healthy business it does not merit discussion or consideration to commercial films.

W's OK in N.Y.

Omaha, May 24. Commercial films are being used in virtually all houses in this territory, except the National Theatre in Omaha and Lincoln. Exhibitors feel the stuff is a win any way you look at it. The only general comment from exhibitors is that too

Keeps Rolling Along

Hollywood, May 24. What to do with an old car has been solved by the late Stanley J. Berger, assistant director at Selznick-International. Answer is, rent it to a film company. Berger collected more for rental of his ancient British chariot at the Selznick studio last week than he paid for it 10 years ago.

In one decade the old crate has paid for itself 12 times.

much is taboo: five minutes is figured the extreme limit for a commercial film usable on any and program and three minutes or less figured a better bet. The customers loathe not being squawking if the commercials run too long.

The most welcomed commercial is national type which gives no direct plug and passes in most spots as a regular short. Some General Motors Chevrolet and Chrysler one-reelers are the best of this type to be played in this territory in past couple of years.

General indie attitude regarding commercial film is that it is an acceptable source of minor revenue and that it is not a controversial subject in any sense. The idea is simple: if the exhibitor can get the accepted limit of customer approval.

Lincoln, May 24. Exhibitors here tend to avoid the door open relative to showing commercial films, especially indie operators of subsequent runs. Tony Romano believes the reels should be allowed the freedom of their screens without advertising fees paid by the owner and in the same breath they do not feel there an imposition on the customer if he does not view any of them.

Howard Federer, city manager of the Registrar Theatre, indie, plays the commercial reels in his house. Co. merchandiser in both his houses each week (4 mins). George O. Monroe, the national, says it's only the luck of the draw it is not too long.

Frisco Resents 'Em

San Francisco, May 24. Film fans in this territory look upon screen advertising with some disfavor that most of it is now confined to houses in the sticks and a few of the better suburban towns. About a year ago first run Market street houses used to have commercial plugs were deleted, the audience still resented the film.

However, it is generally thought that if things get any tougher than the current shorts exhibitors are for anything which will pay them a little money.

Portland, Ore., May 24.

There is little or no interest in this area toward commercial films. Exhibitors here have been given the subject enough thought to establish the nucleus of any possible patronage that type of advertising. Ted Gamble, general manager of J. J. Parker Theatres and the unofficial spokesman for indie exhibitors, intimated that even nabes show no interest towards commercial films. No exhibitor in this territory would even consider them.

To Commemorate Alaskan Spot of Rogers Crackup

Oklahoma City, May 24. Dr. Homer Flint Kelams, church evangelist, gave a sermon in Oklahoma City, Oklahoma, which he headed the expedition to sail June 1 to Point Barrow, Alaska, to bury the spot where Walt Rogers and Wiley Post crashed.

On August 15 the monument, built by Alaskan rock in the form of an air beacon, and containing a day's record, exhibited from Rogers' church in Tulsa, Okla., will be dedicated with services being carried in the outer world.

The expedition will be the chain will air cable programs at intervals during the trip. The trip will be financed largely through public efforts, to be carried out by Rogers' firm, Rogers and Post, and will be completed on the day of October 1, Kelams predicts.

COMM'L FILMS WITH SUBTLE ADVERTISING

Possibility of a new film production company, to make feature-length 'commercial' pictures in Hollywood, is being mulled by David Garrison Berger, of the Haslings & Aronow law firm, N. Y. Berger returned to New York last week after a six-weeks' trip to the Coast. He will submit his report to syndicate heads this week.

As tentatively outlined, the plan of the two syndicates is to produce feature-length commercial films of regular entertainment, such as comedies, musicals, etc., each production to play a half-dozen or so products. Advertising would be of the 'subtle' type.

Angle of the plan concerns a new idea in distribution which would probably be released in a cooperative setup with the firms whose products are plugged, with an advertising budget included.

Syndicate heads figure the present slump in the picture business offers an ideal opportunity for organizing a production company. 'Think' they may be able to set advantageous deals with producers, writers, directors, players and other needed personnel. During his stay in Hollywood, Berger huddled with a number of persons in the above categories and claims to have made several contacts with several names in all fields.

WB, COL. CONVENTION BUNCH BACK IN N. Y.

Following Dallas sales regional of Warner Bros. Grand Sears, Carl Leserman, Roy Haines, Ben Kalmenson, Clayton Bond and others, turned up in New York Monday (23), while others got back Saturday (21). Haines stopped over in Pittsburgh, where he met and conferred with Bob Sencifter, district manager, on selling plans for '38-39 in that district. Sencifter came on to Pittsburgh from Washington, where he headquarters.

A portion of the Columbia sales conventioners returned to New York from Chicago over the week-end, while Alie Monague, Rube Jackler and others proceeded on to Dallas for a two-day meet there, to be followed by a similar heading to San Francisco. Jack Cohn preceded all others back to New York, getting in Friday (22).

More Drive-Ins

Cleveland, May 24. Ohio Drive-In Theatre Corp. is building drive-in theatres in this territory near North Randall racetracks, with opening set for August 1.

House covers 10 acres, costs an estimated \$50,000 and has 11 rooms in north starts of city. W. O. Smith constructing for Philip Smith, New England operator. Some outfit now erecting another six-screen drive-in at Sausug, Mass.

Shouldn't get its first drive-in film

Utahans within a first drive-in film, with opening set for August 1. The drive-in will be able to see and hear films with seating for 100 to 150 patrons and is being handled by Philip Smith, here of 15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-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COMING TO BOWL YOU OVER!



"On the nation's
billboards the
entire month of
May!"



Pic Scribes' New Outbreak

(Conti)

paid body. One of the undersigned, Endre Bohem, further protests said determining upon the ground that his consent was never given to the use of the said mentioned body to deliver credits on said picture."

Conclusion was reached that Burton and Ropes should share with McGuinness credit for screen play, with Endre Bohem getting credit for original story. It is further contended that Ropes and Burton should receive credit in the Bulletin of the Academy of Motion Picture Arts & Sciences for contributions to the story.

New
Since earnings of writers are based almost entirely on credits, right is expected to revolutionize the credit system. The National Relations Board to expedite action on its petition for an election of writers to select a bargaining representative.

SWG will have support of Authors League of America and other crafts in its battle for recognition. Guild has unofficial working agreement with Screen Actors Guild and Screen Directors Guild through Inter-Talent Council of three organizations.

Resolution of SWG announcing it would deal only for its own members follows:

"It is resolved that inasmuch as the Screen Playwrights, Inc. recognizes the fact that it is the only writers organization that has now or ever has had a contract with the motion picture producers, and inasmuch as up to the present time the Screen Playwrights has been acting as a good samaritan to all writers in Hollywood, from this date forward it is the consensus of opinion of the members of the board that those benefits for writers which have been gained up to the present date and those which will be gained in the future, shall be available only to members of the Screen Playwrights, Inc. and no others."

Nichols' reply to announcement follows:

"To be drawn into any controversy with the Screen Playwrights in the public prints, especially at a time when the only statement of any value or importance can come from the government, is wholly distasteful."

The leaders of the Screen Playwrights remind me of a woman whom a man is trying to get rid of, making little little gestures calculated to gain attention and "bring the man to his senses."

"Since the Screen Writers Guild, comprising more than 80% of the screen writers in Hollywood, has from the very beginning repudiated and disclaimed any interest in the contract which the Screen Playwrights so speedily and suspiciously negotiated with the motion picture producers, we regard as mere sky-larking the statement of the Playwrights that they are going to withhold the 'benefit' of the unwelcome contract from members of the 'real' Writers Guild."

'Amalgam'—Unpleasant!
"They are simply disclaiming a responsibility which we have never entrusted to them. Their resolution is foolish, but not the slightest important. The only important statement that can be made concerning screen writers will come from the National Labor Relations Board. Until the NLRB has spoken, all statements, whether by writer organizations, contracts, benefits, etc., are so much tommyrot. Once the Screen Writers Guild has won the election which will name it the sole representative of all writers in Hollywood, the Guild will set up permanent machinery to arbitrate all disputes concerning writers. Until that time provisional

arbitration boards will take care of Guild members who wish to appeal to their organization.

The occasion for the Screen Playwrights' pending resolution should not be forgotten. They had asked the Academy to arbitrate the dispute on the credits of 'Lord Jeff', in which I understand one Screen Playwright claimed credit from four Guild members. The Academy refused to arbitrate the matter for the Screen Playwrights. Denied the aid of the Academy, the members of the problem back in their laps, the Screen Playwrights in past years has arbitrated such situations. Since the Guild was so near a decision from the National Labor Relations Board, one of the Guild could see no harm in permitting the Playwrights to proceed with this arbitration. In fact, we thought there was a degree of dignity in our refraining from making a fuss over such a small matter. But the Screen Playwrights would so preem themselves over this routine matter, that they decided to go in to depress and create false impressions. I must say we are only amused by the last incident of the mountain in bringing forth this noise."

The Screen writers will have nothing to do with the thoroughly unsatisfactory contract which is negotiated by the same producers with a small group of writers who deserted the Guild in its hour of need and joined the organization known as the Screen Playwrights."

The Good Samaritan

"The Screen writers then it has ever been before. It has complete autonomy and yet is affiliated with the Screen Playwrights, Inc. of America. Thus we have affiliation with virtually all the motion picture writers in the United States. Moreover, through its Inter-Talent Council in Hollywood it has been effectively linked with the Screen Directors Guild and the Screen Actors Guild. Our structure is sound and unshakable. We can understand how the Screen Playwrights, feeling so small and isolated and seeking some kind of further alliance, has at last been driven to affiliate with 'the good samaritan.'"

"I personally and reluctantly make this statement without time to consult the members of the Guild Board, under urgent entreaty from the press; because I know that the only statement that is of any consequence will be the decision of the National Labor Relations Board. The Guild will make no further statements until the government has spoken."

SP nominating committee composed of Ben Rankin, Casey Robinson, Jack Cunningham, J. K. McGuinness and William Rankin, has selected following candidates for SP executive board: Frederick Hazlitt Brennan, Rupert Hughes, Grover Jones, Hal Kaliner, Harold Lamb, McGuinness, John Lee Mahin, Casey Robinson, Howard Emmett Rogers, Harry Ruskin, Jane Storm, Virginia Van Wagoner Young and George Waggoner. In addition to these, members will be permitted to make nominations from the floor when annual election is scheduled next week. Those elected to the executive board and committee will then elect officers for next year.

Only 300 of 3,000 extras expelled by Screen Actors Guild for non-payment of dues have appealed for a hearing. The Guild is an ad hoc board composed of senior and junior members. Most of 3,000 banished from membership by the Guild are extras. Few of them ever had annual licenses listed with Central Casting

Corp., and became delinquent when they failed to get work calls from the agency.

Purge brings membership of Junior Screen Actors Guild to around 6,000. With further reductions to be made from time to time, Kenneth Thompson, executive secretary, believes situation soon will be reached where the Guild will be able to earn a livelihood from the film industry.

A steady pickup in employment in industry is reported by major representatives, following a conference with Pat Casey, producer labor contract leader, who said the industry is more men marching back to work daily.

Mac, business representative of the studio carpenters, said he now has more than 1,800 men on studio payrolls, while Fred S. Jones, business chief of makeup artists, said he expected employment in his organization to be 100% within next few weeks.

Screen Publicists Guild has fixed an invitation from Hal Oliver to affiliate with the Guild. The guild's managers, Agents & Treasurers Union, Ervin Houser, SPG president, explained resistance to the Guild's offer, and prohi its organization from affiliating with any body or international.

Film Ads Sign Indies
Society of Motion Picture Film Industry has asked National Labor Relations Board for refusal to bargain with organization.

Following new directors have been elected by the Film Directors: Edward Hansen, Conrad Nevitt, Metro; Ralph Dawson, Fred Richards, Warner; Jerry Webb, Fox; William Fox, Charles Maynard, Lo Sackin, Univer; Edward Dymtryk, Hugh Warner, William S. Seidler, Hal Roach; Charles Nelson, Columbia; Desmond Marquette, Howard Knudsen, RKO; Edward G. Robinson, Republic; Douglas Den, United Artists; James Newcom, Selznick-Interscope; William Seidler, Hal Roach; William S. Seidler, Hal Roach; Marty Cohn, Earl Turner, Carroll Lewis, Dan Milner, independent. An effort to complete negotiations between the producers and the Screen Actors Guild will be made Tuesday (28). Thompson said tentative agreements have already been reached on most of the changes requested in the present basic minimum agreement.

Tom Pettry, of Hays office, has requested central casting for the Shrine not to submit requests for studio visits when annual convention is held here next month. Pointed out the difficulty of handling huge crowds during production.

Balew's Personals

First one will be that of Paramount's Hollywood, May 24. With the completion of 'Panama's Bad Man' last week, Smith Balew wound up his starring contract with Hal Leiser.

He leaves tomorrow (Wed.) on 10-week personal appearance tour.

Langdon Scribes for L-H

Hollywood, May 24.
Harry Langdon, who is expected to star in his own right, has been signed as a comic scribe by Hal Roach and Hardy.

He will write dialog for Laurel and Hardy.

New Color Process

Hollywood, May 24.
Production of series of two-reel color films by a new process, to start within six weeks, has been announced by P. D. Brewster, president of Brewster Color Process.

First one will be made in New York and the others, in Hollywood, he said.

'HONEYMOON' WAITS

Hollywood, May 24.
Shooting day for 'Paris Honeymoon' at Paramount has been postponed a week to May 21 by Harlan Thompson.

Delay was caused by additional scenes for 'Sing Sing' starring Bing Crosby, who also set for 'Honeymoon.'

Shoots 'Em Up Again

Hollywood, May 24.
'Wild Bill' took a western serial, got away last day at Columbia yesterday (Monday) with Gordon Elliott in the title role.

Back right an to co-directing.

11TH MINORITY LOEW STOCKHOLDER SUES

Another stockholder's suit, the 11th thus far, was filed Friday (23) in N. Y. state supreme court by John Nicholas M. Schenck, chairman of the board of Loew's, Inc., and other officers and directors to account for over \$30,000,000 of the corporation's assets, much of which the plaintiff claims has been dissipated by the defendants. New suit is instituted by Hanna Heller, minority stockholder of 19 shares of common stock, as in the actions of the '10th plaintiff.' Mrs. Heller also wants the court to issue an injunction to prevent the passing of a resolution and approval of salary and bonus agreements at general stockholders' meeting scheduled for the near future.

The board of directors last December approved salary arrangements under which nine executives of the corporation, the complaint states, will receive a total of \$1,000,000 for the current year. The arrangement was passed at a general stockholders' meeting held last January, "the members of the board have complete control, through proxies at the stockholders' meetings, allowing the minority out in the cold."

Those named in the new action are Schenck, David Bernstein, Louis B. Mayer, J. Robert Rubin, Eidor Froy, Leopold Friedman, John R. Hazel, George M. Arnsby, William A. Park, Thomas N. Perkins, William J. Phillips, Charles C. Moskowitz, David Warfield and the corporation itself. The complaint further charges that Mayer, Rubin and the late Irving Thalberg "schemed and conspired as far back as 1924 to acquire control of a management of the corporation's assets to their own use and to the detriment of the stockholders." That the three succeeded in causing the corporation to enter a contract which has yet to run until December under which they split 20% of net annual profits, the tale being guaranteed at not less than \$500,000 annually, Mrs. Heller claims these sums covering since 1925 to last year total over \$200,000. Also, the complaint states, the three and also Schenck "illegally" obtained options on 250,000 shares

Indie Theatre Mgrs.' Large Turnover Due To Poor Conditions

Theatre manager material in the indie field, particularly around New York, is becoming acutely scarce. Turnover of help, considered managerial prospects, is greatest yet and growing all the time. Poor working conditions and poorer wages are forcing newcomers back to other fields.

Situational is not true of major circuits where standards are better and opportunities greater for ambitious youth. Conditions among indie and small chains has the older managers shuffled back and forth, from one to the other. In large scale outfits, particularly Loew and Fox mount, youth gets encouragement with a prospect of a future.

Taggart Exits Metro After 17 Years on Lot

Earl Taggart, director at Metro, has left the lot after 17 years. He has been directing features for the last two years. Previous to that he was unit manager, assistant director and cutter.

Perry's N. Y. Huddle

Hunter Perry, Paramount's Virginia operator-partner, is in New York conferring with Y. Frank Preney and other home office officials. He comes frequently from Charlottesville, Va., where he headquarters, to go over current problems and discuss product. Leon Nelter, h.o. executive, returned Monday (23) from an extensive theatre inspection tour of the west.

of common stock, resulting in huge profits to themselves. Last year the four exercised part of this option, taking over 116,000 shares, at huge profit to themselves.

The plaintiff wants the court to annul the bonus and salary agreements and to direct the defendants and the plaintiff to return all monies and profits which the court may deem proper to the corporation.

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Early Negotiations for New Contract Between Broadcasters and ASCAP

Discussions have been opened between the National Association of Broadcasters and the American Society of Composers, Authors and Publishers on the possible terms of a new contract for stations, even as late as the present agreement expires until the end of 1940. NAB's executive committee had recently informed the association's board of directors, Mark Ethridge, to start feeling out the Society on what it proposes to do on the next pact. Negotiations within the NAB is that such party could not be inaugurated any too early. ASCAP board of directors meets with this viewpoint.

Rep Press Dies. It is understood that the NAB will ask the special contract given newspaper owned and operated stations eliminated that the ASCAP commercial fee be restricted to programs using music and that the money on original programs be collected at the source. Deal could be worked out long in advance if the Society should undertake to sign up its publisher and writer members with new contracts, with the demand for renewal among both factions urged that the term of membership this year for 10 years. It has been suggested within the Society that these renewals could be expeditiously obtained if the board of directors set the example by unanimously turning in their own renewal of contract.

It is also understood that before any agreement is signed with the broadcast camp the ASCAP board of directors will insist upon receiving assurance from the former that it will not engage in a subsequent campaign legislative and litigatory aiming against the Society. Whatever is worked out will be on the basis that it will not be necessary for the society to exert a substantial influence on its members from broadcasting to fight legislative and court actions instigated by the radio element.

Crosley Duo's Manifesto Co-op with the Union Label Exhibit in Cincy

Cincinnati, May 24. Pickups on all 16 broadcasts originating last week in Cincinnati. The first annual American Federation of Labor Union Label and Industrial Exhibition was held at the WLW and WSAI. Four of the programs were relayed to NBC and two to Mutual.

Event was the biggest free-gate draw in Cincinnati since the A. F. of L. office as 158,000. Combined exhibition and stage show is to be repeated yearly in a different city.

Show portion of the program included originators of the programs, a vaudeville bill and a fashion show, the latter by the International Ladies' Garment Workers' Union.

Sally Rand, representing American Federation of Labor, sang at four night and three matinee performances. Her contribution, sung and bubble, was strictly new to burb the A. F. of L. Stage shows started Monday (16) night and ran through Friday. A. F. of L. stars: Thorn and Post, Julie Monroe, and Willie West and McGinly.

Ten WLW and WSAI programs were produced in connection with the stage shows. Web shows received treatment were Tommy Dorsey's Amateur Swing Contest, Irene Wicker's Singing Lady, the Adventures of Dick Tracy and special address by William Green, A. F. of L. president, for NBC, and the International Ladies' Garment Workers' Union's musical "celebration" for Mutual.

Monday night Operetta show on WLW, directed by William Stearn, remoted as were the Minstrel Man, Headline Heroes, and the New Stage Musical, Jettette and Her Music, Romantic Bachelor, Dick Tracy's sports quips, and Talk of the Town Jumboree.

Flash
Oklahoma City, May 24.
Elliott Roosevelt, Heast, Radio City, and
invited to the
crown. Sulphur
(Okla.)

PEEVED, NOW PAL'S

Druggists Ired by KMOX's Not Carrying Anti-Champek

St. Louis, May 24. Diplomacy employed by Merle S. Jones, general manager of KMOX, saved the station from being publicly rebuked by the St. Louis 11 Druggists' Association last week. Pill rollers became enraged when they learned that KMOX would not broadcast an anti-drug in-store legislation made here by U. S. Senator Patman. Some friendly druggist tipped Jones off to the movement to condemn the station.

Jones called the association headquarters and asked for a chance to explain. It was granted and after the association's head commercial commitments prevented the station co-operating the druggists voted to publish KMOX's idea the story for the entire membership; to distribute KMOX merchant courtesy cards; and also to hold their next regular meeting in KMOX studios, same charge.

RAY PERKINS IMPORTED BY HAGERSTOWN, MD.

Hagerstown, Md., May 24. JET has said to the local Caskey Baking Co. a two-hour show tomorrow (Thursday), which will be made by Ray Perkins. Latter is the biggest air performer ever to come here for a one-shot.

Show will be staged in Franklin Court audi room before 1,000 invited guests. List of performing talent recruited from all over Western Maryland.

Sponsor has bought time and is putting the broadcast to climax the drive to place an "iron lung" in the hospital. Throughout the production contributions will be distributed. Caskey Baking is underwriting the stunt for goodwill.

Talley Starts Third Year For Ry-Krisp in June

Hollywood, May 24. Ry-Crisp star Marion Tully on her third year June 26. Extended her contract last week. Program remains unchanged since its inception with Josef Koeniger conducting the music; Paul Taylor directing the Hollywood Singers, and Ken Carpenter handling the commercials.

Marvin Young produces for NBC.

My Idea of a Well-Balanced Radio Evening Schedule—

Everybody's playing games, so last week an old VARIETY stunt of "Everybody's" host, they was adapted to radio to provide a playground for make-believe program-builders. "Stunt" was to pay the bills, the fanciful creation of ideal radio evenings can proceed without any "yes, buts."

Idea is to outline the elements of an ideal 7-10 p.m. stretch. You send no bloatings. We send no prizes.

GEORGE CROLEY (radio's 7-10 p.m. show)
7:15—Benny Goodman.
7:45—Anno's "Andy."
8:15—Bob Burns—ing Cy.
8:45—One Man's Family.
9:30—Jack Benny and

HUMBOLDT GREIG (radio's 7-10 p.m. show)
7:15—Bowling Sisters.
7:45—Benny Goodman.
8:15—Easy Aces.
8:45—Bob Burns—ing Cy.
9:15—Good detective drama.
9:45—Wayne King.
10:15—Grand Hotel.

Bernice Jule (WNEW, New York)
8:10 to 10—ing Crosby.
10:10 to 12—ing Crosby on orchestra.
12—Martin Block, ing.
12—Lights out.

Loehr on Visio

St. Louis, May 24. Television, when perfected commercially, will prove one of the greatest social forces ever known was the opinion of J. Lenox R. Loehr, president of NBC, at a meeting before the Ad Club of St. Louis last week. He said that from the technical point of view television is good enough to go to the public today but it probably will be some years before television hook-ups will be in operation since regular telephone wires are not big enough for transmission.

A more i late obstacle, Loehr said, was the rapidly with which present sets become obsolete and absolutely valueless as new improvements in transmission are perfected.

MAY REUNITE BERNIE BAKER

ion of the old Berni and Baker vaudeville team, but this time on the air, is a radi deal ing worked on now.

Berni would do the first half of an hour show, and Phil Baker the second half, both reuniting for the afterpiece. Both the maestro and the comedian are currently sponsored but dickering for the fall.

Aviation Satire Yanked On Eve of Newest Crash, Jolson Writers Work Fast

Hollywood, May 24. All Jolson's script writers had hectic hour last week when New York office of Rutherford & Ryan orators of air traffic control one hour before broadcast time. Jolson crew was so wrapped up in the show that they hadn't taken time to see the newspapers carrying headlines about a plane crash short distance from Hollywood.

Jolson's agency chiefs thought it ill-timed to satirize air travel and ordered a new line of business written into the script.

Within 30 minutes a three-minute spot was hatched and after a five-minute rehearsal Jolson and his cast punched it through without a hitch.

New San Antonio Agency
Hollywood, May 24. William D. McCabe, Coast advertising man, has joined Arthur G. Werner ad agency executive in partnership.

It's McCabe & Werner Co.

1st Television Review

MUMMY CASE

(Continued from page 1)

a 441-line smudge with a 343-line smudge, and the photographing of company executives.

Television cameras pick up within a studio that of a series of tests. Each set is measured to the iconoscope's eye. Actors are rehearsed to rehearse in the place. Faded-out take care of some positions. Slides, film and stills are used in the studio. Then the camera picks up the actors at the scene. The camera is in the story. Story is advanced step by step by an amalgamation of cinematic and radio methods.

Sound effects were emphasized, as the snapping of fingers. The cracking of a banknote, however, was rather overdone. What was probably an attempt to lighten the somber theme with a comedy buffer—or so it seemed—proved. Television resolution is not sharp enough as yet for anything as productionally ambitious as this.

Action is, of course, cramped and rigid due to the present limited

range of the iconoscope. There were a couple of successful variations from fixed setup of the camera to another angle, but with little dialog sequence.

The cleanup, as such, is still an unsolved technical problem. A few almost-closups of Tom Terriss were limited by the camera's ray and cognition of the characters. For that, the cleanup is not the camera's eye. Fluorescent material is re-converting the cathode rays into light. The camera is in the story. Story is advanced step by step by an amalgamation of cinematic and radio methods.

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PUBLICITY GAG BIG HEADACHE FOR TV. & R.

Boston, May 24. Several local radio editors are boiling over that they have been a fast one in a stunt which Young & Rubicam sought to stage on Monday night. The stunt was a Swansdown Flood broadcast on CBS. Eds assert that the program will be the result of a misrepresentation if it credits them as the "discoverer" of Helen Hughes, who is slated to do a dramatic bit on this show.

Agency executives delegate John A. Neagle, local fr lance press agent who formerly worked for NBC in New York, to have Young & Rubicam pick a young Boston radio actress with a promising future. Columnists claim that those they had tagged were completely ignored and that the first they knew of Miss Hughes' selection for the spot was when they received telegrams from Miss Smith thanking them for their co-operation.

Editors say that if Miss Hughes ever broadcast on the local outlet the event escaped them. Young woman is a student at the Emerson College of Oratory and had at the time won a screen test and assignment in a local newspaper contest. Several radio editors were staff.

Miss Hughes will receive \$100 and all her expenses for the broadcast date in New York.

Young & Rubicam stated Monday that they had no intention of doing that because of the objections no mention will be made of Boston radio editors. The agency said the complaints poured in from the Boston columnists. It instructed Neagle to have Young & Rubicam get their approval of Miss Hughes. Neagle, according to Y & R, refused to do so. The eds had come to an agreement on the spot, but Neagle, while two others declined to do anything to do with the selection.

Agency assumed all responsibility for the incident as far as the New York end was concerned.

NICK KENNY'S NEPHEW WINS LYRIC CONTEST

Postal Telegraph-Mills, Inc. Co. announced contest for lyrics for "Father's Day Time" music for which will be written by Anna Cane (Miss Cane is the daughter of the late John C. Kenny, a well-known reporter on the N. Y. Daily Mirror).

He's nephew of Nick an Kenny.

Lum and Abner fading Dale Lum and Abner three-weekly program of the Warner Bros. Instant Postum is the sponsor. Young & Rubicam the agency. Further sound effects are to be included.

NBC'S FILE CARDS

Chart Set Ownership With Detailed Data for Agencies—Sponsors

NBC's sales promotion department will soon distribute to clients and agencies a filing card charting the latest information on receiving set ownership. Data will be printed on two sides and will show:

1. Set by state.
2. Growth by years.
3. No. of auto sets.
4. No. of home sets.
5. Sets by time zones.
6. Sets by geographic areas.
7. Sets by urban and rural.
8. Sets by city size.

ENDURA CURL OIL WARNED BY TC

Washington, May 24. Airward claims of Endura Corp., Hollywood, for permanent hair curling were banned last week when Federal Trade Comm'n served court order charging misrepresentation in both radio and printed advertising.

Company, which sponsors program plugging cosmetic products, claims its product is used in major fl. actual use is not permanent. Misleads public into believing that its concoction is beneficial for the curls. The FTC says nothing in the formula will benefit grey, bleached, dyed or natural locks.

Boswells Win Suit

New Orleans, May 24. Boswell Sisters, singing trio, were adjudged winners in the \$7,000 breach of contract suit brought against them by Joseph J. Davilla, local songwriter, in Civil District court (18) when Judge William H. Byrnes, "dismissed the suit."

In ruling for the sisters, Countess Martha and sister Bowser J. Byrnes declared that "Mr. Davilla failed to show the existence of any contract between himself and the defendants." He dismissed the suit at Davilla's cost.

Davilla was in his suit that the Boswell Sisters were to have appeared in several theaters here under an agreement made with him in 1926. They were to sing behind a curtain, supplying the all-around songs they were expected to sing in the then silent films.

Davilla contended he had made a verbal agreement with the sisters to appear at the theaters. He has been in court for several years and provided many humorous incidents. Hugh M. Williamson represented the Boswells in the case.

John Carlie's Script

John Carlie, head of Columbia Broadcasting's product department, has written a script titled "Frankie and Johnnie" which will be translated from an Anglo-American dialect, means "Strong Man-Fine Girl." It will be produced by the Columbia Workshop probably on June 4. A film n drama, dancing and other sound effects are to be included.

Liebling-Wood Believed Pioneer In Radio Literary Agenting Biz

Liebling-Wood agency, which has previously handled chiefly literary agents and scripts, is extending its activities to represent radio writers. It is believed it is the first office to enter this new Department is handled by Audrey Wood, the agency's script and writer representative.

The agency has about a dozen other scribblers under representation. Contracts already and now lining up other regular contributors to network programs. Among the deals pending are ones for DuBols Heyward and George O'Neill.

A series of original plays by the former is said to be in the works for a broadcast contract, while O'Neill, left playwright who recently returned from London, has worked out an idea for dramatic shows. O'Neill will leave for the Coast in June and when his deal is consummated. Other writers on the Liebling-Wood list include the Knickerbocker Seymour and Marie Baumer.

RADIO WRITERS GUILD MEETS JUNE 9

General membership meeting of the Radio Writers' Guild will be held at 8 p. m. at the group's headquarters at the Authors' League of America, N. Y. In addition to the regular business of the session, the meeting to consider the question of seeking wage minimums for staff writers for the networks and the radio.

Idea is that most of the scribblers already get more than any such minimum, but that the "aggressive" classifications are below the desired level. Hoped that ultimately the "aggressive" group will be done away with entirely. While the Guild isn't set on moving for a huddle with the networks right now, the members feel the agencies and networks must not oppose their proposals very strongly when the time comes. Amounts sought would likely be small and few such cases would be involved, it is thought.

Radio Writers' Guild last week appointed Sidney R. Fleischer as its regular attorney. He already represents the Authors' League, the Dramatists' Guild and the Authors' Guild from time to time. Particular significance is attached to the appointment, either in connection with the prospective move toward minimum wages for the staff writers or for the hoped-for writer credits drive.

Indie Spielers Guild Reports Its 28 Chapters Prefer Status Quo

American Guild of Radio Announcers and Producers, the Indie Spielers Guild, has issued a statement in alliance with any other union group, but will, at heretofore, remain independent. Results of the membership poll by chapters, begun in March, were officially announced yesterday (24). Revealing a near unanimous third vote to preserve the status quo. Of AGRAP's 28 chapters, 22 voted.

AGRAP members were asked whether they wished to remain independent of affiliate with other organizations in the field, either the American Communications Association or the American Federation of Radio Artists (A. F. of L.).

IDA BAILEY ALLEN MAY DEPART WIN

Ida Bailey Allen's contract with WIN, N. Y., expires on July 10 and at present time it appears the "home" contract will not renew. No plans to definitely hook up elsewhere as yet. Allen is pressing for a new contract with radio's vet conductors of household hint's progress. to stay on at WIN, but with participation in other radio's plus is one of the stoutest commercials on the station.

R-O-K Increases Stock

Rockwell-O'Keefe, Inc., has increased its capital stock from 100 to 200 shares, no par value, as riding to a notice filed with the Secretary of State in Albany.

Bernard L. Miller filing attorney.

HOME OFFICE OF AFRA CALLS PHILLY TROUGH

Although the membership drive of the American Federation of Musicians has barely gotten under way in Philadelphia, performers state the threat has already resulted in improved working conditions for some. Announcers, in particular, have been put on an eight-hour day, five-day week at the AFMA move.

Before the AFMA move, Philly, there were no regular hours for musicians. They were often "on call" during all broadcast periods, and frequently worked 12 to 15 hours a day, though naturally not at a stretch. "We've every local station has given the gabbers the new schedule, with WCAU KYW and WFIL leading in the move."

Philly chapter has been one of the slowest in the country to be organized. "Understandably, for some of the toughest in the country," to crack, since performer conditions "there have been no previous chapters. Chapter affairs are being handled by a string committee, of which Louis Sager is chairman."

McGillvray Adds 4

Chicago, May 24. Joseph Hersey McGillvray rep firm has been appointed sales contractor for the quartet of Bernard Hawks stations in Texas. On the list: KPLT, KPLR, KGKL, San Angelo; KBST, Big Springs, and KRBC, Abilene.

Dee Collins Re-Weds

Kas, N. Y., May 24. Dee Collins, stage and radio singer, widow of Jimmy Collins, Navy test pilot, whom she met and married when a voice student here in 1930, was wedded in St. Paul, May 19, to Jack Henderson, director of Jam Handy Pictures, Detroit. Collins was in the plane crash three years ago while testing a ship at Long Island. His work, "Test Pilot," was published following his death.

Miss Collins has been an entertainer for both the Mutual and National Broadcasting networks.

Utility Gives Away Money Prior to its summer season the Consolidated Edison program conducted by Mark Warnow on NBC will put up a prize of \$1,000 to the first listener by a listener for a tune written by Raymond Scott. The contest will be played four times on as many broadcasts before the contest closes and winner selected. Lord & Taylor, show's agency handling returns.

Musicians Union Steps 'Disguised Commercial' on Bulova Station

WHEATENA NOW FAVORS ADULT-TYPE SHOW

Wheatena, N. Y., was last week notified by musicians' union, Local 602, that the station must not broadcast any more commercials before the contest closes and winner selected. Lord & Taylor, show's agency handling returns.

Regimented Chimes

NBC has standardized its station announcement chimes. The new group with a Cincinnati manufacturer the network has not only equipped each of its 18 stations with identical chimes but with a set of similarly pitched chimes but assorted to have the things made available to the general public.

It has not been decided whether the NBC standard will go on the store-distributed instrument, but in any event it will be the same for the network's part is to make the public NBC chimes conscious, with the promise to be prompted by a gas that the Kraft show maintained over a period of years.

Transamerican Adding Writers for Fall Shows; 'Grouch Club' on WMCA

Transamerican Broadcasting & Television Corp. has expanded its program staff for \$2. million with Harry Hoff and Chick Vinson added to Don Becker's staff of writers and producers. Shows are being readied for fall placement network or transcription role.

The "Grouch Club," the cast of which came east last week from KPVE, Los Angeles, to do some shorts for Warner Bros. has been readied for Transamerican with Walter New York, for a series of broadcasts, start last night (Tuesday). It's a show named last week with New York agencies the objectives.

HUGH DOBBS HANDLES 'WEDDING RING' SHOW

San Francisco, May 24. "Wedding Ring Party," which debuts over KRCR under the banner of Albert S. Samuels Co. Jewelers, as a half-hour weekly show, has been revamped slightly. The new \$2. million broadcast period added. Previously, the preliminary contest to select four winners to compete for the broadcast was not aired, but under the new set-up which went into effect last week, the preliminary contest will be heard from 8:30 to 9 p. m., PST, Tuesdays, and the finalists will tune in to the following quarter-hour newcast.

Dr. Guide's is now played by Hugh H. Dobbs, original writer and writer. Bur Hall, only engaged or recently married couple participated in the program.

Swartley Tops WOWO-WGL

Fort Wayne, May 24. W. W. Swartley has been named manager of Westinghouse stations WOWO and WGL here. He replaces W. Ward Dorrell, who is now serving as sales manager.

Swartley, only 30, came here from the office of the president of Westinghouse Electric & Manufacturing Co. in the east.

Earl May to Be LL.D.

Tarkio, Mo., May 24. As soon as the commencement exercises are over at the Tarkio College next month, Earl May, chief of the Tarkio, Mo., will have a title. College is slapping a Doctor of Laws degree on him.

Inside Stuff—Radio

National Air Mail seek cooperation awards in the name of Frank R. McVine, chairman of the Federal Communications Commission, were made last week by four of the main P.O. in New York. Judges were representatives of the three trade papers and one fan mag.

Judges designated WOR, Boston, in the 1,000-watt class; KOIN, Portland, Ore., in the intermediate power group, and WBBM, Chicago, for the big-watts. Judges were privately agreed that the two lower groups showed a high order of enterprise and originality while the big stations were in the main, safe and indifferent.

For Men Only. ish Vitalis sponsors Monday nights on the red ribbon, warlike have a gas. Dr. Howard Crum, New York Plastic surgeon, NBC 'nixed the appearance, for the reason, according to reports, that Dr. Crum is not a member of the American Medical Association. It seems Portman is charged with anything that might possibly bruise the feeling of the Association.

Program planned to use Dr. Crum himself. His specialty is build.

Rising profits swelled the income of top CBS executives last year, report to the Securities & Exchange Commission revealed last week.

With contract calling for annual salary of \$40,000, William S. Paley, the prez, got a total of \$11,116 in connection with his cut of the net earnings. Bonuses jumped from \$54, 71 in 1936 to \$149,280 in 1937. Edward Klauber, ranking v.p., received \$60,000 plus \$38,640 represented bonus, a rise of more than \$9,000 in his slice of the profits.

Allen Miller, chief of the University Broadcasting Council (which home town and school are not named) has been named to an exhibition of Education by Radio for adult programs.

UBC announced one prize for talks with its 'Science in the News' program and another for talks with its 'Science in the News' program. The prize is a trip to the University of Chicago's 'Round Table' dialogues and interviews. The University of Chicago's 'Round Table' dialogues and interviews. The University of Chicago's 'Round Table' dialogues and interviews.

Among radio's many incongruities are the title of acts, and two new NBC stations are 'Doc Schneider and His Texans' and 'Slim Wilson and His Prairie Boys'. The Texan's original title was 'The Texan's Prairie Boys' in Denver, the heart of the Rocky Mountains. Then, too, there's the group of colored songsters from South Carolina on the Royal Crown show who call themselves the 'Golden Quartet'.

Two new members were added to the board of directors of Philco and a new one named last week. William H. Grindling, in charge of the engineering department, was made vice-president in charge of engineering, and added to the directorate, Thomas Kennally, sales manager, was the other new appointment to the board.

Unsuspected slogan for Columbia's Washington station, WJVS, came to light in the May edition of 'Happy News', religious paper, edited by Elder Michael W. G. colored press, colored press, colored press.

In appreciation for favors done by the s it Willingly Jesus. Suffered for 'Victory' what to do with the new 'Victory' name.

Elmore Vincent, creator and supervisor of NBC's whimsical Senator Fishface, will participate June 1 in a television demonstration for RCA. He'll use masks to play F.D.R., Mussolini, Hitler and the Duke of Windsor. Masks by Dean Powell. ript by Fishface.

It's an experiment in comedy for American in laboratory television.

Federal Theatre Radio Division's chief, Evan Roberts, is talking to Paul G. Allen, head of the Federal Theatre, about the possibility of dramatizations to be aired over a New York station by WPA talent.

Would want to start with 'Mierobe Hunters' and try to interest CBS in taking the series.

Worked in on a surprise party broadcast, in celebration of his birthday anniversary, Friday (23) at 8 p. m., WGLN turned on WABY last week, but the identity of the speaker was not revealed. Keen-earred fans assumed speaker was Frank E. Gannett.

Knickerbocker News, Gannett's Albany daily, was air-tabled as sponsor of a quarter-hour transcript talk on 'Pump Priming over WABY' last week, but the identity of the speaker was not revealed. Keen-earred fans assumed speaker was Frank E. Gannett.

Entry into the newly-opened educational field is planned by George Washington University. Would tie up with new 1,000 watt experimental transmitter which engineering firm of Jansky & Ball has been authorized to erect.

WWL, NEW ORLEANS, AWAITS DEVELOPMENTS

New Orleans, May 24. WWL on Wednesday (18) postponed cancellation of its contract with the Musicians' Union Protection League, Local 174, until May 26. Station is holding the cancellation in abeyance at the request of the Musicians' Union, the American Federation of Musicians, and the National Association of Broadcasters, according to Vince Callahan.

Callahan, from Joseph N. Weber, president of the AFM, made known by Callahan, said: 'Respectfully request you extend musicians' union as I expect early settlement of New Orleans situation.' Another from Elbert G. Blair, president of NAB, read, 'Urge you hold off for your voice to musicians. Success of national program depends largely on what happens in New Orleans. You would be doing industry great service if you support your colleagues in New Orleans' would call union matter.

Callahan pointed out that he signed up with the union last January when the union asked network-affiliated stations to agree on set rates and hours and close shop conditions, and intimated that non-signers would be declared 'unfair' and 'blacklisted' by the union. Callahan said he would be glad to join the union.

over them. Since national union leaders are still being heard over WBBM and WABY, Callahan has refused to sign the union agreement, Callahan gave his orchestra two weeks' notice.

Don Reddoe, league leader, his said he would be glad to join the union. Callahan said he would be glad to join the union.

PARLIAMENTARY LONDON OFFICE CANADIAN PUBLISHERS' RADIO APPS

Report Okays Canadian Broadcasting Co.—Thinks Exchange Policy for American Programs Should Be Continued—'Americanization' Boxy Nixed

Montreal, May 24. Parliament has decided that American programs are to be continued over the Canadian air waves. Report issued at Ottawa last week followed an investigation of broadcasting by a Committee of House of Commons. Concerned national campaign was carried out by powerful publishing interests in the fight against increased use of radio as an advertising medium, and aimed particularly against the use of the Canadian Broadcasting Corp. network by American sponsors.

Substantially approving the methods, praising the achievements, and supporting the aims of the Canadian Broadcasting Corp., the report of the Radio Committee practically ignored the bugaboo that American commercial radio in the United States had been using Canadian listeners with insidious alien propaganda, and was issued with the following recommendations:

1. Early establishment of a high-power short-wave broadcasting station by the CBC.
2. Continuation of the Corporation policy of developing Canadian talent for Canadian programs.
3. Best programs from the United States, Britain and other sources to be piped in.
4. Government ownership of high-power stations of national interest. CBC coverage to reach all parts of Canada.
5. Private stations to serve for local purposes only.
6. Revenue for public expenditures required by the CBC to be provided by loan or grant.
7. License fee of \$50. for small privately owned stations, if not more satisfactory but should be increased on high powered stations serving densely populated areas.
8. Careful review of the annual license fee recently raised from \$25 to \$50, with a view to effecting a reduction.
9. Evidently only point of disagreement in relation to the radio license fee.

1,000-Watt It Is.
If carried out, recommendations of the committee preclude the possibility of any privately-owned stations in Canada ever getting more than 1,000-watt power. Possibility is also indicated that much heavier taxation on the larger private stations is in the air. W. Brockington, chairman of the board of the CBC, wrathfully hit out against these stations in his testimony before the committee, claiming private interests netting \$100,000 annually or more from the public domain should pay a more equitable tax.

In backing the recommendations for the establishment of a high-power short wave broadcasting station, the committee stated that such a station would render great service in promoting Canadian standing abroad and help in the exchange of programs between Canada and other countries. Committee was informed that Canada was the only major trading nation without short-wave broadcasting facilities.

Short-wave broadcasting station should be financed as a national project, to be operated and controlled by the Corporation.

The committee reported itself particularly pleased that the CBC had been free from the political matters, adding that public service broadcasting in Canada must be free from party bias.

Criticism from the conservative benches was levelled at the committee in limiting the investigation to hearing no witnesses except officials of the CBC and members of the House of government. The committee hearing no witnesses except officials of the CBC and members of the House of government.

English Notes

London, May 15. B.B.C. summer season of Promenade Concerts at Queen's all set to begin Saturday, Aug. 6, continuing on July 10, with Sir Henry Wood conducting B.B.C. symphony orchestra of 90 players.

J. G. Macleod, formerly producer and sole director of Festival Theatre, Cambridge, has been appointed to B.B.C. staff for training as announcer.

When British and American a-tour golfers meet at St. Andrews in the annual battle of the Walker Cup, B.B.C. mikes, commentators and engineers will be on the job. B.B.C. mikes, commentators and engineers will be on the job. B.B.C. mikes, commentators and engineers will be on the job.

Val Gleig, drama director for British Broadcasting Corp., has returned from America, taking with him a number of manuscript U. S. authors.

NEED OF STATIC CALLED CULPRITS

London, May 10. Around 2,000 complaints received annually by the Post Office of interference to radio by electric signs on buildings, and engineers all such installations should be law be equipped with effective preventive measures.

British standard specifications would avoid charges of causing interference. Engineers hold that neon, by conforming to British standard specifications, would avoid charges of causing interference.

One is nevertheless on foot for the time being, faced with growing squawks from listeners, to cancel the put through Parliament engineering London County Council and other municipal bodies to compel fixing of an anti-interference standard for all neon and electric installations.

IMPERIAL TOBACCO'S 50 TRANSCRIPTIONS

Imperial Tobacco Co., Canadian firm, has given NBC a contract for 50 radio programs, to be broadcast in New York for airing over Dominion stations. Product to be plugged will be Sweethearts cigarettes.

Performers set for the mixings include Hildegarde, Vassily Family, May St. Michaels, and Peter de Rose, Fields and Hall, Jack and Loretta Clemens, The Masterstrings, The Jesters, Peg la Centre, Kidoloid, The Tune Twisters, and Tony Russell, and William Meeder.

Harry Mack has quit as the New York studio manager of WOR, N. Y. Replaced by Charles Godwin, announcer who has been moved from the New York studios.

Meanwhile Al Shayon is a new producer at WOR and his resignation has quit as a mickman. Later came to station last spring from WLS. Part of the year he was in the attention last spring by being on hand with apparatus which transcribed the explosion of the zeppelin Hindenburg.

In Buenos Aires

Buenos Aires, May 15. 'Festival of Rhythm,' a radio production of LRI, takes the air this month with five orchestras: Eddie Kay's Alabama Jazz, Dajos Bela, Francisco Lombardi's Tropic, Francisco Canaro tango band, and Osvaldo Novaro's Hawaii Serenades. Among the crooners are George Omar, Jack Shirley, Roberto and the Hawaiian Sisters.

Harold Micky orchestra under new contract with Radio Excelsior (LRI). Band is doing more swing music at the Odéon Bar. Another spot for Micky, 'Harold's Milk,' at present, is in the make.

Argentine Post Office has issued a decree prohibiting the airing of national anthem and two other patriotic songs at all radio stations.

Newest import of Radio El Mundo (LRI), the Brazilian sisters, Carmen and Aurora Miranda, taken over to the 'Swift Varieties.' Cast of the most packing company show includes Maria del Guila, Juan Carlos Marga, Folio Ferrario and Guillermo Bataglia.

Munos & Co., operators of Radio Tucuman (LV7), got the official license to boost power from 1,000 to 2,500 watts.

Palmolive's 'Air Theatre,' which is owned by Radio Belgrano (LRO), has Edward Matthews, negro baritone, as guest. Others on the show include Enrique de Rosas, Nelly Omar's guitar trio, and Lucio W. Moreno's tango band with Juan Carlos Irlanda.

Lucio W. Moreno is to be starred in the Lux Soap transmissions via LRI. Dancer-actress from U. S. A. has just finished a picture, 'El Camilla y la Dame,' for Corporation Cinematografica Argentina under direction of Luis Cesar Amadori.

REFUSE TO CURB DISCS

Buenos Aires, May 17. Argentine musicians lost another battle against radio stations, when Post Office of the Argentine Post and Telegram Department issued his decision on claim of excessive use of phonograph records in Argentine broadcasts.

Plan came from two organizations in Rosario, second largest town of this country, the Circulo Musical and the Association of Orchestra and the Association of Musicians. The Post Office to reduce the percentage of waxes either allowed on radio stations, and furthermore to stop the increasing network of radio stations.

Tobacco decided to leave the old radio in force.

AUSTRALIAN DICKERS FOR TEXAS AIR SIPS

FL Worth, May 24. Australians are constantly searching for American radio material appropriate for the air. The search is for old Yankee transcriptions and oldies and so on are intermittently received.

Extent of the canvassing is evident in offer received by Virgil L. Winters, of WABC, of a lot of 'Black Night' horror series. Another lot, 'Alex L. Horner, writer to buy part of the Antipodes stations, names not mentioned.

British Howdy Paraguay.

Buenos Aires, May 17. British Broadcasting Co. is launching a special program last Saturday (14) via its short-wave to South America. Part of the airing was dedicated to the Independence Day of Paraguay, including congratulations for the Argentine people, and other salient facts of this country's history.

Radio Daffodils

El Paso—KTSM took its own horn with a challenge to other 250 watters: 'We'd like to know how many 250 watt stations have 28 employees, a major news service with teletype equipment, 3 major news programs, a story column, libraries, production, publicity, and merchandising departments, 17½ hours daily operation, 3700 square feet of studio and office space, chair affiliation, a 157 foot tower, and a chief engineer with twin boys.'

St. Paul—A deluge of ginkgones rolled over Minneapolis and St. Paul last week. The 'Ginger and Snap' show, a radio show, was cancelled. More than 30,000 copies, done up in special glassine bags, were employed as salesmen to point out tellingly the 'ginger' and 'snap' in the tag, the station and the program.

Birmingham, Ala.—When a candidate is about to go on the air with a speech in less than 10 minutes to go back home to the station, a candidate in the studio of WAPI last week tried out all the station attendants' glasses. None would do, so he finally wound up by borrowing the 'Eyes' of another candidate waiting to follow him on the air.

Regl. A Sak—Tells-offs on history, politics, whooper lies or anything else, until razor blade plugs in the back of the head. CKCK here for a new series of 'Pell's Minute Drama' for Pell's Cigar Stores. Bursling Lady Macbeth, falletto, about to get her hubby's throat, McMillan breaks in with advice to hold it while he runs down to Pell's and gets new blades.

Philadelphia—KW, as part of inaugural ceremony at its new stu, put a very much bewilderer's ball barrier on the CBS Radio Miller, station's early-morning musical clocker, was waiting at the gate for the postman to arrive with the first delivery to the new headquarters. Before he had time to deliver the mail, the postman was being mowed on how he liked to take mail to the new stu instead of the old.

FL Worth, Tex.—Announcer Nelson Odell of WBAF, after completing a tough rehearsal, motioned to his talent with 'That's okay for now boys, but stick around, we'll need you again in a few minutes.' Horse back to the station, after a short delay, to deliver the 'Inside Prison Walls,' aired from the state penitentiary at Huntsville.

Newspapers Bestir In Canada; Radio Helped Dramatize the Problems TITLES OF HIT PROGRAMS

Montreal, May 24. Canadian newspaper publishers have decided to furnish advertising agencies with more complete data in a concerted attempt to sell the dailies more completely. This decision followed recent meeting of the Canadian Newspaper Publishers Association.

Committee has been appointed to decide on measures to combat the dent made in newspaper appropriations by Canadian radio and Canadian magazines in recent years. Advertising agency men have been clamoring for specific group data from the newspapers for years, some of the agency men have been clamoring for specific group data from the newspapers for years, some of the agency men have been clamoring for specific group data from the newspapers for years.

Radio stations have been clamoring for specific group data from the newspapers for years, some of the agency men have been clamoring for specific group data from the newspapers for years, some of the agency men have been clamoring for specific group data from the newspapers for years.

SWEETHEART SOAP INCREASING SPOTS

Sweetheart Soap will start invading the south with radio blubs next month. Peak agency which handles advertising for soap, has been Dixie yet. Account abandoned network commercials early last winter.

Already hitting the air at the Rockies region, Milton Westberg agency handles the West Coast. The soap is already being sold through east, New England, west and Midwest, Manhattan ended 17 stations starting May 23. New York is located in New York, northern Ohio, Washington, Michigan and couple in New England.

Seattle Axes Air Blubs

Seattle, May 17. Not unexpected, Seattle Post-Intelligencer, Hearst pm, sheet has decided to drop radio commercials. Dick Miller, who has been disingenuous was kept on for special assignments, including the radio show 'The Dick Miller Show'.

Seattle Times, which has been running radio of radio stars on Sunday, is starting down its pictorial to film personalities.

London, May 17.

B.B.C. is getting added odd selling stage rights to popular entertainers and comedians. Statement being included in the price. First to go is 'Palace of Varieties,' alternate Saturday broadcast program, which opens this week at the Paramount, Tottenham Court, under signs of Jack Hylton. Later will pay percentage of the take to B.B.C., and is negotiations rights of 'Band Wagon,' 'Mousetrap,' 'Night at Seven' and other radio programs also for touring purposes.

A new radio show, 'Kentucky instella,' radio revival of old-time black face shows, successfully being staged in the theatres couple of years back, with other original cast.

Commercial station, is also reflected in a touring at tion's title, 'Normandy Calling.'

ARGENTINE OKAYS 2 MORE STATIONS

Buenos Aires, May 17. Two new radio stations in the Argentine are being given go-ahead signal. They are Radio Comodoro Rivadavia (L14) and Radio Rio Gallegos (L15).

Stations are added to the 'Blue and White' network of Radio El Mundo (R1), to which, further below Radio Rural, Rosario (L73), Radio Chaco, Resistencia (L73), Radio Bahia Blanca (L72), Radio Central, Cordoba (L72), Radio Los Andes, San Juan (L75), Radio Tucuman (L76), and two short-waves, LRU and LRLX.

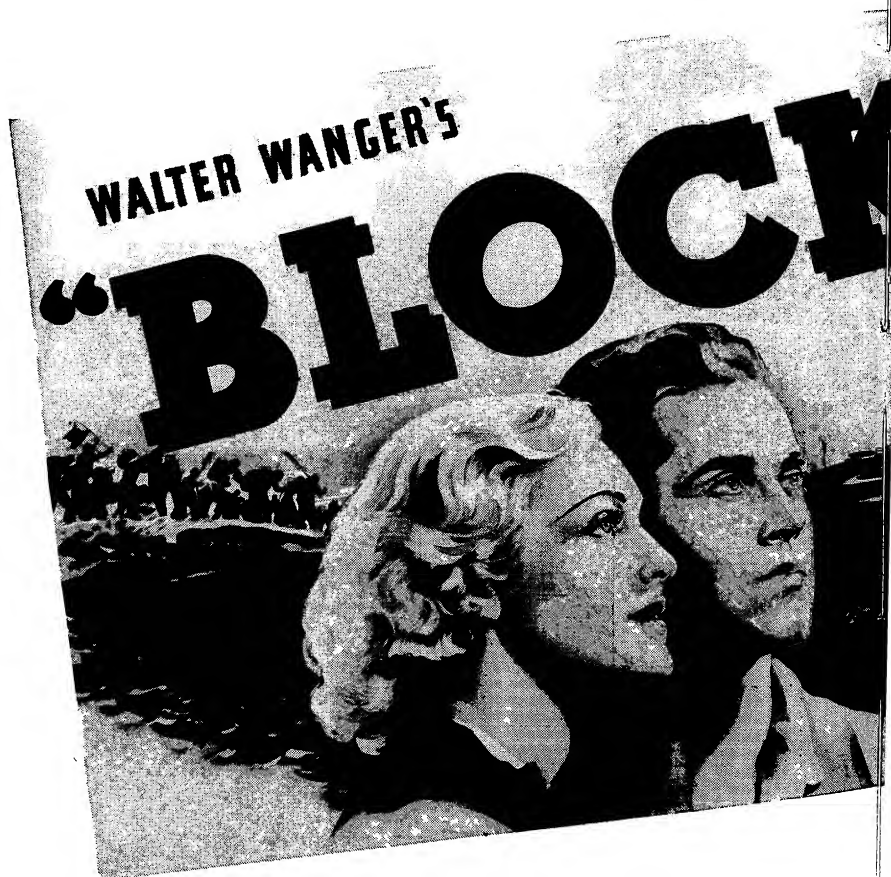
'Dr.' Young to Europe

John S. Young, director of radio in N. Y. World's Fair, sailed for Europe last week to arrange series of international short-wave broadcasts originating at the capitals of nations participating in the exposition. He hopes that 28 such programs will be heard starting in October.

You, who now sports prefix 'Victor,' and two sides will France first, will be taking part in special ceremonies at British Empire Exhibition, which may be broadcast in this country.

NATIONAL SHOWMANSHIP WEEK

WITH SIMULTANEOUS COAST TO COAST RELEASE OF



STARTS JUNE 17

BLOCKADE



ALL THEATRES PLAYING BLOCKADE DURING NATIONAL SHOWMANSHIP WEEK JUNE 17-24 ARE ELIGIBLE FOR THE \$1,000 IN PRIZES! • SET YOUR PLAYDATE NOW!

THE PRIZES:

1st prize	\$500
2nd prize	\$250
3rd prize	\$100
4th prize	\$50
5th prize	\$50
6th prize	\$25
7th prize	\$25

THE RULES:

Submit your complete campaign. Budget limitations in smaller situations will be given due consideration. Contest starts June 17. Entries must be post-marked not later than July 15. In case of ties, duplicate prizes will be awarded. Address: BLOCKADE Contest, United Artists Corporation, 729 Seventh Avenue, N. Y. C.

THE JUDGES:

Walter Wenger, Producer of "Blockade"; Ben Shlyen, Publisher of Boxoffice, A. Mike Vogel, M. P. Herald, Chick Lewis, Showman's Trade Review; Jack Horner, Film Dailly; Gene Bragant, Variety; George Schneider, Vice Pres. and Gen. Manager, U. A. A. W. Smith, Jr., Gen. Sales Manager; Monroe Greenhalgh, Director of Advertising and Publicity.

National Exploitation to Back Up Your Local Campaign!

● NATIONAL NEWSPAPER ADVERTISING!

\$125,000 appropriation covering every key city!

● BILLBOARD CAMPAIGN

As big as all outdoors, designed to pre-sell the nation!

● WONDERBREAD

tie-up includes full page and half page ads in 57 cities reaching 15,000,000 people and timed with release, posters on 5,000 trucks from June 1 to July 1, coast to coast radio plugs on CBS!

● MONTGOMERY WARD tie-up gives "Blockade" large display in catalogues reaching 35,000,000 readers...window displays and newspaper ads in 650 big cities!

● RICHARD HUDNUT

tie-up reaches 22,000,000 people with ads in American Weekly!

● OTHER tie-ups include: Pabst Ginger Ale, Rogers Silver, Certo, using large space ads in American Weekly, McCall's, Woman's Home Companion, Household, Better Homes, Country Gentleman, Farmer's Wife, reaching a total of 37,000,000 readers!

Listen in to important coast-to-coast "BLOCKADE" broadcast entire Blue Network of National Broadcasting Company, Wednesday June 8th, 7:30 Pacific Time • 11:30 Eastern Daylight Time.

20,000 Program Titles

Titles of radio programs partake of the nature of trade marks. Yet, until Volume I of the VARIETY RADIO DIRECTORY was issued, nobody had tackled the job of assembling these important properties into one, handy list.

When Volume II of the DIRECTORY appears next month, it will again contain the only program title list in existence. This time there will be 20,000 titles, representing some 8,500 new titles and some 11,500 old titles, fully indexed.

It is suggested that an immediate order of the DIRECTORY will insure immediate delivery after the date of publication. The price, as in the past year, is \$5 the copy, postage prepaid (but duty not prepaid in foreign nations).

VARIETY RADIO DIRECTORY
154 West 46th Street, New York

Price of VARIETY RADIO DIRECTORY (\$5 per copy,
postage prepaid: \$5.10 per copy in New York City;
Enclosed find \$.....
Name Address State.....
Firm.....

WOAI REFUTES CENSORSHIP CHARGE

San Antonio, May 24. Row between Karl Crowley, candidate for governor, and Solicitor General of the P. O. Dept., and WOAI over the alleged censorship of a political broadcast, have made Tuesday night (27) has reached an impasse with Crowley's asking the Federal Communications Commission to investigate the entire affair.

Gubernatorial aspirant said he was told to present the speech to attorneys for the station for examination several days before he was to go before the microphone. That when he cancelled the talk. He charged that one of the attorneys is a campaign adviser of Ernest O. Thompson, also a candidate for governor. In regard to alleged censorship, the radio station shot this telegram to Crowley:

This station does not censor speeches. In view of the provisions of the Federal Communications Act prohibiting utterance of obscene, indecent or profane language by radio, and the decision of our courts rendering radio stations liable for any defamatory and slanderous statements uttered over them, we must insist that speakers delete and eliminate from all public addresses made over this station any statements which may be obscene, defamatory or slanderous.

Easy Quiz Jammed Phones; Now It's So Tough Few Put Through Calls

New Orleans, May 24. WWL's 'Riddle Man' caused such a flood of phone calls in the city that the Southern Bell Telephone officials Friday (20) asked station officials to discontinue. Produced over 8,000 telephone calls less than a half hour. Load on the telephone equipment was so great that fuses were blown out every few minutes. As a result of the phone company complaint, WWL has made the riddle quiz so difficult that the calls have been greatly reduced.

'Riddle Man' is conducted by Henry Dugan, special events director, and is sponsored by Elmer Candy Co.

ARE ADMEN EDUCATED?

NBC Stages Super-Spelling Bee Between Two Groups

Blue ribbon lineup of participants has been set for Paul Wing's sustaining spelling bee over NBC-blue Friday (27) night. New York group will be pitted against a corps from Boston.

Bunch from N. Y. includes Lee Bristol, v.p. of Bristol-Meyers; Richard C. Borten, of the milk company; G. Lynn Sumner, of the ad agency bearing his name; Charles E. Murphy, former prez of N. Y. Ad Club; Don U. Bridge, ad manager of N. Y. Times; H. J. Kemmer, manager of the N. Y. Better Business Bureau; E. P. H. James, sales promotion manager of NBC.

Hub group includes Edmund S. Whitten, prez of Boston Ad Club; Norman Rose, ad manager of Christian Science Monitor; Ernest Hottel, ad manager of Boston American and Record; J. Marshall Duane, ad manager of First National Stores; Edward Borges, prez of the Vincent Edwards Co.; Ruth Bloom, ad manager of Jay's, Inc.

As a fog, prizes will consist of r.t. ticket strips, ranging from 10c worth to \$25, according to the gauged worth of a correctly spelled word. Slubs will be designed to help the participants defray expenses of going to the convention of the Advertising Federation of America in Detroit next month.

Forms Ft. Worth Agency

Ft. Worth, May 24. Cy Leland, sportscaster for WBAP, resigned May 15 to form the Cy Leland, Inc., general advertising agency here.

Leland will continue in m.c. role for Bewley Mill; Chuck Wagon Gang.

Beach Resort's Intensive Air-Splurging on KSL

Salt Lake City, May 24. Edward Broman, KSL salesman, landed amusement advertising contract for Saltair beach, 15 miles from here. Resort will etherize seven days per week for nearly four months. Half-hour nightly remotes, of band, daily spot announcements and special 45-minute variety show on Sundays, when dancing is taboo in Utah, included. Local R. T. Harris Agency placed deal.

SEEBACH SHAKES UP 'MR. MERGENTHWIRKER'

Julius Seebach of WOR, N.Y., last week moved in a new director, from station staff, on 'Mr. Mergenthwirker's Lobbyists,' comedy-dramatization series which the Federal Theatre Radio Division is airing over Mutual net. Seebach removed Ashley Buttel, the WPA man, and put in Al Shayon, whom the station has hired for \$100 weekly.

Shayon immediately shook up the cast and changed the leads, with Lee Millery replacing Jack Raymond and

Strictly Commercial

St. Louis, May 24. Al S. Foster, general manager of WGW, located in the St. Louis University Law School, and once a non-commercial station, installed an automatic popcorn vendor developed by Old Vienna products, one of the station's accounts, in a hall near the studios and through which the students passed. They liked the idea. Result, a variety of automatic machines. Feed drinks, candy, ciggies, etc., are now available to the students, who promptly hung the tag of Foster's 'Midway' on the hall. Station gets a cut on the revenue collected by the machi

Owen Col sent in for Carl Rukoff. First time for the Fed Radio group to have a station step in and alter the setup on any of its programs, though not initial instance of a program getting help from station for which it airs. NBC had a hand in 'Professional Parade,' and CBS had Bill Robson. 'Hoosier' series. Both programs are now off.

'Fun Is Fun, but—' Government's Attitude on Those Fanciful Amateurs

Washington, May 24.

Amateur radio operators who are old enough to know the law will be rounded up if they engage in unlicensed transmission which may interfere with other types of radio, according to warning served in local courts last week.

First result of Federal Communications Commission drive was indictment of an adult experimenter, who faces a \$10,000 fine or two years incarceration for not bothering to get a government ticket before starting to dabble with the airwaves. Alleged violators of the Communications Act will be vigorously prosecuted in drive to force hams to respect the rights of others. Assistant U. S. Attorney Eugene Carus declared when the true bill was voted. While the offensive is designed chiefly to prevent key-pounders and aural radio hobbyists from causing

trouble for aviation, marine, police and the safety circuits, the act signifies the government's determination to make all users of the spectrum get the necessary papers. And in many communities, commercial broadcasters have been bothered by the wanderings of hams who consider the entire ether is their oyster.

Lawrence Gilliam Sails

Lawrence Gilliam, program producer for British Broadcasting Corp., sails from New York for London today (25). Going back after a strech with Canadian Broadcasting Corp., with whom he served some months on 'exchange' with BBC.

From N. Y., on Friday (20) Gilliam short-wareed to England a program, labeled 'Coast-to-Coast,' on which he told of his experiences flying across the U. S.

THE COMPLETE KEY-TO-AMERICAN COMMUNICATIONS IN BUSINESS INDUSTRY TO SERVICE

WESTERN UNION

EG 886 27-AMERICAN CITY 25 933A
W A JONES, SALESMAN
ANYTOWN USA

YORK INFORMS WE'RE GOING ON WLW WITH A NEW SHOW.
RUSH GOOD NEWS TO DEALERS IN YOUR TERRITORY BEGINNING
TODAY. IT'S OUR BEST BREAK IN 1938. REGARDS
GEORGE BROWN
BRANCH MANAGER.

5-1000

"I'm on my way to spread that swell news about our
WLW show to my dealers. They'll lap it up."

WLW - The Nation's Station

CINCINNATI

Background Buzz

PACIFIC COAST

Hal ratsberg is dishing market news for farmers in new noonday program over KFRC, San Francisco, with Chester Smith supplying music.

KGOC, San Francisco, occupying new studios in the recently completed Furniture Mart building.

Alice Tyler and Maryalice Mayhew of NBC's Hollywood office staff back in San Francisco recently for brief visits.

Curtis Peck, NBC engineering chief in San Francisco, has a newly decorated office, following a fire recently which did several hundred dollars damage.

Dan M. Weldon shifts from the KYA to the NBC sales staff in San Francisco. Gerald J. Norton, executive vice with Allied Advertising Agencies, has succeeded Weldon at KYA.

Vicki Vola picked for new role in red Maxwell's Hawthorne House serial, aired from NBC's San Francisco studio Monday nights on the Coast Red network.

Frederic Edwards, general manager of KGBM, Honolulu, in San Francisco.

cisco for visit during six-week's bit trip to mainland.

Kenneth Owen is now on the KFBS, San Francisco, staff as announcer-producer.

Glady's Crookshank, home economist, formerly with KLX, Oakland, added to the UBC staff in San Francisco.

Joseph Meyer, salesman, moves from KROW, Oakland, to KGOS, San Francisco.

Leone Smith, formerly of KOIL, Omaha, Neb., now night hostess at KYA, San Francisco. Helen Hess at recently's daily daytime, replacing Frances Pike, shifted to program department.

Butt Kelly, soprano, Phil Hanna, tenor; Ray Harrington, saxophonist, all solo spots on Walter Kelsey's new Tuesday night transcontinental show, Music All Our Own, which debuts Tuesday (17) on the Blue web. Hanna, incidentally, has been playing in the California Tour Championship matches at Berkeley.

Vernie Osborne, Hollywood coloratura, joining the NBC San Francisco staff with three spots a week scheduled.

Zola Enrikson, one-time member of the One Man Family's cast, back with National Players in San Francisco.

Joe Donohue in Hollywood as William East contact on Eddie Cantor's Camel track.

H. C. Webber in from Chicago as Hollywood headman for Transcription Co.

Arthur Gilmore, KNX (Hollywood) Barker, off for Tacoma to bring back his bride.

Doc Townsend back on Don Lee network with his pet pension palaver. Don Cope east to talk over local radio shows with Benton & Bowles.

Columbia Square was off the air for 45 minutes last week when the old transmitter developed a technical charley horse.

Jimmy Fidler had his contract renewed until Dec. 31, 1940 by Procter & Gamble.

Lux Theatre of the Air takes an eight-week recess after July 11 broadcast.

Jack Stanley took over the baton

from Claude Sweeten at WEHE (Los Angeles) after music master at KFI-KECA.

Lawrence William, British Broadcasting Corp., seeing what makes the Hollywood studios tick.

Robert Lewis now heading radio show for H. N. Brown agency in Hollywood. Replaces Don Clark, who has formed a writing partnership with Forrest and W. N.

San Francisco radio actress will appear on Kate Smith's program June 2 with all expenses paid said choice will be made by vote of seven local radio editors.

Busi Broadcasting from two Kraft broadcasts.

Lowell Robbins on announcing staff at KJL (Los Angeles) in move from WOR (Newark).

George Fischer embracing transcontinental airing of Alexander's Ragtime Band premiere from Carthy Circle, Los Angeles, May 24.

Bernie Milligan, former L. A. Examiner radio ed, getting out weekly radio lab for oil.

Dwight Newton has a new job show on KYA, San Francisco, tabbed on KJL (Los Angeles) as a new star.

star local students 14 years old or less answering questions on spelling, grammar, current events and other subjects.

Bert Buzzini is back on KYA, San Francisco, as a new star.

Herbert Lyser, ex-associate editor of Western Advertising magazine, has been added by manager Phil Laskey of KSFO, San Francisco, to the station's merchandising department as assistant to Robert W. Dunn.

Big Davidson, emcee and entertainer on the staff of KFRC, San Francisco, is recovering from an appendectomy.

James Parker, formerly of Hollywood, is a recent addition to the production staff in San Francisco.

Audience mail staff at NBC's San Francisco headquarters have moved back into their third floor offices, completely renovated after being burned by two fires in two weeks.

Don Thompson, special events chief and news editor at NBC's San Francisco station, in New York on his way.

Herman Jette added to J. Walter Thompson representatives in San Francisco. Jette was former manager of the Victory Theatre in San Jose, Cal.

Gordon Morrison, ex-KRE, Berkeley, now on the KPO-KGO engineering staff in San Francisco.

MIDWEST

WKXV and WOOD-WASH, Grand Rapids, both operated by King-Trendle, have installed new recording equipment, giving each station two machines.

Bentley, formerly chief announcer at WKMG, N. Y., joined Campbell's "First Nighter" show over WFAP-NBC network last Friday (23) night from Chicago. Also continues in the Bob role in "Betty and Bob," General Mills serial day-time show.

Lloyd Swank and Paul Buck, formerly with the St. Louis Amusement Co., have joined the sales staff at WIL, St. Louis.

Donald Reeves, who left WIL, St. Louis, to join the Orpheum Theatre, Los Angeles, did a guest artist stint on the Biederman Furniture Co. program while on a recent visit to the native hearth.

Chick Willis, warbler in t. Louis Many Opera and St. Louis Grand Opera chorus now heard twice weekly over WTMV, East St. Louis, doing "Songs From the Many Opera."

Howard E. Woodward, former WTMV gabber, who joined WCBS, Springfield, Ill., back at first station in East St. Louis.

Paul Willis, WTMV sports commentator, wedded to Madeline Young, singer at St. Louis nights.

Bob Dunville, manager, WASH, Cincinnati, and Jack Van Volkenberg, CBS, Chicago, visited old starting point, KMOX, last week.

Georgia Wildcats, a hill-billy outfit from WAVE, Louisville, signed up at KWK, St. Louis.

Joe Meyers, KSTP, St. Paul, stunt hitch-hiker, off to the Coast with his first show on KSTP, St. Paul, look-out.

For the third consecutive year, WCCO, Minneapolis, is sending out posters, in cooperation with state tourist bureau, to resorts and summer hotels, publishing the station's news and sports programs.

Carl Burkland, WCCO, Minneapolis, sales mgr., off on a tour which includes stopping at Goshwin, Detroit, and Chicago.

WWJ, Detroit, has been awarded the Michigan Horticultural Society's certificate of merit for outstanding

landscaping of station's transmitter grounds on outskirts of Detroit.

Allen C. Anthony, chief gabber at KWK, St. Louis, in bed at his home because of illness.

Jim Dutton has succeeded Wright Esser in continuity dept. at KSD, St. Louis.

Harry C. Krone, former sales manager of WSIX, Nashville, added to staff at WWS, St. Louis.

Frances Lee Castillo of WEW and John B. Dolan, member of St. Louis Symphony orph will wed Friday (27) in St. Louis.

Dallan McAllister, student announcer for the WGL, Ft. Wayne School of the Air, tied for first place in the National Speech contest at Wooster, O.

Shirley Wayne, WWOV-WGL, Ft. Wayne, aired his joined the new Olsen and Johnson unit.

John DeYoung, WWOV, Ft. Wayne, news commentator, is singing bass in several studio quartets.

NORTHWEST

Doug Williamson, production head of KOL, Seattle, has resigned.

Henry A. Norton, continuity head of KIRO, Seattle, has resigned.

Robert M. Seattle, of Portland, now writing continuity for KIRO, Seattle.

Will P. Fisher, part owner of Toon Broadcasters, Seattle, operators of KOMO-KJR, died May 11.

Louise Reconcini, traffic exec at KVI, Seattle-Tacoma, left for trip to east via Panama canal.

Joe Roberts, publisher Seattle Guide and Seattle Life, has started airing once a week over KVI.

SOUTH

Fred Scott, new mileman at KWIK-KTBS, Shreveport, La. Formerly at WSIX, Nashville.

George Kusan, new musical director at WPTF, Raleigh, N. C., replacing Don Ebaugh.

W. L. Lukens, father of W. S. Lukens, program director at KOMA, Oklahoma City, campaigning for district judgeship.

Bell Boys, commercial cowboy trio on WKCY, Oklahoma City, did week stand at T. B. Noble, Jr.'s, State theatre.

Albert Gibson, formerly with WAGA, Atlanta, has recently joined

Eastburn & Singling agency.

Jack Harris, Nashville, due 1 the bride.

Buddy Hancock new combo airs weekly over KONO, San Antonio, KFTA, San Antonio, has "Poppye," sponsored by Popsicle, Building Poppye clubs in three states.

Tom Stewart of WSM, Nashville, plans a book program from that station to be titled Page Turner. He previously aired a similar program from Louisville.

Joe J. Rille, who has joined the commercial dept. of WOAI, San Antonio, was formerly classified ads in with a K. Light.

Joe Uncle Bob Luther back again with KTSB, San Antonio, where he's reading S. A. Light funnies to the kids every Sunday a.m.

New band on KONO, San Antonio, is Johnny Fidler and his crew.

EAST

Jerry O'Leary new announcer for Community Dental, Georgia, Mass. the "Yodeling Cowgirl," on WORL, Boston.

Bert Parks, WABC announcer on a three-week's vacation in Hollywood, is living in Arthur Guinness house. Latter (or KXK) is presently on his honeymoon.

All local original position based on games of Harvard and Boston College have a WCOB, Boston, on a sustaining basis, the station suffers line changes.

WBZ, Boston, sick list: Kay Schmidt, Amusements, coming out from an appendectomy at the Cambridge City Hospital; Chris Sykes, NBC salesman in Boston, in the hospital for six weeks after a knee operation.

Frank Bowes, NBC sales manager, Boston, visiting NBC in Chicago.

In Baltimore, it's

WFB

ON THE NBC RED NETWORK

NATIONAL REPRESENTATIVES EDWARD PETRY & CO.

5000 Say-1000 Night

WVNS

Columbus

ALL YOU NEED IN CENTRAL OHIO

John Blair, rep.

THESE GREAT BANDLEADERS FOUND FAME AT GLEN ISLAND



JIMMY DORSEY TOMMY DORSEY GLEN GRAY OZZIE NELSON

-and this season it's

Larry Clinton

and his orchestra

Opening tomorrow night (May 26th) at Glen Island Casino, choicest summer spot in the United States, for the entire season! The leader who wrote five song smashes in a row, topped the ASCAP prize with "Dipsy Doodle!" Opening October 6th at the Hotel Lincoln for an unlimited engagement!

First New York showing of the band that bowed on Victor records, broadcast for RCA-Victor, created the sensation of the prom season! On WEAF-NBC from Glen Island Saturdays 8.45 P.M., Sundays 12 M.; WJZ-NBC, Wednesdays 11.30 P.M. Opening at the New York Paramount in October, two-week mi

ROCKWELL-O'KEEFE INC.

NEW YORK CHICAGO • HOLLYWOOD • SAN FRANCISCO • LONDON

OF ROCKWELL-O'KEEFE, INC.

GROSS ANNUAL BOOKINGS

1934 1935 1936 1937 1938

\$250,000

\$750,000

\$1,750,000

\$3,000,000

\$5,000,000

\$5,000,000

\$5,000,000

\$5,000,000

\$5,000,000

\$5,000,000

\$5,000,000

\$5,000,000

AND STILL GROWING!

ARTISTS' REPRESENTATIVES

NEW YORK CHICAGO • HOLLYWOOD • SAN FRANCISCO • LONDON

Rockwell O'Keefe Inc.

New Temporary Licenses

Washington, May 24.

Internal feuding over policy to be followed in handling listener complaints grew more bitter last week as the Federal Communications Commission placed eight more transmitters on temporary license basis.

Lack of clear-cut policy and delay of the special procedure committee in preparing a course of routine handling reflected in the bitter debate and split votes. Out of more than 30 contested renewal matters, there were six instances where one or two members dissented and two more occasions where Commissioner George Henry Payne did not vote.

FCC began dividing into factions over the question of how charged offenders should be treated. In general, Commissioners Payne and Paul A. Walker advocated stern attitude, with Commissioners Eugene O. Sykes, T. A. M. Craven and Norman S. Case balking at too stiff treatment.

While feeling of members on the general policy issue was indicated, the dissents in most cases were based on particular circumstances in individual instances.

Two transmitters were ordered to defend their existence at public hearings. They are WHBI, Newark, which has been on temporary basis, and KFPW, Fort Smith, Ark. In each case, two commissioners held out for regular renewals, Sykes and Craven disagreeing in the WHBI matter and Sykes and Case in the KFPW matter.

Drift toward more consideration for broadcasters named in complaints was seen despite the handing out of temporary papers to an even dozen operators. In contrast to the 30 and 60-day extensions issued in the past, the FCC last week made continuances of present tickets good for three months. Cuts down the possible number of embarrassing slaps.

Conduct was the principal reason involved in the arguments and in the temporary permit decisions, but not all of the applicants whose renewals caused discussion were accused of program offenses. In a few cases, there were other technicalities which previously prevented regular renewals.

Anxious

Roster of anxious licensees was changed although the number remained more or less constant. Seven plants which have been operating on temporary papers for regular renewals—WHN, New York; WMGB, Richmond; WGRA, Mayaguez, P. R.; WFEA, Manchester, N. H.; KQYL, Salt Lake City; KWQ, San Jose, and WJBK, Detroit. But eight newcomers went on the temporary list—WJBW, New Orleans; WCLQ, Jacksonville; WAXY, Waycross, Ga.; WBHP, Huntsville, Ala.; WIRY, Sterbury; KMLB, Monroe, La.; WJRD, Tuscaloosa, and KFOJ, Long Beach.

There were dissents in several of these instances. Commissioners Craven and Sykes thought KFOJ should have a regular renewal; Commissioner Payne did not vote on the renewals for WHN, New Bedford, and KQYL, Salt Lake City; Commissioner Walker opposed the WCLQ, Washington, renewal, and Commissioners Payne and Walker preferred three-month extensions for KFTM, Jonesboro, Ark., and WJBW, Fayette, Wis.

Stations kept on a temporary basis are WNWJ, New York; KOVC, Valley City, N. D.; KJUN, Pecos, Tex., and WNAC, Boston.

WNBC Newscaster New Mayor's Secretary

New Britain, Conn., May 24. Milt Berkowitz, newscaster at WNBC, appointed assistant secretary to new mayor of New Britain, George J. Coyle. Berkowitz will continue radio chores and will announce series of 'broadside chats' burgomaster is plotting.

SENATOR CARRANZA OF MEXICO ON WMCA

First official voice from Mexico to present that country's side, over U. S. radio, in the international controversy over Mexico's expropriation of its natural oil resources will be that of Alberto Salinas Carranza. Talker will guest over Johann Steel's commenting program Friday (27) night over WMCA, N. Y., and the Inter-City regional net. Carranza, now in New York, is a senator in the Mexican republic and a member of the farm relations committee.

Visio School Chartered

Albany, May 24. Television Training Corp., believed to be the first of its kind chartered in New York State, has been authorized by the Secretary of State to give instructions in the art of television and radio broadcasting. Directors are: Chester H. Branstetter (filing attorney), Benjamin F. Ross and Robert Harding, Jr.

Schoolroom Tieup

Detroit, May 24. Endorsed by board of education, WWJ's shortwave WEXWJ will launch a series of educational programs which will be picked up by special converters in 10 Listening Centers in like number of Detroit schools.

Subjects to be chosen for airings will follow regular school work and will serve to enrich the curriculum, rather than take the place of any work now done in the schoolrooms.

First Come Need Not Be First Served, Seems the Implication Of New Court Ruling on F.C.C.

Washington, May 24.

Whether the Federal Communications Commission has power to change its mind was ducked by the District of Columbia Court of Appeals this week in decision upholding order by which WATR, Waterbury, shifts from 1190 to 1290 kc over objections of present occupants.

Because none of the disgruntled licensees have any 'appealable interest,' the tribunal refused Monday (23) to pass on the validity of the FCC's somersault last July by which the Connecticut plant was refused and then granted permission to move to a regional frequency, coincidentally gaining more power and unlimited time. Judges did not indicate what they thought about the flip-dip, merely upholding the commission because other parties were unable to show how they were hurt.

Side-stepping occurred when the court dismissed three-cornered appeal by WJAS, Pittsburgh; KQYL, Salt Lake City, and WEEB, Duluth, who protested against having unwelcome neighbors on the already crowded regional ribbon.

No matter how irregular it was for the commission to deny the WATR plea in the morning and grant it in the afternoon, the proposition can be tested in the courts only 'at the instance of a person aggrieved or whose interests are adversely affected,' Chief Justice D. Lawrence Groener pointed out. And none of the trio can show requisite interest in a legal sense.

Tribunal summarized the case and remarked that there was no reason to review the case merely because WEEB and WJAS were seeking right to use 5 kw—which is barred by the rules governing operation on the 1290 stripe—and because KQYL feared possible adverse consequences to 'the logical development' of the

frequency. Sided with FCC lawyers who contended that these points gave the three dissatisfied operators no legal reason for objecting.

By indication, the court held also the commission is not obligated to follow a first-come-first-served rule. Although the WEEB and WJAS power-boost jumps, were pending when the WATR shift was approved, the court was unmoved by argument they were injured when the FCC allowed a newcomer to move in before passing on their pleas for more wattage.

Duluth and Pittsburgh transmitters were thrown out largely for technical reasons, since their cases were based on failure of the commission to pass on pleas for 5 kw permits, forbidden under the rules limiting regionals to 1 kw at night.

Strongest attack was made by WJAS, which was content, the court noted, to have its 5 kw desire weighed along with WATR's plea. Pittsburgher said the order granting the Waterbury station's application was unlawful because it deprived WJAS of the right to a full and fair hearing by placing an obstacle in the way which was not there when WJAS originally asked for more juice back in the spring of 1936. Other arguments were that the WATR denial was final, since the commission had no power to reverse itself on its own motion, and the presence of the Nutmeggers on 12 would cause more interference.

These contentions were treated as so much froth by the court. Evidence 'unmistakably shows' that WATR on 1290 with 200 watts would not cause serious interference with WJAS. Justice Groener observed, while the FCC would not have granted the Pittsburgh plant's 5 kw plea without abrogating rule and adopting new policies.

We can help
your product
STEP LIVE!

50,000 WATTS • PHILADELPHIA

Culture's Weak Case

(Continued from page 27)

tain sent a printed statement to the committee and did not appear in person.

Considerable surprise shown by Senator Bone when—after five days of hearings—Chavez-bill boosters who had asked for another day to stand, failed to show. Monday hearings lasted ten minutes when Bone faced an empty witness stand and introduction of a transcript of Boake Carter's radio speech of last Wednesday (18) was only an accomplished, Document, asserting that South American diplomats were against American propaganda in official broadcasting, was presented by Harry Butcher, Washington vice proxy for Columbia Broadcasting System.

Business of looking under the bed began Wednesday (18), when Chairman Bone expressed a desire for just one piece of evidence that would prove U. S. is asleep at the switch in letting foreign radio "menace" poison the minds of South Americans under U. S. radio. Quoted from last week's Saturday Evening Post article by Chester Brownell which "indicates that so-called 'believer' German and Italian bugaboos were serious, but nobody was able to prove that they were or the need for aggressive action by the Government—including the author."

Learned professors, who testified to the need for "cultural" broadcasts to S. A. over a government-owned transmitter, also were stumped by the problem. Insisted at Friday's (19) hearings, however, that foreigners were knocking democracy and boosting Fascism and Nazism to the detriment of the United States, and urged "constant" government broadcasts to use up the lower continent. Senate committee, which consisted entirely of Senator Bone, reopened its hearings with Mark Ethridge, National Association of Broadcasters.



ARTISTS' MANAGEMENT

PAUL WHITEMAN

Chesterfield

CBS Network
Friday, 8:30-9:30 P.M., EDT

FEATURING

**JOAN EDWARDS
FOUR MODERAIRES**

All Paul Whiteman
Engagements, Bookings,
EXCLUSIVELY
by
Artists' Management

IT 5.45 P.M.
N.Y.C.
MU 3-1866

THE OVER THE TOPS

BY JANE WEST

FROM RADIO'S MOST POPULAR

STORY SERIES YOU KNOW

AMUSEMENT, LEADS AND LEANERS ARE

Presented by Ivory Soap 99% pure

LISTEN TWICE DAILY

NBC Radio Network, 12:15 to 1:30 P.M. DST

IN N.Y.C. 2:30 P.M. DST

COAST TO COAST

MR. COMPTON ADVERTISING AGENCY

MGT., ED WOLF—RKO BLDG., NEW YORK CITY

president, redelivering the statement credited with having kicked the proposal from under the Senate hearings a week ago. On the subject of scary foreign broadcasts, Bone said that the function of the United States to meet it with counter political propaganda."

Butter, who was present as a witness for definite proof of even one instance in which a foreign country had taken any whole position is that an Atlantic short wave broadcasts, Senate hearings were conducted in a chamber where the function of the Atlantic short wave broadcasts, Senators drew up chairs around the committee table; statements of proposals and opponents were opened to questioning by either side, or by the chairman, and Senator Chavez frequently spoke a short piece supporting his bill.

Industry spokesmen consumed morning and afternoon of the day when hearings were resumed with facts and figures on programs, technical setups and future intentions existing high-powered transmitters.

Jolliffe's Data

Following the exhibit statement, Dr. C. B. Jolliffe, in charge of RCA's frequency bureau, furnished many whole position is that a foreign facility, showing Germany leading with eight to ten 50-kw transmitters, and the United States with seven; Italy with 'one or more,' and France a newcomer with her first transmitters. Jolliffe pointed out that the United States is in a favorable position, since best listening hours in South America correspond to those of the United States and make possible delivery of outstanding American broadcasts without necessity of recording or building special programs.

Body-men were chased around by Frank E. McHugh, NBC's vice president in charge of international relations, and Frederica Willis, assistant to Columbia's president, William S. Paley. Chair pot-notters argued that the private ownership of radio in the United States consists of Chamber of Commerce-type nation on beaules of the various countries broadcasting; excellence of their living standards and governmental set-up; supremacy of Germany and Italian products. News broadcasts by foreigners carry Nazi or Fascist interpretation, Willis declared, but this country probably can cure that when negotiations between North and South American stations have been completed for a system of rebroadcasting. "The most efficient South American service as yet," he added, "is the one that is turning, CBS exec predicted.

Licks and Ditties

Both Willis and Mason submitted voluminous breakdowns of programs now on the air to South America. NBC vice-president pointed out that his company has selected individuals with South American or Spanish backgrounds who are conversant with tastes and vernacular of their countrymen, to conduct S. A. programs. Willis said that the program is "a two-way proposition," and was able to furnish a complete picture of the South American radio market, plus detailed account of the care which NBC uses in selecting program material.

Mason, a former foreign correspondent, pooch-pooched German attempts to convert South America to its political beliefs, Charging Minis-

ter of Propaganda Goebbels with using "school-room methods," he predicted that radio propaganda would boomerang disastrously and also declared that the same manifestations were taking place in South America as were developed here during the World War, when Teuton propagandists employed the wrong tactics.

Love of Latin Americans for variety programs, music, descriptions of exciting events, and other lively subjects, stressed by all industry reps. "Most of the time," said Jolliffe, "we prefer our programs to others," agreed by Boyd W. Bullock, General Counsel.

Testimony of the big companies wound up with S. D. Gregory, Westinghouse Electric, and assuring Bone that U. S. commercial stations would give foreign listeners the best in programs and service through extensive research and engineering facilities. Senator Bone—evidently impressed by industry's arguments—expressed himself convinced that American broadcasts were on the right track, as regards South America, and that the industry's added "the chains have been fine."

Educators' Side

Pedants took the floor Thursday (20) when the industry was plumped for a Government station to broadcast things of "common interest" to the public. Jolliffe pointed out that the Government shows the good neighbors some of the finer aspects of American life, and that the education of the world, a dapper, however, since Bone and the previous witnesses were seeing things from the other side of the street, and the search for menaces to the American Government had dimly appeared.

Bone's answer to Dr. Herbert Wright, professor of International Relations at the University of Chicago, plumped for a Government station to broadcast things of "common interest" to the public. Jolliffe pointed out that the Government shows the good neighbors some of the finer aspects of American life, and that the education of the world, a dapper, however, since Bone and the previous witnesses were seeing things from the other side of the street, and the search for menaces to the American Government had dimly appeared.

Rebarmament was presented by George G. Luyken, director of International Relations group of Pennsylvania University, who declared that he was profoundly convinced that the United States Government ought to give leadership in cultural relations to the South American continent. "South American Government programs should go all day and continue into the evening, inasmuch as it is not possible for the United States to spend two, of three, or four millions' per annum to pump American culture into South American consciousness.

Fake Impression

Prof. Inman gazed upon the industry executives with a slightly jaundiced eye. Indicated that commercial programs, while not quite as good as American films, give a false impression of American life. Dramatizations of important American historical events were also given. "The song 'Feliz Navidad' is the one they are at present receiving from the private companies. Also recommended something similar to Christmas play which a group of Kansas City Spaniards put on in Washington several months ago, their native tongue. This would show S. A. that their neighbors to the north understood and were in sympathy with their customs, Inman averred.

Inman's insistence that Government broadcasts was the only solution remained unshaken throughout the hearing. Introduced by Harry Butcher, CBS Washington vice of a program broadcast last week by Boake Carter, radio and newspaper commentator, to the effect that officials of South American embassies and legations were invited to the Chavez bill, was flatly contradicted by Inman, who said they approved the idea of an American Government-owned broadcast station.

Bill was near death, following the Inman testimony, when Senator Bone declared the hearings were on the verge of folding. Discussion was resumed Monday, however, upon the plea of Senator Chavez who wanted to introduce more testimony from college professors in a last-minute

Further Hearings For Asheville Publisher Follow Court Rebuke

Washington, May 24.

Further hearings in the case of Asheville, N.C., publisher of Asheville Daily News, were ordered last week by the Federal Communications Commission in response to instructions from the District of Columbia Court of Appeals which recently denied the FCC another rebuke.

Order issued last February denying the right to build a station at the mountain resort was vacated by the Commish in calling for further evidence on the publisher's fitness to hold a license.

Proceeding is important because the only grounds given by the Commish for denying the application was the moral character of the candidate. While otherwise correct, Thoms was regarded as not a desirable licensee because he once violated by North Carolina statute requiring all stories with charges against candidates for office to carry a by-line.

Whether the FCC can base its decisions on such questions as past personal record, precedent, is the question involved in this proceeding. Important in view of some of the cases under review, the FCC marks have been brought to light. The court ordered the Commish to make deeper study of the "single issue of appellant's character," (right to require further information on the basis of the case).

KLZ ISSUES ROUTE LIST FOR SALESMEN

Denver, May 24.

A pretentious route list of drug stores in Denver and suburbs, commencing 40 pages, has been issued by KLZ as a start of such listings for various lines of business. Booklet, "Where to Buy," the marketing department, is being made available to wholesale drug houses for use of their salesmen.

Area is divided into routes, the stores listed on one page and the salesman, Book contains a street and avenue guide, a list of drug stores and a list of drug stores, together with pertinent trade data.

BOAKE CARTER MAY GO TO NBC IF TIME READY

Huskies (General Foods) may move Boake Carter over to the NBC red net, he is declaring that the United States to spend two, of three, or four millions' per annum to pump American culture into South American consciousness.

Carter is now doing three airings a day. It's a 6:30 for the east, 7:15 for the midwest, and 8:45 for the far west.

'Vic and Sade' on Wax

Compton agency is spreading a flock of 'Vic and Sade' serial discs over NBC stations in a five-a-weeker campaign which springs next week. Crisco will be producer.

Product plugged. Line and Sade's sides CBS. Wax spread will be a summer adjunct to the current coverage.

SCHOOL RADIO CONFERENCE

Chicago, May 24.

Indications of the rapid development of educational broadcasts are seen from the setting of place for the first Midwest School Broadcast Conference to be held in Chicago on June 18-19. The conference will be held in the new radio studio in the Civic Opera building. Under discussion will be the specific problems of educators, supervisors and directors in educational broadcasting. Several professional radio men are listed to handle several of the discussion groups. James Whaley, Lord & Thomas will talk on "Continuity for the School Broadcast"; Clarence Menser of NBC here will discuss "Planning the School Broadcasting Program"; Charles Robson of the CBS Workshop will discuss "Producing the School Broadcast."

Local set-up on the meeting being arranged by Harry K. Thomas of the Radio Council of the Chicago Board of Education.

WLW CALCULATES 24% OF TIME EDUCATIONAL

Educational programs fill 24.1% of the regular WLW schedule, according to a recent analysis of the station's program log. Broadcasts aimed to include religious, civic, news, market, weather, farm, music and children's programs. Principal steady feature in this line is the Nation's School of the Air, broadcast five times weekly from September through April. Was originated a decade since as the Ohio School of the Air, and title was changed when scope of the program was enlarged to include many states besides Ohio.

Bayuk on 14 Stations

First summer bid signed by Mutual is 14-station spread for Bayuk cigars. Widens out from KGO in Los Angeles, on June 14. Three-week quarter-hour will be with Sam Baller dish "Inside of Sports."

Program has been rolling some time on KGO's "Albright Jive, Philadelphia Air," the agency on the account.

Mgt.: LOU CLAYTON
20th Century-Fox Studios, N.Y.C.

Radio's rival
Two voice Sam and Henry
Main no mp verse
COMMUNITY SING
Address: 5221 N. Paulina St., Chicago

DON ROSS
THE RHYMING MINSTREL
12 O'CLOCK NOON
WEDNESDAY AND FRIDAY
Mutual Broadcasting System
BOSCO

New York Press Agents' A-B-C's

They Know All the Personal Eccentricities of the Radio Columnists—What, How Much and Odds

Press agents, always keen students of their opponents, have doped out the personal likes and dislikes of those controlling free space in N. Y. radio columns.

Runs like this:
Dinky Doyle (Journal-American): Pieces of positively no more than one paragraph, and preferably a snappy two lines. Likelihood won't be rewritten.

lick Kenny (Mirror): One line items with three exclamation points at the end. Almost anything about station WJCA.

Allen Cook (World Telegram): Anecdotes. Television. Something about Mexican or South American Broadcasting. Almost anything on Eddie Cantor, Fred Allen, Jack Benny, Burns and Allen, Walter O'Keefe, Doc Rockwell.

Leonard Carlson (Post): Copy on classical music. Talent discoveries.
Ben Gross (News): Uses long lead story if guaranteed exclusivity and its copy. Tough on p.a.'s because it is long with reviews, which are changed through three editions.

E. L. Bragdon (Sun): Technical and mechanical angles. Television. Features.

John Bogart (Herald Tribune): Spot shot on serious music or musicians. Political talks (chiefly Republican). Stilted stuff on the industry.

Orin Dunlap (Times): Television. More television. British broadcasting. **Isa Hanson** (Brooklyn Eagle): Anecdotes. Spot news. Trends. Quotes from performers. Especially receptive to sturdy exclusive stuff, since considers many p.a.'s feed him stuff that has been refused elsewhere.

Jim Tyler (CBS)
Jim Tyler has been hired by CBS to handle trade-press, contacting in New York.

Mauri Gaffney, who has been doing the job, will concentrate on turning out copy in the sales promotion department.

Agency-Sponsors

r. Shop New West Apple Juice has started a transcription series over KOMO, Seattle; KOIN, Portland, and KPT, Yafima, through the Izzard agency of Seattle.

Brown & Tarcher let out about 40 employees following the shift of the Schenley account to Lord & Thomas.

United Baking Co., Schenectady, is sponsoring quarter-hour transcriptions of music, two evenings weekly, over four Vermont stations: WQDM, St. Albans; WNRX, Springfield; WDEV, Waterbury, and WSWR, Rutland. Concern has Vermont headquarters in Rutland. Leighton & Nelson is the agency.

Personal Finance has taken time for two five-minute live talent dramatizations weekly on a breakfast hour spot over WGV, Schenectady, for 13 weeks, starting May 13, through Leighton & Nelson.

New accounts on WKRC, Cincinnati (Ill. Williamson, sales manager).

Walnut Mills Laundry, renewal of 100-word announcements, five times weekly, on woman's hour program.

Falls City Brewing Co., 91 100-word announcements of time and temperature. William J. Smith agency, Louisville.

McAlpin Company, department store, 14 50-word service announcements.

New accounts on WLW: General Mills, through Blackett, Sample & Hummel, placed its Hapley Gilman et. series, Monday through Friday at 5:15 p.m.
Chicago Engineering Hute's bureau of engineering courses for Friday, 8:45 p.m.
Utilities Institute, air

conditioning engineering training plane, Monday, Wednesday and Friday at 7:45 a.m. with talent from Crosley staff and including Hugh Cross and his Radio Pals.

Chicago Holding Co., forenoon 15-minute programs three-weekly to 5:30 p.m. featuring **Ma McCormick** and **Brown County Revelers** of the Crosley staff.

New accounts (per Robert Dunville):

Clyde Brewing Co., local, has assumed sponsorship of Dick Bray's sports quizzer, daily except Sunday at 7:15. Kellor & Stiles agency.

Los Baser Auto Sales Co. is blurring end cars with 13 quarter-hour et. programs, labeled Streamliners.

Sloan Ferrer Co., local, using series of 52 Tuesday 15-minute shows, titled 'Starlight Serenade', by talent from the Crosley staff.

Palat Bedding Co., Chicago, has inaugurated a series of spot announcements.

Grippe Pretzels has renewed for 300 announcements and Garfield Dry Cleaning Co., is extending its line of announcements by 100.

Pacific Coast Borax has renewed its Pacific Coast production of 'Death Valley Days' for another year over the NBC-Red web from San Francisco. Script show celebrates its fifth anniversary (17). McCann-Erickson agency handles.

Mat Burdick's 'Night Ed' program has been renewed for another 13 weeks by Cardinet Candy of Oakland, Cal., through Tomaschke-Elliott agency. Burdick dramatic narratives are aired Sundays over the Coast NBC-Red network from San Francisco.

Workman Packing Co. (IXL tamales), through Tomaschke-Elliott, Oakland, is spotting three-weekly announcements on KSPQ, San Francisco, and four a week on KPO

Johns-Manville (building materials) is sponsoring five-minute platters made by Gabriel Heather four days weekly on KPO, San Francisco.

Seven Up Bottling Co., extended 'The Marines Tell It to You' for an-

Atlantic & Pacific Stores Radio-Cold; Divisional Setup Also Adverse

other 26 weeks on the Don Lee Coast web.

'Secrets of Success' under sponsorship of McKesson-Robbins for additional 39 weeks on Don Lee network.

'Death Valley Days' contracted for sixth year on NBC western chain by Pacific Coast Borax.

Progressive Optical System, through Emil Reinhardt agency, is spotting its three-weekly quarter-hour live talent 'Heart and Home' talks on KPBC, San Francisco.

Lorillard C (Sensation cigarettes), through Lennen & Mitchell, New York, signed for 26 broadcasts of 'Don't You Believe It!' with Bob Benor, Tuesday and Thursday nights from KFRC, San Francisco, over Mutual-Don Lee stations KQW, KDON, KPBC, KDB, KPXM, KHJ, KVOE, KGB, KXO, KIEM, KRNR, KORE, KSLM, KALE, KGY, KKRO, KMO, KOL, KVOS, KIT KPQ.

American Tobacco Co. (Lucky Strike cigarette), through Lord & Thomas, New York, spotting transcribed announcements daily except Sunday on KPO and KPBC, San Francisco.

White Laboratories, Inc. (Peanutmint), through William Esty & Co., New York, using a total of 325 100-word announcements on KFRC, San Francisco, through July 8.

Industrial Training Corp. (school), through James R. Lunke & Associates, Chicago, on KFRC, San Francisco, four mornings weekly with its five-minute platters, 'Camera Speaks'. One-year contract.

International Shoe Co. (Peter's Division), through Long agency, on

Atlantic & Pacific to national advertising

for the present add next year at least, unless radical changes take place in the firm's setup.

Last program campaign bankrolled was Kate Smith over CBS season before last. Show plunged A. & P. coffee. At that time the firm was split up into six different divisions; now it is in 48 parts. No network activity this year at all, although A. & P. was one of radio's pioneer advertisers, having started more than a dozen years ago. The A. & P. Gypsies had one of the ozone's longest runs.

Grocery chain, each division of which is separately managed, would have to get all pieces into agreement before another national campaign could pop. Most of the divisional chiefs have soured on coast-to-coast campaigns.

What A. & P. reportedly wants next is some sort of a means of institutional ballyhoo to combat the ever-increasing threat of 'chain-store taxes'. But all approaching with programs designed to serve this purpose are turned back, with firm stating that it believes direct mail and black-and-white better media.

Only loophole left open for radio is locally placed ads for local stores. At present only Louisville is getting any, district manager taking part of his appropriation for berads and window displays and putting it into spots on a local broadcaster. Last spring Chicago got a sprinkling. But for the rest of radio A. & P. is a goner.

May 30 will begin a new series of Sunday quarter-hour shows, tabbed 'It's a Fact' with Ira Blue, commentator, over KPO, San Francisco, and KFI, Los Angeles. Firm has been bankrolling 'Peters Surprise Party' over same stations. Broadcasts originate in the NBC San Francisco studios.



THE VAST PROGRAM FACILITIES OF TRANSAMERICAN MAKE IT POSSIBLE TO REVIEW AT ONE TIME ANY NUMBER OF EXCELLENT PROGRAMS.

MANY OF THESE ARE STATION TESTED.

ALL OF THEM ARE FLEXIBLE ENOUGH FOR ADAPTATION TO YOUR SPECIFIC REQUIREMENTS.

COMPLETE PRESENTATIONS ARE AVAILABLE AT ALL TRANSAMERICAN OFFICES.

TRANSAMERICAN BROADCASTING AND TELEVISION CORP.

MUSIC RELEASES

East-West Just Never Agree

A headache for all Hollywood-affiliated song publishers is the Coast-East split, which is constantly demanding more exploitation plugs for film songs, and at the same time wants the firms to show a profit. Pubs. in order to show a profit, concentrate on the popular market, which is oftentimes more meritorious basically than the film excerpts with result these plugs get the plugs, and the sales, at the expense of the screen numbers. This doesn't rest well with the Coast songsmen who proad the studios which in turn SOS the eastern exes wanting to know why the picture plugs aren't coming through better. The east-west rivalry on another front all over again—this ti

CONTRACT PROHIBITED PUBS. BEFORE CUTTER OR ARTIST

**Law Firm Moves Es-
Publishers' Prior
Right Before
Cutter or Artists**

THEORY

Musical publishing industry will undertake to obtain licensing control over phonograph records used in co-operated machines through a series of legal strategies now being studied and developed by the law firm of Waterberg & Waterberg. Publishers of the latter office, has been retained by the Music Publishers Protective Association to devise a contract form which will serve to limit the use of a licensed recording, and thereby stymie any attempt of the manufacturer or artist to claim a property right in the stenciled work.

As a preliminary step to introducing this new licensing form, the MPPA will ask all publishers to appoint Walter Douglas, Waterberg's new president, their agent and trustee in the issuing of phonograph recording rights. Where publishers expect to be able to exercise control over the coin-machine use of discs is in stipulation that if any arrangement is to be made of the licensing composition the pressing right will be used for other than home reproduction.

Under the law the copyright owner has complete control over any arrangement of his work. By setting forth in the licensing contract the terms of the arrangement which arrangement can be made the copyright owner can prevent the purchaser of a phonograph record from introducing it through any means not stated in the license. If the right to make an arrangement is limited to home use of the recorded work, the use of this same disc on a co-operated machine would constitute an infringement of the copyright owner's rights, since no permission has been obtained to have the arrangement played on the other medium.

Legallites Simple?

Advocates of this legal maneuver point out that special arrangements are used for all phonograph recordings. Only thing that could cause this strategem to fail is for the manufacture to resort to stock arrangements. Publishers flout any such possibility, as it is the distinctive mark of the arrangement that no other dance band sound different from another. MPPA's head do not think that the move to license the operators of coin-machines will entail a long draw-out court fight, since the move to license the operators of the machines will be affirmed by decisions of the higher federal tribunals. Estimates of the amount of money from this source have been anywhere from \$2,000,000 to \$5,000,000.

Waterberg is also under assignment to draw up a license for off-the-air recording, and an agreement which would tend to stop publishers from sniping at one another's attempts to secure licensing. The move would provide for an arbitration committee and the support of the American Society of Composers and Authors and Publishers in enforcing the former's findings. This agreement must be in writing and the publisher going after a renewal to serve notice of his intentions upon the American Society of Composers and Authors and Publishers. A violation of the agreement would be obliged to turn over all enoluments to the rightful owner.

Mills Buys Copyrights

Mills' music, Inc., has acquired the copyrights contained in the Hollywood Music Co. from Al J. P. K.

Allen Co., N. Y. Pub. Names Four In 'Snow White' Song Infringing

Bob Cole by Acclaim

Chicago branch of the Professional Music Men's Protective Ass'n last week elected Bob Cole president in a pining vote, with Marvin Lee in as secretary and Los Butler as sergeant-at-arms. Two board of governors elected: Al Bellini, Roy Stool, Mort Schaeffer, Walter Donovan and Ben Goldberg.

WPA'S VAUDERS HELP MARKS

WPA'S VAUDERS HELP MARKS

order to prove its point that the song, "Then the Pig Got Up and Slowly Walked Away," has been in the public domain, Edward B. Marks, Music Co.'s attorney, J. Abeles, on the suggestion B. Marks, Jr., engaged in an exhaustive research which took him into the CCC and WPA entertainment divisions. There among old-time vaudellians were unearthed a flock of witnesses and affidavits to substantiate "Tuesday," the F. B. Haviland Music Co., which started an infringement suit against Marks, petitioned the U. S. supreme court to discontinue the action.

Jerry Vogel, suing in the name of Haviland, set forth that Benjamin H. Burt authored the lyrics in 1924 of the "Pig" song, which lyrics were part of the Lambs Club's Golden Jubilee Gambol. Haviland Co. (through Vogel) sued Marks, Frederick Y. Bowers, F. Henri Klickmann, Rialto Music Co. and Clarke Van Ness in two different suits, over the same song. Offending Marks song was titled "Tale of a Pig" and Rialto's was captioned "The Farmer Pig Song." Vogel claimed copyright exclusively.

Research among the now Government-payrolled vet vaudellians was an idea of young Ed Marks' who thought that many of them might recall the song's antiquity. The search resulted in scrap books being dated the date of the song back 30 years and more, as a doggerel in the public domain.

NEW MUSIC PUBLISHERS DOING PERKY BUSINESS

Raymond Scott (Harry Warnow) with his brother, Mark Warnow, operating as the Circle Music Co. and George Imen's Lincoln Music Co. are pinning it with the latest compositions and arrangements) are this year's indie music publishing outsiders. Both have come recently to the fore on performances and plugs, with limited overheads, and are the whys of several others aiming at invading the music biz.

Scott's one small firm in Chicago, which merchandizes a line of liability and kindred music through record stores, which have been out favorably and the recession of song sales these days.

Thorton W. Allen Co., New York, music publisher of college songs, has served notice on Walt Disney Productions, Inc., and Radio Pictures, Irving Berlin, Inc., RKO Pictures and RKO Distributing, that the song, "Snow White and the Seven Dwarfs," credited to authorship of Larry Morey, and Frank Churchill, out of the Disney cartoon feature, "Snow White and the Seven Dwarfs," is an infringement. Allen Co. publishes "Old Eli March" (Yale University), which Wadsworth Doster, Yale, authored that year, and has been officially adopted by the Yale band and cheer club.

Through Julian T. Abeles, attorney for Allen, it's set forth, in the formal notices served on the film and music companies, that "Old Eli March" was also widely broadcast in 1934 under the title of "Rainbow March," in commemoration of the American yacht cup races between the Rainbow and the Endeavor, L. at Newport, R. I. Also that the tune may thus have come to the attention of the Disney songwriters, Morey and Churchill, whose melody is said to infringe on "Old Eli."

Allen Co. also notes that in 1936 it submitted the song, as part of a college melody, to Disney, in Hollywood, and the latter refused to use campus material in order to make some film. It's set forth that 27 of the "Prize Song's" 32 bars are infringeable. Author Doster is now an investment banker in Pittsburgh. Abeles alleges what that "High-Ho!" another "Snow White" excerpt, has a melody which is an infringement on "When My Prince Comes Along," ballad hit of the cartoon feature.

Jimmy Campbell Sells By Cable, Sails to Australia; Wife Has Film Offers

After Jimmy Campbell and his wife, Betty Balfour, former British singer, are in en route to Australia on other ventures, Reg Connolly in London has taken over operation of the Phonograph Music Corp. This is the Gaumont-British song publishing affiliate upon which Connolly had been concentrating since he sold out his holdings in Campbell-Connolly to Reg Connolly. Later, besides operating C.C., has an interest in Irwin Dash Music Co., Macmillan's P. Co., and one Cinephone.

After the sale of the Balfour and their baby from Hollywood where he had been lining up writers and film contacts, on the theory that more extensive Anglo-American picture production in London, would greatly increase the hit. Instead, via cable, Campbell bowed out of opportunity in Cinephone, although still retaining his stock in the picture, said from California down under.

Miss Balfour has Australian picture opportunities, and has held out stage and screen, and Campbell also has some private business in Aussie that is taking him there.

REGINA'S 1ST DELEGATE TO A.F.M. IN 5 YEARS

Regina, Snak, May 24, sings are certainly picking up i and will be. First time in at least five years Regina barn American Federation of Musicians will remain in Chicago, and will in Tampa, Fla., next month. Henry Ross, local secretary, got full for all-expenses-paid junk.

Harry Bernie with Warners

Harry Bernie has been named sales and promotion rep for the Warners Bros. music publishing group in the Philadelphia to Atlantic City territory. He formerly was the Cleveland territory for J. J. J.

Television Commands Attention Of International Performance Societies

Board of directors of the American Society of Composers, Authors and Publishers will be asked when meets tomorrow (Thursday) whether it wants to send a delegate to this side to the International Conference of Performing Rights Societies which will be held in Stockholm from June 27 to July 2. ASCAP's other choice is to designate Bryk, its European rep, to attend.

At the convention will discuss the general performing rights situation throughout Europe, the major subject slated for airing is television. Perform rights societies on the other side feel that television is becoming a significant problem that this medium is bound to create, such as defining television rights and determining a rate yardstick for copyright owners.

'SHORT'NIN' BREAD' ORIGIN IN DISPUTE

Latest controversy arising over the origin of a standard number which has been published for years by various firms looms in the case of "Shortnin' Bread." Clarence Williams, publisher, claims that he copyrighted this number as an original work in February, 1925, and he has served notice on other publishing concerns that have been putting it out that he proposes to enforce his right by litigation, if necessary. Williams states that he got his copyright by assignment from the composition's writer, Jesse Dupree.

Among the other publishers of "Shortnin' Bread" is the Harold Flanner Music Co. Flanner's version is described on the sheet as adapted by Jacques Wolfe and copyrighted in 1928. Another number of similar genre that recently brought claims of original copyright infringement after it had been treated for years as out of the public domain was "Aster Boy." Avery Robinson, an English amateur composer, declared that the tune is valid copyright of the number and that he intended to stop all but the authorized publisher on this side, the Borison Music Co., from exploiting the composition.

Roger Graham Very Ill

Chicago, May 24. Roger Graham, former music publisher, is seriously ill in a New York hospital here. Illness is an after-acted three years ago. Graham's best known song was "I Ain't Got Nobody."

Frank Harford has written three songs for the Grand National western film, "Rollin' in the Deep." His "Mighty Good Hoss," "A-Roomi I Will Be" and "Give Me Back a Saddle."

ASCAP's June Dinner

Semi-annual dinner and meeting of the membership of the American Society of Composers, Authors and Publishers has been set for June 8 at the Ritz-Carlton hotel, N. Y.

ASCAP board members will hold its regular monthly meeting tomorrow (Thursday).

APPEAL LOST TO SHUBERTS BY HARMS

Harms, Inc., Warner Bros. music subsid, lost another decision in its suit against the Shuberts by the Appeals Division of the N. Y. supreme court refused to reverse a motion made by Harms in connection with some actions that had been brought against it. Suits had been filed in the name of Apple Productions, Inc., Shubert subsid, and an accounting which the latter claims are due on an old agency contract with Harms.

Counsel for Harms had asked that all suits be dismissed on the grounds that they did not constitute a cause of action and that the plaintiffs' remedy was solely in the Federal courts. Appeal was from the N. Y. supreme court's denial of this request. Shuberts had argued that the issue was strictly one of contract and that no copyright question was involved.

Involved in the litigation is a mass of operetta and musical comedy songs which were once published on an agency basis.

ANOTHER ANTI-ASCAPER PENNSYLVANIA-DESCOPER INTRODUCES 'Umpire' Bill in Congress

Washington, May. Compulsory licensing bill which would break the American Society of Composers, Authors and Publishers power over broadcasters was dropped in the Congressional hopper last week.

Authority for the Federal Communications Commission to unpropose suits between music users and copyright-owners is proposed in the measure sponsored by Rep. Guy L. Harter, Pennsylvania Democrat. The measure is unlikely to get very far with the present membership of the House. Patents Committee and Democratic Caucus for the rest of the present Congressional session.

Under the proposal, any person desiring to perform, vend, or otherwise use any copyrighted work would be able to ask the court for a permit in the event of inability to reach an agreement with the copyright owner. Congress would have a hearing, granting or denying the plea, and could fix terms and conditions if convinced the public interest would be served.

15 Best Sheet Music Sellers

"Love Walked In"	Chappell
Cry, Baby, Cry	Shapiro
Please Be Kind	Hart
"I Love to Whistle"	Robbins
"On the Sentimental"	Santly
"You Couldn't Be Cuter"	Chappell
"How'd Ja Like to Love Me"	Famous
"My Heart Is Taking Lessons"	Santly
"High-Bo"	Berlin
The Girl in the Bonnet of	Crawford
"Good Night, Angel"	Berlin
"I'm a Pin"	Hart
At a Perfume Counter	Donaldson
Don't Be That Way	Robbins
Oh, Ma Ma (The Bulcher)	Shapiro

* Indicates flimsical song. † In actual stage production song. The others are pops.

Canadian Senate Kills Clause in Bill Defining Public Performance Narrowly

Ottawa, May 24.

Canadian Senate last week struck out of the Broadcasting Bill the clause which had raised a furor of protest from the American Society of Composers, Authors and Publishers and various European performing rights groups. This clause sought to define legislatively a public performance as only applicable to that performed in a theatre or on a steamship before an audience of 200 persons or more. Any other type of performance for profit, including radio, would have been exempt from the licensing powers of the copyright owner.

Elting bill, primed as an amendment to the Canadian copyright law of 1924, had already passed the House of Commons when the British and French performing rights societies disfigured its heads to go to Canada and enter protests with the Do-

minion's cabinet. Similar protests were received by cable from Italy and Germany, which likewise argued that the objectionable clause was in violation of the Berne convention.

WESTWOOD GARDENS SET

Traveling Bands Booked Through MCA—Founder's rather Runs

Detroit, May 24.

and lineup to date for Westwood Symph gardens, which opens summer season this Friday (27), includes Ted Weems, May 27-June 4; Paul Pen-darvis band, June 5-8; and Dick Stabile, May 18-July 1. Although dates haven't been set, Horst Heide and Eddy Duchin bands are due to follow in that order.

Spot, under management of Emil Huck (brother of founder) this year instead of A. J. Huck as formerly, will operate under former policies, with dancing from 9 to 1 a.m. at 50-cents top. As previously, band will move into adjoining Westwood Otto Inn in case of rain. Lesser-name bands will also be booked for the Inn, which'll open at 2 p.m. daily, MCA doing the booking again this year.

FOR SALE

Thousands of Italian songs, all styles, to be published by house with Jose this year on Italian lyrics.

ITALIAN BOOK CO., INC.
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BERLIN BULLETIN

Hits from the HOUSE OF HITS

No. 1 on the Air

Cathedral In The Pines

Nick Kenny's "Overnight" cash

You'll Be Reminded Of Me

By George Jessel-Jack Meskill and Ted Shapiro

FROM THE RKO-RADIO Picture

"VIVACIOUS LADY," starring Ginger Rogers

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namie Lyri

Music, Maestro, Please

By MAGIDSON and WRUBEL

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Inside Stuff—Music

Officials of the American Society of Composers, Authors and Publishers and the heads of a number of major publishing houses last week received a circular letter from an anonymous source asking them to take collective action against the operator of a Chicago hierarchy who admits that without the income he receives from music men for plugs he could not exist. Letter urges that the publishers instruct their Chicago rep to stop paying the cafeman for plugs and also to refrain from patronizing the spot.

Letter asserts that the night club collects around \$1,000 a week from music, with the individual contributions ranging from \$25 to \$50 a week for two network plugs a week. Orchestra leader does not participate in this plum, while the cost of the wire is \$50 a week. The cafe owner states the writer, has declared that he wouldn't be able to make the place pay were it not for the direct plug payoffs and the money spent on parties by songpluggers.

Among those who have received copies of this circular letter are Gene Buck, John G. Paine, E. C. Mills, all officials in ASCAP, and the following publishers: Saul H. Bernstein, Louis Bernstein, Max Dreyfus, Sam Spro, Edwin H. (Buddy) Morris, Jack Robbins, Lou Diamond and E. B. Marks.

Negotiation for the takeover of Donaldson, Douglas & Gumble by Jack Bregman and Chester Cohn was still going on at press time yesterday (Tuesday). Walter Douglas, head of DD&G, is now out of the hospital by a week and it is his intention to go away for a week before applying himself to business as prez of MPPA.

Bregman during the past week sought to get an option to purchase from Joe Morris and Archie Fletcher, co-operators of the Joe Morris Music Co., but was told that no deal could be negotiated unless he was prepared to produce the asking price in cash. Figure quoted by Fletcher and Morris was \$75,000, all in cash.

Option on Mose Gumble and Joe Santly's stock in DD&G has already been purchased by Bregman and Cohn, with \$10,000 the reported price for Gumble's shares and \$5,000 for Santly's.

N. Y. Law Journal recently devoted two columns and a half to an exposure of the operation of the Society of Music Writers, who are a "phonograph record." Article outlined the case brought by Fred Waring against WDAS, Philadelphia, through the National Association of Performing Artists, and documented a mass of tribunal citations bearing of kindred issues. Also quoted are comments on the Waring case as published by various law school reviews.

Pennsylvania supreme court had ruled that Waring had an "enforceable common-law property right in the highly artistic and unique renditions of his orchestra" and that the station's action in broadcasting the records constituted unfair competition.

Benny Goodman, whom Victor records bills as "the king of swing," has gone along on a special album recording with the Budapest String Quartet, waxing Morax's Quintet for Clarinet and Strings. This recording comes on the heels of recent mag articles concerning the killer-diller that he allegedly failed to perform Morax in concert.

Nation's alligators and icekeys will have to shell up \$6.50 for the album of one 12-inch and three 10-inch discs. Goodman says next year he'll easily be able to perform Morax in concert.

Appeal from the decision which Shapiro, Bernstein & Co. and Francis, Day & Hunter got against it in the "Man Who Broke the Bank at Monte Carlo" case has been taken by 20th Century-Fox in the Canadian courts. Music publishers had charged that the producer had infringed on their exclusive rights to the use of the title with the song. Court awarded Shapiro, Bernstein & Co., assignee of the Canadian rights, a half of the \$2,400 profits which the film was figured to have gained in Canadian showing. Number is, in the public domain in the United States.

When Jack Dempsey appeared on Ladies First, over WCCO, Minneapolis, he confided to the audience that his wife, the former Hannah Williams, galls at the very thought of the ditty she made famous: "Cheerful Little Earl."

Ernstville Manassa Mauler says every time his frau is recognized in a public place by an orchestra leader, that worthy strikes up the band to play the number—with the result that Hannah has long ago literally had an earful.

Clip showing the workings of the American Society of Composers, Authors and Publishers is contained in Pathe Parade No. 5, current shorts release. Pathe arranged to do the piece on its own initiative after a bid to play the "arch of Time" reel by ASCAP publishers received a lukewarm reception.

Gene Krupa is getting a minimum, not a maximum, of \$600 nightly for his one-nights, according to Music Corp. of America. Story in May 11 issue of Variety states he is \$100 short of the \$600. This story's wording was misunderstood by some buyers.

As part of its inside good-will building campaign the American Society of Composers, Authors and Publishers is distributing framed reproductions of portrait caricatures made of Gene Buck, E. C. Mills and John G. Paine. The caption over the pictures reads, "ASCAP's Three Musketeers."

Irving Caesar's book of safety songs has been officially accepted by boards of education of New York and Boston as required educational text book.

Jantzen Opens Well

Portland, Ore., May 24.

Dick Jurgens' Band completed three weeks at Jantzen Park. Jurgens' unit was followed by Hal Grayson's Band on May 24.

Jantzen Pavilion has started out well with a summer season of name bands. Bip hall accommodates about 2,000 people and does a unitary production trade at 40 cents a person.

Prager In from Coast

Bernard Prager, new general manager of Leo Feist, Inc., succeeding Jack Bregman, resigned, is back in New York after a week's huddle with Metro music execs on the Coast.

Prager will be studio contact on M-G flimsical publications. He consults with L. K. Sinden, president, and other Culver City officials.

802 RULES TAPS RATES 50% OF SMALL'S END

Award of 50% of commission on the booking of Panchito at the Versailles, N. Y., was given Taps against the William Morris office this week by local 802 of the American Federation of Musicians.

Through a deal with Paul Small of Morris office, Taps and latter allegedly were to split after Taps arranged booking. Small is alleged to have ranged booking of the Panchito band. Small is alleged to have squeezed Taps out of picture.

Band itself must also answer to the local and the national board on same charge growing out of date at the Trocadero in Hollywood.

Signmont Narnberg and Gus Kahn wrote "Beneath the Winter Snows" to be sung in "Balaisala," Metro picture.

Mammy's Little Baby Loves



Short'nin' Bread

Now Published in
22 Arrangements

3 Keys for Voice and Piano
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FOR ORCHESTRA

Concert Orchestration.

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Two Hits from This Year's

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"WHEN YOUR HEART'S ON

FIRE"

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"LOVE IS A FUNNY GAME"

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JOE MORRIS MUSIC CO.

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NEW YORK

NVA Bloc Maps Program to Buck Handin Try for Re-election in N. Y., Flay 'Questionable' Appointments

Smarting under defeat of last year's N. Y. election, N. Y. who opposed prez Louis Handin, are laying plans to buck him in the elections next February. Members had sought to amend constitution to limit committee-naming powers of the elected Handin to appoint all committees with later naming their own heads, who would have authority to appoint, subject to approval of prez and board. Standing clause gives prez power of naming committees and their chairmen.

Al Edwards, vice-president, states that when measure was first proposed about a month ago, Handin heard it. Since that time and up to its defeat, Handin has campaigned against the measure at instigation of what Edwards and his faction call "climbers," who are id to be seeking former's favor and part control of organization. Handin will look into constitution this time, under qualifications of officers. Laws state that only bona fide actors may hold office and group wants to insure that clause against any in-juring by the measure. Edwards later brought to attention, it's said, when Handin sought to put the committee rolls with new members recruited from the Professional Entertainers of New York (PENNY), a club act group and separate organization. Several of latter are said to have been ushered into membership by Handin, who immediately resigned. Three or more on committees. Also, immediately following defeat of the measure last week, Edwards released several on committees. It's reported because of organization work those dropped, who helped bring the almost defunct NVA last fall, it's said.

Although Henry Chesterfield stands well with all members, it is thought that he will not run. It is president's chair. Members seek more value in his retaining executive secretary's post. Amendment will again be proposed, it is said, as soon as time permits. Group is anxious that NVA remain an actor's organization. Without political or managerial connections, which it fears will come with indiscriminate membership of actors and non-actors. Members they regard as over ambitious and unscrupulous.

DET. GROUP HITS 14-HR. CAFE; ASK NEW PERMIT

Detroit, May 24. Fourteen-hour day for local niteries, as means of permitting spots to stay open past 11 p.m. closing hour is being opposed by Protective Liquor Alliance, operators of the spots.

Suggested that instead an extra license, for an additional fee, be given to spots which wanted to stay open later.

Wallington Offered For Eastern Vaude

Jimmy Wallington, Eddie Cantor's former straight and program announcer, is being offered for eastern vaude by the Charles Allentown Agency.

Recently on the Coast, Wallington is being proposed for m.c. work in four-day, tied a flic at it two weeks ago in a unit sent by NBC Artists Service.

Irving Edwards

Irving Edwards' Gross, known on the stage as Irving Edwards, died April 5, 1938, at his home, 830 St. James avenue, Elmhurst, L. I., left a \$5,000 estate, according to his will filed in surrogate's court, Long Island.

The money is distributed among relations and close friends.

Gordon Setting Talent

Bobby Gordon, personal rep for Afrique, now touring the General Theatres in England, is back in America, bringing up talent for abroad. Gordon meantime, has Afrique booked in South Africa. Later sells July 8 from London on the Carnarvon Castle to play for the International Variety Theatres. From South Africa, Afrique returns to America in the winter, having a Chez Paree, Chicago, bid on.

ST. LOUIS OP DENIED APPEAL ON LEWD SHOW

St. Louis, May 24. Appeal against the \$300 fine assessed against Henry Seals here on the charge he performed a lewd performance in Skipper's Inn, a river-front niterly, was denied by the court here last week. It was held the court he was not present when the pinch was made, also denying he owned said. His brother, Gus Seals, is reported to have admitted the managanship, but is also said to have denied being present at the time of the raid.

Hearing on appeals of two performers, Art Richmond and Billy Callender, each fined \$300 for presenting an immoral and lewd performance, was continued. Two employees of the niterly, Joseph Kelly and William Oberbeck, charged with denied being present at the time of the raid. One for lack of evidence.

Cleric Crusader Shuts 2 Niteries in Oklahoma

Oklahoma City, May 24. Rev. Conrad L. Dupree, self-styled niterly, vice-crusher, in eastern Oklahoma, has succeeded in closing two niteries, alleged to be the state's widest open spots, during a one-week campaign.

The cleric started his drive when a copyrighted story, appearing in the local Oklahomaian, told of the Elms and Hilltop niteries operating on the Oklahoma-Arkansas border. Just a few yards inside the Oklahoma line.

The article alleged that Jack Gentry, owner of the Elms, had opened his \$25,000 niterly in full swing after being forced out of Arkansas.

Rev. Dupree investigated and found liquor and gambling in full swing, both of which have been illegal in Oklahoma for years.

Police Scour N. O. Area For 2 in Cafe Holdups

New Orleans, May 24. Two men who held up a \$100 note in a room night club in Ponchartraine, La., near here, and escaped with several hundred dollars in loot, are being sought in this area. Exact theft not determined.

Investigation given local pendematally with those of two men who last week held up two spots near French quarter and gambling in full swing, both of which have been illegal in Oklahoma for years.

Amus. Park to Vaude

Lancaster, Pa., May 24. Maple Grove amusement park here is going along with its opposition to Cedar Lane Park and Gretna Grove, touring to vaude as a means of keeping in the black this summer. Cedar Lane opened Sunday (22) with 10 acts of vaude with Gretna Grove and Maple Grove to follow.

Groups Pledge Aid as Commissioners Opens Drive on Chiselers - Wholesale Summonses by Inspectors in Times Square Area

RECIPROCAL PACT

With the forced aid of actor associations, theatres and niteries, New York's License Commissioner Paul Moss finally started his cleanup this week against unlicensed actors. Summonses were issued wholesale in the drive. With agent organizations advocating licensing as means of helping own house cleaning and insuring aid of commish in future difficulties, it's figured that matter will progress steadily.

Stating that he needs the cooperation of the trade press to better matters, Moss says he won't stop now until mess is cleaned up. He has made several promises to agents, namely, campaigning for favorable legislation in Albany, permission for them to collect 10%, although law calls for only 5%, and also fullest cooperation of city and his department if the boys will be good.

Some of agents are holding off, still looking for an outlet. Others are trying to raise the \$25 license fee, with Moss being patient. Inspectors combed buildings around Times Square this week, looking for unlicensed actors. Moss is also using time money of acts appearing at theatres, etc., as to who booked them, and proceeding from there.

No Fair bookings

Unlicensed agents are worried about not being permitted to book at the forthcoming N. Y. World's Fair, particularly, and point to two laws which the licensing commission figured very prominently in their decision. In recent Edgar Allen case vs. Fanny Brice, fact that he admitted he was unlicensed threw case out of court. Also, Jane Broder, (Continued on page 54)

Paucity of Work in U. S. Forcing Acts to Scuttle All Over the Globe; Isles, South Africa, Aussie Beckon

Hartford Vaude Folds

Hartford, May 24. After nine months of vaudeville at the State this town is again without fresh shows. Last performance at house "was given Sunday (22) night by Sally Rand.

House will continue on a straight picture policy. May bring in shows from time to time and possibly use some local talent.

TULSA EASES TERMS OF FOUR IN GAMBLING

Oklahoma, May 24. Appeals on conviction of four Tulsa men charged with operating gambling houses, were granted by the court here last week. Sentences have been reduced, however, from fines of \$1,000 each and five years imprisonment, to \$1,000 fines and two years imprisonment.

The niterly, located near here, was raided Dec. 4, 1935, the morning after Tulsa Pappan, revenue agent, and George Stewart, former Tulsa police captain, were killed in a gun battle. Tyne Park, employee of the niterly, was convicted of manslaughter in Pappan's death and sentenced to five years. Four convicted were Roy Anderson, George McCullough, A. E. Vandevanter and Cecil Byrd.

Kay Parsons' Showboat Opens on Hudson June 10

Kay Parsons' Showboat opens its fifth season of nightly Hudson River cruises June 10. Sidney Sprague will produce shows and is currently whipping a line of girls into shape. David Oppenheimer writing songs.

As in the past, the boat will sail from Battery, N. Y. Bill Connolly's eight-piece band signed.

AFA to Open N. Y. Hotel Organizing After Assn. Split; Borscht Drive Next

American Federation of Actors has given up trying to get together with the Hotel Assn. of New York and will start dealing directly with the hotels, it was stated this week.

At the same time, AFA announced that intention of getting after the larger borscht circuit hotels as forerunner to more complete coverage of the season. It will start its drive among theatres shortly, it's reported.

Hotel Assn. was to report definitely one way or the other to the AFA last Thursday (20). Excuses are said to have been given and more time requested, which AFA refused. Deals had been on for eight weeks between them. Intention is to organize such spots that have large floor shows. American Federation of Musicians, who deal with singers with hands made be AFA, takes care of them, says union. Those with larger scale, however, will be given no sign closed shop agreements this week.

though majority of acts playing local theatres are already AFA, union has no agreements with houses. Might involve a question of theatre chains but union sees better solution in signing up only those with shows and adding those who would take on shows later. Cooperation with Screen Actors Guild and American Federation of Radio Actors has forced many otherwise inactive acts to the AFA rolls when playing theatre.

Last of the large scale niteries outside the union recently reported pending settlement of the AFA-CGA N. J. Union states that the Riviera will be signed this week; with Marlene Dietrich, willingness to cooperate. Sophie Tucker, union executive herself, is playing the spot. Which partly accounts for the attitude.

AFA will take time out sometime during the next two weeks to inaugurate firing of Rye theatre, N. Y. chorists girls last w/er for alleged being regarding overtime. At the time, Chorus Equity Assn. had jurisdiction over the line and the Screen Actors Guild, to which the girls belong, refused for failure to receive added remuneration, took up the matter, pending settlement of the AFA-CGA dispute over jurisdiction. With that settled, and union hitting a stouter pace, time for long pending matter is seen and AFA will look into it. Says it can't do more now but will use it as leverage for future, if substantiated.

That American acts must look to the British Isles, South Africa and Australia as the important market for bookings is evidenced by the move which Nat Kalcheim of the William Morris agency is making. He sails June 28 to huddle with the Foster agency, the Morris' regular London rep, and line up booking for a flock of U. S. acts.

Death of time for niterly people in the States is shunting them around the globe, particularly with South Africa and Aussie opening up so importantly.

William Morris, "estimates that 10 good weeks are available in London and Sydney, plus and with a few weeks on the Continent, and possibly in Cairo, acts can hop from there to South Africa, and thence to Aussie."

Anyway, it's a departure for the agency, which heretofore found the British office adequately able to rep it. Kalcheim, however, has an ambitious roster of talent for export down under.

Buster Brann, with live and George Shavano, and Irving Tishman, will be the first to sail for London Friday (27) to open a six-month wide tour of British Isles.

Open in Birmingham on arrival.

RENRO BARN DANCE SUMMER TOURING

Cincinnati, May 24. After June 4 the Renfro Valley Barn Dance "show" will quit New York here, where its Saturday night audience performances, aired by WLW and Mutual, have been held during the past few months. For the summer the troupe, headed by John Laury, will make four Ohio-Michigan, Indiana, Kentucky and West Virginia, personalizing at theatres, auditoriums and dance halls. Indoor dates will be mostly for one and two days. Weekly radio programs will be dropped into the Crazy sugar tradition.

Bookings are handled by Bill McCann, Renfro Valley office. He is the Russel M. Seeds agency in charge of the broadcasting end. Talent includes Red Foley, Art Ely and Little Clifford, Girls of the Golden West, Conan Creek Girls' band, Slim Miller and Whitley.

Next fall the hillbilly count will return to use Hall for the Saturday night shows, which have been drawing big.

H'wood Warm to Ice Follies for 226 Week

Hollywood, May 24. Music Corp. of Ice Follies at the Polar Palace chalked up an opening week's gross of \$24,000 and may hold the record for the Shrine convention first week in June. Frozen extravaganzas originally booked for May night shows, which have been drawing big.

Heavy week.

Martha Raye's Vaude Deal in East Planned

Deal is underway to bring Martha Raye east for several weeks of personal show.

If set, move will come into the Paramount, Detroit, Boston, and possibly one other city.

ENGEL QUITS F&M

Martha Raye, actress, who is Fanchon & Marshall, has resigned. He and Harry Fleming, also formerly associated with F&M, will use the next two weeks, also, to open their own office in Radio City.

El Bongo's Jordan Bows Out; Rose's Rent; Christenberry Leaving the Int'l

Managerial readjustments in three Broadway spots have occurred or are on the tap.

New El Bongo management now comprises Ramon de la Torres, Jose Estrada and Frank Gonzales, with Michael Jordan out after sinking \$8,000 in the venture. First two are from La Cogna, and Gonzales is a holdover from the former Yumurti club, wherein El Bongo is now still seated. Jordan states he'll try a caddy again, in the fall, but on the east side. It may or may not be of the Latin motif.

Beverly Billy Rose essayed his streamlined variety policy at Casa Manana, an adjustment in rental terms and splits, for the summer.

Michael Christenberry, who is general manager of the Hotel Astor, who was called in by the bank to be M.D. of the International Hotel, is in its 77th, now wants to bow out. Christenberry claims he has his hands full at the Astor and, besides, now that the ice show is a click, he's not needed.

\$9,388 Sales Tax Tap Vs. Old Connie's Inn

Three-city sales tax liens were led in N.Y. Supreme court Friday (20) by Collector William B. Jones against Connie's management Corp., which operated the old Connie's Inn at 200 West 48th street. It's now at Cotton Club. The judgments total \$9,388.

The restaurant, according to the City Collector, neglected to pay \$4,840 on sales from Nov. 1 to Dec. 1, 1935; \$5,002 for the period from Jan. 1 to Jan. 30, 1936, and \$1,586 from July 1 to July 15, 1936.

Pearce's \$7,500, Chi
At Pearce's Gang, which includes performers on the weekly program for Ford Dealers over CBS, booked into the Palace, Chicago, week of June 3.

Under the it is getting \$7,500.

TOBY WING'S F.A.
Hollywood, May 24
Toby Wing, now appearing in "You Never Know" on the road, will do personal appearances in the east before returning to Hollywood.

Opens at the State-Lake, Chicago, second week in June.

Marsha's Nitty Date
Hollywood, May 24
Marsha Hunt, set for the Casa Manana in New York, will start eastward as soon as Al. Paramount vocal coach, completes her song routine.

Engagement is for six weeks.

• 15 YEARS AGO •

Oiga Petrova at the Chicago Palace in a singing act. Recalled she had made her debut at the same place 11 years before. She was a piano when she did not like its position and moved it back to lei the dip in one come down.

Bert Savoy and Jay B. Mann at the N.Y. Palace after six years' absence. Just out of Greenwich Village. Folies. Got 'em lau hing. Bill rather light wailed.

Four of the eight acts at the Riverside carried pianists.

On the bill at the Colonial was a parrot that did animal imitations.

'Yes, We Have No Bananas' the latest song hit.

Paramount planned to have written a special program for each of its pictures. Musical score and script together with costumes to be supplied for local actors.

William Randolph Hearst personally addressed the Goldenwyn convention in Atlantic City, announcing the consolidation of the Goldenwyn and Distinctive Pictures Corp. a \$25,000,000 combine.

Shubert and Chicago Post kissed and made up. Managers put an ad back in the paper after several years' absence and made apology in its house programs, which had been slamming the paper.

Picture salaries were on the up-beat and actors under long contract at low salaries were peuced at their ill luck.

Radio men getting worried. Conceded that payment to ASCAP was helping to hurry the day when performers would have to be paid in money instead of checks.

Society of American Restaurateurs gave Capt. Irvin O'Hay a gold pass good for free meals for life.

Dramatic stars which had played the NVA benefits booking with Keith and agents.

One night stand bookings for road shows said to be up 30%. Showmen had figures mixed.

Irene Castle signed through William Morris, Jr. for a fall concert tour under her Selwyn.

Anne Nichols niched Oliver or so for \$14,000 back royalties on west coast productions of "Abe".

New Acts

ADRIANA CASELOTTI AND HARRY STOCKELL
"Snow White" Voices
15 Times

New York
Adriana Caselotti, voice of "Snow White" in the Disney film, teams with Harry Stockell, the "Prince Charming" of the same picture, in a stage presentation of the cartoon feature. Curiosity to see the real-life voice counterparts in the cartoon vehicle makes this act good for the voice adult entertainment and terrific for juveniles.

Novelty act depends almost entirely on the vocal talents of Miss Caselotti and Stockell for its success. The two have a good few lines in the cartoon in her high-pitched voice which is a must for the act. Caselotti's girl's voice is heard first with a clever fade-in discarding the "Snow White" costume, the never stops at the cartoon, which is smart showmanship. Since it maintains the illusion. Four dancing girls, dressed in costumes of seven dwarfs before she sings her second tune.

Dalor builds for entry of Harry Stockell as the prince during "One Song" with Miss Caselotti. Stockell, personable youth with a grand baritone, is the vocal of the act. He sings "I'm Tired". Love Walked Right In. "I'm Tired". Love Walked Right In. "I'm Tired". Love Walked Right In.

The act will win out his welcome with three songs in success.

JOHN HOTSBRADT
Mime
15 Times

New York
John Hotsbradt, 26, and classmate of Rudy Yale, Lammy Ross, Henry C. Potter, left imprint on the New York City scene. He was Yale that year and now also in the show. He is a rhythmic dancer. He is the 6th floor of the RCA Bldg. in New York. He is a rhythmic dancer. He is the 6th floor of the RCA Bldg. in New York.

Hotsbradt is doing his stuff in the more formal. Hotsbradt. Also, as part of the coincidence, is the fact that John Roy, managing director of both Rainbow Room and the Casino, is some 20 years ago at Hotchkiss, Yale prep school. Roy running the Rockefeller opera, and Hotsbradt.

Hotsbradt, who has also toured his act, is doing his stuff in the more formal. Hotsbradt. Also, as part of the coincidence, is the fact that John Roy, managing director of both Rainbow Room and the Casino, is some 20 years ago at Hotchkiss, Yale prep school. Roy running the Rockefeller opera, and Hotsbradt.

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Rainbow Room, N.Y.

Al Donahue Or, John Hotsbradt, Jack Cole with Anna Austin and Florence Lessing, Dr. Sidney Ross, and Betty Gordon.

One of the smartest diversifications yet assembled by John Roy, managing director of the Rainbow Room, is the current lineup, which bids fair to get lots of attention from the tourist patronage, which makes this act a must-see for the tourist.

In the summer, it's the type of show, in fact, that's more moderate than formal patterns seen in New York until the fall, the Rainbow Room abandons its formal dress regulations and goes al fresco roof garden.

New show also marks the return of Al Donahue and his orchestra, plus a new personality songstress, Paula Kelly, who's a looker, and a good music vocalist alike.

Another return is Dr. Sidney Ross, the amazing card-manipulator, who does stuff at table. He's been making the Florida spas over the winter.

The two new standouts acts are John Hotsbradt (New Acts), a mime of Yale, the Mercury Theatre troupe, and Betty Gordon, who's a looker, and a good music vocalist alike.

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ST. REGIS ROOF, N.Y.

Joseph Rines or, Carl Dancers, Raul & Eva Reyes.

With a thought to the gay Vienna that is no more, the Vincent Astor owned by the Hotel St. Regis, New York, forsook the Viennese motif and has helped to make it now simply the St. Regis Roof. The decor of this air-conditioned, sky-high (Continued on p. 53)

Saranac Lake

By Harry Benney

"Things that help make the Actors' Colony a real successful health center: The way that Eddie (Vogt) an actor, who helps others to get to the grade at the Will Rogers."

The semi-annual visits of Jack (Boston) Hirt, mitter, of the gang and handing each a gift.

The many books and magazines sent to this column for the owners, Anderson, Pontiac theatre, and E. G. Dodds, of the Palace, Anderson, incidentally, has gone to Syracuse for theatre manager's mite.

Mrs. Marc Vance shot to visit her hubby at the St. Regis Roof, her brother Tom accompanied her.

Hap Ward, Jr., is a newcomer the Will Rogers. Hailton Boston, a newcomer (Mrs. Molly Davison), single from vaudeville and night spots, is a natural here. Will come at the Rogers for a week.

Murray Freedman, who tried a two-week air sniffin of the B. Town, is back.

William H. Schumacher, manager of the Lyric theatre, Lancaster, O., is a newcomer for the Lyric at the Will Rogers.

From Germany comes new medical Will Rogers, Dr. Ernest Adler, who will co-op with Dr. George Wilson.

Ben Schaffer strictly in bed an fighting a setback. He would it to hear from Sir Joseph Gillingberg and other of the cast.

Will and two inches of snow here. (Write to those you know in Saranac or elsewhere who are ill.)

DAVE APOLLON

Directed by

SIDNEY FISHER

75-77, Shaftesbury Avenue, PICCADILLY, LONDON, ENG.

"ALWAYS WORKING" "Whitely" ROBERTS

LYRIC THEATRE, ANTIANAPOLIS
This is the 3rd time at the Lyric playing the Fox Theatre, Detroit.

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HERE'S A REAL SIDELINE

Non-competition customers need demonstration a sale. Sells itself. In dance, in long underwear, in a shirt. Big, easy profits. -rite 1250 Broadway, 2626 Washington Blvd., Chicago.

PAUL ROBINSON

HARMONICA CHAMPIONS
"Modern Harmonicists"

"for seven weeks with AL PEARCE

Now Appearing ROXY, NEW YORK
Thanks to JESSE KAY and F. M.

The THEATRE of the STARS

Marcus Welles

EXECUTIVE OFFICES

LOEWS BLDG. ANNEX

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Dyant 9-7800

J. H. LUBIN

GENERAL MANAGER

SIDNEY H. PIERMONT

BOOKING MANAGER

BESSER TO LONDON
Joe Besser's "comedian" has been signed by Charlie Tucker, London booker, for four weeks at the Palladium, London, opening June. Booked through Bill Miller.

LEGITIMATE

TMAT Membership Rise to 3,000 Estimated by Next Season; Green, Room Meets to Settle Jurisdiction

Theatrical Managers, Agents and Treasurers union estimates that its membership will pass the 3,000 mark by fall and may reach 10,000 next season. That was indicated during a recent session with William Green, American Federation of Labor head, and Lewis G. Hines, national organizer, by Lodewick Vroom, TMAT president, and Gustav Gieber, union attorney.

Labor leaders in Washington reported to have expressed interest in the rapid growth of TMAT, which last season had approximately 600 members. Reason for the conference and to do with clarification of TMAT's jurisdiction. Understood that International Alliance of Theatrical Stage Employees union has indicated a claim on the "front of the house," such as the box office. Included the box office and managerial staff was not made clear, although TMAT figures that the box office group some time ago. Its rapid growth, however, appears to have caused an affiliation unnecessary. There have been some attempts to organize ticket sellers in picture houses, with the idea of preventing a strike. That activity is said not to have been by TMAT, which has no made provision for that class of membership up to now.

Green and Hines assured Vroom of the AFL support and told him to advise TMAT organizers to contact the local AFL head in each city. Later, it will be requested to give TMAT such aid as possible. Results of the organizers' efforts on the Coast is being awaited, with applications coming in steadily. Included are 20 part-mutual ticket sellers for western race tracks.

In the season about to end in the legit field, there is speculation over the responsibility of the staffs and others for next season. In TMAT circles some feel that members were to be slung to the union during the fight for recognition and a basic agreement might be discarded. Doubtful the union could stand a take if there are appreciable changes in the front of the house, but, once appointments are made, they will stick for the season. Understood, however, that a clause in the agreement permits dismissal of company managers upon two weeks' notice.

There has been some delay in the signing of the basic agreement, with a report that the union was ready to picket the theatre manager who tarried. Such action, however, is not regarded as necessary, since the managers are under the prescribed contracts and are bound by the rules, being committed to the agreement by the power of attorney, which their representatives had signed when negotiating the basic contract.

EARL CARROLL'S NEW HOLLYWOOD NITERY

Hollywood, May 24. Earl Carroll has closed a deal for a Sunset boulevard site opposite Coliseum in Broadcasting district, where he plans to erect a new \$1.5 million to spend about \$500,000 on spot. Plans have been drawn, and financing is completed construction will start around July.

Baron Long, a theatre hotel operator, also planning to erect a big niterery on an 18-acre site near the broadcasting studio.

CHARLIE WASHBURN OUT AS ABBOTT'S P.A.

Charles Washburn has resigned from the staff of George Abbott, with whom he was connected for about two and one half years as press agent. Only explanation given is that the two are reported to have disagreed on policy.

P.A. joined Abbott when the author-manager put on 'Boy Meets Girl,' his first solo. Washburn handled one or two outside attractions, then made a deal for exclusive services to the Abbott enterprises. He is said to have had a small piece of some Abbott attractions, and still holds an interest in 'Room Service' and 'What a Life,' both on Broadway.

Barclay McCarty, assistant, said that Washburn, who is now in London, will be McCarty's aide.

2 B'way Shows Operating Co-op But with \$50 Min.

A variation of the taboored co-operative or commonwealth operation of shows on Broadway is being tried by two attractions with the reputed assist of Equity. Later, it might rule out the practice some time ago, agreed to the experiments because of the terminating season, in the expectation of prolonging the engagements. The 'Women,' at the Barrymore, and 'Bachelor Born,' Lyceum, are the shows concerned, both having been advertised to close the former positively.

Equity sought to keep secret the transactions on the grounds that the concession might be abused. General plan is that the players receive a small weekly salary and share in profits, but that regular salaries be paid first if the gross reaches an agreed level, at which point there is an even break. Reported, too, that whatever is owed in regular salaries should be paid, if business is good enough.

Equity, however, has raised the minimum wage from \$40 to \$50 to apply to the casts. Some players in the two shows chose not to accept the plan and have withdrawn. A number of 'The Women' cast members, having worked out the new sharing idea, with Max Gordon as agent, pointed out the plan as the only way to get the show going. Understood that the takings of that show during the first week were about \$10,000, and that the regular salaries to the players. Last week, the share was not quite as even, while 'Bachelor' did not start the plan until last week, when there was a pickup in attendance.

Hardwick in Deal On 'Shadow' Anglo Rights

A new contract has been sealed between the Hardwick estate and 'Shadow and Substance,' at the Golden, N. Y., and Eddie Dowling, the English star, who is to share the English star having the privilege of buying 50% of the play's British rights. Understood that the deal made when Hardwick was engaged, but it wasn't inserted in his contract.

Agreement is dated June 1 and extends through the 1939-40 season. It is expected to start the summer, with a tour slated to start in the fall. Star will take a two-week vacation starting the last week in July.

2006 TO KEEP 14 HOUSES OPEN

Cost of \$11-20,000 old
entertainer for B'way
Producers, ing
Due to Pay as
You Can Plan

14 HOUSES EQUIPPED

Broadway has spent around \$200,000 in equipping legit houses with air-conditioning plants in the past year or two, trend towards bettering the theatre has been considered the most progressive step in a decade. Bankrolls of most theatre owners and operators have been too good and the financial end was first a deterrent, but ways and means were developed whereby large outlays were not required. Cost of installation varies from \$10,000 to \$20,000, or slightly more, according to the type of system used and the size of the house. Initial outlay of \$20,000 must be made and a series of notes can be issued for the balance. In some instances an amortization plan has been agreed upon, so that final payment would not be due for more than two and three years. Some installations have been made with the aid of the Federal Housing Administration.

One or two legiters are equipped with air conditioning plants using chemicals, but these systems are claimed to have been designed principally for large auditoriums. Most of the apparatus installed in the theatres has been of the cooling purposes. There's some difference in the maintenance cost of the two systems, but ice is claimed to be more effective in houses of legit size. It does not chill the air too much, one of the things complained about in picture theatres during the summer. Of the 14 houses equipped with modern systems, about half are Shubert-operated and it's understood all were arranged with F.H.A. aid. Theatre, equipped or having plants installed: Longacre ('On Borrowed Time') (Continued on page 51)

2 Plays by Beth Brown To Be Produced by FTP

Beth Brown has placed two of her plays with the Federal Theatre Project for early production. They're 'Recent on Age' and 'Tired Trolley'.

Blanding Sloan, FTP head in the east, outside of New York City, has placed the plays in Philadelphia, Pittsburgh or Washington sectors.

Gallo, Shuberts Join to Conduct Operetta Season at N. Y.'s Fair

Fortune Gallo, in association with the Shuberts, will have an outdoor operetta season at the New York State Fair this next year. Join in their affiliated ventures at Jones Beach, Randall's Island, etc. This municipal season will be something with which Billy Rose is expected assisting.

Incidentally, on the site of the expo aqueduct, Cleveland, Gallo and the Shuberts intend a musical operetta season, opening July 1, 'Roc-Marc.' They're also affiliated similarly in Louisville, also under Shubert management, present in Louisville. Opening July 2, but debut attraction not yet determined. 'Roc-Marc' will be presented at Randall's Island for Shuberts-Gallo June 28. Jones Beach due to open with 'Three Waltons' June 30. The latter may yet be shifted.

The N. Y. Fair will also have a streamlined show.

Cut of 20% for WPA Personnel Regarded as Engendering the N. Y. Theatre Project; Artists at \$19.23

KIPPEN WINS CLAIM FOR 'EMPRESS' PAY

Manart Kippen was awarded two weeks' salary by arbitration on a claim against Frederick W. Ayer for wages claimed by Kippen while in 'Empress of Destiny.' Win was decided on Equity's rule that if an actor is engaged for more than 60 days prior to the first performance, the probationary (five days) period does not apply and the minimum two weeks' salary is required.

Ayer presented 'Empress' at the St. James, N. Y., last winter, show being taken off after three days. Actor was let out during the early days of rehearsal. He was recently active as understudy for the lead in 'On Borrowed Time.'

League Against Proposed Changes in Ticket Code

League of New York Theatres membership meeting was held last Friday (20) for the purpose of discussing the proposed new ticket code for members. WPA, by limiting the number of hours they are permitted to work. Up to now such people as actors, writers, etc., have been affected, although there is some plan being worked out whereby such persons will get a cut in pay to maintain the current pay of more essential people, presumably the actors.

Labor unions have sought to maintain a semblance of wage scales for members. WPA, by limiting the number of hours they are permitted to work. Up to now such people as actors, writers, etc., have been affected, although there is some plan being worked out whereby such persons will get a cut in pay to maintain the current pay of more essential people, presumably the actors.

Another proposal, which was not carried, was an idea to make the ticket code, drawn up by the league, more radical changes in the proposed rules. Only minor revisions were suggested.

Differences of opinion, however, were voiced, particularly when it was proposed that the committee, which would be charged with the enforcement of the code, be empowered to make ticket allotments for all shows to the agencies. Resolution was defeated, most of the showmen present protesting to be dictated to in such matters.

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Gallo asked Equity for another concession on the new chorus pay for legit musicals but was refused. He contended that as there was only 1,500 capacity in Cleveland and 3,500 in New York, top admission would be higher than \$1.10. Rules call for \$1.20 weekly if the rule is the latter, and \$2.50 if higher. Equity is making the concession because it meant a difference of only a couple of hundred dollars per week. Gallo got a concession for the beach where box seats will be \$1.65 and the chorus wage will be the new \$2.50.

Works Progress Administration's theatre project is virtually assured of another season in New York there will be curtailment of its activities. That is mandatory, according to a statement from Washington building every person on the theatre project, pay of many actors in the rank and file being cut approximately 20%.

Sharp reduction in the security wage has given readers representing various groups on the payroll plenty to worry about, and it was the consensus of opinion on the committee of 19 arts unions in WPA that all units would be handicapped to such an extent that they may be forced to suspend, if not merged. Included in that possibility is the theatre project, a triple threat of WPA's march around (N. Y.) relief headquarters Saturday (21) afternoon, protesting maximum \$15.00 per person annual, which becomes effective June 30. That classification goes for the highest paid in white collar projects.

WPA security wage is \$23.88 weekly, with an additional \$1,240 annually, the drop to \$1,000 a year, reducing the weekly security wage to \$19.23. Not all on the FTP payroll get the top pay, and it is presumed that they will not be affected, although there is some plan being worked out whereby such persons will get a cut in pay to maintain the current pay of more essential people, presumably the actors.

Labor unions have sought to maintain a semblance of wage scales for members. WPA, by limiting the number of hours they are permitted to work. Up to now such people as actors, writers, etc., have been affected, although there is some plan being worked out whereby such persons will get a cut in pay to maintain the current pay of more essential people, presumably the actors.

Last week Harry L. Hopkins' training school for the unemployed representatives of the arts unit (Continued on page 48)

RICE, NEW PLAY, DUE FROM EUROPE; PLANS

With his new play virtually in its final shape, Elmer Rice is on his way to Europe to see to it that it is in New York shortly from London.

Expected the Rice play will be the second on the production list of the playwrights, who recently formed their own producing firm. Robert E. Shubert, who is producing 'Bachelor Born' in France, will return in a few days to New York. Ford and S. N. Behrman are unknown, but Maxwell Anderson is reported to have his own idea of a play, but nothing definite in preparation. He has spoken to Jane Cowdell about 'The End of the Road' and is planning to mount another new play for Burgess Meredith. Idea of doing a play for the theatre, but nothing definite is now off.

Whites' idea is to provide about 55% of their own cost financing. Balance will be provided in small checks among friends and relatives of the dramatist.

ILKA CHASE TO SAIL

Dika Chase sails June 3 for a Sea, a Russian cruise. Her husband, William B. Murray, of the William Morris agency, is expected to return to the U.S. to return at the end of July. Arrows, who left the cast of 'The Women' in London, is making a last-minute legit plans.

Philly's Windup; Wagon \$13,700, Take It \$8,000, Tobacco \$7,500

Philadelphia, May 24. Philadelphia's regular legit season (1937-38) wound up on Saturday (23) night with a couple of promises of summer presentations. The latter night was a serious show ("Star Defiance" and "Not an Act," musical) or frothy piece. Philly's legit season generally made money, but a large number of cancellations and the severity of musicals. Unfriendly municipal feeling resulted in Philly's losing a number of possible attractions. It held.

Last week's big was again seriously affected by bad weather. "The Star Wagon," with notices that were generally good, led the way.

Estimates for Last Week
Star Wagon (Forrest) (last week) (\$2,000; \$2,551). For the week, it went well and hit \$13,700. Ends stay and Philly's legit season Saturday (23) night. **You Can Take It With You** (Loretta) (5th week) (\$4,000; \$1,500). Deleted suddenly (18) to avoid rain, it appeared here on return as it had been figured to ride into next month. **Tobacco Road** (Erlanger) (2d week) (\$1,800; \$1,800). Took a trip nowhere near as big as sixth, last trip, but \$7,500.

REGINA, 29C, RULES FISCUS

San Francisco, May 24. Helen Hayes is doing almost a specialty bit at the Curran theatre in "The Regina" for the next week with two special Friday matinee performances of "The Regina."

Estimate for Last Week
Victoria Regina, Curran (1,771; \$2,200). Made a reputation of what Helen Hayes has done in almost every country, just under \$25,000, almost capacity.

WFA
"Frologue to King", Alcazar (1,268; \$1,100) (first week). Tremendous interest in this production.

'SERVICE' ENDS MPLS. SEASON, \$5,600, OKAY

Minneapolis, May 24. "Room Service" wound up last legit gross season here in years, based on numbers, and a good gross. "You Never Know," which had been announced by the Lyceum for June, has cancelled.

Estimate for Last Week
"Room Service", Lyceum (2,200; \$2,750). Added comedy drew nicely for three nights and matinee. Approximately \$5,600. Profitable.

Arm Op for Cecilia Loftus; Aides Seeking Picture Deal

Having wound up the season with her impersonations, Cecilia Loftus will undergo an operation shortly on her arm, injured in a fall in her dressing room at the Shubert, Boston, last February. Loftus is the only one of "There's Always a Breeze." She will spend the summer in England with her mother.

Comedian was propositioned by Selznick-International for the lead in "Pure in Fure" in line up to mix the bid because of her pending operation. Minnie Dupree, another comedian, was subsequently signed for the part. Bernard and Bill Doll, who presented Miss Loftus in the impersonations and are managing her, are trying to line up a film deal for her. If it doesn't, well, she may go on tour in the fall.

SERLIN'S 'SWING ANGEL'

Los Angeles, May 24. Oscar Serlin has left for New York, intending to produce "Sing, Swing, Angel," the Bedford Forrest stage play broken in by the Pasadena Community players.

He is taking along two other plays possible production.

NEW COAST GUILD

Sacramento, May 24. "Sing, Swing, Angel," the legit production in Los Angeles, is at San Francisco, as did articles of incorporation here.

New guild leader, Louise De Jean.

Read Legit Grosses

Estimated total grosses at week.....	\$118,200
(Based on shows)	
Total grosses same week last year.....	\$ 69,1
(Based on 5 shs '37)	

'PINS, NEEDLES,' BOSON, \$1,000

Boston, May 24. Pins and Needles, in no opposition, had smooth sailing second week at the Shubert. Special parties and steady balcony trade hyped the take.

"Star Wagon" is the only incoming show slated for the immediate future (25), and this will probably be the season's final.

Estimates for Last Week
'Pins and Needles', Shubert (3d, final week) (\$3,000; \$2,201). No smash yet, but very satisfactory, considering sharp drop in this town; around \$11,000.

Ticket Code

Identically being objected to on the same grounds, but very satisfactory, considering sharp drop in this town; around \$11,000.

% Leway Boston
 Still another change was voted down, proposal that 10% of tickets agency people will be given on the day of performance, without the 11 of 75 premium (50c for the season).
 It was figured to provide for that class of patronage which demands choice locations at the last minute and is willing to pay excess prices for the service. Suggestion was nixed on the grounds that it would provide a wedge for abuse of the regulations.

About half the active membership in the league acted in favor of the proposed changes. Such revisions will be submitted to Equity's council as supplementary to the first draft. Each councilor was given a copy of the plan, including those out of town and on the Coast, but their reactions had not been received early this week.

Before the code is adopted in final form, if and when, the ticket brokers are charged with the duty. Plan will be fully explained and it's possible that suggestions from the agency people will be given. Ticket agents will be required to file bonds as evidence of compliance. They will be charged with the duty to operate proved ineffectual, nor did the NRA code work much better.

ut-Rate Change

New revenue bill, which has gone to the legislature, will include, in addition to the tax law affecting cut-rate tickets, a provision for the new law will apply on the actual price paid for tickets, instead of the inequitable 10% percentage in the old law.

Understanding that the changed provision will apply when the price is reduced at the boxoffice is said to be in error. No provision is made for the ticket broker, while any differentiation and when tickets are sold at a discount for resale. The percentage in the old law is believed that no further tax is collectible, except that on the additional amount charged. The new provision would not be discriminatory. New regulation also applies to theatre parties sold under the regular price.

THOMAS AIDS 'BLOSSOM' TO SOCK \$40,000 IN L. A.

Los Angeles, May 24. "Revival of Blossom," with a cast headed by John Charles Thomas, played a performance of the business, with the window list short of \$40,000, which is best done at the Philharmonic in month.

Baltimore is dark until June 6, when Helen Hayes takes up a three-week stand with "Victoria Regina." Advertisements indicate smash hit for the run.

Estimate for Last week
"Blossom", Broadway (16,000; \$3,851). John Charles Thomas credited with most of the draw for \$40,000, which rolled up a smash \$40,000. Scale drops next week to \$2,500 for "Student Prince."

WFA

"Frologue to King," Hollywood Playhouse. Opens May 16.
 "In the Best of Families," Mason. Follows "What a Woman Wants" for May 21 opening.

"Judgment Day," Jan. Hoping to make a hit with a new drama, which follows "Alison's" show at 26.

'KNOW' \$21,000; 'YOU NEVER KNOW' \$21,000

Chicago, May 24. The third time is the charm for the Chicago leg is without a single legit show. Producers are looking for a production that will give the possibility of summer coin this year.

"You Never Know" out of the Grand. It is a pretty good show. "You Never Know" out of the Grand. It is a pretty good show.

Chicago, May 24. The third time is the charm for the Chicago leg is without a single legit show. Producers are looking for a production that will give the possibility of summer coin this year.

Estimate for Last week
"You Never Know", Grand (1,800; \$3,300). Finished here Saturday (23) to good \$21,000 to conclude a profitable three-week run.

WFA
"Spiracles", Blackstone. Getting good party date.

Indianapolis, May 24. "You Never Know," here at the Earl Carroll theatre, had a good performance and matinee (23-24). It is feeling the current low tide, but is feeling the current low tide, but is feeling the current low tide.

'TAKE IT' TAKES \$9,400 IN FOUR COAST STATES

Oakland, Cal., May 24. Touring company of "You Can Take It With You" totaled \$9,400 last week, according to box office figures. Included stops at the White, Regal, and the Auditorium, San Jose, and the Auditorium, here.

Add: Summer Theatres

Carol Inn Players (Negro), Gordon Heights, L. I. N. Y. Louis Douras. Nemerson Playhouse, with Fallsburg, N. Y. Cragsmoor Players, Cragsmoor, N. Y. West Falmouth Playhouse, West Falmouth, Mass. New York City South Shore Players, Cohasset, Mass. Linden Lodge, Averill Park, N. Y. Henry Tobias.

Glens Fire Probe

New York, N. Y., May 24. Federal fire investigators have appeared to Glens Falls police to investigate a fire, which destroyed the Glens Falls theatre, on Thursday (19) evening by the fire. George Bernard Shaw's "Pygmalion," which was presented here Thursday (19) evening by the fire. George Bernard Shaw's "Pygmalion," which was presented here Thursday (19) evening by the fire.

B'way Off Despite Weather Break; 'Town' 14C, Low ops Straight Shows, 'Angel' Smash \$28,000, 'Mice' Closes

B'way Legit Grosses

Estimated total gr last week.....	\$217,1
(Based on 21 shows)	
Total grosses same week last year.....	\$229,500
(Based on 21 shows)	

"Our Town," the Pulitzer winner, was rated top grosser among Broadway's straight plays last week. Takings approximated \$14,000. Susan and God, which had led that division, was rated top grosser among Broadway's straight plays last week.

Feature of last week's attendance was the spurt of "Of Mice and Men," which closed with a box office run, giving the critics' selection a gross of \$28,000. That returned a coin jump of nearly \$5,000 over the preceding week, and was credited to the attendance of its final week.

"Married an Angel" is the only Broadway show that is expected to be in the top grosser list. It is standing up to expectations of \$20,000. That returned a coin jump of nearly \$5,000 over the preceding week, and was credited to the attendance of its final week.

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summer; still making good week near \$10,000. "Mice" closes Saturday (25) night. "Washington Jitters," Guild. Taken off Saturday (21) after three weeks; also \$14,000 of previous week by subscription.

What a Lady!, Baltimore (7th week) (\$C-91; \$3,301). Has been going somewhat better, but two weeks but still higher level expected; estimated around \$7,000 or bit more. **Walden**, Hudson (9th week) noon fair; nights rather light, but last week sold out Saturday afternoon fair; nights rather light, but okay around \$7,000.

'Pins and Needles', Boston Stage (21st week) (R-500; \$2,751). Among season's best attractions, led by amateurs and sponsored by labor union; "brilliant" for the draw; around \$7.5 estimated last week for intimate venue, which costs little.

'The Circle', Playhouse (6th week) (C-91; \$2,751). Among season's best attractions, led by amateurs and sponsored by labor union; "brilliant" for the draw; around \$7.5 estimated last week for intimate venue, which costs little.

'Heartbreak House', Mercury (5th week) (C-52; \$2,201). Engagement has been limited; fair business to possible profit around \$4.5 last week. **'National'**, Broadway (21st week) (D-164; \$2,201). Final week; engagement shortened when re-lighting saw light attendance; nearly \$5,000, but much higher takings indicated.

WFA
'Trojan Incident', James. Closed last Saturday (21); five weeks. **'One-Third of a Nation'**, Adelphi (1st week). **'Frologue to King'**, Alcazar (1st week). **'Hail, Lafayette, Hail, Mexico'**, open late this week.

ABBEY \$12,000; 'KASH' WINDUP

Washington, May 24. National, Cap's only pro legit spot, wound up last week with a good cool weather lasting long into the factory. House, which is not airing much, but has been good for occasional arm and school bookings.

Roadside theatre, semi-pro draw, opened spring suburban barn on May 13, skeddle seven shows to date. The show is old millers. Starter is "Sweeney Todd," or the Demon Barber of Fleet Street, and most of the rest are old millers. Entertainment staff and players will split profits.

Plans of Steve Cochran, ex-National theatre manager and power behind former National Theatre Players stock company, to launch pro-summer theatre in suburbia this year, probably won't materialize this year.

Estimate for Last week
Abbey, National (1st week) single week) (1,698; \$2). Eight performances collected over \$12,000.

ENGAGEMENTS

Lorraine Bates, Beverly Stowell, and other players, previous to Cragsmoor, N. Y. (resident).
 Kathryn Grayson, New York City. A. H. Buren, Dorothy Bernard, Grand Mills. Yes. My country, my country. Alford Players, Skowhegan, C.

Paula Ross, Vera Curtis, Cockney, Jeanne Dand, Sheila rent, Donald Black, Will Henry, Starr West, John W. Henry, George Brumfield, "For O'Fay," "Starlight theatre, Pawling, N. Y."

Arlene Francis, Sheila Trent, Philip Bourneau, Helen Roy, Irving Berlin, "The Great Waltz," N. Y. resident.
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Stranded 'Sun-Up' Tourists Ask Aid Of Equity; Rules Violation Indicated

First stranding of a show in years occurred in Denver last week, when a troupe headed by Lucille Laverne, which had been well-cattling "Sun-Up," came a cropper. Appeals for help made to Equity in New York were referred to the local union, where the company is believed to have originated. Indicated that the association's rules were not complied with and there was no coin on deposit to protect salaries and return transportation.

A message signed by Samuel Hook Park, one of the company, stated that the players were on their way out on the streets. It appears that after the cast quit the company at Galveston, N. M., and returned to Equity's office in Los Angeles. But when the company stranded the players failed to secure the same, the company managed to get to Denver, deciding to stick with Arthur M. Oberlander, who presented the show. It's said he was obligated for \$17,000 for auditorium rent and other expenses, but the show only grossed \$800. Claimed that Miss Laverne, who appeared in the original "Sun-Up" in New York, paid \$1000 in salary to ensure the Denver date, but ran out of money.

It was claimed that the actors who remained doubled in parts vacated by the quartet which left at Gallup. To add to the woes, company manager, Tod Brown was stricken with a heart attack and placed in a hospital at Albuquerque. Brown's partner, Frank's standing and found he had paid debts for about four years and there has no money to pay them. Same goes for at least one of those who left the show. Identities of others have not been learned.

Showmen Split On Bway Curo For WPA Plays

There appears to be a partial split among showmen over a petition sent WPA heads Monday (23) asking that Theatre Guild productions be kept outside New York's legit theatre district. Several of the signatories are those who own and operate or own theatres, but most of the formal proponents are producers. Claimed a number of the producers did not subscribe to the petition because they seek any opportunity to gain profit by renting houses, whether for relief shows or otherwise.

League of New York Theatres is not mentioned in the petition, which was privately circulated among those whose main interest is legit production rather than theatrical real estate. In answer to the claim that the WPA has increased the sale of cheap tickets, it's contended that the FTP would fulfil that function more effectively by operating relief houses and not attempting to enter into direct competition with more expensive shows, which must charge a higher admission.

Explained by the petitioners that the WPA pays its players slightly more than had the minimum set by Equity (40), and that only a small percentage of the latter's players dropped the wage, the majority being paid well above that. As for stage hands on whom the wage is less than the union scale, while production costs and operating losses are absorbed by the government relief project.

With circulation of the petition, some theatre operators have taken damage. However, the WPA people in New York indicated they did not wish a controversy with the legit theatre and would adhere to the old street-SW. street deadline. One house in the show zone proper may be used, however.

WANTED—A THEATRE
Theatre Guild productions
real well-equipped Theatre in New York
For immediate operation
Wire VERNON
12 West 51st St., New York City.

\$8,000 NUT CANCELS CHICAGO 'GOLDEN BOY'

Plan to shoot the Coast company of "Golden Boy" into Chicago for a summer stay has been canceled. For 1 week a week ago in Los Angeles completed its rather brief season. Loop will be played by the original cast next season. It will end a good run at the Belasco, N. Y., next week.

Western "Boy" was made up principally of Coastites. Show had to gross \$8,000 to break even, which indicated Chicago summer date would be too risky. It was presented by Homer Curran, in collaboration with Sam Grinberg, under an arrangement with the Group Theatre, which is presenting it in New York.

NEW WAY SEEN TO AVOID CASES ON READINGS
Actors in "Room Service" and "What a Life" signed the petitions, which were to the effect that such readings are desirable to improve production and provide a change of pace from the nightly repetition of the same material. Explained that the players were reading Shakespeare.

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Current Road Shows

Week of May 25
"Plus and Needles," Shubert, Boston.
"Star Wagon" (Burgess, eredit-Jillian), Gish, Portland, Philadelphia.

"Victoria" (Elen Hays), Curran, San Francisco.
"You Can't Take It With You," Locust, Philadelphia.

"You Can't Take It With You," Mayfair, Portland, Ore.
"You Never Know" (Lupe Velasco), W. W. Shirey, Audubon, Des Moines (22-25); Indianapolis (22-25); Paramount, Toledo (26-28); Hartman, Columbus (27-28).

Two companies of "Whiteoaks" in the Hudson River Valley, N. Y., are set for the road next season. An American tour of 38 weeks has been booked for the New York, but several stands will not be visited at the instance of Miss Barrymore. One is New Orleans, where the star is said to have biffed a reporter last season, resultant publicity there not being so good. Another unlikely booking is Denver.

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'Mice' Closing Hits N. Y. Crx Circle; Anderson Defends Award of Group

2 'WHITEOAKS' TOURS SET FOR NEXT SEASON

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Attempts to discredit the annual award of the New York Drama Critics Circle, for its choice of the best Broadway play, has created a furor along the Stem within the past few days. Latest situation was precipitated by the closing of "Mice," which got the Circle's nod, on Saturday (21), too soon after the award, in the opinion of some circles.

Going to bat for the Circle in his daily article, John Anderson, drama critic of the New York Herald Tribune, pointed out that the "mischief" being attempted not by the Pulitzer committee, which might, with a reprimand, not even the commercial theatre, which might like to prove the critics ineffectual anyway, but is being done by newspapers, whose critics are the chief figures in the Circle.

Comment, in effect, deciding the Circle prize, lauded the Pulitzer award. Thornton Wilder, "Our Town," which is expected to last through the summer.

Mentioning the two prize plays and the status of the respective engagements, Anderson wrote: "This would indicate that the critics will sell the public, even if they wanted to, and that the Pulitzer prize, regardless of the award, is still worth wonders at the boxoffice."

Ready to Close
Anderson pointed out that "Town" has been running about three months, whereas "Mice" had been playing only a few days. "Town" was ready to close when the critics stimulated attendance so that it stayed four more nights on Broadway.

(Continued on page 51)

40c 'Orchestra Circle' Called False B.O. Idea

Use of the "orchestra circle" advertising charge recently by several theatres in New York and Broadway is being regarded as false economy, although defended as a means of drawing the public to the theatre for lower floor locations are priced at 40c, in lieu of prices. Latter formally called for the same rate until the government ruled that 30c should be paid the tax collector (10% of 30c) on a levy on paper was discontinued.

Some houses using the newer scheme appeared as if they were drawing strong attendance, but the boxoffice statements proved little coin was really paid. Under angle of the 40c fee has a cut-rate angle because balcony tickets sold in the largest quantities. But the double the price paid by persons downstairs in the alleged "orchestra circle."

Summer Concerts Seen Out in Detroit; No Funds

Detroit, May 24.
With only \$1,200 in the treasury, the Detroit Symphony Orchestra, which is expected to open on Belle Isle will be impossible to conduct for the season. Albert Spalding, the Metropolitan Quartet and George Barrere are also tentatively booked for the season. Evidently trying to work up an American Salzburg in the outdoor theatre, which has a capacity of about 7,000.

Seeks Akron FTP
Mrs. Florence Curran, assistant director of WPA women's and professional projects, has queried the state department at Columbus about the possibility of establishing a federal theatre here.

Raymond, state director of the Federal Theatre Project, has announced he will confer with Mrs. Curran on the subject shortly.

St. Louis resident of the St. Louis Symphony Society for the past six years, has been elected to one year at a meeting of the Board of Control last week.

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FRISCO TO SEE MERK PLAYS

San Francisco, May 24.
Deal for local appearances of O. J. Merkle, who is touring the country, calls for four of the Mercury plays, starting late July; "Julius Caesar," "Shakespeare's Holiday," "The House" and world premiere of "The Five K's." Forty players will make up the company.

Also set is Gertrude Lawrence in "Susan and God" at the Curran Auditorium. Lawrence last appeared here 13 years ago in "Charlo's Revue."

When the Mercury Theatre takes its repertory on tour, two of its leading players will remain behind. Martin Gabel, in "Julius Caesar," and Alice Frost, in both "Caesar" and "Shakespeare's Holiday." Both will be touring the country with the company. Gabel is planning to step out as a producer on his own next fall.

Miss Frost, who appears in the "Big Sister" radio series for Rinsco, also is an occasional player on "Unseen Jury" for the Morris Plan. She is expected to rejoin the Merkle in the fall.

CRAVEN PAV RISE SEEN IN NEW TOWN' PACT

Although Frank Craven is willing to stick with "Our Town" (Morosco, N. Y.) for the summer, his run of the play contract expires next Tuesday (31), instead of the current week, since it's the technical termination of the season. It's expected that a new agreement will be made, with the star said to look for salary increase. Because of that, it's understood that Ed Harris, producer of the Pulitzer prizewinner, "The Night of the Iguana," is contacting Craven.

"Town," which recently moved to the Morosco, air cooled house, has been mentioned for the Cort, although "Room Service" is slated to stay there into June. Plymouth, which will shortly be vacated by "Susan and God," is another possibility.

Trend in installing air conditioning equipment in legit theatres does not include the Morosco. It is operated on an arrangement of permanent 60 days notice of rental termination.

With Yvan-Noel, from whose original "Christine," the "Cairo" play was adapted, a "Cairo" play was staged last season (31) at the rights under a flat agreement. Show is getting quite a few stock producers.

Viola Roache's replacement of O'Connor in "Two Bouquet" caused the show to carry over to San Gerson, Shubert's Chicago rep, arrived yesterday (Tuesday) from the loop. The new show was permitted to carry over for two more shows Monday and Tuesday, but with the "Bouquet" opera next week, "Bliss" wouldn't approve.

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Exit of Player to Rehearse In New Play Forces 'Cairo' 'Old'

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'American Salzburg' Robert K. Goodhue, who conducts the Rockwells; theatre, Carmel, N. Y., has booked George Moore for a summer tour for Sept. 10-20. Albert Spalding, the Metropolitan Quartet and George Barrere are also tentatively booked for the season.

Evidently trying to work up an American Salzburg in the outdoor theatre, which has a capacity of about 7,000.

Seeks Akron FTP

Mrs. Florence Curran, assistant director of WPA women's and professional projects, has queried the state department at Columbus about the possibility of establishing a federal theatre here.

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Frisco's Russian Fete

San Francisco, May 24.
As preliminary to celebration of composer Modest Mussorgsky's centennial, this city's 15,000 Russians will stage a "Russian Fete" on Saturday (26) at Sigmund Turek starting May 30.

Madame Tati contralto, in 'ari

Plays Abroad

CARESSES DE FEMMES

People of Our Class

TOLAKODO FRATER:

INCIDENT SUMMARY

BANANA RIDGE

Nincenek Veletlenek

Current Aussie Acts

Lunt-Fontanne 'Amphitryon' Opens

Limited London Run with Acclaim

Iced Legit

11

RITOLF BEER SUICIDE

RODOLPH BEER SUICIDE IN VIENNA: PRODIGE

2 French Cos. Slated

For Buenos Aires Bo
Buenos Aires, May

**Buchanan, Waller Test
To Produce in London**
London, May

Other is 'Divorce for Christ' by a new author, Maj. Gen. G. Mathen, and it's likely Diana's yard will play the lead.

Current London Shows

ates When Opened

'French Without Sterilization'
6. 'George and Margaret' Woodhouse

25, '37.
'Housemaster.' *Adelphych*—June 20.
[*Colony* (*Genius*), *Colony*—June 20.]

day (21) at the Savoy. or
Talks' ditto at the Lyceum.

PARADING FILMS NOW

'Mice' Closing

Most unusual how the crowd came from the picture end, at the opening of "Yellow Jack" (MGM) at the Capitol, N. Y. In large space ads, excerpts from a number of reviews of the film's stage production which had its premiere March 6, 1934, at the Martin Beck, were prominently displayed.

Hollywood Guild Paradox

First Newspaper Guild strike in Los Angeles sector was called on May 1, at the Hollywood Citizens News. Action followed the discharge of three active Guild members on the eve of the strike. The Citizens News, owned by the Citizens News, fired were Roger C. Johnson, former president of the L. A. Guild; Elizabeth Yaman, assistant editor; and for nine years a film columnist on the paper, and Mel Scott, who wrote the liberal editorials for the paper. They received three months notice.

Strike at the Citizen-News was something of a paradox in that the paper had been in the hands of a liberal sheet in the city, and the month by 22 was a surprise even to right wingers. Following three months of negotiating which had reached the inkling stage on May 13, Guildsmen conferred with the owner of Frank Scully and then unanimously voted to walk out. Efforts to settle the case via the National Labor Relations Board were fruitless, the publisher, Harlan C. Palmer, insisting his right to fire.

Only people connected with the paper to cross the picket line were Palmer, Harold Swisher, his managing editor, and Zuna P. Smith, his assistant editor and editor of the radio page. College boys and members of the family were among the strikebreakers. Guild has started publishing its own paper titled the "Citizens News."

Film colony has taken an active interest in the strike. On the picket line Herbert Blane, Billie Tuttle, Lionel Stander, Dorothy Parker, Ring Lardner, Jr., Philip Dunn, James Campbell, and numerous other actors. Prior to the strike Robert Montgomery, Frank Morgan and others in the latter part of the strike, efforts to settle the dispute with Palmer representatives.

Publication of **LIT VARIETY** was switched to another shop.

Halt the Nuts

Business manager Jack Pegler of the new Connecticut Nutmeg Cigar has high priced literary hand picked the publisher. The publisher's backlog of material by SOGING 'em into a deadline for two or three days. The first issue out this week with enough on hand not to agitate the board of directors. The committee: Guy Tunney, Heywood Brown, Ursula Parrott, George, Reynolds, Alan, and Edwin Brown, Faith Baldwin, George J. Bye.

Publisher a Maple Fan

Carl W. Jones, publisher of the Minneapolis Journal, is an ardent maple fan. Presently he's devoting much of his spare time to collecting material from the late John N. Hilliard's notes, which he will publish in the form of some 100 "Maple" articles as yet untitled.

Publisher Jones and his wife have been in New York this week, spending much time with the local magicians and plan to return to Minneapolis tomorrow.

Krock Award Stars D. C.

Battling over justification for this year's Pulitzer Prize, the distinguished journalistic work has broken out among the contenders. In the Guards are defending Arthur Krock, New York Herald Tribune, and the other two from the younger element which contend too much sympathy was shown for older leaders.

Formal protests about Krock by the "Krock" authorities and "exclusive" interviews with Pulitzer judges. The committee was headed by Earl Godwin, president of the White House Correspondents' Association. Legation of the Pulitzer was result of favoritism by the Chief Executive rather than ingenuity and industry.

The Krock story made several correspondents look like the "Krock" story. Incidentally, letting F.D.R. know that the crowd in the press room is still burning for Krock's name, insuring equal opportunity for all scribblers. Suggestion that Krock was played for the White House to counteract generally unfavorable treatment the President had given the Supreme Court and was basis for observation that award ought to be shared with Mr. Roosevelt.

Story which won the commendation was one about President's intention to leave the White House, which his present term is over. Also explained the motives behind the plan to buy the Supreme Court and keep up the entire Federal judiciary. Defenders claim Krock was entitled

Here's a Plot

Sherwood King, presently a commercial writer for Lord & Thomas, and the author of "If I Die Before I Wake," earned his money by writing the book in a Chicago rooming house by reading a chapter a week to a group of writers and their literary friends. Agreement was that he must furnish a chapter each week and could have it as they liked the book. Another of the group fed the struggling author the book to the publisher on the MS., resulting in a romance, author marrying his wife.

Now that the book's successful, publishers are revered and the MS. the mcal ticket. After publication same ladies who formed the story in serial form tossed a party for him and he autographed copies of the book to his friends.

to credit for being able to get what they agreed was a sensational piece, they are being criticized.

If the President broke the usual rules, Article was played by the publisher. The publisher's wife, coming from Timesman's pals, who discussed the book in the press.

Understandings make sure no misdirections were followed.

Proposed to license

wholesale magazi distributors, thereby holding an ax over salaried publishers will get action this week from Detroit's common council. Among mag passed around for councilmen's review was the "Munroe, Click, Film Fun and Screen Fun."

Reps of two distributing concerns, while declaring they favor such a law, asserted, however, that worst of all would be the loss of their regular channels, but were bootlegged. Councilman Krock felt that the ord be amended to include communistic literature, but Nathaniel Goldstick, assistant corporation counsel and auditor of proposed ord, declared that it would be more advisable to see how effective ord is against objectionable.

Detroit at present is in midst of a suit growing out of ban on Ernest K. Galaro, Jr. His publisher, "New" novel, which Prosecutor Duncan McCord ordered off bookshelves as obscene. Bookstore has enlisted aid of Ford Maddox Ford and others in fighting ban.

Catholics Impose Verboten

Indications that efforts to apply League of Decency technique to publication may develop in New York. Reports that some 90 news and book dealers in New York City have been notified to list or sell mag on the banned list. List which has been prepared by the League of Decency, the names of about 125 of the 600 mags published or distributed in the city.

Placards carrying a cartoon by Jerry Costello of the Knickerbocker Club, and a cartoon by Phil Harris. Rev. David J. Walsh, diocesan director, revealed 125 Knights of Columbus in New York City have been made to have the annual Bishop's confide in New Orleans make these efforts nationwide in June.

Wittles' 'Nuckle' Johnson Ser

Walter C. Kelly's "Nuckle" Johnson Ser is a collection of 100 articles on Mayor Frank Hague of Jersey City. It is currently appearing in the New York Herald Tribune. Record, is preparing another work on Enock ("Nuckle") Johnson, politician and author of the "Nuckle" Ser.

Writer and Herb Golden, also of the Record staff, have recently been awarded the Pulitzer Prize. Ser will be written in Philly.

Walter C. Kelly's 'Nuckle' Johnson Ser

Walter C. Kelly's memoirs of his 40-year career as a raconteur is tagged "Of Me I Sing." Title is tentative. The book is still in the making. Kelly is still dickering for a publisher. Scoop Condon did the editing job.

Van Loon to Europe

Hendrik Willem Van Loon, president of the Authors Guild, with Mrs. Van Loon for an extended trip to the Scandinavian countries and to Sweden, where he will participate in King Gustave's birthday celebration. Later hopes to take a lengthy rest in Lapland or one of the other northern countries. An unofficial representative of the Authors Guild, Van Loon may have informal discussions with representatives of the Scandinavian writer groups regarding mutual problems. May also attempt to reach a settlement with the American publishers of the copyright dispute over the Holland publication rights to "Goose with the Wind." Matter has been in litigation for several months. Van Loon has no set plan for his trip, but will follow the line of least resistance and return to the U. S. whenever he gets around to it.

riot Session

Authors Guild, affiliated with the Authors League of America, will meet Monday night at the Lincoln Hotel (Wednesday) at the Lincoln Hotel. N. Y. Session will include a discussion of the Scandinavian writer groups against alleged injustices that have been kept in the magazine writing field in the depression. Understood special cases will be discussed. Meeting will be behind closed doors.

LITERATI OBITS THIS WEEK

Charles B. French, who A. N. B. The New York Evening News for 53 years and exchange editor for the last 15 years, died May 21 at his home in New York City. He was 74. Surviving his widow, four children and five grand children.

Reps of two distributing concerns

while declaring they favor such a law, asserted, however, that worst of all would be the loss of their regular channels, but were bootlegged. Councilman Krock felt that the ord be amended to include communistic literature, but Nathaniel Goldstick, assistant corporation counsel and auditor of proposed ord, declared that it would be more advisable to see how effective ord is against objectionable.

CHATTER

McCalla bought Jane Hall's story, "Snake in Mouseline."

Price Dicks would like to Florida after four stories during a N.Y. stay.

Frank Scully is on a summer sabbatical. He's in Vauxsey and is to tackle two books he has under his belt.

Dick Simon, now in Paris, has arranged with Edmond Segre to be the new London copy for Simon & Schuster.

Moos-On, a new weekly radio magazine, will be out June 17. Jacob Galaro is publisher and Robert M. Goldstick is managing editor. Offices in New York.

Mumphrey Doucens, recently with News-Week, has joined Columbia Concerts Corp. Will finish his bio this summer of Fred Braden, equestrian star, every year carries a book for the past 38 years.

Accidental Family: The Seymour Galaro, Jr. and his wife, Mrs. Dennis, Mass., last summer, and which was under option to Raymond Krock, and investing in the same. Intention of selling it to a mag.

Ward Morehouse and Willy Piroli of the "St. Louis Post-Dispatch" intend to spend about five weeks. Morehouse intends to visit every year in the summer. Also expects to visit. Fred M. Landon will em route.

Marjorie Barrow, editor, and Mrs. Barrow, associate editor, of Rand-McNally's "Child Life," have resigned. New editor will be appointed in July. The magazine has been formerly with Coast Natl, has been appointed circulation manager.

Clarence G. Briggs, O. C. O. C. clinty's biographer and successor of conducting the "New York Day Book" in New York City, has been named as successor, concerning O.D. struck a responsive reader interest. As result, every year carries a book for the past 38 years.

couple such recollections, which are outside of the regular job.

Clarence Hemingway, who have an interest in the forthcoming issue of the "United We Fall Upon Union," an ironical piece which suggests that if America could be united against Fascism, it's simpler and less hazardous to have them than to have them.

replied to George Selous and other Ken critics.

Variety House Reviews

LYRIC, INDPLS.

(Continued from page 48)

One of the highlights is the "The Old Irish Mother of Mine," Kim Lou Girts open show with a tap they work in four spots as first in the show, to sing and dance in strict-

Felovis, the deuce, does some good novelty juggles. Works in four spots. He goes into his act with a ball juggling three lighted torches on a table.

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Poster girls climax it all by playing or cleverly simulating every tickling on the highlights of the piano turn in the Fox Movietone News this

review on the screen to be followed by the real thing on the stage. Wear,

Roxy, Salt Lake City

Salt Lake City, May 24. Roxy Royce, Bug, Will Gladly (2), Lee Valentine, Two Brown (2), and the other two from the Debutantes (2), Bill Floor's house (2), and the other two from the "Saint Barriers" (C-B).

Mixture of straight terpsichore, subtle nudging and playing tag with a savvy coming pigeons in the Roxy Royce's act from the standard crop of peeters. Very pretty brunet and her act warrants top billing.

In its entirety, 46-minute flesh suit is overhauled. There's a line of six femmes, apex hipplingers and a mixed cup of elastic-bodied costumed shoes, besides the scold offering of Miss Royce.

In the pit, Bill Floor's house band lives through "Bug" to have road for opener, "Bug" Wilson, and the other two from the Debutantes (2), in a taper, and the other two from the "Saint Barriers" (C-B).

handled effectively against an aeronaut. The other two from the "Saint Barriers" (C-B).

In the deuce, Miss Royce, deap-an acrobats. Big guy and half pint acrobats. The other two from the "Saint Barriers" (C-B).

Wearing a red and white striped plays a, and hooding. Merely capsule of what follows.

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FOX, DETROIT

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OBITUARIES

CHARLES M. WALSH

Charles M. Walsh, 65, actor, theatre and hotel operator at East Liverpool, O., died May 18 in West Penn hospital, Pittsburgh, after two years' illness. He was born in Bridgewater, Pa. Mr. Walsh went to East Liverpool with his parents about 1880. The father and son established the 'Dreamland theatre,' one of the first movie picture theatres in the upper Ohio valley, in their hotel building. In 1900-1901, vaudeville and pictures, then operated under the name of the Kinley theatre.

A son survives. Interment in East Liverpool.

HENRY C. FORD

Henry C. Ford, 60, playwright and stage manager, nephew of the owner and son of the manager of Ford theatre in Washington at the President Lincoln was shot, died at his home in New York City, May 21.

Blanche Chapman Ford, his mother, was the first Chicago-born actress to make her name in this country. He was the author of 'Anna Ascenda,' which in 1920 was produced in New York, and 'Ebb Tide,' produced in 1931 at the New Yorker.

Survived by his mother and two brothers.

AUD CRUSTER

Cruster Aud Olden, 49, former vaudeville and screen actor, known on the stage as Aud Cruster, died at his home in Molokai, Hawaii.

Actor-singer settled in Molokai permanently after he once played a stand-in stand-in before that he played the Orpheum theatre for years with the New Yorker Quartet. He also appeared in films with Boots and Eddie Cantor and has been a singing waiter in local nighteries since 1910 to obtain a living.

A daughter survives.

JOHN URIE

John Urie, 46, pioneer motion picture man, died in Glen Ridge, N. J., May 18. He was a resident of Bayonne, and stricken while on his way to his home in Bloomfield.

He was cameraman for the old Edison co. and spent some years in the Edison laboratory, helping to develop the projection machine. At one time he had his own company, the Crystal. He retired 35 years ago.

CORNELIUS O. WHITE

Cornelius O. White, former band leader, committed suicide by hanging himself from a tree in a farm along the William-Graville, N. Y., road, according to a verdict by Coroner Harold E. Scott.

White, recently a Whitehall taxi driver, had suffered a nervous breakdown. He is survived by his widow, two daughters and a son, all at West Pawlet, Vt.

HARRY HARRIS

Oscar H. Harris, 55, known in theatrical circles as Harry Harris, died at the Boston City Hospital, from coronary thrombosis.

One time, when known as a pop song writer and connected with several New York music pub houses in the vaudeville promotion business.

Survived by a widow, Anna Walker Harris, and parents. Interment in Philadelphia.

BARRY BARINGER

Barry Baringer, 49, film writer, died in his sleep in Los Angeles, May 21. He was an actor in the silent era, after moving to Hollywood in this past, later turning to writing.

For the past 10 years he wrote at various studios at various times, was on Monogram's staff when stricken.

EDGAR LEWIS

Edgar Lewis, 62, film producer and director, died during the night of May 21 in Los Angeles.

Among the early players he directed were Mary Pickford, Douglas Fairbanks, Norma Talamante, William Farnum, et al. His wife survives.

CARL REYN

Carl Rehn, the 'Long' and 'Short' of it, vaudeville, died at his home in Lawrence, Mass., of a heart attack. He was seven feet seven inches tall.

HENRY BURCK

Henry Burck, 77, concertmaster of Victor Herby's orchestra and from 1905 to 1922 a member of the string section of the Philadelphia-Symphony, died in Leonia, N. J., May 15.

He was the composer of two orchestral suites and a number of compositions for violin and piano.

HOWARD CHARLES CRAIG

Howard Charles Craig, Hollywood cameraman, died suddenly at Youngstown, O., is former home, May 8.

He went to Hollywood 14 years ago. Three sisters in Hollywood survive. Buried at McKeesport, Pa.

ALTON LANG

Alton Lang, 43, died in a Munich hospital May 17. He was the Christian of the Oberammergau Passion Play 1900, 1910 and 1920 and spoke the prologue in 1900 and 1920.

In his daily life he was a wood carver and poet.

HARRY McFEELEY

Harry McFEELEY, stage manager of Warners Downtown for past eight years, died May 21 in North Hollywood.

He leaves a widow and two daughters.

NEEL E. ENSLEN

Neel B. Enslen, about 40, NBC announcer, in New York, May 22, 1938. Presumably died in Los Angeles. Details in radio dept.

CECILLE C.

Mrs. Cecille Catherine Carr, 30, former script clerk at Universal, died May 18 in Los Angeles.

Mrs. John Coates, mother of William E. Coates, died May 18 at her home in Glen Ridge, N. J.

Mrs. Margaret Thomas, wife of Joseph Thomas, film foreman at RKO studios, died in Los Angeles May 16.

G. W. Sheridan, 63, father of Ann Sheridan, Warner Brothers actress, died at a heart attack at his home in Denton, Tex., May 20. Four other children also survive.

Mrs. Johanna Lowenstein, 54, mother of Morris Lowenstein, operator of the Majestic, Oklahoma City, died at her home in Los Angeles, May 18.

Hein Sebastian Bonisch, sister of Dorothy Sebastian and former wife of Cecil Wright, Hollywood studio employee, was burned to death in a house fire in San Francisco last week.

Mrs. Carolyn Murray Queen, wife of John W. Queen, Boston and Portland, Me., radio and advertising head of the agency bearing his name, died May 19 at her New York, Mass., home after several months' illness. Survived by her husband, one daughter, and one son.

BIRTHS

Mr. and Mrs. Albert Levoy, daughter, in Hollywood, May 15. Father is a Hollywood publicity department man.

Mr. and Mrs. Arthur Morton, daughter, in Hollywood, May 20. Mother is daughter of Sam Hellman, secretary of 20th-Fox; father is composer at Hal Roach studio.

Mr. and Mrs. William Ross, daughter, in New York, May 15. Father is a playwright.

Mr. and Mrs. Murphy McHenry, daughter, in New York, May 15. Father is a Hollywood publicity department man.

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Agent Purge

(Continued from page 43)

licensed Equity agent, who won a one-year term in 1937.

Agents also would like to know just what one will do for them without having the children's Commission has not committed himself on this matter, but it's hoped that the matter will be worked out to the satisfaction of both sides.

Work with unions and licensing are hoped to be completed by the end of the year, he announces. Central and Prospect parks.

Paul Collins has completed her adaptation of 'Dance Nautie,' Andre Barbaud, for Theatre Guild.

On the topic of the announcement of the engagements of Yehudi and Hephzibah Menuhin comes the news that their 16-year-old sister will marry a St. Louis attorney.

Bermann implies service cuts rates. Now it's \$70 one way and \$120 round trip.

On the manager of the Ormont theatre, East Orange, pinched last week for allowing "Blue Grass" to perform, Charles brought under the law prohibiting showing of films in public places.

More than 150 women musicians, trombonists, flautists, oboe players, etc., have made meeting at the city hall last week to demand more money. All are members of the local 802, but complain they cannot get jobs on the stage or radio except on the hard and painful.

Pris Kreidler made commander of the French Legion of Honor.

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News From the Dailies

This department contains reprinted theatrical news items as published during the week in the daily papers of New York, New York, Chicago, Los Angeles, San Francisco, Hollywood, and New Orleans. VARIETY takes no credit for these news items; each has been re-written from a daily paper.

East

W.P.A. Federal Czarina theatre to start in New York, May 25. Portable theatre playing parks and other places.

Paul Collins has completed her adaptation of 'Dance Nautie,' Andre Barbaud, for Theatre Guild.

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Pris Kreidler made commander of the French Legion of Honor.

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In a drive against widespread sale of marijuana cigarettes. Quantities of the drug have been found in more than 160 witnesses questioned.

Itterbugs to be kept off the infield. The New York City Race Track Island stadium swing festival next Sunday, May 29, will be held on the lawn and spot the track, and there's a track meet scheduled for Sunday.

Cornelius N. Bliss, new chairman of the New York City Race Track, Paul D. Cravath, who retains the presidency.

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WHAT THEY THINK

Velo-Zolanda Not the First

In Variety of April 27 notice that Vello-Zolanda are given credit for being the first ones to present a vaudeville concert entirely of ballroom dances interspersed with, but two musical specialties) and entire evening's diversion. This is incorrect, as about 12 years ago I personally witnessed the opening performance of a "World's Society-Dance Exhibit," in which, as prominent from the stage, M. F. Frostier with a change of lady-partners would personally perform 30 different styles of ballroom dances and Society-Dance-Paces, as danced in all parts of the world, and also present the original versions of some of M. F. Frostier's own social-dance creations that were popular at that time in the ballrooms of the United States and Canada.

The entire evening's performance of about two hours duration (no intermission) was devoted to the presenting of the correct version of the Society-Dance-Paces at that time and several of "r. Frostier's new ballroom dance creations." The style of specialties was offered, except M. F. Frostier's 11ation of "freak" ballroom dances, which were of the peculiarities, etc., of some of the patrons of the public ballrooms and a dance-theatre called analytical-dance in invention methods in which Mr. Frostier would have anyone in the audience (even those that never danced before), any one of the latest dance steps of the day, and the latest, (thi about two minutes time, is, thout first demonstrating the rhythm of the dance, that particular step. At the performance I attended, one middle-aged man accepted the challenge and danced on the stage a few weeks later while on business in Akron, O., and he was advertised for a three days run at one of the legitimate theatres.

E. G. Gahan.

Opposes Theatre Bistros

Editor, I see by your last few issues that the legit producers of New York are looking for another headache by sticking their chins out, as it were, for a good stiff uppercut. I am referring, of course, to their vigorous efforts to get legislative permission for the installation of bars in legit theatres.

Is legit business so bad that its profits have suddenly gone berserk? What do they want to do fill their theatres with drunken nuisances who will disturb the performances and turn their theatres into milk mills? And for what? For the sake of a few dollars that will get killed in at the bar at the expense of the biggest headache they ever encountered.

Legit showmen have but to look at the night clubs if they want an idea what is in store for them. What happens at any night club when the show is being presented? Some few (or 7) and gentlemen will have more than they can graciously carry and proceed to intimidate, insult and abuse the artists and the legit producers want this duplicated at their productions?

Let me know that the production of a play today involves a lot of headaches and money that only come from the street, from moral or financial success results. Do producers want to risk all this before the doors of drive-in theatres, drunkards, because no mat r how they try to regulate the sale of liquors inside the theatre, some patrons are bound to get out and make nuisances of themselves.

If this is what legit producers have to look in to order to make big success of theirs, I say it will be better that the legit theatre died.

Joe Ehrlich.

Editor, VARIETY: I am trying to locate my sister, Mrs. Ruth Monge. Last time I heard from her the address was 1000 Madison Avenue, 10th floor, New York City. She was six years ago and at that time she was married to a man named the Unhappy Troupe. She has not been with this troupe for the last few years, and I do not know where she or who she is working with. Any information of her whereabouts will be greatly appreciated. Ours Dubsky Tennear.

18 pr. ada st.

Editor, VARIETY:

A few weeks ago three out of four leading downtown theatres had vaudeville, and really, following week our leading neighborhood picture house had vaudeville. Our leading movie critic, London Laird, stated in a recent article that with all of these houses having flesh and blood vaudeville, the vaudeville is on its way to a successful comeback. And gentlemen, as our leading movie critic, London Laird, stated in a recent article: "He's absolutely correct."

It is funny and yet tragic that some stage managers are under the impression that double features can take the place of vaudeville. Although, one has to admit that double features show how pictures have advanced, these last few years. First there were silent pictures, then talkers, then Technicolor, and now they have pictures that smell.

The Fox-Tower in Kansas City is starting its fifth year of continuous vaudeville. Just think, over 210 weeks of vaudeville, week in and week out, without a miss. Truly a remarkable record that deserves attention. Who said vaudeville was dead?

Bill Stein.

Un-Air-Conditioned N.Y.

Editor, VARIETY: Rev. Gardens, N. Y.

Please excuse me, if I appear to be a bit presumptuous, but I cannot resist the temptation to express my opinion to a deplorable, if seemingly unimportant condition, that now exists in the theatre. It is a common complaint of those connected with the legitimate theatre that moving pictures are hurting picture away from the living stage. This premise is entirely erroneous, and I would like to state, and always will have, loyal followers.

However, I wonder if anyone has ever considered that physical comfort is a great factor in enjoying movies and the colorful, entertaining, mellow, stuffy, and with miserable seating facilities, and when one is able to convince by husband to see a play—he shudders at the very thought of a crowded theatre—sitting, perspiring and cramping. He is a very normal human being, no movie fiend, but perfectly amenable to the suggestion of a picture.

One day I took my mother to a "Whitecaps." The lady in question, who is not by any means old, who is a very normal human being, who loves the theatre, nearly suffocated from the heat and closeness. The gentleman, who is a very normal human being, who loves the theatre, nearly suffocated from the heat and closeness. The gentleman, who is a very normal human being, who loves the theatre, nearly suffocated from the heat and closeness.

This is merely one instance, and by no means exaggerated, of a common complaint of those connected with the legitimate theatre. I personally have observed. It all may strike you as very comical, but I assure you that a considerable number of serious consideration, and if I succeed in awakening someone to this reality, I shall have accomplished something.

Mrs. E. S. Schweig.

CIRCUS REVIEW

PARKER & WATTS

Dedicated to bringing to the Midwest, Parker & Watts, near this season, had played 24 out of 25 cities, and had a considerable success, which finds them behind at the top of the new season, having hauled on about 43 trucks, employed 100 people, and has about 75 head of stock.

It's too small a unit to play towns of this size, mostly sticking to spots under 20,000 population. Three rings and a big street parade, and a skippy loop in a large town. Nut is between \$1,000 and \$1,200 daily. The circus has a very good reputation for the fine appearance of mid-western towns, and a good reputation for cold, rainy weather, and the early season again.

Owned by Charles Parker and Ira Watts. Parker got his circus bus from American Circus, and Watts got his from the American Circus. They are traveling with the ACC to the Ringling interests, and then out of the big for the last few years. Watts was assistant manager of Hightchuck-Wallace, under Ralph Jones

THE AUTO CLASSIC

Experts Out for Higher Speeds with Gas than Oil

Expectations for the 500 Mile Race to be run here, Memorial Day look good, with large crowds turning out in advance for qualifying trials. Some of the top 40,000 people were at the trials, and the winner of the 500 mile holder quality at a speed of more than 100 miles per hour.

Match race between Rex Mays and Bill Cummings held week ago at 500 miles, with 12,000 to the truck at 500.

Due to the fact that speedway oil good, with large crowds turning out in advance for qualifying trials. Some of the top 40,000 people were at the trials, and the winner of the 500 mile holder quality at a speed of more than 100 miles per hour.

Japan at the Fairs

Tokyo, Apr. 8.

Society for Japan's Participation in the New York World Fair and San Francisco Expo last week decided upon the nature and extent of Japan participation in the fair. The New York show is to have a pavilion built along the lines of an American Japanese Shrine, which will be a high, narrow building, and the S.F. Expo will be a more conventional style of a castle and a museum's mansion of the Yedo period. Both buildings will be surrounded by typical Japanese gardens.

Material for the buildings will be fabricated there and shipped down to the two shows where they will be erected by Jap workmen sent especially for the purpose.

H.W.'s Bad Breaks

Fairmont, W. Va., Apr. 24.

The Hagenbeck-Wallace circus ran bad weather in West Virginia. A blow down at Beckley just before the doors opened in the afternoon resulted in losing that night and the smallness of the lot led to cancellation of Mullens and the show moved from Bluefield to Charleston, where a big day's business was reported.

The show did not arrive in Clarksburg, the next stand, until 4 p.m., and the single performance started at 8 p.m. The circus train owing to its weight and the soggy condition of the railroad.

TO ERECT 13,000 AUDE

IF WPA FUNDS GRANTED

St. Louis, Mo., Apr. 24.

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Observers here this week said the show will be forced to go outside business district.

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DOWNE SHOW, SECOND FOLD, GOES HOME

Downi

ed on its way back to w... of poor business during a chilly May and general conditions. It is the second early-fold in the show. In the early fold, the show is going to a faster rode, but stated that the Downie outfit will pay off in full. It is operated by Charles Sparks, rated one of the toppers among outdoor shows.

From the week circuses went under canvas there have been discouraging reports about attendance. The outlooks are in the east, and there isn't enough territory for the shows. Midwest states were passed up because of disturbances and unemployment.

Master of unionization increasing the operating cost did not figure in the collapse of the show. Downie and McCormick are neither having been organized.

Current event is reported even for the largest outfits. Some shows are eyeing Canada, but that territory is an unknown quantity.

STORM ROCKS RINGING SHOW; AERIALISTS WARY

some

and here with his off on mainlines. Storm, closing night (Saturday), had big top rocking.

bad way to continue. Last troubles reported on to definite settlement with management agreeing to collect union dues.

difficult to over foreign acts refusing to sign up with union.

from local bias and six people over extension of current date from usual to two days later. The show is being held and when trade is at heaviest. Plan to take steps against recurrence.

MASS. F.T.P. ON WHEELS

Theatre Project Send Out Sponsored Three-Show Outfit

Chateau

sets for the quarter of a century with the announced by the released by Thomas D. Senna, assistant state director of the Massachusetts Federal Theatre project, that the project will stage the road with a company of 100 directed into three distinct shows.

paraphrasing the complete stage of the gross rental club from Nathan C. Opan of Nashua, N.H. Set-up is played by the presenters. The Theatre and Opan get 40% each, and the sponsor the remaining 20%.

The shows will comprise a minstrel, "Swanee Minstrel," with 70 people; a black and white revue; and 10 people, and a 10-act vaudeville show.

Sponsors can get show for two-day minimum, and the longer for spot warrants the business. Minstrel show is given one night, and the vaudeville show is given one night, and the black and white revue or the vaude bill for the other night.

Ten tickets is made, and the Opan outfit supplying a sextet of men from private industry, as \$2510 tickets, 800 seats, the dressing room tents; trailer bus, Delco lighting plant, 3 Ford V-8 trucks, Packard sedan, and a 10-act vaudeville show on a 15-foot Ford truck. The stag 15 feet deep, with a 17-foot stage.

Three theatre bonds and five trucks to cut the scenery and wardrobe.

Miner of the Theatre Tent Show, an all-entertainment.

of the Theatre Tent Show's minstrel, 25-10. Senna is backed to ticket with the full set.

Labor Day is scheduled for solid date.

w. w. w. w.



...You are cordially invited to attend the most exciting reception in motion picture history... when Danielle Darrieux... creature of a thousand new moods of femininity... and already the No. 1 topic of conversation in thirty million U. S. homes... makes her American film debut ...on your screen!

DANIELLE

DOUGLAS

DARRIEUX • FAIRBANKS, JR.

IN A NEW UNIVERSAL PICTURE

"THE RAGE OF PARIS"

with

MISCHA AUER • LOUIS HAYWARD
HELEN BRODERICK

DIRECTED BY HENRY KOSTER
PRODUCED BY B. G. de SYLVA
Original story and screen play by
Bruce Manning and Felix Jackson

CHARLES R. ROGERS, EXECUTIVE
VICE-PRESIDENT IN CHARGE OF PRODUCTION



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