

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 18, 1905, 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. 131 No. 8

NEW YORK, WEDNESDAY, AUGUST 3, 1938

56 PAGES

THEATRE WORLD

GOVT SUIT MAY FORCE OUT DUAL PIX

Hollywood, Aug. 2. Picture execs, sizing up the situation following Government's anti-trust action against the industry, are forecasting elimination or modification of block-bookings as a part of settlement of suit. Important hearing on fate of double bills is also contingent on the outcome.

Execs point out that such a course would result in fewer B pictures being produced, which would call for an adjustment of duals. One studio head said divorcement of producer-distributor-exhibitor phases of biz, as demanded by U. S. just, is a fait accompli. Industry is planning to fight, but there would be no alternative but to eliminate it entirely. Although Will Hays is holding daily conferences with film heads, a plan of settlement is expected to be worked out in the east at meeting of reps for producers, distributors and exhibitors and their attorneys when official self-regulation confabs get under way.

Sir Harry Lauder, At 78, Thinks Air Season Too Short

Sir Harry Lauder is currently recuperating in a Glasgow, Scotland, nursing home from a broken hip, and may come to America in the fall for a big radio show. William Murray of the Morris agency visiting the Scotsman on the 78-year-old comedian's return to the stage. Lauder, however, asked Murray what this new radio business meant, bringing him the season, etc., and was told it usually ran from October to May and could mean 20 to 30 weeks. "Which Lauder somewhat wryly exclaimed, 'That's not enough.'"

300 OKIES KILL INDPLS. BLUE LAW

Indianapolis, Aug. 2. At a special session of the state legislature, Senators Harvey J. Post and Raymond C. Sohli introduced a baseball games. Notice that the bill would put Sunday pictures and baseball games. Notice that the bill would put a delegation from the Associated Theatre Owners of Indiana to town to protest.

One of the 10c 1 downtown theaters contributed 100 passes to be distributed among the law-makers as a conciliatory gesture. As a result the bill was killed in committee. While the baseball parks did not come through with any Okies, they benefited by the theatre's gesture.

Accent on Youth

Hollywood, Aug. 2. For 10 minutes Gregory Ratoff rehearsed Joan Carol, five, in a line for a scene in 'The Dawn's Early Light'. Before the camera, the moppet repeated it exactly as Ratoff told her, but I don't like it at all.

Ratoff gave up and told her to say it in English.

EXPO LOOSENS UP BANKROLLS FOR LEGIT

Expected that with the arrival of New York World's Fair of 1939, next Spring, the coming season will find more outside coin available to legit producers. Outsiders figure that angling will be less risky with the onrush of visiting streamers to the metropolis.

Grily shows, musicals and revues are expected to be especially popular, and several will start rolling during February for the Fair influx. George White is clinking with the New York World's Fair for production of a musical revue on the fair grounds in March. Site of the show has not been set yet, but White would have the only official girl show on the grounds, it's reported.

Producer got in from the Coast this week toicker with directors of the International Casino, N. Y. Latter deal fell through, after which White made the Fair connection. Billy Rose's 38 Fair spot will be a 'cavalcade' idea.

Can't 'Spark' to Whelan, Actress Walks on 'Joke'

Hollywood, Aug. 2. Because she felt that she couldn't 'spark' to her leading man, Michael Whelan, and that she was dubious of the results in being directed by Ricardo Cortez in his initial megawatt venture, Phyllis Brooks refused the femme lead in 'A Very Practical Joke' at 20th-Fox and was immediately suspended.

Replacement will be made without any delay in production. Miss Brooks later denied the studio's reasons for her walk, declaring that she was dissatisfied with the part in the picture at this time, which she claims is a crucial point in her career.

Dame Goes Wrong

Hollywood, Aug. 2. Inspired by and hoping to cash in on the Douglas Corrigan flight, Warners is rushing, through the air, a new film tagged 'Dublin By Mistake'. It will be a female who flies the wrong way, with Kay Francis tabbed for the part. Bryan Foy will produce.

SALESMEN FIND GOING TOUGH

Sell Intangible Shadows, but Some of 'Em Handle Film Deals in Excess of \$500,000 Annually—Pave the Way for Rapid Motion Picture Distribution

EXHIBITOR SQUAWKS

By JOHN C. FLINN

Youngstown, O., Aug. 2. It was raining. Entrance to the theatre's office was on the side street, in the path of the blow. A knock, using a stamp was. A voice, "Are you a film salesman?"

'No.' Then come in.' They tell many funny stories about the film salesman and their customers, the operators of picture theatres. Of all the varied, strange and queer functions which comprise the gamut of industry employment, the operators of picture theatres, toughest job in the business is selling pictures. But they're boys with a sense of humor. They have to be.

Crossing the main highways in an automobile pointed in a general east by north-east direction from Hollywood, with New York as the eventual goal, one does not escape the unmistakable evidence that the motion picture as a form of art expression is firmly fused into the commercial and cultural life of the nation. The inroad may not be as deep or as pervasive as the radio, but there's a theatre in every town and village and numerous representation in the larger cities.

The success factor is how rapidly the films are being distributed in the smaller places. Advertising is no longer the mainstay of the Hollywood product in houses in rural spots, many of which now seem to be getting their releases as fast as the major key city first runs. It is evidence of the increased number of feature prints in circulation and the speeding up of rental collections. It also is the result of the intensive job in distribution which the film salesman is performing.

The film salesman, who is encountered in all sorts of out-of-the-way places, is a unique individual. He is a development of the picture business; no other American enterprise has produced his equal in barrier and trade. His merchandise is intangible shadow, represented within a seasonal announcement book published by the producer-distributor for whom he works and supplemented by trade advertising and news releases. He is, in fact, the personification of the business side of the industry, an enthusiastic over coming attractions, a hustler of crowds at the box-office, a sympathetic counsel of yesterday's disappointing gross.

In financial terms, it is not unusual for a good salesman in a large, popular theatre to make more than \$500,000 a year.

(Continued on page 2)

Coast Racetracks Jockey Show Biz And Merchants Out of \$60,000,000

Some Imagination

With the Government suit against the film companies occupying the limelight last week, a couple of Broadway legit managers were discussing the picture business. "Imagine it, we had block-bookings in the theatre," remarked one, "A house would have to take 'The Three Waltons' to get Ed Wynn."

Hollywood, Aug. 2. This sector is afflicted with an overdose of horse racing, according to theatre operators, who have watched nearly \$55,000,000 dumped into the betting machines since the start of the year, with a prospect of \$55,000,000 more going the same way before summer is over.

Hollywood Park, which recently closed its first meeting, registered a tote handle of \$18,500,000 for 33 days, exclusive of one charity program. Santa Anita, which opened the 1938 racing season, handled more than \$38,000,000 for 58 regular dates, not counting two specials. Bing Crosby's track at Del Mar opened last Friday (29) with a 25-day schedule and anticipates handling \$55,000,000.

This \$60,000,000, more or less, represents only a part of the actual money tossed into the horse game. Admission ranges from \$1.10 to \$2.50, with frequent 50,000 to 60,000 crowding the park, making the gate big enough to pay the bills.

Added to that are the bars, restaurants and hot doggeries, which do a huge business. With 20,000 to 30,000 auto paying rent for a few hours' stela, the parking concession also runs into big figures. Then, too, there's the bookies' staggering intake.

To date, the merchants are doing the heaviest kicking. Direct victims of the sudden switch in the

(Continued on page 2)

AIR CENSOR LOOMING IN ENGLAND

London, Aug. 2. Pokenotes are at last to get their way with the British Broadcasting Corp. and it is now likely an official censor will be appointed to police his department to act in similar capacity for all radio material. Proposals to be every program and every performer, when he signs a contract to be aired, with no item permitted to go into the mike until it has been rubber-stamped.

Corp. formerly had its own close censorship system, particularly on variety material, with long lists of proscribed gags presented to every performer when he signed on the dotted line. List tended to get sloppy and out of hand. BBC eventually decided to get rid of it, leaving to the comedians' discretion what they said or not. Any tendency to bluntness or other unkind material meant no more dates.

Par Previews Crosby Pic At Crooner's Race Track

Hollywood, Aug. 2. Outdoor preview of Paramount's 'Sing, Sing, Sing' at Bing Crosby's Del Mar racetrack, 90 miles to the east, is slated late this week. After the screening, ABC will put on a half-hour airshow from the spot on a transcontinental hookup.

Pictures are to be shown on a screen erected in front of the grandstand. It is the first of a series of open-air previews planned during the 23-day racing season.

Princess Starhemberg Returning to Screen In French Production

Princess Starhemberg of Austria, Nora Gregor of German and Hollywood films, is slated for a screen comeback. She signed in Paris last week to make 'Elizabeth of Austria' in two versions, French and German. Forester-Farant Films will produce.

Following her marriage to the Austrian nobleman, Miss Gregor retired professionally.

Traveling 10,000 Miles Just to Light a Musical

Rare assignment has been given Clark Robinson, stage director and designer, to go to Auckland, New Zealand, just to do the lighting for a musical. Show is one produced by Harry Howard, known as 'Hots', 'Hots News' and news at Fulkers, in Auckland, Aug. 27.

Lighting job probably took only one or two days at most. Robinson was at the Rocky theatre in London for the production of a musical. With his family, he departed Friday (29) for Vancouver, where he will sail for New Zealand.

GOSSIP

Author's Practical Joke

Casting of the Lady Esketh role in Louis Bromfield's 'The Rains Came' became, at one and the same time, a bit of a headache and somewhat of a gag for 20th-Fox due to the author's penchant for practical joking. Constance Bennett, Kay Francis and Marlene Dietrich each came to Darryl Zanuck with cables from Bromfield's Paris retreat that the author had written the character with each in mind. None was wise to Bromfield's wire until Zanuck, in self-defense, had to expose it.

Miss Dietrich, who is under commitment to 20th-Fox for two pictures, may yet inherit the part although no casting has been made. Nancy Kelly, legit recruit from 'Susan and God', whom 20th-Fox will push as a new discovery, most likely will get the 'Fern' role.

Incidentally, this will be one of 20th's high-budget pictures, with Zanuck committed to the idea of a \$2,000,000 production cost.

Silverstone East Sues Any Distrib

Pact for UA on Selznick Product; Whitney May Reopen RKO Deal

Murray Silverstone, chairman of the United Artists executive committee, has returned to New York after two weeks on the Coast without making a new distributing deal for Selznick-International product, after the fact when current pact expires. No conferences were held in Hollywood by Silverstone with either Jack Whitney or David O. Selznick on possibility of renewing distributing pact, although Silverstone primarily went to the Coast for that purpose.

Only talk Silverstone had on possibility of a new tieup with Selznick was with Henry Glavin, S-I general manager. Whitney came east 10 days ago, and is understood to have been planning to talk any new deal to UA at this time. S-I still has two pictures to deliver to UA under its current distribution deal, with right to make one or two more should it so desire, prior to Dec. 1.

Under these conditions, Whitney is understood to feel that Selznick is not to talk new pact. He is also of the belief there might be a possibility of making a deal elsewhere, with probability that while east he may reopen negotiations to merge or distribute the S-I product through RKO, after that company has emerged from 7th.

UA-KO Merger Deal?
Such a plan is still open to S-I, with Whitney reported as favorably inclined toward a deal one way or another under this distribution set-up. Should merger be made, deal would place Selznick as head of RKO production. Pandor Berman, presently in command, has a clause in his current contract which permits him to pay on payment of a flat sum to vacate his present top spot at the studio. Also, it's possible Berman would like to cover himself with his own unit to enable his former chief, Selznick, to head the plant.

Under such a deal, Selznick would finance its own productions with RKO charging a nominal price. Berman would cover distribution with the percentage of terms understood to be practically on same solid basis as the offer made to S-I by Metro last winter.

James Murray, vice-president and New York representative of the Samuel Goldwyn Co., accompanied Silverstone east.

Selznick and Louis B. Mayer have been working out final details on contract whereby Metro would release 'The Wind' for Selznick-International. Jack Whitney was scheduled to go to Saratoga yesterday (Monday), where he was probably confer with Mayer, currently en route there from the Coast. It is expected to be closed by the end of this week.

Hickey in Chi Hoop.

Chicago, Aug. 2. Duke Hickey, who has been covered most of Midwest as press agent for the Chicago Bulls and other companies, is in County hospital here for an operation.

Having trouble again with his leg.

SEEK PROBABLE SETTLEMENT IN 10 DAYS

Parleys Between Co. Reps and Exhibitors to Cover Trade Practices Starting Pronto—Warners Still Mum on Joining

INDUSTRY TO GO AHEAD

Although temporarily delayed in progress it was making, with various things coming up to interfere with meetings, including sales matters, the committee appointed to draft a trade practice plan to cover distributor-exhibitor relations expects to resume conferences later this week. Expressed hope of getting at a skeleton self-regulation framework as quickly as possible, probably within a week or 10 days.

This plan is expected to embrace various points covered in the Motion Picture Association of America proposals, as well as others, and is certain to be in mind the Government's anti-trust suit against the eight major producers. As soon as a skeleton foundation for a plan is built as a basis on which to work, meetings will no doubt be held with representatives of companies not included on the present committee, and leading exhibitor leaders.

No Official Word From WB
Reports that WB would not particularly object to such a plan, and represents an echo of a similar stand taken when the MPTOA first brought forth its 10-point program, WB refusing to sit in at meetings, but to date Warners has not notified the industry committee of self-regulation, headed by S. R. Kent, that the company is counting itself out. Kent, chairman of the committee, returned Monday (1) from Maine.

Other committee members, Bill Rodgers, Ned E. Depinet and Abe Montague, have been exploring a plan's structure in the meantime, though handicapped somewhat by Kent's absence and the bombshell brought by the P. S. anti-trust suit. Nick Schenck and Leo Spitz are alternate chairmen and Kent has been kept closely advised of all moves made while he's been away.

Even if it becomes official that WB is hesitant about going along with other distributors on a program for self-regulation, the rest of the industry will not drop plans. Presumption is that when and if a satisfactory trade pact is worked out, trade practices with exhibitors, WB will ultimately be willing to string along.

PIC ATTORNEYS STUDY TWO CONSENT DECREES

Los Angeles, Aug. 2. Anti-trust action filed recently in New York against eight major picture companies has caused local film attorneys to study two consent decrees entered in Federal court in 1930 and 1932 against Fox-West Coast and 10 major distribution companies.

In these cases, the defendants were charged with conspiring to restrain trade in any agreements which shackled independent exhibitors in fair competition with the major companies. Those named in the 1930 suit were Fox-West Coast Theaters; Vitaphone Co., of California; Paramount Pictures; Famous Players-Lasky Corp.; Metro-Goldwyn-Mayer Distributing Corp.; Fox Film Corp.; Vitaphone, Inc.; Pathé Exchange, Inc.; First National Pictures; Universal Film Exchange; United Artists Corp.; Warner Bros. Pictures and Harold B. Franklin. Suit in 1932 was aimed at seven defendants in the earlier action.

Gov't's Demands Closely Parallel Resolutions and Failures of FTC's Trade Practice Conference of '27

Korda to Deliver 5

Alexander Korda will produce and United Artists will release the total commitment of 10 new pictures announced for 1938-39. It was reported that UA might reduce the Korda allotment for 38-39 to three, while Walter Warner's program is being upped from three to eight.

Korda has already finished three of his '38-39 pictures, 'Drums' which has been sold to the Radio City Music Hall; 'Prison Without Bars' and 'Over the Moon'. He is in production on his fourth, 'Four Fathers' and has scheduled 'Thief of Bagdad' as his fifth.

QUIZ OF METRO COAST EXECS WINDS UP

Carrying with him more than 1,000 pages of testimony from 11 Metro studio executives, to be used in testimony to be brought against the company, in N. Y. supreme court, Emil K. Ellis turned east yesterday (Monday).

Witnesses who signed documents were Edward Mannix, Mervyn LeRoy, Al Lichtman, Bernard Hyman, Kate Hunt Strong, Harry Rapf, Lawrence Weintraub, Ben Thau, Nicholas Nayfack and Louis B. Mayer. Latter affixed his signature before going east late last week.

Questioning of studio execs was by agencies of company's history and activities of its officers since MGM organized. Matter of bonuses paid to executives was thoroughly aired by Ellis. Mayer's testimony told of his own position with company and that of Irving Thalberg.

Cohen on Way Back From Survey for Atlas On Pic Prod. in Italy

Hollywood, Aug. 2. Emanuel Cohen is due in New York today (Tuesday) from survey he made in Italy for Floyd Odium on possibilities of production there for world market. It would be an out to Italy, which has four more in the country's exchange restrictions, included in the frozen capital tied up by Italian restrictions is said to be General Motors' \$23,000,000.

Wurtzel Slows Down

Hollywood, Aug. 2. Sol M. Wurtzel is so far adding to his 38-picture program for 1938-39 that he has revised his schedule, setting his final 10 for September-December starts.

Twentieth-Fox executive producer has already canned six new series and has four more in the cutting rooms and two in production.

Lahr Roars

Hollywood, Aug. 2. Metro is adding a lion to animals in 'Wizard of Oz', and putting Bert Lahr to roar from 'The Wizard of Oz'.

Suit by the Department of Justice against the major film companies, affiliates and subsidiaries, termed a civil anti-trust action, brings into sharp relief again the accomplishments, failures and questions taken up at the Trade Practice Conferences in New York in October, 1927. Conference was conducted by Abram F. Myers, then of the Federal Trade Commission and now chairman of board and general counsel of Allied States Association, assisted by M. Markham Flannery, director of trade practice conferences. Many issues brought up by the Department of Justice in its summary of proceedings against the major film business and reasons for doing so were touched on, or definitely settled, at this conference 11 years ago under the FTIC.

On the question of major companies being able to fill theatre programs from product taken exclusively from major companies, and the pooling of assets, including the feature picture, shorts, sets, scenes, etc., and not making them available to independent producers, the 1927 Trade Practice Conference had this to say:

Distributors' Resolution No. 1: That the requirement, by any distributor that an exhibitor, as a condition of being permitted to purchase any picture of such distributor shall also purchase pictures of another distributor, is an unfair practice. Producers' Resolution No. 5: That the practice of a producer lending an employee under contract to another producer, for an amount equal to the salary paid to the contract employee plus (Continued on page 8)



Trade Mark Registered

FOUNDED BY KATIE SILVERMAN
Published Weekly by VARIETY, Inc.
154 West 46th Street, New York City

SUBSCRIPTION
Annual..... \$6 Foreign..... \$7
Single Copies..... 15 Cents

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Ask 3d Arbitrator to Adjudicate Indie Prod. Demand or Slash of Extras, Day Players' Wages

Following the announcement that independent producers would scale lower wages for extras and day players, major studio executives and Screen Actors Guild agreed to ask the American Arbitration Association to designate the third member of a board to arbitrate amendments to the actors' present basic minimum contract. This action was taken after Murray Kinell, arbitrator for the Guild, and B. Kahane, producer representative, were unable to agree on a third member.

Third arbitrator will be named within one week and all parties are expected to get under way by Aug. 15. All of the majors and most of the Indies have signed Kahane as their representative. First matters to be taken up are demands of the SAG for an eight-hour day and revision of wage scales for players receiving up to \$500 week.

Indies have also indicated they will ask for a loosening of restrictions on location spots, both inside and outside the 30-mile radius from Los Angeles. Guild wage scales are not required outside the 30-mile radius but extras and day players at the favorite location places beyond the limit have been organized and are negotiating on a union basis.

At the time Guild shop contracts were signed, many of the Indies protested they could not meet the wage scales. The SAG turned down requests for wage reductions and many of the producers were not paying living wages and insisting they could have no other budgets and get more for their product.

Box-Office Balk Cancellation. Move by leaders in the SAG to iron out a bill between the Screen Actors Guild has been further complicated by resignation of Douglas Fairbanks, Jr., who quit within recent weeks. Two of others, Warren Dearborn and Eric Alden, have withdrawn their resignations, however. Council voted to accept those of Clayton Jones, Harry Strang, Eric Alden, Harry Strang.

Dispute started shortly after the election over differences among council members over policies of the Junior Guild. Six officers who quit in a body stated they were retiring because they found it impossible to get through any constructive measures that would benefit the entire membership.

Campaign of certain extras to stop payment of wages to those who provided in producer-SAG basic minimum contract has resulted in the filing of a protest by major studios. Attorneys were called into the huddle and for some time there was talk of a breach of contract action against the Guild.

Matter was ironed out, however, when Kenneth Thompson, executive secretary of SAG, insisted that 73 colored actors be paid \$11 a day at Metro, after having accepted the call on a \$425 check, complete the picture, and then quit. Players claimed they were required to do the maximum amount of work on a minimum check and that the accustomed pay was \$11.

Order directing that hearing open on petition of the Screen Directors Guild for certification as bargaining representative for the directing unit managers by assistant directors has been issued by Dr. Towne Nylander, regional director of the National Labor Relations Board. Hearing was moved ahead on Aug. 10 because a trial examination was not available.

The SAG has announced that an alternate will be named to serve on the board of directors during the absence of William Weisman, who was permitted to take a leave of absence for discussion, and where the board thought any two members were not available.

(Continued on page 42)

VON STERNBERG TO MG AFTER OF DEAL CHILLS

Joseph von Sternberg has signed a director contract at Metro. First assignment will likely be a picture starring Hedy Lamarr, for whom studio is planning a heavy glamour buildup.

Von Sternberg was on a deal with Universal to direct 'Rio', but J. Cheever Cowdin chilled it due to competition by director. He was to get \$75,000, which later was clipped to \$60,000, but was held still too high by Cowdin.

RKO HEATS UP PROD., 16 BOIL

New shooting schedule, designed to keep production at peak for several months, goes into effect at RKO today. Studio has 31 writers at work, five pictures before the cameras and 12 more to start in August and September.

"Mad Miss Manter" resumed work yesterday (Mon.) as a result of the death to Barbara Stanwyck's illness. An untitled doctor yarn gets the gun today.

Other starting dates on the revised schedule are: "Annabel Takes Trains" Aug. 15; "The Law West of Tombstone," Aug. 20; "Miss X," Aug. 24; "Picardy Max," Aug. 27; "Trawler Romances," Sept. 5; "George O'Brien western," Sept. 15; "Pacific Line," Sept. 15; "Memory of Love," Sept. 15; "Sorcerer House," Sept. 16; "Sister," Sept. 23.

First Selznick-Lubitsch Production Will Have Dolly Haas as Topper

Dolly Haas, German actress imported more than a year ago from Columbia, gets the top role in "The Topper" which will be the first Lubitsch picture as an independent producer in partnership with Myron Selznick. Production starts in three months.

Actress achieved stardom in Germany, moved to Hollywood when Hitler rose to power, and attracted American attention by her work in the five Eddie Cantor laurers, for the studio since signing with Columbia.

Samson Raphaelson is working on the picture for Selznick's Manhattan stage play by Nicholas Lazslo.

Runyon's Metro Stint Includes Sports Series

Damon Runyon is due at Metro next week to write originals, marking his first studio job.

After completing yarns he will make a series of sport shorts at Metro for his parents from their European vacation.

Edna Cantor-McHugh, Jr., marrying soon on Coast.

Edna Cantor-McHugh, Jr., daughter of the singer, and Edna Cantor, one of the five Eddie Cantor daughters, will be married in Santa Barbara by a judge almost immediately after the return of her parents from their European vacation.

Cantors are remaining in New York until the end of this week.

HENIE RETURNING

Jonah Henie is due in from Europe next week. He has been abroad for several months vacationing.

AMECHE SNAPS BACK

In Paris after Holland Operation—May Tarry Abroad

Paris, Aug. 3. Don Ameche has just arrived for a few days, quickly recovered from an emergency appendectomy at Utrecht, Holland, where he was stricken a fortnight ago while on vacation. 20th-Fox star had been urged by company officials to extend his Ameche's first to the Riviera to recuperate.

It was Ameche's time over, and he said that he spent in and en route from London to Paris.

400 Pic Subjects To Be Shown At '39 World's Fair

Greatest number of picture subjects ever put together for a single spot will be shown at the New York World's Fair next year.

Announcement by the National Association of Motion Picture Producers reveals that there will be nearly 400 films and that the exposition itself will sponsor about 300. Picture industry itself, however, thus far has announced no participation as an entire business other than reuniting "Cavalcade of America" for presentation in the government's \$5,000,000.

Typical of the part which motion pictures will play in various exhibits is the section on the "Future of the City." It will include a 300-seat theatre inside that country's official building, where documentary, historical and other films will be shown. Five smaller projection rooms also will be included to illustrate activities of French colonies.

Three hundred, -elected short subjects on health topics, scientific matters and educational subjects will be shown in 14 hours daily in a specially constructed theatre at the fair site. This program will also include a feature on the "Future of the City" from the Carnegie Foundation in New York, with Pare Lorentz now preparing the script. It will include the story of a typical American city, illustrating various types of shelter and housing conditions, and the future, with production by American Documentary Films, Inc.

Details for two other feature-length pictures, to be made on the exposition grounds with the fair as a background, have not been set.

In the Children's World section of the fair artists will be shown at the animated cartoons. Industrial exhibits will emphasize the progress made in various commercial fields.

For each of the five colonies—Morocco, Algeria, Tunisia, French Equatorial and Indo-China—it's planned to have small booths, which will hold about where short films for the projection of documentary and tourist films. They will be carefully selected to will represent France's best films of short meterage.

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Charity Hits \$35,000 Homer in Tilt Between Leading Men, Comedians

LEGIT MOPPETS WILL TEAM UP FOR RKO

Lorna Lynn, three, and one-half year old tot, who spent in and en route from London to Paris.

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Hollywood, Aug. 2. Baseball, comedy and charity frolicked hand-in-hand before a capacity crowd of 22,000 at Wrigley Field on Sunday (Aug. 1), contributing \$35,000 to the Red Cross. The crowd cost \$35,000 toward the construction of a free clinic for Mount Sinai Hospital.

Technically it was a ball game between the Comedians and Leading Men of Hollywood. The boys for good baseball shortly after Mary Pickford, dressed out the first ball. Gag followed gag until the third inning when the three umpires were shown the field and the three Ritz brothers took the job, arrayed in bathing suits and assisted by seven dwarfs.

Brown, captain of the Comedians, showed up with a spavi and did not play. To show that his heart was in the game, Brown took command of the loud speaker and announced the batters as they stepped to the plate, which was a man's size job, with half the male inhabitants of the film colony homing in on the scene one time or another.

Dick Powell, captain of the Leading Men, and off with a spavi, tried to steal second but was shot by somebody on the Comedians' bench. At least there was a protest shot. Powell was carried off the field, injured a touch of mystery into the crowd.

Milton Berle, patrolling left field for the Comedians in a cop's uniform, agreed to play with one hand. The Comedians saluted their knees and ankles in Berle's honor, but the Leading Men claimed it was a mistake.

The game wound up with the score something to something, but nobody could agree. Statistics were sent to the higher mathematics at the University of Southern California.

Opening lineups were: Leading Men—Dick Powell, 2d; Dick Powell, 1st; Protot shot; cf, Stanley Morner, rf; Warren Willm, lf; John Robles, 3b; Kane Richman, c; Chuck Phalen, c; Walter Abels, p.

Comedians—Ned Pendleton, 1b; Buster Smith, 2b; Jack Smart, 3b; Benny Baker, lf; Wally Vernon, ss; Milton Berle, lf; Hugh Herbert, rf; Dick Powell, c; Chuck Phalen, c; Walter Abels, p.

Before the game Bill Robinson, running backward, beat Keye Lake, starting forward, in a third dash. A team of four runners, composed of Coogan, Bill Garzan, S. Morner and four others, ran around the bases four times, while George Brown, Olympic walking champ, walked around twice. Morris won by a nose.

Fans were jammed outside the park as early as 10 a. m. and had a field day getting autographs.

Pommer Ends Quest On Coast for Talent

Hollywood, Aug. 2. Eric Pommer has ended his talent quest on the West Coast. Sunday (Aug. 1) he left for London to start this week.

Pommer, teamed talent with Myron Selznick and other for work this winter in Mayfair productions abroad.

Fast 'Service'

Hollywood, Aug. 2. Shortest production week in the Marx Brothers picture was achieved by director William A. Seiter, who took the "Room Service" in 30 days.

Contributing to speed was the short time for maternity, return to the scene at Warner's in a tale of "Unfair Play," "Unit to Print."

Fast "Service" will share the top bracket.

LADY IN WHITE. Hollywood, Aug. 2. "Student Nurse" has been set by Warner for its first starring for Ann Sheridan. Margaret Lee and Clara Wilson and Rosella Towne top support.

"Picture goes into production Aug. 15."

LADY IN WHITE. Hollywood, Aug. 2. "Student Nurse" has been set by Warner for its first starring for Ann Sheridan. Margaret Lee and Clara Wilson and Rosella Towne top support.

"Picture goes into production Aug. 15."

DURBIN'S TUNE TUTOR AWARDED 1 COMMISH

Los Angeles, Aug. 2. Olive White, music teacher, is entitled to one-third of her commissions collected from her former pupil, Deanna Durbin, under a new contract.

Jack Sherrill, agent for Miss Durbin, said that he was giving accounting of her earnings, estimated at \$200,000.

White has been abroad for several months, with Miss White slated to get about \$7,000.

Comie leaves for Broadway as he finishes 'Mr. Doodle Kicks Off' for a role in the lighter, 'Greek You.'

DISTRIBUTORS TO PREPARE EXHIBS ON SHOWMANSHIP TO UP GROSSSES

**Want More Energetic Selling of Pix by Theatres—
Feel They're Not Getting All Possible Coin from
Percentage Dates**

On the ground that exhibitors do not get the maximum out of pictures, with the percentage share of the distributors away under what it might be, the major companies this coming season (38-39) will pressure accounts more, than ever to sell every picture as forcefully as possible. "To this end it is likely that the distributors will increase the amount of advertising in which they share with theatres and have a view to pushing pictures through for the greatest gain, are planning more extensive use of field exploitation men."

These measures will be supported by strong trade paper campaigns to stimulate enthusiasm in advance of release.

In the past, the distributors complain, the exhibitors have sold pictures back to back and let pictures sell themselves, exerting little, and in some cases virtually no effort to get a little more out of each picture played. One of the reasons the distributors are capacious in the past season over the allotment of large sums to accounts for local campaigns, plus large national campaigns, is the feeling that in many cases exhibitors checked with the distributor and failed to get up their usual share of advertising when getting in advance of release.

However, while the feeling still persists that many exhibitors can't be trusted when they are campaigning, as alleged by the majors, still regarded as wise to continue judiciously on national and local. The records appear to show that, where large advertising campaigns are being made by exhibitors, the results have justified the cost, regardless of whether or not there is that is difficult to estimate.

Grosses Under Possibilities

Many pictures this year are going into important playdates as well as into lesser engagements, and do not come out with the amount of coin they can earn. The difference in the gross results in playdates of comparison, the importance, the picture's gross areas as well as in local territories where tastes are not so divergent, it is suggested that the exhibitors writing the maximum in possibilities from a picture while others don't. After a picture has gone out of date it is too late to try it over again. With this thought in mind, plus that distributors regard it as being important than ever before to stir up their accounts to a sense of opportunity that will make more of the theatre as well as for the wholesaler, the arrival of the 1938-39 season will mark the beginning of a program of high-pressure exhibits into action. Not only is it felt imperative in distribution circles that the picture try to increase the intake for the big pictures, but that the lesser product, from "B" pictures down, be also given as much showmanship and merchandising attention as possible.

Many quarters of distributors are hot in their criticism of exhibitors who fail or refuse to sell pictures properly or even to make their trib earnings under percentage being in such cases. Many exhibitors are slightly or not at all, with others are legends that don't go out of their way to exploit product, create interest, otherwise campaign for b.o.g. gain, simply figuring their regular customers will come, that bank on something of the kind will maintain the business pace, or, possibly, that mailing lists or last week's business is sufficient to keep many theatre operators go on a couple of a few window cards or no further.

If the distributing companies can team the country's exhibitors into really going to work on their pictures they play, spending a little money along with lending some energy, it is felt that undiminished gain should ensue to both exhibitor and distributor. The possibilities are there for greater results, now that the picture is under while conditions are down, the distributors want to see what these possibilities may amount to.

U Skeds 15 Pics

Hollywood, Aug. 2. Nine A pictures, six B's and two serials are set for summer and fall production at Universal. "Two of the A's, 'Youth Takes a Fling' and 'That Certain Age,' are currently before the cameras."

Other top bracket films on the sked are "The Storm," "The Sun Never Sets," "The Girl in the Red," "Destiny Rides Again," "I, Stole a Million" and "John M. Stahl" picture.

HAYS MULLS FOREIGN GAG

Hollywood, Aug. 2. How to curb haphazard spreading of American picture publicity in foreign countries is a serious problem being mullied by the Will Hays office. Joe Brown, now en route home from Europe, is expected to return with recommendations to iron out the difficulty.

American stars on European visits frequently pop off, or are misquoted in disparaging remarks about Hollywood pictures as compared to foreign product. This may have a tendency to lower the quota of American films.

Hays office executives will go into a huddle as soon as Brown checks in.

U. S. Closing Coast Exchange Scrutiny, Prowl WB Books

Los Angeles, Aug. 2. Department of Justice attorneys, probing booking records and correspondence in major exchanges here, are making a series of government investigation into widespread indie charges of violation of Sherman anti-trust laws to turn the government's 1930 and 1932 consent decrees by Fox-West Coast and distributor in the National Exchange's exchange this week on last lap of their quest.

Delving into WB records has been delayed pending arrival here of I. Howard Levinson, company's eastern attorney, who trained in yesterday (Mon.) from New York. Levinson will sit in on the federal probe, insofar as searching of records in connection.

Government's investigation here is being conducted under supervision of Albert Rosen and Harold Williams, chief assistants to the U. S. attorney-general, with the staff of Federal Bureau of Investigation, which is in charge of the veteran James Findlay.

WB probe is expected to require several days. Federal grand jury will spend some time checking up odds and ends before reports is sent to the Justice Department, assistant attorney-general.

ALICE FAYE BEDDED

Los Angeles, Aug. 2. Alice Faye collapsed on the 20th Fox lot Friday (28) and was ordered to bed. She is suffering from a nervous breakdown, a physician diagnosed case as ptomaine poisoning, aggravated by a cold.

Miss Gail, who is "Early Light" was delayed while director Gregory Ratoff rounded up cast to shoot around Miss Faye.

Keeping Moppy Busy

Los Angeles, Aug. 2. Approval of three outstanding projects for Anne Gillis, moppy, were asked for by Superior court by Schickel-national. One of the projects to Colonial Pictures for the title role in "The Girl in the Red," while the other two are commercial deals to advertise child dresses.

Miss Gillis, who is real name is Mabel O'Connor, played the femme moppy lead in "The Adventures of Tom Sawyer."

Keighley Stager Out

Hollywood, Aug. 2. Two new assignments at Warner's balked William Keighley's plan to direct the light show "Sideshow." Keighley had asked three months' leave to stage the Victor Victory play, to be produced on the own material, Homer Corman and John Cameron, but Hall Wallis nixed it.

Cleffer Harry Miller Reads Suit Vs. RKO On 'Revels' Character

Harry Miller, songwriter, has retained attorney Harold M. Goldblatt in a case involving the recent RKO film, "Radio City Revels." Miller's complaint against RKO "that in 'Revels' there was a character (played by Jack Oakie) called Harry Miller and described as a 'broken-down songwriter.' According to the pic, the songwriter in question had lost his knack of penning tunes but would swipe them from a friend who sang in his sleep."

Miller claims that the film has brought him ridicule and damaged his reputation. Charges that many people who saw the pic associated him with the Harry Miller of 'Revels'.

MARK HELLINGER MADE PRODUCER AT WARNERS

Hollywood, Aug. 2. Mark Hellinger, Broadway columnist who came to Hollywood seven months ago as a screenwriter, has been handed a story contract as producer at Warners.

Shown by Hellinger's knack as a producer, he was given the job to make his own picture. New product will prepare his own material. Hellinger's contract was produced by the William Morris agency.

First picture assigned to Hellinger will be 'Hell's Kitchen,' featuring the 'Dead End' toughies. Hellinger is working on 'Curtain Call' for Kay Francis.

WB Makes Product Pact In 4 European Nations

Warner Bros. followed up 10-year pact with Hoyts circuit in Australia with a new deal with J.C. Williamson and Fuller-Hayward circuits of New Zealand, whereby Warner product will go into houses of these chains for one year. Deal with Hoyts takes Warner Bros. full line of product into 110 theatres. Sam E. Morris, vice-president in charge of foreign distribution, announced new deal.

Warners also announced 27 selected pictures will be released in Italy next year. The company is also negotiating recently for its pictures to go into Leon and Enrico circuits. Company also revealed pact for playing pictures in Forum circuit, first-run houses in Budapest. In Poland, Warner made a deal to go into de luxe theatres of Amsterdam and Rotterdam.

Warner Bros. complete 1938-39 line-up goes into the RKO houses in Rochester, Syracuse, Cleveland, Detroit, Columbus, Cincinnati.

Pact was signed by Roy H. Austin and his unit with Warner Bros. for WB.

Simon Now with MG

Hollywood, Aug. 2. Metro signed S. Sylvan Simon to a director's contract.

He swings over from Universal, where he made "Road to Reno."

Sings While He Rides

Hollywood, Aug. 2. First of the Gene Austin films to be made by Max Alexander under the label of Roadshow Pictures will be "Songs and Saddles," to be directed by Harry Fraser.

Austin and his unit will roundhouse the picture together with a stage show.

20th's First-Half Report Shows \$3,419,658 Net

Net operating profit of 20th-Cox for the first half of the current year (28 weeks ending June 25) was \$3,419,658, after all charges, as against \$3,735,483 in the first 26 weeks of 1937. Total income for first six months was \$28,460,713. Mounting federal tax bill was revealed in \$138,748 set aside for income taxes.

The 20th-Cox statement also showed higher profits in the second quarter this year than in 1937 by about \$80,000. Net for the second quarter this year was \$1,778,211, compared with \$1,687,885 in the same period last year.

No dividends were received from National Theatres Corp. during the first half of either year. All wholly-owned subsidiaries except Romy Theatre, Inc., were included in statement.

Company figured the first half earnings to be equal to \$1.55 per common share on 1,741,932 shares outstanding at June 25, after allowing for preferred stock.

Mrs. Indie Wins Get MG Product Despite Duals

Minneapolis, Aug. 2. Metro's threat to discontinue servicing the Princess theatre, which is an Allied house that has gone to the west features in the show, west Allied disfigurement, will not be carried out after. W. L. Hamilton, owner of the theatre, has been advised that he'll continue to get films from the exchange under the Hamilton plan, which doesn't prohibit twin billing.

However, Metro will change the availability of its product for Hamilton, and it has notified him that he can't play its pictures until after two other independent neighborhood theatres with single feature policies in the same district. Hitherto he has had the release day and date with the houses in question.

With the change in availability, Hamilton thinks he's entitled to a reduction in film prices, and a fight on that score now looms.

It looked as though there might be a lawsuit when Hamilton was called in by Metro and told that after July it is it would discontinue service, because Northwest Allied disapproved of his double featuring when they Twin City independent was confining themselves to singles.

No other neighborhood exhibitor was told of the situation. Metro has the Hamilton lead on double features yet and other independents continue to insist they'll steer clear of twins if the policy is confined to the Aster downtown and the neighborhood Princess here.

'Alex' Sobes in L. A.

Hollywood, Aug. 2. Fox West Coast is relaxing its dual policy for "Alexander's Chance Band."

Lowe's State and Grauman's theatres are both solo film Sept. 10, their first single bill in 16 months.

After tonight's (Wednesday) broadcast over CBS radio-trailling the film "Alexander's Chance Band," Danny Kaye, Eddie Cantor, Louis Armstrong and several other Hollywood stars will be on the radio. Galt broadcast will be the most popular other ballyhoo for any pic.

Call the Hounds

Hollywood, Aug. 2. "Two game-hunter years are on tap at Paramount and Metro."

Golden Dawn is playing Wells Rios' "Wild Heritage," while Par has Lucien Hubbard working on a picture about hunting on California-Oregon border.

U PUBLICITY SHIFTS

Hollywood, Aug. 2. Ed Olmstead and Belle Cantor have been added to 'Universal Studio' and 'Roadshow Pictures' and Evan Hoskins, resigned.

Olmstead will specialize on campaigns for top pictures. 'Met' was formerly in 'Met' New York offices.

PHILLY FILM SELLING SLUGGISH

Philadelphia, Aug. 2. Pic sales in Philly territory still very sluggish, with no sign of things to get what happens. Still a due principally to biz, exhibs being loath to commit to a picture, whether it be pic or program prints. There is also some feeling that all the Government intervention talk may have a good effect on prices.

Exchange men are unworried by the slowness of exhibs to ink line. They know that the most important item in any house is film and if operators don't sign 'em, they'll come in with a rush later. Pressure really hasn't been put on exhibs, since deals for the summer have not been set. These take pressure on exhibs with the distributors and many indie situations can't be sold until WB has culled the market.

Of all the companies here, Fox doing most 'selling. That's because exhibs are pretty well satiated with what it offered last season and to cause similar prices are being asked. Universal, asking considerable more, is claiming that its prices are changes are also asking more than last year, but under haggling revert to the old figure.

Can't Doctor 'Postman' To Satisfy Joe Green; Metro Sells to France

Metro has sold a \$60,000 cinema property, "The Postman Always Rings Twice," the James R. Cain play and the story by Frank O'Connor, to the Paris Film, Paris, will make a French. Forrester, paid \$3,000 for the rights to the picture, which are to be sold in the U. S. and French in America, but which would be subject to no restrictions in France.

Idea is to make it in French, but with an eye to the U. S. market, via indie titling.

MONO'S 42 PIX ON \$2,500,000 BUDGET

Hollywood, Aug. 2. Monogram's 1938-39 season will be about the same as last year, with 42 features and a budget of \$2,500,000, according to Sam Katz, president in charge of production, back from a directors meeting in New York.

Monogram may produce in England for the first time in its history, turning out four pictures during the 1938-39 season on the other side. The plan was given considerable support by the National Board of Trade meeting held in New York, when an increase in the production budget for the coming year was also taken up.

Levine at It Again

Hollywood, Aug. 2. Nat Levine, re-entering the production field, opened headquarters at the Sunset-Boulevard Mountaineer day (Mon.) and set about acquiring stories and players.

Levine is a former Republic producer, is with him as assistant.

To Snare Corrigan

Hollywood, Aug. 2. Marcella Brubaker to corner Douglas Corrigan long enough to get all the credit in his wrong direction flight to Ireland.

Writer has the fieriest fight for film and serialization.

ROCKY MT. TOURNNEY SET

Denver, Aug. 2. Annual picnic and golf tournament of the Rocky Mountain picture Club will be held August 13 at Cherry Hills Country Club, south of the 1938 National Open of tournament.

Plans are being made to hold the convention of the Rocky Mountain Owners & Managers on August 19.

Philly In Spots Despite Heat; 'Rich'-Vaude Sock 21 1/2%, 'Saint' \$5,200

Philadelphia, Aug. 2.—Philly hit mixed, but generally poor. Terrific heat is still dogging the town. Sunday the show crowds were terrific, with the movie, "The Great Dictator," a very effective effect on theatre b.o.s. "Way in the Lead" and "The Great Dictator" were the big draws with \$21,100 and \$19,000, respectively. "Way in the Lead" and "The Great Dictator" were the big draws with \$21,100 and \$19,000, respectively. "Way in the Lead" and "The Great Dictator" were the big draws with \$21,100 and \$19,000, respectively.

Nothing else even comes near that figure. At the Fox Amassing Red Clutterhouse is in its second week and grossing an eye \$8,000 after a swell \$16,200 in the initial gallop. At the Statens Shurley is in its second week for a \$4,100, although satisfactory in getting kid trade in the suburbs. Sky is getting well \$11,000 in "Little Miss Broadway" Estimates for This Week Boyd (M-G) (2:30; 37-48-75-100) "The Chickens" (U-A) (reissue) are squawking for lack of b.o., "Andy Hardy" (M-G) (1:40; 25-35-50-100) "The Chickens" (U-A) (reissue) are squawking for lack of b.o., "Andy Hardy" (M-G) (1:40; 25-35-50-100) "The Chickens" (U-A) (reissue) are squawking for lack of b.o., "Andy Hardy" (M-G) (1:40; 25-35-50-100)

'Miss B'way'-Vaude 10G, 'Chickens' \$8,500, Denver

Denver, Aug. 2.—Business is pretty good around town, despite record hot weather. Theaters show all kinds of things, but away to the mountains and parks. Estimates for This Week Alamo (Fox) (2:40; 25-35-50-100) "Cowboy from Brooklyn" (WB) (2d run). Only fair \$2,500, moves to Rialto because of change of films. Last week, "White Banquet" (WB) (2d run) same \$3,000.

Broadway (Fox) (1:10; 25-40-40) "Lord Jeff" (M-G) and "Fast Company" (M-G) (2d run) (M-G) (2d run) Last week, "Showdown Angel" (M-G) (2d run) same \$2,000. Denham (Cocktail) (1:50; 25-35-40) "The Great Dictator" (U-A) (reissue) (2d run) Average \$3,500. Last week same pic, same \$3,500. Broadway (Fox) (2:30; 25-35-50-100) "Miss Broadway" (20th), and stage "The Great Dictator" (U-A) (reissue) big matinees, fair nights; \$10,000. Last week, "Cowboy from Brooklyn" (WB) and "The Great Dictator" (U-A) (reissue) big matinees, fair nights; \$10,000.

Orpheum (RKO) (2:40; 25-35-40-100) "The Great Dictator" (U-A) (reissue) (2d run) Average \$3,500. Last week same pic, same \$3,500.

When "You Were Born" (WB) (2d run) (WB) (2d run) Last week, "Men Are Such Fools" (WB) (2d run) Last week, "The Beloved Bard" (WB), okay \$4,000.

Rialto (Fox) (1:10; 25-40-40) "White Banquet" (WB) (2d run) Last week, "The Great Dictator" (U-A) (reissue) big matinees, fair nights; \$10,000.

Statens Shurley (Fox) (1:10; 25-40-40) "The Great Dictator" (U-A) (reissue) big matinees, fair nights; \$10,000.

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Prov. Hot, but 'Algiers' Pacing for OK \$10,000

Providence, Aug. 2.—Ideal vacation weather beginning to hurt stands as the long awaited "Algiers" (M-G) (2:30; 25-35-50-100) "The Great Dictator" (U-A) (reissue) (2d run) Average \$3,500. Last week same pic, same \$3,500.

State (Loew) (2:30; 25-35-50-100) "The Great Dictator" (U-A) (reissue) (2d run) Average \$3,500. Last week same pic, same \$3,500.

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Picture Grosses

the use of a standard uniform contract providing for arbitration of disputes arising out of said contract and of the provisions of the contract itself is a fair rule. This resolution (No. 6 for exhibitors) was included as a rule approved by the FTC.

Regarding the Department of Justice' position on the matter, power tends to drive independent theatres out of business, or compel them to produce inferior films.

The 1927 conference had this to say: "Distributors' Resolution No. 16-A: That any agreement of distributors to prevent any exhibitor from contracting for the picture of his choice is an unfair trade practice."

This also covered the allegations on full price forcing, high rentals, etc., and was the Department of Justice last week.

Regarding divorcement of theatres from distributorship, the Department of Justice, in making his report back in 1927, said:

"The exhibitor, S. Cohen delivered the keynote address for independent theatre owners. '...Cohen represents the exhibitor's point of view. He advocates, for example, that all producers be compelled to supply the exhibitor with a copy of their script. Cohen died in N. Y. in 1935."

Regarding the restoration of free enterprise and open competition brought out in justice department statement, the 1927 trade parity conference said the exhibitor's view. No. 4 failed to reach a vote. However, the director of the conference, as amended and presented, to read as follows:

"The exhibitor's view is that the exhibitor's block booking is an unfair trade practice, and that all distributors be compelled to furnish exhibitors with the cost of such pictures at an agreed price. However, if the exhibitor feels that more than one or all of the exhibitor's pictures are of such quality as to be desired by the public patronizing the exhibitor, then and only then should the distributor be permitted to sell said exhibitor more than one picture."

Further provided, however, that no inducement greater than a 10% discount be allowed for such quantity sale. The subject matter of this resolution was treated in the statement of policy offered by the producer-distributor-affiliated group and accepted by the independent exhibitor group.

Kent's Attitude Speaking of this Exhibitors' Resolution, the conference director wrote: "The distributors' position and the exhibitor's position are both valid. It is the exhibitor's right to go in this matter were stated by Sidney R. Kent in the following language: 'I believe that the public interest; not to the extent that some would indicate, because we are not in the picture business, but in the business of black booking. If a picture does not happen to be popular, it is not our business to black book it, because you get poor ones in any method. As far as the exhibitor is concerned, if a wholesale selling is concerned, these distributors will not object to price reduction. The exhibitor is going along with exhibitors of their own free will on the basis of less than the final judgment and the loss of business would be our penalty—no to whether or not we shut down the proposition. Further than that, I cannot go, because of the limitations that have been imposed on the exhibitor. We are willing to meet in conference to talk over any plan that we can agree on. The exhibitor may be practicable. We have not been able to find it. We believe we are going to find it. We are now selling. We have not been able to find a substitute.'"

The exhibitor's resolution is intended to prohibit producers and distributors from operating theatres, but Commissioner Myers stated back in 1927: "The exhibitor's position is that the exhibitor's block booking is an unfair trade practice, and that all distributors be compelled to furnish exhibitors with the cost of such pictures at an agreed price. However, if the exhibitor feels that more than one or all of the exhibitor's pictures are of such quality as to be desired by the public patronizing the exhibitor, then and only then should the distributor be permitted to sell said exhibitor more than one picture."

Inside Stuff—Pictures

How to disengage a nationally known magazine outfit from swamping the studio with sight-seeing mag fans is a diplomatic problem confronting the major press agents. Publishing firm, with four monthly fan magazines started several years ago, sent semi-annual excursions of circulation content writers to Hollywood. In return, the magazine's writers were promised plenty of free space. Presently the publishing house got the problem-making idea, picking up offers from all parts of the east and midwest and collecting a divvy from the railroads at so much per person. Most recent stampede practically wrecked the valley home of a featured male actor, who made the mistake of inviting the ogers to a cocktail party.

Hollywood knew it all the time, but now there is official proof that the studio's writers pulled a fast one. The studio's writers pulled a fast one. The studio's writers pulled a fast one. The studio's writers pulled a fast one.

Concluding booker and ad salesmen conventions in the south and far west, Warner Bros. over the weekend (30-31) held a session in New York to cover the Eastern and Canadian branches of the company, with A. W. Schwalberg, supervisor of exchanges, presiding at the meeting. Sidney Hatch, advertising accessories sales mgr. and I. F. Doll, assistant to N. W. Moray, shorts sales manager, also figured prominently in the conference.

Regional booker and ad salesmen attended from the New York, Albany, Boston, New Haven, Philadelphia, Pittsburgh, Washington, Montreal and St. John exchanges.

Meeting of the Southwest Editors Association is scheduled shortly to discuss the situation into the Interstate circuit's policies, particularly the take-over of the Austin Dispatch by Karl Hohlstedt and Bob O'Donnell. Editors are still burling over what they allege is unfair trade practices and practice on the part of the theatre in accepting areas.

Newspapers squawk that theatres are not licensed for the exhibition of screened ads or as a means of advertising, particularly when motion pictures, vaudeville and other recognized show business items.

Flock of reissues which hit Philly territory during the past couple months have turned out to be a false start. Oldies quickly made the rounds. A few showed pretty good profit at the b.o., but most were mediocre and didn't manage to cash in as much as the exhibitors had hoped. It was their and it's difficult to sell an exhibitor a reissue with a bonus tied to each reel.

Initial biggie was "Son of the Sheik," which came in with a load of fair trade exploitation. It clicked readily in the early spots, but as the time it reached the suburbs, Paramount's "Sheik" on the other hand, lived from the start.

P. A.'s in a major studio are ad behind the ears as a result of an ever-dropping plot concocted by a supervisor recently installed over the department. The exhibitor's view is that the exhibitor's block booking is an unfair trade practice, and that all distributors be compelled to furnish exhibitors with the cost of such pictures at an agreed price. However, if the exhibitor feels that more than one or all of the exhibitor's pictures are of such quality as to be desired by the public patronizing the exhibitor, then and only then should the distributor be permitted to sell said exhibitor more than one picture."

Farwell dinner shown in Pittsburgh for Mike Cullen, elevated from manager of Penn theatre there to head of Loew's midwest circuit. Cullen was the first exhibitor to be named in the exhibitor's publicity stunt in picture industry. He recalled that on morning "Savage" (WB) opened in Penn several years ago, the notorious Violets brothers came and with the picture, applied the official flying horses to the Legion killing. Speaker kiddingly remarked that Cullen has engineered the coup in behalf of the Pauli Muni pic.

Less hoofing and more drama will mark Fred Astaire's future films if the dancing star has his way at RKO. He is ready to shove his foot in the door of the exhibitor's block booking is an unfair trade practice, and that all distributors be compelled to furnish exhibitors with the cost of such pictures at an agreed price. However, if the exhibitor feels that more than one or all of the exhibitor's pictures are of such quality as to be desired by the public patronizing the exhibitor, then and only then should the distributor be permitted to sell said exhibitor more than one picture."

Arthur Mayer booked "Crime Over London" from Gaumont-British for his RKO, New York, second time. The film he has ever shown when he has shown it. However, understood that the film he has ever shown when he has shown it. However, understood that the film he has ever shown when he has shown it.

"Inside Nazi Germany," March of Time release which stirred up so much discussion in U. S., has been banned in Hong Kong, according to word received in N. Y. Film had been sent for showing at two theatres, but British censor's office screened it for the German consulate. But followed.

Arthur DeTitta, Washington bureau manager of Fox Movietone, is reported being groomed for an important post in Europe. Talk, it deal goes through, would be to Americanize or pep up foreign spots for Fox newsreels. DeTitta, formerly attached to the Hays office in Washington, is now publicist for the IATSE, is scheduled to go to Europe on a tour.

Metro's new Robert Taylor starlet, "The Crowd Rages," is passing under a title once owned by Warner. The picture, released in 1932, Burbank studio swapped it to the Culver City outfit for some liboral loose.

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Labor Group Hits French Pics Made Abroad as Harming Home Industry

Paris, July 25.—The growing habit of French producers to make their films either in Germany or Italy and not in French studios has brought a strong protest from the Syndicat General des Travailleurs du Film, the syndicate of the French workers abroad and which is affiliated with the French Federation of Labor.

A delegation representing the syndicate called on Vice-Premier Camille Chautemps to lodge a stiff protest against the continued importation of French films made in Germany and Italy, which, it was claimed, are most detrimental to the French film industry.

Big arguing point of the delegation was that the 40-hour work exists neither of those two countries and therefore films made in either of the fascist countries can be produced more cheaply than they can be turned out in France. The result, of course, is that French producers are going there to make their films with French artists all to the detriment of the home industry. These films are imported into France and shown to the public as French films, even though they have been made in foreign studios with foreign technicians. And because of the lower production costs they complete most favorably with the French films made in France. Too, these same films are put on the world market as 100% French films and furnish competition to the French pics produced in home studios.

More important, as these films are made by French directors and French artists, even though the money is done in foreign studios, they do not come under the heading of 'foreign films' and therefore are not affected by the law which limits the number of films which may be imported—limited to 188 each year. Inasmuch as it is well known that, if necessary, measures could be taken to stop the practice or in some measure make it unattractive for these films to compete on an equal basis with French films produced in French studios.

One of the latest outstanding films of this type was 'Les Gens de Voyage' produced in Italy by French director and with French artists. The German dubbing of the picture was also done in Germany. French studios getting a look-in on nothing.

Herbier plans two short pictures in Italy, the first of which 'Terre de Feu' ('Land of Fire') is supposed to be in production in the near future by the producer of the same category no doubt as, with the exception of 'Tio Schips', the leads in the cast are French. But in Berlin and Marie Glory already have signed to star in the pic.

If the government does nothing to answer the seemingly just protest voiced by the film syndicate it is difficult to say what will be the latter might take, but it is a certainty that the picture is hurting French studios and that some action is necessary if the French industry is to be protected against this type of competition.

20th Fails to Get Backing In So. Africa for Theatre

Johannesburg, July 15.—South African prospects of 20th-Fox entering the field of motion pictures aroused considerable interest in attempts to bring pictures, but rich firm here, in building a deluxe to have failed. Otto W. Bollinger, who was sent to Johannesburg, are reported to have failed. The 20th-Fox picture, 'The 400 Blows', was understood to be a failure.

Any additions, efforts to get South African capital do not seem promising because general opinion in this country is that the film business is one of the most of theatres to care for. Limited potential cinema audience.

2 Aussie Trade Mags On Pan for 'Favoritism'

Sydney, July 15.—Two trade magazines, 'Film Weekly' and 'Exhibitor's Monthly', are on the pan. Film Weekly ran into trouble with exhibitors because of alleged favoritism towards distributors while the latter publication purportedly had slanted towards the exhibitors.

Exhibitors talk of boycotting Film Weekly by eliminating their subscriptions while the monthly is threatened with loss of distributive advertising. Withdrawal of advertising by distributors from the monthly may cause political repercussions since it's the official organ of the Australian Motion Picture Exhibitors Assn.

Tibbett, Tauber, Ruth Draper Pull Big in Australia

Sydney, July 15.—Concert season in Australia, with Lawrence Tibbett, Kirsten Flagstad, Richard Tauber and Ruth Draper, among others, has played to big houses and held up surprisingly well. Flagstad and Tibbett are clicking for Williamson-Tait, while Tauber is being equally well for Australian Broadbent.

On the historical scene, Tibbett is set to play repeats in acc spots, plus a season in New Zealand. Tauber also has pulled better trade than anticipated.

Miss Draper, who came here little known to Aussie audiences, was wound up in Melbourne and will do a repeat for Williamson-Tait here. Tibbett has purchased the rights to a successful that both ABC and Williamson-Tait are planning additional importation of stars. Several of these are U. S. air framing bookings because of boxoffice possibilities and the fact that the usual European tour nowadays does not offer as much as it did in past years, concert stars new figure an Australian tour as presenting best bet outside of the United States.

JACKSON, WARNER AIDE, TO FILM HERBERT NOVEL

London, July 26.—Jerry Jackson, managing director of Warner Bros., has purchased the film rights to A. P. Herbert's satirical novel, 'Holy Doodick'.

The book was written years ago, before the author became a Member of Parliament and spent the rest of his life in the House of Commons, where married couples could get divorces for desertion at any time, which prior did not constitute grounds.

Jackson faced the problem, too, of securing a script that was in keeping with the spirit of the reform, and has submitted one that has been passed by the British Board of Film Censors.

Gabin's Zola Piece

Paris, July 25.—Jean Renoir, director-brother of Louis, is going to make a picture of Emile Zola for his next film. In 'La Vie Humaine' (The Human Beast) is the piece that will be made. Gabin's next film, however, will be 'Le Train d'Enfer', but he will start with Renoir when that is finished.

55 BEST 64 FILMS.. LIMITED TO 60

Studios Busier Than Any Time in the History of the Industry, with Improvement in Quality Revealed

46 Cos. and Producers at Work

DARRIEUX TOPS STARS

Paris, July 25.—French film production hung up a record for itself during the first six months of this year, by completing 55 films during that time, 36 of which mark recent productions that had not been released. From the 64 films announced for production, some more records are likely to be topped before the end of the year.

At no time in the history of the industry have studios been busier, with 22 films in the making and others to be started any day. According to the industry here it is the best of times, and in every respect there is no getting around the fact that the average quality of product so far, has been much above that of last year, with more outstanding numbers coming up.

The most spectacular aspect of all of the production activity, viewed from the American standpoint, is that no less than 46 companies and individual producers are responsible for the undertakings. Three are usually tops for any one company, which looks puny from the U. S. original scenarios.

Of these 80-odd films planned, 36 will be original films, eight of the stories will be taken from original scenarios, eight adapted from plays, and the remainder from some pulling original scenarios.

Danielle Darrieux tops the list for films made from stories with 'Fleur de laube', from a Vicky Baum novel, and Marcel Carné is going to make 'Hotel de Nord', taken from an original story, with Annabella in the lead.

From the theatre will come 'La Vieille Fille', 'Noix de Coco', after a piece by Marcel Achard; 'Madame Bovary', by Jules Verne; 'Fanny Fontenaille', from a Capus piece; 'Education de Prince', by Maurice Donnay; 'Soleil Eclat', by Gehri and Louise; after the work of Gustave Charpentier.

The historical side, Marcel Herblert is going to make 'Edouard VII et ses Temps' from a scenario by André Maguet. 'La Route Enchaînée', by Charles Trenet. Achard has taken the part of Fouché in 'Ministre de la Police', Edwige Feuillere will portray Marie Antoinette in a film of the same name; Jeff Müssu is going to make a film on Goya, and Jean Renoir is going to make a film on the French Revolution and others have been announced.

Trenet's Debut

For the originals, a newcomer will make his debut in a scenario he has written, 'L'Amour, la Guerre et la Paix', by Charles Trenet. Achard has written a new yarn called 'Le Démon de la Guerre', which is a story which will see Micheline Cheirel and John Loder appearing together in the first time.

Other films which have been announced, which draw original stories, are 'L'Amour, la Guerre et la Paix', which Jacques Constant will direct; 'Trois de Saint-Cyr', which J. P. Pautaud will make; 'La Cité des Merveilles', by Jean Lumar; 'Le Prince 35', by Maurice Dekobra, and 'Pilotes de Lignes', by O. P. Gilbert. Yves Mirman is going to make 'Petite Latine' and Pierre Chénal, 'Sabotage'.

U. S. Not Enthusiastic

Veteran foreign language cinema operators in New York are not overly optimistic about new French feature product early next year. While most of them expect three or four more (at) releases, probably

U.S. Anti-Trust Suit Provides Push Behind Australia, Argentina Laws To Curb Monopoly by Major Cos.

Priestley, Jeans Form Co. to Produce Shows

London, July 25.

J. B. Priestley and Ronald Jeans have formed a new show producing company, the London Mark Theatre, to present first-class repertory season at the Westminster theatre. Each season would last 40 weeks. Opening end of September.

It will be a purely artistic undertaking. The company, being formed on a non-profit basis, will not pay entertainment taxes.

G-B Decides To Return to Stage Names; 12 Weeks

London, July 26.

Gaumont-British has decided to revert to name attractions for its deluxe theatres. 'Originally told to soft-pedal on vaudeville after Arthur Jarratt, circuit picture producer, expertly proved a b.o. standoff. As G-B has around 10 dealers, and by the end of the year will have two more, it means 12 extra weeks for imported talent.'

The new Gaumont, Holloway, which was originally started by the Hyams Bros., has been sold to General Theatres Corp., a subsidiary of G-B, and will stage name vaudeville acts, besides its picture program, with George Black in charge of the variety, which opens first week in September.

Winkler, Hogan Imported As Cuba Co. Technicians

Havana, Aug. 2.

Ben Winkler and Tommy Hogan, Yank. film technicians, being imported by Peliculas Cubanas, nationally syndicated film combine. Pair will handle camera and sound, respectively, for new company.

More Legal Chop Sued

Shanghai, July 26.

Formation of Acland's pact, with five film theatres included in merger, representing a seating of the monopoly situation. The American distributors generally up in arms here, new corporation may become one. While the Federal government to handle. Reported here that the Motion Picture Exhibitors Assn. Greater Union, together with other independent interests, are ready to support such legislation.

Not that there will be plenty of money to make the picture. In fact, some operators believe that there already are signs of overabundance in the cinema. French picture distributors, who have kept close tab over the last three or four years, have appeared with production, particularly in France, goes by cycles.

Several years ago, French product was viewed in N. Y. as mighty thing. There have been about two or three years of excellent production coming from that country, though admittedly only five or six really good ones. It is now appearing that of about 200 made each year.

Contributing to the better type of French-made films was the inflow of emigrants from Germany to Paris all of them with fine knowledge of the French production business. This in turn brought more attention to the film-making field with a steady increase in producing production.

Now there is a trend in the direction, according to observations made by U. S. distributors, the most disturbing part about the entire setup, as far as the foreign-language theatre manager is concerned, is that there will be a surfeit of quantity with the quality dwindling lower as the 1938-39 season progresses.

Repercussions from the U. S. anti-trust suit filed against major companies recently in N. Y., which had been a picture picture company foreign executives, began breaking in foreign territory late last week. First came word that the government of New South Wales would press for anti-trust investigation. Then came intimations from Argentina that the long pending suit against American distributors in that country might be developed along monopolistic lines since the U. S. court action provided the necessary ammunition. Suit in Buenos Aires exhibitor claimed inability to obtain product also was deemed unfortunate in U. S. trade circles.

Major company representatives have described the Argentina case as simply one in a series of similar cases denied by distributors because of previously unpaid bills; at the same time, a not in the picture picture monopoly claimed by the plaintiff. Forthcoming visit of Don Michalewicz to Australia for 20th-Fox is reported to be more than an inspection of the film company's investment in the present cinema picture picture only for that purpose it's reported that Michalewicz will make specific recommendations. French interest on his return and that one of these will cover the advisability of holding French Studios in Australia. Australian theatre chain under the current setup.

Shanghai, July 26.—The present anti-trust pact against major film companies in U. S. is serving as the force behind similar legislation in Argentina. The pact is also behind the movement against monopolistic control in New South Wales.

This is important because amendments to the New South Wales quota act, as they are called, are being introduced at that time to cover the monopoly situation. French interest in the state's powers are not sufficient to cover the comprehensive nature of the situation.

It's now felt that the anti-trust and alleged monopoly charges may become one. While the Federal government to handle. Reported here that the Motion Picture Exhibitors Assn. Greater Union, together with other independent interests, are ready to support such legislation.

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UNCLE GUS BEEBE...
Bing Crosby discovery,
who makes star debut
in Paramount's
"SING YOU SINNERS"



**TAKE A TIP FROM THE
BOYS WHO KNOW
PLAY PARAMOUNT
ON THE NOSE!**

The Winners—August Thru October

HAROLD LLOYD in <i>Professor Beware</i>	Phyllis Welch, Raymond Walburn, Lionel Stander, William Frawley, Thurston Hall, Cora Witherspoon, Sterling Holloway. Directed by Elliott Nugent.
THE TEXANS	Starring Joan Bennett and Randolph Scott with May Robson, Walter Brennan, Robert Cummings, Raymond Hatton, Robert Barrat, Harvey Stephens. A Lucien Hubbard Production. Directed by James Hogan.
GIVE ME A SAILOR	Martha Raye, Bob Hope, Betty Grable, Jack Whiting. Directed by Elliott Nugent.
SPAWN OF THE NORTH	Starring George Raft, Henry Fonda, Dorothy Lamour with Akim Tamiroff, John Barrymore, Louise Platt, Lynne Overman. Directed by Henry Hathaway.
SING YOU SINNERS	Starring Bing Crosby, Fred MacMurray with Ellen Drew, Elizabeth Patterson, Donald O'Connor. Produced and directed by Wesley Ruggles.
SONS OF THE LEGION	Donald O'Connor, Billy Cook, Billy Lee, Lynne Overman, Elizabeth Patterson, William Frawley, Evelyn Keyes. Directed by James Hogan.
CAMPUS CONFESSIONS	Betty Grable, Eleanor Whitney, William Henry, Fritz Feld, and "Hank" Luisetti. Directed by George Archaimbaud.
KING OF ALCATRAZ Tentative Title	Lloyd Nolan, Gail Patrick, J. Carrol Naish, Porter Hall, Anthony Quinn, Harry Carey. Directed by Robert Florey.
TOUCHDOWN, ARMY	Mary Carlisle, John Howard, Robert Cummings, William Frawley. Directed by Kurt Neumann.
THE ARKANSAS TRAVELER	Bob Burns, Fay Bainter, Jean Parker, Irving S. Cobb, John Beal, Lyle Talbot, Dickie Moore. Directed by Alfred Santell.
ESCAPE FROM LEAVENWORTH Tentative Title	Akim Tamiroff, Frances Farmer, Leif Erickson, Lynne Overman. Directed by Alfred E. Greene.
MEN WITH WINGS In Technicolor	Fred MacMurray, Ray Milland, Louise Campbell, Andy Devine, Lynne Overman, Porter Hall, Walter Abel. Directed by William A. Wellman. In Technicolor.

THE TIP!

Paramount's line-up of releases for the next few weeks is one of the most promising of any of the major companies. "Sing You Sinners," which gives Bing Crosby a decided change in story pattern; "Arkansas Traveler" (Bob Burns); the orichron opus, "Touchdown, Army;" "If I Were King," a few of the coming releases, which from our vantage point of view look like winners... Paramount, which hasn't been too interested in the tad for juve talent is entering the moppet competition with three youngsters, Donald O'Connor, Billy Cook and Billy Lee. The trio will be seen in "Men With Wings" and "Sons of the Legion." In "Tom Sawyer, Detective," they will receive top billing... "Give Me a Sailor" is the biggest boost Martha Raye has gotten since her first click.

Pacific Coast
Independent Exhibitor



it pays to play a PARAMOUNT PICTURE!

Canada Follows U. S. in Campaign To Encourage Film Patronage

Ottawa, Aug. 2. When film rat's boosters of Canada became wise to the plans in the U. S. for a cooperative business promotion campaign to start in September, they decided to follow the lead. Under the direction of G. J. Schaefer, chairman of the Joint Committee for Motion Picture's Greatest Year there was an immediate eye on the part of the Canadian committee to fall in line with the U. S. project. The Canadian co-op drive had been dated for the week of Sept. 19, and the mutual effort had been tabbed "Go-to-the-Movies Week." The machinery was set in motion for the building up of a general fund to finance the publicity across the Dominion, with Famous Players-Canadian Corp. coming across with the first donation.

Leaders of the two countries found they were working toward the same objective, namely, to encourage the plans, and a get-together on the subject is the natural result. The first meeting was held in New York City, where N. A. Taylor, chairman of the Film Section of the Board of Trade, who is also head of the Canadian committee. He has made the trip to New York to consult Schaefer, and it needs only the U. S. trade move, which would bring the advantage of the U. S. trade move, and the benefit of U. S. stunts via newspapers and radio which also cover Canada.

The switch means the bringing forward of the campaign to Sept. 1 and the beginning of the drive from one week to one month. Film exchanges and independent exhibitors are ready to work with the chain theatres in the boost.

Chicago, Aug. 2. General midwest meeting of independent theatre owners of Illinois, Indiana and Ohio will be held in the Stevens hotel here on August 3, the first get-together of exhibitors in the drive to exploit motion picture entertainment to the general public. Grandview of Warner Bros. will be the principal speaker at the meeting, which will serve as the means of giving the exhibitors a first-hand portrait of what the industry leaders are planning for the exploitation campaign, and also will serve to enlist the services and cooperation of these exhibitors in the campaign.

Ed Silverman of the Eastern circuit is serving as the key man on the local committee in the campaign.

Stars to Babylon Hollywood, Aug. 2. Picture stars filing personal appearance dates by plane was the approved mode of Gobe York's Coast Magazine for the furtherance of the "Movie Stars Are Your Entertainment" campaign. However, the time committee defeated the idea after the committee had approved a meeting attended by Will Hays, film stars, directors, et al., will contribute to the "Golden Anniversary Years" as a time when the drive was suggested by Will Hays at a picture industry studio execs. First picture was taken 50 years ago, in 1888. New tag and other suggestions were forwarded to New York to be passed on to western leaders of the campaign.

Fred W. Beaton, secretary of Producers Association, was named to conduct the Screen Writers Guild Screen Directors, Screen Writers and Screen Playwrights co-operation. John Lafferty Johnson was named vice fan mag publicity. Irving Rabinowitz will handle radio publicity and Cliff Lewis will be in charge of general exploitation. Office will be established in Hollywood, in charge of George Thomas, in charge of distribution of special stories by name authors.

Regional meetings for exhibitors will be held in various key cities this week as a result of the result of a group of independent exhibitors this Wednesday (27) in New York in connection with motion picture's

greatest year campaign. Industry hopes to build the box office 20% ahead of last year.

Indie exhibitors present at meeting approved \$250,000 as their share of \$1,000,000 campaign and raised \$75,000 at meeting. Major producers are pledged to put up \$300,000 and other \$250,000 is to come from affiliated interests.

Officially announced that \$500,000 to \$600,000 will be placed in newspaper advertising. Campaign will start Sept. 1, when a first of 1938-39 product will be released in first-run theatres. Picture quiz contest, with \$250,000 in prizes is planned as part of the drive.

Ad Selling Question of which advertising agency was to handle the "Motion Picture's Greatest Year" campaign was set Monday (1), when the announcement that all agencies doing picture picture campaign work would cooperate with Donahue & Co. in charge.

Nearly all responsible assignments in New York on the campaign have been set. Monroe Greenblatt will handle the publicity; Howard Howard Dietz, advertising; Al Wilkie, the name; and all phases of the campaign will be handled by promotion in magazines. A committee of circuit promo heads, consisting of Oscar Brown, chairman, Harry Goldberg, John Dowd and publicity directors of several circuits, was named to carry out ideas.

RED TAPE WING UP HAMMONS' CN MERGER

Involving a great deal of red tape, since Grand National is in 77-B reorganization proceedings, attorneys for E. W. Hammons and the studio, Crink, publicly stated that the merger is being handled by the president of Educational would acquire G.N. Report of the attorney may be ready within a week, when, if everything is satisfactory, Hammons will give his final answer to the attorneys and receivers for the other side.

Approval of the deal ultimately is subject to the action of counsel for both Educational and G.N., plus the courts, and if there are to be changes in the tentative proposals and terms, these will be agreed upon and inserted in the papers that go to the bankruptcy courts having jurisdiction in California. Lloyd Wright, attorney for one of the receivers for G.N. understood is that between \$2,000,000 and \$3,000,000 in cash required before any deal merging G.N. and Educational becomes final. The financing sources of which aren't revealed though reported the Reconstruction Finance Corp. of the Government as to the receivers for the terms approved and satisfactory on a final signing of a deal.

No major change in the short production field. He will continue making the bridges under the Educational label of which aren't through the G.N. executives, under a merger of the latter.

Ed McCann, who is recovering for G.N. has been made in advance of final consummation of the deal. McCann, who is recovering from the shorts production field. He will continue making the bridges under the Educational label of which aren't through the G.N. executives, under a merger of the latter.

Gaudin Quitting Hollywood, Aug. 2.

Tony Gaudin, cameraman, is checking out of Warners when he is given his current assignment on "The Sisters." Gaudin has been in the business 24 years, 10 with Warners.

STRESS ON VARIETY

Realize Public Wants New Deal on How Times Are Injected Into Films—Even Second and Third Rate Teams Are Being Corralled for Future Chores

NEW ERA LOOMS

Hollywood, Aug. 2. Optimism again permeates the ranks of the army of jobless songwriters doing daily huddles at Hollywood and New. Cinematic warbling, ash-canned at the turn of the year, is definitely headed for a new reign, and the now empty-headed writers are betting imaginary dough that they will once more be eating on the heels before the close of 1938.

While the musical extravaganza that depended upon song-and-dance numbers and lavish costumes and sets, and carrying little or no story thread, is definitely the thing of the past, the up-to-date in the way of re-employment for lyric composer teams is already being picked the cream of the 10,000 to lead the new march into the film palace, by consensus of opinion among the musical directors of the major production houses. The first and second and third-raters will be re-tooled to the payrolls before the passing of another six-month period.

Many of the lads who drew their vital contracts from the studio last year have been knocking over food-and-shelter money in recent weeks by grabbing advance copies of scripts and dashing off words and tunes aimed to fit in with plot motivations. While some are using this method of escape from starvation have found it necessary to write from six to a dozen pieces in order to sell one, they are not damaged one in the perfume of a breaking stick reaches their nostrils.

Studies Recant

During the inaugural quarter of last fiscal semester, when studio biggies were being ground under the economy heel of the home office grip, they solemnly raised their right hands and swore that they were through with song, insofar as it related to the silver-screen, for once and all. Three times they had tried to foist it onto the cash customers, they insisted themselves, and three times they have been given the chilly shoulder just when they thought they were succeeding.

Now, suddenly, they have awakened to the fact that the public does not think they are succeeding. And in the way it has been served in the past. From musicals, the current covers is a real yarn where the songs grooved in as an integral part of the story, rather than as a device for impression that they have been tossed in as an extra added element. The new slogan is "songs that sell." production heads is Metro's "Love Finds Andy Hardy," with scenario director, chief of the musical scripters to drop their quarters at the box-office and give it a thorough on the subject.

"Juday Garland's canary chores as if they are a part of the vehicle as is the stellar cast and they insist. Boris Moros, who is accomplishing much in guiding Paramount's chief of the musical scripters to drop their quarters at the box-office and give it a thorough on the subject.

(Continued on page 52)

Major Prod. Now Up with '37-38 Skeds; 362 Pix Delivered by Sept.

'Made' to Be Un-Made

Hollywood, Aug. 2. David O. Selznick scrapped the story of "Made For Each Other," the Carole Lombard starlet scheduled to go into production yesterday (Mon.) and ordered a new script.

James Stewart, borrowed from Metro for the male lead, is extending his vacation a couple of weeks while the writers are busy. John Cromwell is slated to direct.

NEXT RKOREORG HEARING SET FOR SEPT. 8

A tentative hearing of opposition to the amended RKO reorganization plan, which was approved last week by Special Master George A. Alger, has been set for Sept. 8, pending the return of Federal Judge William Bondy from vacation. Date was fixed Thursday (23) by Judge Henry Goddard at the suggestion of H. C. Ricketts, counsel for the RKO group. Propponents of the plan, who also submitted the master's findings to the court, are expected to appear.

Judge Bondy also set Sept. 12 for the hearing on the application of Alvin Karpis and his associates for services as special master. Alger asks the court to fix the amount due to Karpis and his associates at \$3,500 asked by the accounting firm of Price-Waterhouse, for its services in the proceedings will also be decided.

Revised plan contains very few and minor changes from the original. It provides that the claim of Rockefeller Center for \$9,150,000 be determined by the court. Payment on this will be met by the turn-over of 400,000 shares of old stock, valued at \$100 each, which will be issued by the new company.

Report estimates the total value of assets of RKO at \$72,779,875 and the net equity at \$23,212,795. Shares of the issue of common stock will be sold at \$9.81 each.

Unsecured claims, report recommends, have been allowed at \$8,000,000, and are to be liquidated on the basis of 12 shares of new common for each \$100 held, not including interest after Jan. 27, 1933. It is also proposed that contingent and unrepresented claims stand in line with the old plan, which allowed 10 shares for each \$100, minus the old interest and subject to deduction for collateral realization.

Alger recommends that the holders of \$12,500 of old stock, valued at \$100 each, outstanding, and on which there is \$42,000 in interest due, receive one share of the new preferred stock and five shares of common for each \$100 due them.

The constitutionality of the plan, one of the grounds on which it was opposed, the "special" master contends is "equitable, feasible and fair" to the stockholders and creditors. He cites the decision of the Federal Courts, which have held that the RKO reorganization plan, which provides a fair equivalent for any rights the bondholders have but meets the constitutional test.

Work Sets Back 'Rio'

Hollywood, Aug. 2.

Starting date of the next Danilovich "Rio" picture has been set for Sept. 15 to the first week in October by Cliff Work as part of the reorganization arrangement at Universal.

Work recently went over the completed production of the picture at home office execs in New York.

Los Angeles, Aug. 2. Major distributing companies have practically caught up with the 1937-38 season, which, with most companies, had about 30 days to go. By Sept. 1, seven of them will have delivered a total of 362 feature-length productions, including 14 westerns. Contracts, made at the start of the season, call for 341 features, exclusive of the westerns. A. Warner's. Columbia's season runs-through September. To date, 20th-Fox has delivered 49 home lot and two foreign-made features, a total of 51 out of 57 sold.

Warners is expected to deliver 55 out of 60 titles, and completed 44 to 52 features and will come through with 45 or 46. Paramount will deliver 50 features and six westerns, only two features short. RKO sold 48 features and six George O'Brien, ready with all but, seven features.

Universal produced 39 out of 40 promised features and completed its schedule of 10 westerns. Columbia will be on the job with 36 out of 38 features and all its 22 stage-brushers.

Volume stacks up creditably in view of the fact that the season of studio activities during the late spring months. New season's production is well under way.

Disney Looks to Song Sales; Insuring Times In Ad Cartoon Products.

Owing to the success of the song "Who's on the Night Shift," Walt Disney has decided to put a song on a song will be inserted or tied up with all of his releases, including shorts. He has written and Irving Berlin, Inc., will handle the song.

One of the songs from "Show White," first of the feature cartoons, is "Who's on the Night Shift," having gone over 750,000 copies sold.

PAR'S 2D-QUARTER NET \$1,200,000 UNDER '37

Paramount's second quarter earnings for this year dipped more than \$1,200,000 as compared with same period last year, according to an official estimate made last week. Company estimated earnings of \$3,949,495 in the quarter ending July 2, as against \$1,047,000 in comparable quarter of 1937.

Amount includes \$359,000, representing Paramount's direct and indirect interest as a stockholder in other non-consolidated subsidiaries. Last year this share was \$340,000.

Paramount's consolidated earnings for six months ending July 2 are officially estimated at \$1,307,000, including 1,165,000 shares of undistributed earnings of partially owned non-consolidated subsidiaries.

SOLO FOR CUMMINGS

Hollywood, Aug. 2. Robert Cummings, actor-avoyer, whose three-year Paramount contract recently expired, was rehired on a one-picture deal as male lead in "Kiss Me, Kate," with Anna May Wong.

"Picture of the Week" for Sun White as female producer under Harold Hurley.

"Busman's Holiday" to MG

Hollywood, Aug. 2.

Metro bought Dorothy Sayer's "Busman's Holiday" with a \$100,000 advance in England.



A Sure Shot!

Warner Bros.' 'G-Men' of 1938!

RACKET BUSTERS

with

HUMPHREY BOGART

GEO. BRENT • GLORIA DICKSON • ALLEN JENKINS • WALTER ABEL • Directed by LLOYD BACON

Original Screen Play by Robert Rossen and Leonardo Bercovici • A Cosmopolitan Production

IT BEGINS A NEW ERA OF ENTERTAINMENT!

A living story... drama that reaches heart-close
to things as they are... comedy that is infectious
...events you'll follow with tip-toe eagerness.

ADOLPHE MENJOU
ANDREA LEEDS
EDGAR BERGEN and
"CHARLIE McARTHUR"
GEORGE MURPHY

RITA JOHNSON • ANN SHERIDAN
EVE ARDEN • ERNEST COSSART

THE NEW UNIVERSAL presents

A JOHN M. STAHLE PRODUCTION

LETTER OF INTRODUCTION

CHARLES R. ROGERS, Executive Vice-President
In Charge of Production

Screen Play by Sheridan Gibney and Leonard Spigelglass

Based on an original story by Bernice Moore

Directed by John M. Stahl

NATIONAL
RELEASE
AUGUST 5th

(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.)

(R) REISSUES

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WEEK OF RELEASE	TITLE	PRODUCER	DISTRIB.	TYPE	TALENT	DIRECTOR	TIME REVISOR	WHEN REVIEWED
							MIN.	BY VARIETY
5/20/38	SIX SHOOTIN' SHERIFF SWISS MISS NUMBERED WOMEN COCONUT GROVE BLIND ALBIE BASCALS THE DEVIL'S PARTY MYSTERY HOUSE	M. & A. Alexander Hal Roach G. B. Kerr Geo. Arthur Cliff Reid John Stone Ed Grainger Bryan Foy	GN MGM None RKO 20th WB	Western Comedy Drama Mystery Drama Drama Drama	Ken Maynard S. Laurel-O. Hardy S. Laurel-L. Hughes F. MacArthur-R. Harbo R. Dix-W. Bourne J. Withers V. McLaglen-B. Roberts M. Bogart-G. Page	Harry Fraser John G. Blystone Carl Brown F. M. C. Brown Low Landers J. B. O'Laughlin Ray McCarey Leo Seiler	75 80 85 85 90 85 85	5/11 5/18 5/25 5/25 5/25 5/25 5/25
5/27/38	YELLOW JACK HUNTED MEN DESERT PATROL KIDNAPPED CRIME SCHOOL	Jack Cummings Harold Hurley M. A. Wackel K. Macdonald Bryan Foy	MGM None Rep 20th WB	Drama Mystery Western Rom-Dr Drama	R. Montgomery-V. Bruce L. L. Lumsden Bob Steele-W. Meldon W. Baxter-F. Bartholomew R. Boggs-G. L. Page	Geo. Seitz Richard Thorpe Sam Newfield Al Werker Leo Seiler	83 65 55 55 50	5/23 5/26 5/15 5/15 5/15
6/3/38	THREE ON A WEEKEND THREE COMRADES A FAREWELL TO ARMS (R) SIGN OF THE CROSS (R) SAINT IN NEW YORK JOSEPHINE WIVES UNDER SUSPICION LITTLE MISS THROUGHBRED	H. Manckiewicz C. B. Savage W. B. Mitchell Wm. Sistrum C. E. Markay Ed Grainger Bryan Foy	GB MGM Par RKO 20th WB	Rom-Dr Rom-Dr Par Drama Drama Drama Rom-Dr	M. Lockwood-J. Lodge-R. Ray R. Taylor-G. L. Page G. Cooper-R. Hayes F. M. C. Brown L. Hayward-K. Sutton S. Monaghan-G. MacArthur W. William-G. Patrick J. Chapman-J. Littel	Carol Reed Frank Borzage C. B. Borzage C. B. Borzage Ben Holmes John G. Blystone Jas. Waple John Farrow	76 100 95 71 85 65 65	6/15 5/25 12/3/1932 8/25 8/25 6/8 6/15
6/10/38	HELD FOR RANSOM THE TOY WIFE YOU AND ME KING KONG RIDERS OF BLACK HILLS LADIES IN DISTRESS ONE WILD NIGHT GOLDGIRLS IN PARIS	GN M. A. Wackel Fritz Lang Merian C. Cooper M. C. Cooper Wm. B. Crane John Stone Sam Bischoff	GN GN Par RKO Rep Rep WB	Melior Mystery Rom-Dr Spec Mystery Mystery Musical	G. Withers-B. McShaffrey-J. McHugh R. Hughes-L. Hughes S. Sidney-G. Raff-B. Carey F. Shipwreck-C. Cabot-Coeper A. Wharry-W. Merran J. Lang-L. Talbot-S. Toler R. Vallee-R. Lane	Clarence Bricker Richard Thorpe Fritz Lang Schodack Norm Sherman Gus Meins Ed Ford Ray Enright	89 85 96 96 96 93 100	7/20 5/15/35 6/8 6/1933 6/1933 5/21 5/25
6/17/38	HOLIDAY CRIME OVER LONDON WOMAN AGAINST WOMAN PRISON FARM BLONDE CHIEF THREE BLIND MICE BLOCKADE OUTLAW EXPRESS WHEN WERE YOU BORN	Everett Riskin GB Edw. Rom-Ford Wm. Sistrum Ray Griffith Walter Wanger Trem Carr Bryan Foy	Col GB MGM Par 20th UA WB	Drama Mystery Rom-Dr Mystery Rom-Com Drama Drama Drama	K. Hepburn-C. Grant R. Hughes-R. Cavanaugh S. Ross-L. Nolan-C. A. Nash J. Fontaine L. Taylor-J. McCrea W. Fendall-M. Carroll Bob Baker-C. Calver C. Rains-J. Hoodson	George Cukor Al. Zeiler V. Brann-R. Harbo Louis King J. Fontaine Wm. Seiler Wm. Dieterle Gus Wagner Wm. McCann	83 84 84 84 84 84 84 65	5/16 11/11/36 6/22 7/20 7/20 7/8 7/8 7/8 5/15
6/24/38	HIGHWAY PATROL LORD JEFF ROMANCE OF LIMBERLOOT BAR IN JUSTICE BORDER GEMAN MR. WOTO TAKES CHANCE YOUNG FUGITIVE WHITE RABBIT	W. MacDonald Frank Davis None Harry Sherman Berl Guiton Sol Wurtzel Barney Sarecky Henry Blanke	Col GN None RKO RKO 20th WB	Melior Rom-Dr Rom-Dr Western Western Mystery Mystery Dr	J. Wells-R. Paige F. Bartholomew J. Parker-E. Linden W. Boyd-G. Hayes George O'Brien F. Lore-R. Hoodson W. Keeler-W. Bruce C. Rains-J. Page	C.C. Coleman Jr. F. Bartholomew Wm. Nigh David Howard David Howard Norman Foster Ed. Gouding	78 80 80 81 87 87 85	6/23- 7/20 7/20 7/20 7/20 7/20 5/25
7/1/38	CITY STREETS EVERGREEN HAVING WONDERFUL TIME ARMY GUY ALWAYS GOODYE SOUTH RIDING DANGER ON THE AIR RAGE OF PARIS MEN ARE SUCH FOOLS	W. MacDonald GN P. S. Herman Sol Siegel Ray Griffith Alex Korda Erving Shaw B. G. DeSiva David Lewis	Col GN MGM Rep RKO UA UA U WB	Melior Comedy Comedy Rom-Dr Rom-Dr Drama Drama Com-Rom Rom-Com	Carillo-E. Bellows-R. J. Eddy J. Mathis G. Rogers-D. Fairbanks, Jr. M. Evans-F. Foster B. Stan-Dr R. Richardson-E. Best D. Wadley-A. Garrett D. Darrux-D. Fairbanks, Jr. W. Morris-F. Lane	Al Rogel V. Brann Al Santilli Arm'd Schaefer R. Harbo Vic Saville Ed. Gouding Henry Koster Bunny Berkley	68 75 76 76 76 84 84 84 84	7/27 7/27 7/13 7/13 7/13 7/27 7/27 7/27 6/22
7/8/38	LITTLE COMPANY MAN'S COUNTRY CRIME KING LAST WOMAN (R) BURANGLIO RAIL RAIDERS PANAMINT'S BAD MAN MY BILL	F. Stephani None John Cliff Reid K. Macdonald M. A. Wackel Sol Lesser Bryan Foy	MGM None RKO RKO RKO WB	Rom-Com Western Mystery Mystery Western Western WB	A. Douglas-F. Rice J. Randall M. Laue-F. Mercer Hephurn-J. H. Hines-Dee Bob Steele-L. Stanley S. Rains-L. Berry R. Francis	Eddie Boudry Richard Hill Les Goodman Sam Newfield Ray Taylor K. Francis	75 75 75 80 69	6/29 7/13 7/27 11/21/33 6/15
7/15/38	PIONEER TRAIL STRANGE BORDERERS HOPPOON AND HORSE PRIDE OF THE WEST GOLD MINE IN S.W. PASSPORT HUSBAND PRISON BREAK	Col Geo. B. Mason J. L. Mandoukewicz Harry Sherman E. Ford Sol Wurtzel Trem Carr	Col GB MGM Par Western 20th U	Western Mystery Rom-Dr Western Western Melior	J. Loden-J. Barkley T. Wally-R. Sains H. Lumsden Hill Boyd G. Harry-S. Burnette P. Moore-S. Ewitt G. Farrell-B. McLane	Joe Levering George Mason R. Harbo Les Kelander Joe Kane Jas. Fanning Arthur Lubin	75 75 75 75 74 75 72	6/29 7/13 7/13 7/13 7/8 7/8 7/20
7/22/38	RCFOMATORY LOVE HINDS AND RAY TROPIC HOLIDAY C. B. BORG HEROES OF THE HILLS SKY GIANT I'LL GIVE A MILLION ALGIES LITTLE TIGER GUT PENROD'S DOUBLE TROUBLE	Col Hal Roach A. Hornblow, Jr. C. Elliott Wm. Berke Robert Suk K. Macdonald Walter Wanger Ken Goldaman Bryan Foy	Col MGM Par Par Rep RKO MGM WB	Drama Com-Dr Musical Adv-Dr Western Western Rom-Dr Rom-Mel Com-Dr	J. Holt-C. Wynters M. Keenan-J. Gaxton D. Lamour-Burns-Rays A. Davis-L. Lane Three Maguallers Dixie-C. Morris-J. Fontaine W. Hazen-M. Warner C. Boyer-S. Gursk-R. Lamour R. Harbo-E. Eddy Mauch Twins	Lew D. Collins Theodore Reed C. Tappan G. Sherman Low Landers Wm. Sistrum John Cromwell Leo Young Leo Seiler	61 75 75 55 84 84 85 65	6/28 7/13 7/8 8/3 7/8 7/8 6/28 7/27
7/29/38	SOUTH OF ARIZONA THE CHASER PROFESSOR REVUE MOTHER CAREY'S CHICKENS LITTLE MISS ROBBY THE YOUNG IN HEART AMAZING DR. CLITTERHOUSE	Col Frank Davis Harold Lloyd P. S. Herman Hempstead D. O. Selznick Anatole Litvak	Col MGM Com-Dr RKO 20th UA WB	Western Com	C. Starett-I. Meredith D. O'Keefe-A. Murph-L. Stone H. Lumsden-J. West R. Keeler-A. Shirley S. Temple-C. Meyer J. Gaynor-D. Fairbanks, Jr. E. G. Robinson-C. Trevor	Sam Nelson E. L. Marsh Edw. Nugent Rowland V. Lee Richard Wallace Richard Wallace Anatole Litvak	75 75 75 75 75 75 87	7/13 7/13 7/13 7/13 7/13 7/13 6/22
8/5/38	THE WHEEL SPINS TROPIC CROWD RAYS BARFOOT BOY BULLDOG DRUMMOND IN AFRICA COME ON, LADIES I'M FROM THE CITY GATEWAY LETTER OF INTRODUCTION MR. CHUBBY	S. Hitchcock T. Crowl E. B. Derr Herald Hartley Herman Schlom Wm. Sistrum Samuel G. Engel Bryan Foy	GB MGM None Mystery Rep RKO 20th WB	Rom-Dr Rom-Dr Drama Mystery Sports Comedy Drama Rom-Com	M. Lockwood-C. Linka R. Taylor-M. O'Sullivan J. Moran-M. Jones-R. Morgan J. Howard-H. Ance-L. Kassar R. Cromwell-M. Hunt J. H. Hines-M. Warner D. Amecche-A. White A. Leeds-A. Menon-Bergen John-Lola Lane	A. Hitchcock Karl Brown C. M. Anderson Jas. Cruze J. H. Hines Al Werker John Stahl Wm. Clements	71 71 71 71 71 71 60	8/3 8/3 8/3 8/3 8/3 8/3 8/3
8/12/38	THE GLADIATOR RICH MAN, POOR GIRL THE TEXANS PAINTED DESERT RECKT SMILING THE MISSING GUEST RACKET BUSTERS	David L. Shaw Edw. Chodorov Lucien Hubbard Bert Glyco Sol Wurtzel B. Sarecky Sam Hirschoff	Col MGM MGM Rep 20th WB	Com-Dr Com-Dr Com-Dr Western Mystery Mystery	E. A. Brown-J. Travels R. Young-R. Hussey J. Bickard-R. Sedg G. O'Brien-L. Johnson J. Withers-G. Stuart R. Ketyl-C. Moore-Lancan H. Bogart-G. Dickson	Ed Sedgewick R. Schunzel J. Howard David Howard Herbert I. Leeds John Rollins Lloyd Bacon	71 71 71 71 71 71 71	8/3 8/3 8/3 8/3 8/3 8/3 8/3
8/19/38	CONVICTED MAN WITH 100 FACES MAD ANATOMY GIVE ME A SAILOR SMASHING THE STACKS A ROMANTIC ROGUE ALEXANDER'S RACINE BAND THAT CERTAIN AGE FOUR'S A CROWD	Col A. Hitchcock H. Stromberg Jeff Lazarus P. F. Feneman John H. Auer M. F. Feneman J. Pasternak David Lewis	Col MGM MGM Rep 20th WB	Melior Drama Drama Rom-Dr Mystery Musical Rom-Com	R. Hayward-C. Quiley L. Palmer-T. Lewis N. Shearer-T. Quiley M. Rave-R. Hope-R. Grable C. M. Anderson E. Novars-C. Marsh T. Fowler-A. Payne-K. Kene D. Durbin-J. Cooper-T. Rich R. Russell-E. Flynn	Leon Barsha A. Hitchcock W. S. Van Dyke Elliott Nugent C. M. Anderson John H. Auer John H. Auer Edw. Ludwig Michael Curtiz	71 71 100 80 80 80 95	8/3 8/3 7/13 8/1 8/1 8/1 8/1
8/26/38	I AM THE LAW TOO HOT TO HANDLE BLOOD-HEADS CIRCUS COMES TO TOWN SPAWN OF THE NORTH BREAKING THE ICE TENTH AVENUE HIGH SPEED TO BURN THE YOUNG IN HEAT DOMES COURAGEOUS	Everett Riskin L. Weingarten Hal Roach Wm. E. Lacker Al Lewin Sol Lesser Harry Grey Jerry Hoffman D. O. Selznick Ben Glazer	Col MGM MGM Rep RKO RKO 20th WB	Comedy Comedy Comedy Outdoor Musical Mystery Sports Com-Dr	E. G. Robinson-W. Barrie Gable-Loy-Lacker Landon and Hardy W. Gable-J. Lacker G. Raff-H. Fonda-Lamour R. H. Hines-R. Ruggie B. Cabot-B. Roberts M. Whalen-L. Bari J. Gaynor-D. Fairbanks Priscilla-Rosemary-Lane	Al Hall J. Conway John Blystone John Blystone Henry Hathaway Edward E. Galt John Blystone Otto Brower Richard Wallace Michael Curtiz	71 71 100 80 80 80 80 80	8/3 8/3 7/13 8/1 8/1 8/1 8/1 8/1

A GREAT SHOW OPENS AT RADIO CITY MUSIC HALL *THIS WEEK...*

"Pandro S. Berman has sent forward what promises to prove a panacea for box-office ills. Mixture of comedy and drama, it will warm the hearts of exhibitors, for it contains all the ingredients necessary to start the turnstiles clicking again!"

—HOLLYWOOD
VARIETY

"Has tremendous drawing possibilities and will unquestionably clean up at the box-office. Women will go for it hook, line and sinker."

—HOLLYWOOD REPORTER

"Not since 'Little Women' a picture with more sentimental heart throb. A swell picture for the entire family."

—LOS ANGELES EXAMINER

"One of the notably worthwhile pictures produced in recent months. Admirably cast, Anne Shirley and Ruby Keeler rise to new heights."

—LOS ANGELES TIMES

"Heart-warming, tender story capably handled by able cast should please fans generally."

—FILM DAILY

THEY ALL SAY SO.

Kate Douglas Wiggin
FAMOUS STORY

MOTHER CAREY'S CHICKENS

WITH ANNE SHIRLEY • RUBY KEELER • JAMES ELLISON
FAY BANTER • WALTER BRENNAN • IRMA ALEXANDER • ALMA KRUGER

PANDRO S. BERMAN IN CHARGE OF PRODUCTION
DIRECTED BY ROWLAND E. LEE

SUCCESS PLAY BY S. F. LAURENCE AND GEORGE PURCELL

RADIO CITY



HARVEST!

Gather it in! "Love Finds Andy Hardy" starts the Parade of Hits!

4-PAGE "HARVEST" just one of Leo's Harvest-time helps. At 11c is front cover. Below is double spread. Back page blank for your theatre message. Actual size is 13" x 9". Write M-G-M, 1540 B'way, N.Y.C., for free sample or for prices, stating quantity desired.

HAPPY DAYS ARE HERE AGAIN!

Leo, the roaring lion of Metro-Goldwyn-Mayer, proudly lists current and forthcoming entertainments. Here is action on land, sea and air.

THE BIGGEST HITS, THE GREATEST STAR-STUDDED MOVIES since the screen began.

The Best Picture in which he has ever appeared

ROBERT TAYLOR
in **"THE CROWD ROARS"**
with Maureen O'Sullivan, Edward Arnold, Frank Morgan, William Garagan, Lionel Stander

Now she landed a millionaire!

"RICH MAN - POOR GIRL"
with **ROBERT YOUNG • LEW AYRES** (Charmante love in "Bride of the Room")
Ruth Hussey, Guy Kibbee, Lana Turner

Exciting stars of "Tat Plo" in the romance of a dare-devil round the world several continents. Love is action on land, sea and air.

CLARK GABLE • MYRNA LOY
in **"TOO HOT TO HANDLE"**
with Walter Pidgeon, Walter Connolly, Leo Carrillo

Wanted: A man for Monte Handome, single man—please apply!

FREDDIE BARTHOLOMEW • JUDY GARLAND
in *Katherine Brush's*
"LISTEN DARLING"
with Mary Astor, Walter Pidgeon, Alan Hale

"1937'S BEST ACTOR" in the bold drama of a beloved priest and a boy who was "Born to be King"

SPENCER TRACY • MICKEY ROONEY
in **"BOYS' TOWN"**

Thrilling musical drama of the romantic life and loves of Johann Sebastian, II the world's waltz king!

LUIS RAINER • FERNAND GRAVET
MILIZA KORJUS
in **"THE GREAT WALTZ"**
with Hugh Herbert, Herman Bing, Henry Hull, Lionel Atwill and a cast of Thousands. Combined Symphonic Orchestra of Hundreds

Stars of "Yellow Jack" and "A Star Is Born" in a gay romance of modern Manhattan

JANET GAYNOR • ROBERT MONTGOMERY
in **"THREE LOVES HAS NANCY"**
with FRANCHOT TONE, Guy Kibbee, Cora Witherspoon

lar of "The Bad Man of Brimstone" returns with a grand new pal... in thrilling, new melodrama!

WALLACE BEERY • MICKEY ROONEY
in **"STABLEMATES"**

Compare it only to their glorious "Rose Marie" and "Maytime"

JEANETTE MACDONALD NELSON EDDY
in Victor Herbert's
"SWEETHEARTS"
with Frank Morgan, Misha Auer, Herman Bing, Ray Bolger, Reginald Gardiner, Florence Rice.
Giant Musical Ensemble!

All new! Romantic deeds search adventures with America's beloved, Judge Hardy family!

"OUT WEST WITH THE HARDYS"
with LEWIS STONE, MICKEY ROONEY, CECILIA PARKER, FAY HOLDEN

Importantly produced from the sensational novel by Dr. A. J. Cronin! Millions read the book!

"THE CITADEL"
with **ROBERT DONAT • ROSALIND RUSSELL**
Cast of Thousands

Glitter long-run stage romance for glamorous Joan!

JOAN CRAWFORD
in **"THE SHINING HOUR"**

Behind the scenes, revealing the life and love affairs of those who dream of stage careers.

LUIS RAINER
in **"DRAMATIC SCHOOL"**

Mark Twain's Great American Classic of a boy and romance Minnesota river days!

"HUCKLEBERRY FINN"
with **MICKEY ROONEY**
and an impressive Cast of M-G-M Stars

"Tiny Tim" and "Scrooge" will live again! Charles Dickens' Masterpiece—dedicated to the hearts of the world!

LIONEL BARRYMORE
in **"A CHRISTMAS CAROL"**
with a Magnificent Cast Now Being Auditioned and Selected

COMING GREAT PICTURES! WATCH FOR THEM! THEY'LL MAKE ALL OF 1938-1939 A HAPPY MOVIE NEW YEAR!

Look for importantly fine entertainments from M-G-M all through this winter and spring.

Among the big, notable attractions to come: Spectacular dramatization of KENNETH ROBERTS' "NORTHWEST PASSAGE" in Technicolor, starring ROBERT TAYLOR, SPENCER TRACY and WALLACE BEERY; NORMA SHEARER and CLARK GABLE in the celebrated stage hit, "DICK'S ELLIOTT"; The curious MAX BROTHERS' "A DAY AT THE CIRCUS"; The famed "WIZARD OF OZ" in Technicolor, with a star-studded M-G-M cast; CLARK GABLE and MYRNA LOY in the thrill of "THE GREAT CAVALCADE"; "THE WOMEN," the most daring New York stage hit in years...and MORE! MORE! MORE!

INDIE OPPOSITION TO PAR-SINGER

IN MPIS.

Minneapolis, Aug. 2.—The Paramount-Singer combination, in control of the local picture situation, excepting the two sure-seater houses, W. A. Steffer World and Bennie and Alvin, has virtually non-conflicting policies, faces independent opposition for the first time.

Announcement has been made that Steffer-Alvin, 1,500-seater house, the city's most beautiful show place, which has been dark for a number of years, out of brief sessions with dramatic stock and roadshow pictures, will reopen in September with a permanent picture policy.

Where the Alvin will obtain its product is a moot question, but its owners seem to have no doubts on that score. As far as is known, the Paramount-Singer combo has the home product tied up. The World plays foreign films, art stuff and fluffs. The time runs, for the most part, independent releases, refutes and fluffs.

Paramount-Singer are getting the ground, another downtown house that has been dark for several years, in shape for reopening in September with roadshow pictures, and one of the Minnesota closing and remaining dark, there will be one more film house about 1,000 seats, in operation next fall and winter, according to present plans.

Despite the depression, legislation and suits aimed at producer-operation of theatres, the Paramounts seem to start construction of another new showhouse in St. Louis with the same adjustments.

A permit for the theatre already has been obtained.

Coast Racetracks

(Continued from page 1)

flow of money, they see their customers tossing their money into the wind, and want the State of California to do something about it.

They are not alone. The picture operators and exhibitors also feel just as keenly about the situation as do the picture operators and exhibitors. They are not alone. Meanwhile, they are not so outspoken. Meanwhile, they are not so outspoken. Meanwhile, they are not so outspoken.

Sanita, Hollywood Park and Del Mar provide 117 racing days in California. When they are not running, Santa Anita and Bay Meadows are busy up around San Francisco.

Hollywood Park's first season was a distinct financial success, and would have been greater if it had been allowed to run as long as Santa Anita. The take was around \$1,000,000, some of which will be spent on improvements, some distributed as a 20% dividend to the owners.

\$499,913 Daily
Daily average of the tote was \$499,913. Tracks cut the 10% plus breakage amounted to about \$1,600. Rest of the income was derived from \$50,000 admission and \$100,000 up, 10,000 parked cars at two bills, and 100,000 programs at 15c.

State drew about \$100,000. Uncle Sam \$175,000 in income taxes, day, and Ingwood graded \$100 a day, and there were a flock of other things.

Hollywood Park is controlled by Warner, and the late stockholders reads like a film Who's Who. Bing big shift at Del Mar and Hollywood picture personalities inserting owned largely by Felix, and Hal Roach is president and screen it. Biggies have heavy investments in it.

Will Absorb Del Mar
There will be a new set-up next year with Del Mar out of the picture. Negotiations are under way for the 35-day program from the Crosby track to the Warners outfit at Hollywood Park.

It would give the latter track 58 days of racing and put a pair with Santa Anita as far as duration and income. It would also add at least \$10,000,000 to the take, and put it to equal, with its lack of live facilities and its distance from Los Angeles.

PHILLY UPMTO FLOE GETS ANOTHER HYPO

Philadelphia, Aug. 2.
More coals were added to the feud between members and execs of United Motion Picture Theatre Owners, here, which has split the organization, this week with a deal set whereby Affiliated Theatres, Inc., will acquire Charlie Frolo theatre.

Frolo, just a short distance from the Apollo, owned by the Frolo-Gallo, chairman of the board of UPMTO. Affiliated, headed by Dave Miller, already has under construction another house on the other side of the Apollo, which means Seagall will be caught right in the middle.

Feud between Milgram on one side and Seagall and Lewen Pizor, UPMTO pre, on the other, started when Pizor began construction of the Chelton, close to the Walden, which Milgram had recently acquired. Milgram declared this was an ethics of the organization and was further increased when he charged, Pizor attempted to sell him the Chelton site at a tremendous price, but he was \$100,000 short, still pending against Pizor now as a result of an ad the UPMTO pre put out.

Pizor averted bringing the whole situation out into the open at a general meeting of the association, but by declaring there was no quarrel when Milgram got up to speak. Milgram, however, was not satisfied. Milgram demanded a financial report on the Paramount strike funds which he has \$100,000, and \$250. No accounting has been given.

Risk Vice Saperstein As Illinois Allied Prez

Chicago, Aug. 2.
Replacing Aaron Saperstein, who died July 10, Jack Kirsch, as elected president of the Allied Theatre Owners of Illinois. He is officially named to serve for the unexpired portion of the term, which has 10 months to go. Election was by the Allied board of directors.

Kirsch has been an exhibitor in Chicago for many years, and is a leading figure in independent theatre organizations. He is at present owner of the Century, Gold and Villa theatres in the nabes.

Joe Abramson, who has been secretary of the Allied organization here since its inception, continues in that capacity.

2 Meets for National

Los Angeles, Aug. 2.
Operating divisions of National Theatres Corp. are holding two regional conventions this year instead of the national gathering originally set for Del Monte, Cal., late this month.

First session, covering Kansas City, Milwaukee and Denver divisions, is slated for Kansas City Aug. 9-11. Second powwow, covering western divisions, will be held at the Ambassador hotel here Aug. 15-17. Sayre Scouras will preside at both meetings.

All WB Shorts In

Warner Bros. Vitaphone studios in Brooklyn has wound up final touches on the company's assignment of shorts, with previews run out last week. Included in the lot were two Vitaphone subjects, a "Joe and Asbestos" short and "Miracles of Sports".

Warner plan is to shut down production until September.

Remarque Eyes U. S.

Paris, July 28.
Rich Maria Remarque is considered an American citizen.

The author of "All Quiet on the Western Front" deprived of his German citizenship, has been residing here.

Two For Lowe

Hollywood, Aug. 2.
Edmund Lowe is slated to play two Paramount roles as soon as he finishes a week's part, chore in Chicago, and a picture in New York.

Program calls for a featured spot in "Disburled" and the Philo Vance role in "The Grace Allen Murders Case".

Picture Reviews

NIGHT ALONE

(Continued from page 15)

barbed twittings by his wife's sister, who suspects his nocturnal escapade. Leonora Corbett plays this with a more acid touch than the part created on the stage. Lela Rogers, as the wife, and Evelyn Williams, as the sister, easily balance respectability and hilarity under the spell of drink.

Plot and direction acceptable and supporting characters well handled. The only weak point is not quite fully promise suggesting spectacles at night, because they very rarely do. Cien.

DREIKLANG (GERMAN MADE)

UP, the picture and release. Ray La Dager, Paul Hartmann, Victor Krumpholtz, Gustav, Franz Wever, directed by Ray Wever. Screenplay by Victor Krumpholtz. Based on a story by Leif Bruns. Music by Werner Krumpholtz. Edited by Fritz Schroder. Color. Paul Hartmann, as the hero, is a young man, 20, running time, 90 mins.

Cardella, directed, and La Dager, Albert, as the hero, is a young man, 20, running time, 90 mins.

(In German, No English Titles)
Excellent production, but somewhat heavy. The picture is a good draw the local theatres, although film deals in an interesting limited. The relationship of a widower with a son just past adolescence, both enamored of the same woman, is a story that is done with taste and considerable delicacy. Direction, camerawork and music are all very good.

Dager is the siren who attracts the attention of this pair as a father. Paul Hartmann, as the father, presents a picture of a vigorous, military type of man. George, as the son, is a young man, 20, running time, 90 mins.

Winning of the film has Hartmann shown in a duel by a rejected admirer. Dager has shown a party showing Dager, performing as a koocher. Pair had planned to sail for South America, and the son brings the news of her lover's death upon the scene. Dager has shown a party showing Dager, performing as a koocher. Pair had planned to sail for South America, and the son brings the news of her lover's death upon the scene.

RKO Buys WB Product

Gradowell L. Sears, general sales manager of Warner Bros., has been a deal signed for all of the Warner product by seven RKO theatres for the coming season. Houses involved are the Main Street, Kansas City; Capitol, Mainstreet, La; Orpheum, Sioux City, Ia.; Orpheum, Cedar Rapids; Orpheum, Davenport; Brandeis, Omaha, and Orpheum, New Orleans.

Ben Kalmon handled the deal for Warner, and Fred Myers acted for RKO.

DOCS AND DAISIES

Hollywood, Aug. 2.
Republic will make "Doctors Don't Tell." Liberty may announce which it recently purchased, as one of its 1938-39 anniversary special. Studio, through Moe Segal, production chief, is buying a story by Frances Hyman to be made by Armand Schaefer.

Million Dollar "Bride" by Alex Gottlieb, has also been bought by Republic. Studio packed Weylin Tolman to script hilariously musical to be made by Armand Schaefer.

OZONE TOUCHES

Hollywood, Aug. 2.
Airline hostess yarn, "Touch Angels," by Jerry Wald and Richard Macaulay, is slated to start at Warner's in the coming week.

Cast includes Ann Sheridan, Anita Louise, Jane Bryan, John Payne, John Garfield and Ronald Reagan.

THANKS AWAY

Hollywood, Aug. 2.
With Bob Hope and Shirley Ross in the top spots, "Thanks for the Memory" rolled yesterday (Mon.) at Paramount.

Midwest Ops Darkening Big Theatre

Signs to Effect Power Savings

Chicago, Aug. 2.

That theatre operators, particularly mammoth perpendicular electric signs blazoning the name of the theatre, have outlived their usefulness is indicated in the steadily increasing number of theatres which are no longer bothering even to light their big spectacles at night.

Orders are being sent through the Paramount circuit to keep the perpendicular dark. These orders are based on the decision that it is no longer necessary to blazon on the name of the theatres, since they are deemed to have already become established firmly in the minds of the public, and that the location of these theatres is also well known by the picture-going mob.

TEAR GAS BOMB ROYS 1,400 FROM PIC HOUSE

Hartford, Aug. 2.

Explosion of two tear gas bombs in the Proven theatre here Sunday night (31) drove 1,400 persons to the street and forced the closing of the house. Similar to one in the Tremont theatre, Boston, Saturday night (30). Both houses are owned and operated by F. E. Lieberman, of Boston.

No reason given by Keith Southard, manager of the house, and local state police for the explosion. Bombs, containing a high percentage of chlorine, were of the same type as those used in the Boston explosion. Bombs exploded within 10 minutes of each other after 9 o'clock.

Bombing followed a dispute with IATSE and MPO. For several weeks a fight of the union were stationed there, being withdrawn in June after Rufus Booth, of Superior Court, indicated he would grant "the theatre's application for an injunction."

Four of the house stated that three girls vacated seats in the rear of house, where bombing occurred, a short time before the explosion took place.

N. Y. Set Demolished

Hollywood, Aug. 2.

Old familiar New York street set for the United Artists house was torn down last week to make room for Sam Goldwyn's "Last Frontier," starring Gary Cooper.

Manhattan set was built for Goldwyn's "Street Scene" in 1930, and has been used in dozens of pictures.

public, and that the location of these theatres is also well known by the picture-going mob.

Instead of spending the power and upkeep coin on these signs, which contain only the name of the theatre, the circuits are moving most of this money to sprucing up the marquee. This is on the theory that the marquee carries the name and adds for the current attractions, and that the picture-going mob will see the show thru the theatre itself.

It is estimated that the cost of the average perpendicular in power and upkeep is between \$150 and \$250 a month. This, when totaled over some of the circuits in the midwest, touches as much as \$2,000 per month.

Where the theatres have a flat sum deal with the power companies the theatre are now negotiating with the utilities for a rebate on the guarantee that the perpendiculars will remain dark.

Operating cost of the perpendiculars has come to the attention of all theatre owners and several means have been devised to cut down on this cost. Excess circuit here led the procession in that direction by retagging all theatres which had more than five theatres in their names. Most of the Excess theatres there, under Logan, Va. etc.

While there was considerable expense incurred in redesigning and rebuilding these signs, it was figured as a saving in the long run on power and upkeep. Other theatres throughout the territory have followed, with the long names, radially being weeded out.

Old G.O.H. Teapots As RKO's 23d St. 1st Run

With the opening of the rebuilt Grand Old Theatre on Broadway (Thurs.) by RKO's a first-run name, the circuit is reported making a big haul on the 23rd Street, half a block away, which has been a second-run grind. Old 23rd St. is going to be the former owners of the G.O.H. It is understood, and will be operated independently.

RKO is calling its new house the 23rd St. Theatre, which means the old Proctor's will probably be given another name. New house will seat 1,800 and will feature first-run pictures on double bills, changing twice weekly.

New York Theatres.

There's a Better Show at the

LOEW'S STATE
Broadway & 42nd Street
Now Playing
"HOLIDAY"
HOLIDAIDAY
NEW FRENCH
IN PERSON

PARAMOUNT TIMES SQUARE
Now Playing
"THE TEXANS"
AL BERNIE

ROXY
Ragtime Band
—On the Stage—
25th & 5th Sts.
New Show

MUSIC HALL
"MOTHER CAREY'S CHICKENS"
Spectacular Stage Productions

EDWARD G. ROBINSON
"The AMAZING DR. CLITTERHOUSE"
25th & 5th Sts.
New Show

AL BERNIE
"THE TEXANS"
AL BERNIE

RADIO WEEKLY TRENDS

Chain Income from Time Sales

	1938	1937	1936	1935
January	\$3,792,515	\$3,541,999	\$2,881,215	\$2,995,037
February	3,789,025	3,295,782	2,714,300	2,761,319
March	3,806,831	3,811,283	3,037,873	3,025,308
April	3,310,505	3,277,831	2,741,928	2,682,143
May	3,445,289	3,214,819	2,561,760	2,863,211
June	3,200,589	3,003,387	2,323,456	2,380,845
July	2,956,710	2,707,450	2,429,993	2,306,935
Total	\$24,010,464	\$22,655,557	\$18,491,105	\$18,635,798

	1938	1937	1936	1935
January	\$2,879,845	\$2,376,820	\$1,901,023	\$1,769,849
February	2,680,325	2,284,317	1,909,148	1,564,481
March	2,693,716	2,559,716	2,172,262	1,800,923
April	2,424,180	2,563,478	1,950,939	1,615,389
May	2,445,283	2,560,558	1,749,517	1,287,455
June	2,120,235	2,476,587	1,908,708	1,005,729
July	1,367,357	1,988,412	1,292,775	910,470
Total	\$16,948,652	\$16,791,888	\$12,478,550	\$10,124,006

	1938	1937
January	\$308,854	\$212,748
February	233,250	233,266
March	240,537	247,431
April	189,545	200,134
May	154,030	154,030
June	202,412	117,388
July	187,108	101,457
Total	\$1,517,047	\$1,288,077

NBC Misses \$3,000,000 Month by 42¢; Mutual Ahead of '37; CBS Pace Off

Smallest week boasts largest percentage increase for July. Mutual topped 64% over its gross for the month over one year ago. NBC's increase was 9.3%, matching the pace of the biggest week's total but steady moving forward all year.

July '37, gross at Mutual was \$101,457, with last month's grab touching \$197,108. Cumulative total for the seven months which have expired in '38 is \$1,517,047, a 19.1% upping over the \$1,288,077 realized during same period last year.

Though its take last month dropped sharply from its record-breaking July gross in '37, CBS nevertheless had the second best mid-month month in its history, with a gross of \$1,367,357, as against the \$1,988,412 which July, last year, brought in. July proved to be the fourth consecutive month that Columbia this year has fallen back of last year, which is whitening down the lead the network acquired during January, February and March. To date CBS is 0.5% ahead of '37 for the cumulative seven months of this year. So far in '38 the network has taken \$18,635,798, as against \$17,991,888 during the same stretch last year.

NBC's gross this July was \$2,956,710, above the \$2,707,450 realized for the month last year. Previous to be the first month in '38 that CBS's take was wavered (only missed by \$2,000) under the \$3,000,000 mark. However, the seven months' cumulative total for '38, \$23,582,284, floats 5.9% above the total for the same period in '37, when it was \$22,655,557.

CBS on Monday (1) voted a cash dividend of 25 cents a share. Applies to A and B stock and is payable Sept. 9.

Consolidated income statement which is reproduced in adjoining columns net profits for first 26 weeks of 1938 of \$2,778,500, or \$23,820,800 first half of 1937.

Calkins' Operation

Elmira, N. Y., Aug. 3. John T. Calkins, general manager of WBSG, recovering from an operation he underwent last week for a gall bladder condition. It is not believed he will be able to leave the hospital for a month.

Before going under the scalpel, Calkins was hospitalized for three weeks.

SHIFT PERSONNEL

Blackett-Sample-Hummel Staff Revised in Chicago.

Chicago, Aug. 2. Shift in personnel at the Blackett-Sample-Hummel agency here sends George McDivitt, out of the space department as buyer, moving him up to the account section to serve on the General Mills account along with Max Dancer and Tom Milligan.

Jack Loucks, former space assistant, becomes chief buyer, with George Stanton, of the research department, becoming assistant space buyer.

MCA BANDS IN FITCH SERIES

Hollywood, Aug. 2. Music Corporation of America has sold a radio production idea, "Band Wagon," which will run the roster of its name bands. Fitch's Shampoo is the sponsor.

Beginning Sept. 4 with Guy Lombardo (picked up from Detroit) the band will include late yesterday of music plus a dramatic victim dealing with and built around the maestro of the week.

Harold Hackett will produce for the Johnston week to see another major program to air from Hollywood beginning in September. Understood the show will be the production boss for the western pick-ups.

Harold Hackett went to the Coast Sept. 9. Show will have an array of film names and will involve a heavy budget. Sponsor will be one of the large food concerns.

CBS' Cup Exclusive

Philadelphia, Aug. 2. Exclusive to the Davis Cup tennis matches at the Germantown Cricket Club here Sept. 3, 4 and 5 has been set by Columbia. WCAT will pump.

Later outlet also arranging much additional material for local consumption.

WILL SELL PUBLIC ON STATUS QUO

Many-Sided Campaign Soon to Get Under Way Designed to Strengthen Industry for Future Defense

LOCAL ROOTS

Washington, Aug. 2. Aggressive campaign to sell the public on the virtues of the broadcasting industry is being mapped out by the rejuvenated National Association of Broadcasters as part of a program to disarm critics and eradicate a bogey of Government opposition.

Multi-point plan, patterned in many respects after the good-will procedure employed by the motion picture industry, is being framed for application this fall. Preliminary steps are being made already, although real activity is still some months off.

Chief objectives of the effort are to bring about more active cooperation between local broadcasters and educational and cultural groups; to drive home to listeners the reasons why they should be content with the multiplying attacks on broadcasting along the general lines of:

1. To establish harmony between broadcasters and lawyers; and to develop business alliances with various trade groups.

Sadly Neglected. Motive behind the campaign, of course, is economic, and to a considerable extent selfish. But it is the sort of job that numerous elements in the industry have been in the past been sadly neglected and primarily responsible for the many assaults and threats of restrictive legislation.

Initial move in the cultivation of (Continued on page 54)

Long, Indefinite Delay Probable In WLW Decision, with Court Fight a Further Possibility

Wanna Fight?

Los Angeles, Aug. 2. Tossing their campaign right into the teeth of their arch foes, Florida orange growers have kept spot announcements on KFI to tell Californians how much better their citrus is than the Coast brand.

Big navel and valencia men of the state have not yet asked for rates on Florida stations.

Washington, Aug. 2. Complaints that 500 kw operation of WLW, Cincinnati, handicaps smaller stations in the North Central states and Great Lakes sector were filed with the Federal Communications Commission last week as two-week hearing on application for renewal of papers for superpower terminated Friday (28). Case was taken under advisement by three-man committee after the FCC had granted day-to-day extension of the present temporary permit for experimental use of excess wattage.

John Kennedy, principal owner of three West Virginia transmitters; Myron A. Elges, solicitor for Rambeau agency, and Robert E. Baumman, commercial manager of WIRE, Indianapolis, were the witnesses for the protest. Besides disclaiming any unfriendly intent toward small rivals, WLW crewed scold at the yelps.

Loosely talking was done by Elges. Concerned his experiences in trying to line up clients for WIRE but also describing the arguments employed with prospective WLW sponsors. Knew about the situation from two angles, since he worked for 11 months as a solicitor for WLW.

Young Rambeau league explained (Continued on page 34)

Smith of Albany Talks Regional; Postal Lines

Regional web of New York state stations on the ashes of old one is prophesied. Harold E. Smith, director of two Albany stations, WABY and WOKO, is leading spirit. Will

Would embrace outlets in Buffalo, Rochester, Utica, Binghamton, Troy. No New York City outlet is set as yet, but it is understood some talking has been done to both WMCA and WINS.

Postal Telegraph Lines, rather than A. T. & T. equipment, will probably be used. Postal facilities have seen use in the past, though not extensively, by intra-state regionals.

Since the New York State network, fountain-headed by WINS, folded last year there has been no regional operating within the Empire state.

CBS' STATEMENT

CONSOLIDATED INCOME

	July 3, 1937 (56 weeks)	Six Months Ended July 3, 1938 (26 weeks)
Gross income from sale of facilities, talent and wire	\$17,640,184.35	\$18,324,005.42
Less: Time discount and agency commissions	5,236,948.88	5,289,913.37
	\$12,403,235.47	\$13,034,092.05
Deduct:		
Operating expenses	\$6,553,339.72	\$6,855,215.04
Selling, general and administrative expenses	2,820,687.68	2,820,687.68
	9,374,027.40	9,675,902.72
Net income for the period before interest, depreciation, Federal income taxes and miscellaneous income	\$3,029,207.87	\$3,358,189.33
Less:		
Interest	\$17,252.41	\$24,830.99
Depreciation	248,432.06	292,722.09
Federal income taxes (including surplus of \$75,008.06 for 1937 and \$30,545.24 for 1938)	330,797.25	500,210.66
	796,502.22	817,763.67
	\$2,455,151.85	\$2,511,025.60
Add:		
Miscellaneous income (net) including interest, discount, dividend, profit and loss on sale of securities	66,661.63	67,166.58
Net profit for the period	\$2,223,813.48	\$2,578,192.01
Earnings per share	\$1.48	\$1.61

(Calculated upon the 1,707,590 shares of \$2.50 par value stock outstanding or to be outstanding upon completion of exchange of old \$5.00 par value stock.)

Frank K. White, Treasurer.

SAG SHOW FOR GEN'L FOODS LOOKS SET

Benton & Bowles' purchase for General Foods of Screen Actors Guild would be subject to completion. Agency would pay \$10,000 weekly for four names with for 39 weeks going to the Motion Picture Relief Fund. Show would go to NBC if the net can clear desirable time.

FAYE, MENJOU COMBO EYED BY TEXACO

Texasco is considering a fall radio show which would have as its top-cast Althea and Adolpho Menjou. It's just another candidate, though, as petrol outfit has blown hot and cold on several occasions, limited by agencies and networks. Inside is that gas firm and Buchanan's agency is in the thick of a variety show, a chase and a comedy will shop around for another month's before making a choice. A big variety show, a chase and a comedy will shop around for another month's before making a choice. A big variety show, a chase and a comedy will shop around for another month's before making a choice.

Rush to Air from WFIL

Schenstadt, Aug. 2. Ford Rush and Sid (Weber), who closed a 17-month engagement at WGY, Schenstadt, July 26, mentioned on all broadcasts the final week that they would work on the national commercial in the 11. Stated that listeners could hear them, although not where. New web is Mutual.

Rush, a radio veteran, met for some time, Washington, out of Cincinnati several years ago. They met with a radio show in Philadelphia, starting in September.

Carroll Carroll is working from script right on Kraft Music Hall, Lynn McNamara is in, Dick B. Jackson, Chas. & Saunders writing jobs after three weeks in New York.

Shut Out of Chicago Baseball in 1938. General Mills May Launch Big Revue

Chicago, Aug. 2.—With Kellogg having stepped in and snapped up WBBM for baseball next year, indications are that General Mills will lean away from baseball in the future and will concentrate on other programs for its afternoon listening audience here during the summer time. General Mills had considered the possibility of going over to WGN, but that was knocked out of the head when Old Gold recently renewed for play-by-play next year. While making a spread in other directions General Mills will likely continue with its baseball play-by-play on WIND, Gary, due to click of novelty presentation of baseball there. This period has 'rival' announcements, one for home team, other of going riding with the team, and is giving the gammas color and showmanship. In fitting themselves with this novelty show on WIND for baseball, General Mills execs are indicating they will spread on the local ether with a special 60-minute or 90-minute period during the baseball time, starting on Saturday afternoon, March, with the slot from around 2:30 to 4 p.m. "This will catch the baseball man's attention," says one who regularly start at 3 o'clock. Under discussion is a 30-minute variety program and a 30-minute dramatic show. Would use name talent for dynamic appeal, plus the performers regularly on the General Mills hour program.

'Big Game Hunt' 1st Flop Of Summer Quizzes. Revue Set to Follow

Bristol-Myers summer replacement show on NBC red for the vacationing set and Allen will see revision of a revue with "Comic Med." broadcast. Audience quiz stuff, which has been riding the past four weeks since Allen vacated to Maine, is getting the slot altogether and the program will adhere to comedy-variety formula.

With last week's show Stopnagle (Chase Taylor) replaced Norman French and Jane Minter, who will be a performer, with Harry von Zell doing the m.c.'ing. Stopnagle will handle the comedy, and the singing group, Merry Mack, added, plus a policy of best performers which began next Wed. (10). Peter van Steeden's orchestra, which did simple background music for the quiz show, will be in the "Big Game Hunt," will heretofore have to do.

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WFB, BALTIMORE, TO HAVE 'RADIO CENTRE'

Baltimore, Aug. 2.—Ground is being broken this week for Baltimore's "first radio center." The new building will include in addition to elaborate studio and business office layout for WFB, a 1,000-seat radio show house with play subsequent run pix behind downplay delusers.

Construction protected by Morris A. Mechanic, owner and operator of the downtown New theatre.

Charley Hamp Heard From

San Francisco, Aug. 2.—Once one of radio's top performers, Charley Hamp has returned to the air after considerable absence. He's sponsored by Rimm (climpy) over KFSO. Hamp broadcasts bellads and heard Monday through Thursday at 10:45 from beauty salon at City of Paris, Frisco department store, and Sunday from KFSO. Weekends he professes to Hollywood, where he is producer of radio at Max Reinhardt Theatre School.

Sour Economics

Hollywood, Aug. 2.—Sustaining payers at a local studio are having the last laugh on commercial advertisers. Sponsor is paying \$7.50 per show for minor parts while studio sustainer charges for radio readers at \$10 a program. American Federation of Radio Artists promulgated the sustaining fee.

NON-REWORK GRACE PERIOD BY A.F.M.

American Federation of Musicians has agreed to a compromise of independent broadcasters, representing the non-work stations, an extra month for small stations into line for signing pacts with the musical union. Deadline was Monday (1), but the AFM consented to postponing the showdown till Sept. 1 after a meeting in New York this morning. The matter is pointing out from the ranks of the independents.

In getting the union to extend the matter, the broadcast committee assured the AFM that during the added month's grace enough of the stations would sign pacts with their local unions to make a general agreement possible.

It would need to sign its local in an effort to speed negotiations. There were instances cited of stations and their local standing off with each other on terms both sides agreed to move in jointly to hasten pact signing in these situations.

All the key towns around the country have long been signed up with their locals. And in getting their smaller brethren to hurry it up, the indie broadcasters' committee on the matter is pointing out the necessity of coming into agreements with their locals to insure the continuance of the unrestricted use of transmissions and records.

2 LEGITIMES OFFERED

Guy Robertson and Audrey Christie Feuding in Radio Package

Guy Robertson and Audrey Christie have worked out a new musical program idea and are dickering with an advertising agency for a commercial hook. Session is aimed at 30-minute, one-weekly stanzas with an audience reaction wrinkle. Robertson would be m.c. and Christie featured. Figure on the continuance of the decision is expected from the agency tomorrow (Thursday).

John Christie is currently featured in "I Married An Angel" at the Shurt, N. Y. Robertson left plans hanging on play list, but being rewritten.

Stir Cream of Wheat

Interest in Airing

Batten, Batten & Dunsen, a Chicago agency is trying to warm up to launch the most recent addition to its list, Cream of Wheat per W. Ayer. Two products are on bidding via fast foods.

John Cornelius, CBO v.p., in charge of the Minneapolis office, is account exec for Cream of Wheat, which is headquartered in the Minneapolis office.

Willson Sails for N. Y.

Meredith Willson, musical director of the NBC radio show "The Music from London today" (Wednesday), where he has been on a European vacation, is scheduled to sail for the British capital and Paris.

Willson is cutting his foreign on-air short in the summer, but is research in New York before returning to Hollywood, where he rewrites this Metro-Goldwyn-MGM show, "Good News."

Bob Wilson Leaves Maxon For N. Y. Talent Reppers Robert C. Wilson, Jr., joined Wilson, Powell & Hayward radio talent agency yesterday (Tuesday). Will handle radio department. He resigns from Maxon, Inc., to join the firm. Prior to that time with CBS. No relation to Roy Willson, head of new outfit.

WMCA ACCEPTS LABOR TERMS

Washington, Aug. 2.—Recognition of the American Guild of Radio Announcers and Producers on the payroll of WMCA, New York City, is provided in a peace pact negotiated by the N. National Labor Relations Board.

Formal order shelving unfair labor charges directed at the Knickerbocker Broadcasting Co. Less issues. Monday (1) disclosing management's readiness to talk turkey with the union. The back-to-back terms hands allegedly fired discriminatorily. Reinstatement with back pay was a follow-up. In settling, \$216; Richard Bayle, 1988, and Anton Leander, 1985.

Management promised to stop trying to dissuade its payrollers from joining the AGRAP or any other union. Will give workers full rights and privileges guaranteed employees by the Wagner act.

If required, the management will bargain collectively with the Guild as the exclusive spokesmen for the announcers and production men, help regarding pay, hours of work, and other labor conditions. Station is one of the Inter-city week members.

DOC LEVY OPENS DEALS

FOR BOAKE CARTER

Philadelphia, Aug. 2.—Boake Carter and Doc Levy, prez of WCAU, his personal manager, are confabbing with several top sponsors for a new radio labor, but it was said here this week that he'd probably be off the air when his pact with General Foods expires on Aug. 28. Carter's experience on the airlines for the first time in long years is expected to be only temporary. Just how long it will last depends on how fast General Foods failure to renew reported due to inability to get the deal it wanted.

It was known that the firm was never satisfied with the 6:30 p.m. spot it had, and that the station was expected to be a large of the mountain territory where the product has good sales and distribution.

Walter Craig Mounting Show for Joe E. Brown

Late in August Walter Craig, currently producing fall radio show for Joe E. Brown, will begin conducting a contest among Hollywood stars to find boy and girl singers for the program. Youngsters must be registered and will be offered feature spots with Brown. Auditions will be wide open to all qualifying.

Montgomery writer, Walter Craig, has prepared a complete script show which will keep Brown in running. Contracting for the show, left New York for Detroit, Monday (1); will be back later in week to prepare for Brown show.

He will use new stage, T. mechanical room, and a new radio.

Davidson Taylor Upped; Now Aide to Program V.P.

Davidson Taylor, chief in music department of CBS, has been upped to assistant to Bill Lewis, network's v.p. in charge of programs.

Stepping in for Taylor is George Zachary, who has in the past been in charge of rector music at Columbia.

Tr Brubaker Turns Actor

Hollywood, Aug. 2.—Truman Bradley checked in at Metro last week to start his acting career.

Likely, that he'll supplant Ted Pearson as announcer on the Good News show when it resumes in the fall.

Eddie Cantor Will Have New Child Singer When Resuming for Camels

Boxtop—New Style

San Francisco, Aug. 2.—One contract means business. S. & W. Coffey's I Want a Divorce on NBC Coast City, was asked for strip from can of coffee.

Contract submitted the entire can—unopened.

Same Old Talk, Same Old Pact, WLS-NBC Renew

Chicago, Aug. 2.—Series of meetings between WLS and NBC executives indicated that the Prairie Farmer station and the network will renew their affiliation contract which expires on Oct. 1. There has been talk from time to time that WLS would pull away entirely from NBC and go completely independent. But at present neither NBC nor the station want to part company, and it's a cinch that they will straighten out their few difficulties and continue their affiliation.

Most of the discussion on the new contract involved sound rates and hours. WLS wants a bigger slice of coin for carrying the network shows and also does not want to give the network as many optional spots as it has in the past.

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Eddie Cantor resumes Oct. 3 on CBS for Camel with a new child prodigy, a sonneteer of the Deanna Durbin caliber whom the variety act of Holt and Rosedale discovered for the comedian. Jacques Renard's "The People's Choice" (Wed.) and "The People's Choice" (Wed.) is slated to go into work Sept. 15. Harry Tugend best ed the script on that Art Arthur collaborated, so that Cantor and Darrell Zanuck, who got in from European sojourn on the same boat Monday evening, may pull it further on route back to the Coast at the end of this week. Both the 20th-Fox production head and Cantor remained east for the big summer's "lasting" of broadcast-circuit (Wednesday).

Film's Radio Theme

Idea of "The People's Choice" (film), incidentally, will be a radio theme, treating with Mr. Average Man, and what products he chooses from the radio exploitation.

Main objective of Cantor's last 16 days abroad was to raise funds for the Austro-German refugee youth, in order to expedite their settling in America. Cantor committed to \$100,000 drive. Cantor surprised everybody, including himself, by giving \$50,000 in Great Britain for his present pet charity.

Daniels & Fisher The Probable Denver Sponsor Of Mutual's New Co-Op

Denver, Aug. 2.—The Daniels & Fisher radio store, looks set to become the Denver underwriter of "The Show of the Week," co-operative show with Mutual, which New York program producer Ben Roocke and ad agency Revere, Inc., are sponsoring. Mutual start. No contract has been signed as yet; will be department store's first radio show. It will have its local outlet over KFEL.

"Show of the Week" will be produced on a deal with Mutual Corp. of America. The latter furnishes a different name band weekly and guest performers are used. All airings are to be from New York. Norman Livingston has been touring the hinterland for the past two months contacting prospective local co-operative sponsors; it is understood that at least six have been virtually signed up. A late summer start for the program, but it is known that no New York bankroller for WOR has been pacted as yet.

BARBASOL SPONSORS GABRIEL HEATTER

Brwin-Watney agency has pacted Co-op with Mutual for the new singing series this fall for Barbasol. No time has been cleared as yet, but the program will be on the air.

Last season Barbasol tried several different names for the singing series, but all failed. The program will spring forth with Arthur Godfrey's song-and-act trio weekly over KFEL. Godfrey will be back in the same spot this autumn.

Pet Milk Saturdaying

Pet Milk has bought the 8:30-9 p.m. slot on Saturday night on CBS for a series starting Aug. 1. Tentative lineup as it stood yesterday (Tuesday) embraces Roy Eastman, Bill Perry, the Screeners and Gus Henderson's orch.

Roland Martin, radio chief at the Gardner agency, is still auditioning, however, and contracts for another week will not be signed for several weeks, in all likelihood.

Ray Paige Off 'Hotel'

Raymond Paige, musical director on "Hotel Hollywood" for the past three years, will not swing the baton in the Campbell show when it resumes in the fall.

It's now in New York.

McCooker to Europe

Alfred J. McCooker, pres. of WOR and Mutual web exec, said Aug. 2 (New York Times) that he will leave the network to go to Europe.

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THE COMPETITIVE SCENE ESCAPE PRICE

16 Stations in Buenos Aires Probably Will Be Merged Into One—Drastic Control Measures Going Through—Still Some Commercial

By FRED MAREY.

Buenos Aires, July 27. When, about a week ago, it was leaked out that the General Post Master, Adrian C. Escobar, had asked the President of the Argentine Republic, Dr. Roberto M. Ortiz, for a decree canceling all concessions of the private broadcasting companies, move apparently came as a big surprise, even to those intimately connected with the industry. That surprise, however, turned into anger when word came that Escobar had accused the broadcasters of damaging the "morale" of the country and destroying the standards of taste by their programs.

Now a report has been published which has been quoted by Escobar as reason for his action. It was prepared by Adolfo T. Consentino, chief supervisor of the radio-communication section of the Argentine G.P.O. It's dated July 27. "Does not contain a word which, broadcast or not, justified strong language used by postmaster in his report dated July 27."

Briefly, Consentino made this wide gap between a few excellent programs and the bulk of the airings, the artistic value he said was very low. Furthermore, no cooperation existed between the different broadcasting stations, so that often the same program was carried independently by several stations. Also similar programs on simultaneous, so that the radio audience could not switch from talks to music and vice versa. Finally, competitors of the radio broadcasters to offer cheap and vulgar entertainment in order to attract the largest possible audience, i.e., the least common denominator.

This is a complaint which might be made by any broadcaster in most countries. Consentino's suggestion was that a commission should be appointed in order to investigate and make the necessary suggestions for normalizing the situation.

Based upon this report, Postmaster-General Escobar made an order to President Ortiz on July 27. After lengthy historical considerations, he decreed that "the desolating balance of the moral situation of Argentine private broadcasts, the presence of dangerous to the spiritual health of the people, attacks on the moral and the good taste, and of the urgent necessity to protect radio-listening safe for women's children."

In accordance with this demand, the President signed a decree, dated July 6, nominating that commission, five members of which are: Juan Vazquez, head of the telephone department; Adolfo T. Consentino; Dr. Carlos Rivera, Argentine delegate to the Cairo conference; Benjamin Gache and Alfredo G. Perez, representatives of the private stations in an advisory capacity. Commission will report to the G.P.O.

Following the signing of the decree, the President took good care to limit the order of examining the programs of private stations, and to those stations, the charters of which are not of a permanent nature. There are now operating in Buenos Aires a couple of years ago, when it agreed to build the plant of the State station, now operating on a 50 kilowatt power of 50 kilowatt, on a non-commercial basis. L.R.A. by the way, has no studio, but uses those of Radio El Mundo.

Presidential decree met with mixed reaction from private stations. Some disputing the right to investigate into the activities of the private stations; to change regulations under which they may continue to work, and even to cancel (except, of course, in the case of a license).

Association of Broadcasters Argentines (ABA), the trade organization Argentine private broadcasting companies, made no move at all. L.R.A. is not a member as a conse-

quence of this station's special situation.

Off-Color Tangles
Managers of the individual stations are rather shy in expressing views, they are afraid of unfavorable repercussions in official quarters. Teodoro Prieto, owner of Radio Prieto (LS2), is quoted as having recognized that something should be done to purify the lyrics of some tangos. He hopes, however, due consideration will be given to the latter industry involved and the heavy capital outlay by private individuals.

Jaime Vankelievich, owner of Radio Belgrano (LR3) and operator of the "Primera Cadena Argentina de Broadcasting" network, won't be quoted but friends state, he doesn't feel differently from Prieto.

There are, however, a government-imposed highway policy would help Uruguayan stations with a corresponding loss for Argentine. Situation would be similar to that of the British Broadcasting Corp. which so far has vainly tried to keep Loughborough and Radio Normandy out of its territory.

Radio Imports?
In a later interview to the local press Escobar emphasized that he didn't dream of nationalizing the Argentine broadcasting system and that the commission would be entirely free to suggest measures, suitable to the purpose of the public standards of local air programs and of safeguarding the commercial interests of private stations. It seems, however, as if there are certain trends in government quarters to nationalize Argentine artists and even foreign records from the programs as far as possible. Only outstanding situation is the case of L.R.A. should make an exception from the general rule.

Other managers of local stations who prefer, however, to remain uninvolved in the matter, think the government is the last one to criticize private broadcasting, as regulations are already in force. On July 9 showed the official stations completely unprepared for handling the situation, and the government said (although no confirmation is available) to have muffled military parades instead sequences of records with military band music was subdued. Municipal station LSI which broadcasts a great number of sponsors, f. t. the national and tendency is welcomed by many, but regretted also by others who still see in free and fair competition after the example of the U. S. the best way for a gradual improvement of broadcasting levels.

**French Listeners Protest Curtailment
Of News on Government Stations**

Paris, July 25. A recent governmental decree cutting down the amount of time which private stations are allowed to broadcast the morning hours has resulted in a storm of protest from listeners and the press world in general. Frontiers to evolve into a bitter battle between radio stations and the press.

The Government has decided that news broadcasts given in the morning by state stations are to be according to the following schedule: "The first period shall be between 6:30 and 6:45 a.m., and the second between 8:30 and 8:45 a.m., and the third between 9:30 and 9:45 a.m."

BELGRANO EXPANDS Enlarges Building in B.A.—Harry Key to Chile

Buenos Aires, July 27. Radio Belgrano (LR3) is getting race fitting with local studios enlarged. Front and interior of building will be torn out with improvements going into old shell on Belgrano avenue.

Addition of three more floors to three-story building is contemplated. In all building will house eight studios, giving Belgrano largest studio space in S. A. All studios will be on three upper floors with administration offices quartered below.

Harry Roy, British band leader, having finished his eight-week season in Buenos Aires, has moved to London and concert tour. He's husband of one of white princesses of Sarawak, Borneo.

gala performance of which was about to be broadcast by the station.

Four weekday afternoon programs of the very moment when the private companies are accused of lack of good taste have not diminished the official case, all being as they are, there is however, a good chance that some of the managers will be forced to merge with larger ones, the final goal being to have only four commercially operated groups with representative programs and without commercial outlay; the Argentine broadcasting system, at the same time, but preferring lighter competition with a possible concession of the official case, but only for national-owned trusts.

Furthermore only two 100% commercial stations are allowed under strict state supervision. First would be Radio El Mundo (LR1) which would come into existence before under its permanent concession. The second group would be formed by amalgamation of all the other 18 stations operating in Buenos Aires. This simplification performed, similar regulation for the stations operating in the interior of the country could be easily arranged.

It is quite obvious that the whole matter, after the excitement of the first days, is no longer officially considered as a case of censorship. However, the new rules will be discussed the details of the split and in the meantime the station's music is being supplied by electrical transcription.

**New Luxembourg Show
For English Commercial**

London, July 27. Luxembourg radio station, airing English commercial programs, has new program of improved type. Sponsored by Symington Sons.

Quarter hour includes A. Bowlby, who is decorated by the British Rhythm Boys and Harry Karr, Canadian clarinetist, to lead the band. Bob Dym will conduct the program using an occasional guest artist.

Two already signed are Eddie Pearson and Fred Astaire. French singer from the "Nine Sharp" revue will headline. Show is being produced by the French firm of Gaumont-British publicity office, and with Mother & Crowther.

Manfroy will have 13 weeks series (E.T.) for Showbiz comedies over Luxembourg.

English Notes

Walter Hyden and the Cafe Collette orchestra, back on B.B.C. programs for three broadcasts after absence of a year, touring the high spots.

B.H. Thiden demonstrating tennis on television program.

Third B.B.C. "Seaside Nights" program, featuring the garden, will be hooked up to NBC and Empire transmitters.

Dance bands from "Queen Mary" and "Empress of Britain" being aired by B.B.C. July 29.

Rummy Berlin Orchestra, from Atlantic City, third of American combination broadcast by B.B.C. in new Saturday night series.

Reginald Foort, theatre organist, to quit B.B.C. at \$125 a week for playing the U.K. music halls at \$125.

Law series of 52 half-hours from Radio Normandy between 1:30 and 2:00 p.m., on Sundays, starts immediately. The series will feature the orchestra feature Teddy Joyce orchestra and guests.

S. C. Johnson & Sons, makers of Johnson's Glo-Coat, which were awarded the title "winners" from Radio Normandy, have now booked a series of 52 week-day programs on the official case. Contract was placed with the I.B.C. by Erwin, Wasey & Co.

WIL. ST. LOUIS, IN TIFF WITH MUSICIANS

St. Louis, Aug. 2. Differences between WIL, operated by the Missouri Broadcasting Co., and the St. Louis Local C.A.F., which was in the studio earlier, are being carried out. The C.A.F. strike two weeks ago has reached an impasse although the matter has been discussed for some time. The C.A.F. and back here again. When Edgar P. Shutz, general manager of the station, and the St. Louis C.A.F. representing the toolers, were unable to reach an agreement here the week before in New York to discuss it before Joe Weber, national president of the A.F.M.

The C.A.F. to quibble there resulted in a stalemate and the St. Louis returned here where another pow-wow was held Friday (29) with no progress resulting. Neither side will discuss the details of the split and in the meantime the station's music is being supplied by electrical transcription.

New Luxembourg Show For English Commercial

London, July 27. Luxembourg radio station, airing English commercial programs, has new program of improved type. Sponsored by Symington Sons. Quarter hour includes A. Bowlby, who is decorated by the British Rhythm Boys and Harry Karr, Canadian clarinetist, to lead the band. Bob Dym will conduct the program using an occasional guest artist. Two already signed are Eddie Pearson and Fred Astaire. French singer from the "Nine Sharp" revue will headline. Show is being produced by the French firm of Gaumont-British publicity office, and with Mother & Crowther. Manfroy will have 13 weeks series (E.T.) for Showbiz comedies over Luxembourg.

Radio Firm Incorporates

Albany, N. Y., Aug. 2. Greater New York Broadcasting Corp. has been chartered to conduct radio broadcasting, business, with principal office in New York. Directors are: Morris Zimman, Sylvia Brenoff and Samuel Levy. The stock consists of 18,500 shares, \$500 at \$100 par value and 10,000 at \$50 par value. The company is headed by Sanford H. Cohen, attorney.

RAMBEAU'S NEW AIDES

Chicago, Aug. 2. William Rambeau has added two more to his station rep staff. Locally he has hired George O'Leary, formerly with the Ruthrauff & Ryan agency, with New York has brought in Allen Kerr, who has been in the station rep biz before.

STAND. BRANDS CANADIAN SHOW IN OCT.

J. Walter Thompson agency will return "Spotlight Revue" to a spread of 16 Canadian stations in October. Program, which originally started in Toronto, plugs all the Standard Brand products. Rupert Caplan will produce the program and, using Canadian talent.

"Spotlight" is the show which Thompson, three into shape last spring when the agency decided to cut the Canadian coverage of the Rudy Valley program and in place use a show built within the Dominion. Disposition was that such a move would win goodwill from the Canadians.

WPEN CONTEMPLATES ARTISTS BUREAU

Philadelphia, Aug. 2. WPEN, under new management, anxious to get as many new acts as possible on the before fall, when all the stations in town begin hunting talent. Arthur Simon, G.J. Babcock and Smith, listening, in place use auditions a week. Have already added seven new acts in three weeks from the artists' bureau.

W. C. Canto now, but station contemplating the artists' bureau, which acts will be "paid off" in outside jobs.

'Five Star' Vacations After 7 Years on Air

St. Paul, Minn., Aug. 2. "Five Star" program, which has been on the air for seven years, is being re-estimated on the air. It is taking a month from its accustomed stand on WMCA, and the Inter-City regional. The program will be on the air in seven years.

Highly program faded with the winding of a year. The program is provided by North American Insurance. No bankroll has been secured as yet against program's return to the air.

WTMJ Sets Football For Wisconsin, U. Packers

Milwaukee, Aug. 2. Milwaukee-based WTmj has lined up five programs for its football coverage this coming season. Will broadcast University of Wisconsin games on Saturdays and the Green Bay Packers top tussles on Sundays.

In addition will have Harry Struhliher, U. of Wisconsin coach, exclusive for three weekly 15-minute evening spots during the season; the 15-minute period before the Wisconsin games, with Charlie Nevada; the 15-minute slot following the games for follow-up comment and news. The program will follow the Packers game for comment and anecdotes.

Mutual Football Aug. 31

Mutual will air the season's first game on Aug. 31 from Soldiers Field in Chicago. Charly will play at 10 p.m. and the game will be played at 10 p.m.

Participants will be a group of College All-Stars, selected via newspaper circulation-building poll, and a group of college players. Redskins, champions of last year, will be an annual. Bob Elson, WN sports-caster, will be the Mutual Mike.

Neal Barrett Lead Up

Fort Worth, Aug. 2. Neal Barrett, Heart chain v.p. and head of KOMA in Oklahoma City is in a Ft. Worth hospital suffering from streptococcal inflammation. Barrett is reported improving by physicians but length of his confinement remains uncertain.

WHN APPOINTS PETRY

After a search for a national sales rep for the past year-and-a-half, WHN, Low-owned New York City and head of KOMA in Oklahoma City becomes the first and only Manhattan station on the Petry list. The rep to handle WHN was E. Katz.

THE GREATEST BOXOFFICE

Irving Berlin

ALEXAN

RAGTIME

TYRONE POWER.

Featuring a pageant of Irving Berlin songs including 26 favorites of yesteryear and 2 smash hits of tomorrow "NOW IT CAN BE TOLD" and "MY WALKING STICK"

SUCCESS EVER PRODUCED!

LEADERS IN BAND

An American Cavalcade

LILCE FAYE • DON AMECHE

and
ETHEL MERMAN • JACK HALEY
JEAN HERSHOLT • HELEN WESTLEY • JOHN CARRADINE
PAUL HURST • WALLY VERNON • RUTH TERRY
DOUGLAS FOWLEY • CHICK CHANDLER • EDDIE COLLINS

Directed by Henry King

Associate Producer Harry Joe Brown • Screen Play by Kathryn Scola and Lamar Trotti
Adaptation by Richard Sherman • Lyrics and Music by Irving Berlin • Dances staged by Seymour Felix

Darryl F. Zanuck In Charge of Production



Right to Report What It Sees

Asserted by KQV, Pittsburgh, In Answer to Pirates' Action

Pittsburgh, Aug. 2. Judge J. P. Schoonmaker, of the U. S. District Court, has granted an injunction restraining KQV from announcing play-by-play accounts of Pirates games at Forbes Field by "remote control." Case was argued last week.

Representing General Mills, Attorney E. M. Webster said, "the public is entitled to proper supervision and proper set-up in broadcasts, and it is not to be deceived by KQV." He told the court that unless the unauthorized broadcast is stopped, General Mills will be forced to cancel \$1,250,000 in sponsoring contracts with NBC.

Arguing the case for KQV, former Judge Elder W. Marshall said: "The question involved here is whether a person should be restrained from seeing things while he is on his own land about the things he witnesses. That is a right from which we cannot be deprived."

Replying charges that KQV's game information was obtained by "peeping over the fence," Webster said that the station's observers were stationed at vantage points outside Forbes Field. Broadcasting contracts have been leased such as placed, and consequently was literally on its own premises. KQV had no observing of authorized broadcasts at Forbes Field and spies on the outside."

Judge Marshall, for the station, insisted "we have a right to broadcast news as long as it does not prejudice other broadcast agencies." At the beginning of the season, we decided to broadcast without a sponsor. We held a meeting with officials of the baseball club and told them we did not intend to broadcast their games. And we broadcast in four ways, by Western Union subscription, spectators in the park, by telephone and by radio."

"At home, the KDKA-RWSW broadcasts last continuously for two hours more without interruption. In our tabulation of a game, only 12 minutes are used to inform the public what happens."

News Is Asset.
Judge Schoonmaker was told by Pirates' attorneys that the public is part of a baseball club's assets; that the major leagues have formed this news as a source of revenue as much their own as the fans themselves and that they should be granted the same rights as outsiders such as KQV who peep in from the outside and report what they see.

In rebuttal, Marshall for KQV declared that if the Pirates wanted to stop outsiders from peeping into their affairs, they should prevent them from looking into Forbes Field. "I can observe what transpires inside," he said, "and with broadcast what we see, that is the hard law of the Pirates."

Judge Schoonmaker didn't indicate when he would hand down a decision with case considered everywhere a unique one. He said he was stumped. Expected that he would rule out a host of new precedents in radio, with particular reference to airings of big sports events.

Seattle Sports' Rights

Seattle, Aug. 2. Middle weight championship fight at the Civic stadium between Al Hotak and Freddie Steele, with the crowd crowned after one minute and 42 seconds, was the first of Tuesday and there were plenty of questions asked by the listeners. In the contract with the station, it received \$2,500 on radio broadcasts could not Duxman, promoter, could not sell the rights of the local stations, he tightened everything up.

Pirate wires were not permitted at the ringside unless the news boys

agreed to hold up transmission of story until fight was over. Harry Smith, sports editor of San Francisco had a private circuit in the stadium for KQV and was not out of detail until the fray was over.

At the knoutout, all the scribes were told to keep their eyes on the press reel also rushing the flash to their stations. There was no attempt to booth the fight, but there were lots of propositions made to the local stations for ideal setup for short-waves on adjoining houses. Seattle experienced such a booting broadcast two years ago from an adjoining house. The attempt to look out binoculars with heavy canvas around the fence. The reaction to this broadcast was, not to the advantage of the station sending it out.

DICK RICHARDS' TEAM FINALLY MAKES WJR

Detroit, Aug. 2. Grid game airings situation here this fall just about cleared up, with setting of Detroit Lions pro contests for WJR and the sponsored by Chrysler Corp., Placed by Lee Anderson agency.

Although Lions are owned by Dick Richards, operator of WJR, this season is first time WJR has been able to clear time for grid broadcasts, due in part to Father Charles E. Coughlin's Sunday afternoon broadcasts, which were picked up by WJR. This has been remedied this year by switch of premises to later hour, avoiding conflict with grid airing.

Harry Warner, WJR sports editor, will be at Mike for both home and away games, with Harry Kipke, newly-created post of "sales planner" coach, as between-half commentator. Lions games for past couple weeks have been aired over WJBK, at Al Nagler at Mike.

WJBK, however, has signed up airings of U. of Detroit football with Automobile Club of Michigan. Footing bill. Nagler will handle play-by-play on home games, only ones set to be aired.

Broadcasts of U. of Michigan and Michigan State games will be handled, but WXYZ is working out details with Oldsmobile for sponsoring of Michigan State games from Lansing over its state web. Oldsmobile backed itself last fall.

WJR, which has a M. grid contests, hasn't completed setup for the fall, but understood station will air "on regardless of sponsor," done in the past when no backer could meet U. S. requirements.

TV Byron will make.

WARNOB, PAIGE FACE FUGUE AT STADIUM

Pair of pop band bachelors, Mark Warnow and Raymond Paige, will guest conduct the N. Y. Philharmonic Orchestra in concert in Lewiston Saturday next (10).

Warnow will lead the dignified band, while Paige will play the tunes including "Powerhouse" and "Sing Something Simple." Later is expected as a soloist with a broad-based a smoky swinger scored by Warnow's brother, Raymond Scott.

Palmer Baldwin at WFIL

Philadelphia, Aug. 2. E. Palmer Baldwin has been given a radio show by WFIL, which will be co-ordinated sales and production department. The show will be a collection of finds it easier to market.

Baldwin for five years was space writer and associate exec with Addison-Vance, Inc., Buffalo. He more recently had his own agency in Niagara Falls.

Bad Vacation Start

Philadelphia, Aug. 2. Joe Connelley, WFIL sports editor, had to be carried on to the South American cruise boat on which he is spending his vacation.

He stepped into a hole in the sand at Ocean City, N. J., a few days before he was to leave with his wife and leg, and sprained his back and leg.

Does a Corrigan

Washington, Aug. 2. Frank played unwittingly on rival circuit by George Corcoran, NBC announcer, during his recent vacation in California, but he is raising money for the Red Cross.

Feet by the Los Angeles Chambers of Commerce, Hittman was asked to make a speech, leaving out politics and advertising. After making a few political observations and remarks, NBC announcer, during his recent vacation in California, but he is raising money for the Red Cross.

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Radio Salesmen's Guild Organized by 6 WPNH Hands; Has No Charter

Manchester, N. H., Aug. 2. First unit of Radio Salesmen's Guild has been organized at WPNH here. All six salesmen at the station are members of the guild, which has made no A. F. of L. or CIO affiliation yet. Leonard Fell is president.

Unit's demands were presented to the station management at a confab last week. Principal requests are for job security and increased commission.

STRAIGHT 75 MINS. FOR GENERAL MILLS

Chicago, Aug. 2. General Mills will have a straight 75-minute period on NBC with the aid of a new 15-minute period just ahead of the regular General Mills program running from 2-3 p. m. New York time.

Show is "Happy Gilman" for Cornelia Gilman, a 15-minute program which has been testing this show around the country, but show will go on spot when it is added to the network.

Set-up slated to start on Aug. 22.

BLANCHE BATES' PROGRAM

Sacramento, Cal., Aug. 2. Blanche Bates, onetime Belasco legit star, started in a special broadcast over KFJB (2-3). Came up from San Francisco, where she is Mrs. M. Bates in private life.

Dramatization depicted early theatrical history of Sacramento from 1849 to 1900. Frank Nicholson led the script.

Lanny Ross Deal Pends

Lanny Ross is due east for several radio guest shots and to talk over a fall show being negotiated by Columbia management.

He'll stop over at Moline, Ill., en route to New York for a musical festival.

Humor Before the Morning Coffee Typically American—And Spreading

Humor in the morning—early is probably a typical American, or typical of the United States, is spreading town by town and station by station. The first radio station to include "The Day Right" show, has (two days a week) Jim Yerian take a mobile unit, with a car and a microphone, to various sections and interviews suburbanites at breakfast and passing out jokes to work.

Yerian has a telephone in the studio and has listeners call in answers to their requests for numbers, and with the studio end of the conversation going on the air, the mobile unit is out to early morning fare has followed lead of WCOP, where Tom Haffey still conducts his "Musical Comedy" in novel, screwball fashion. Haffey ad lib commercials and all announcements, with a few jokes and sound-effect records for laughs. Program has attracted unusual attention, and while the word of mouth is about 50% for and against, biz on show is up over 100%.

Next solo on Gulliver, plays along with transcriptions, does impersonations, fake street interviews, etc.

WBNS, which had a 12-week contract with the "Day Right" show, has (two days a week) Jim Yerian take a mobile unit, with a car and a microphone, to various sections and interviews suburbanites at breakfast and passing out jokes to work.

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Art Hayes' WABC Early Bird Policy Designed to Put CBS Key Into Purely Local Competition

COIN BAITS 'EM WRC Audience Shows No Mix with Telephone Company

Washington, Aug. 2. Platter show, put on by WRC, has forced local phone company to increase its "Hello girls" by 25 at program time during past few weeks.

Audience-participation novelty, conducted by Bud Barry, NBC announcer, has been asking riddles of knob-twiddlers and offering one fish for the first correct answer. It is called "Riddles and Rhythms" and has the phone outfit plenty burned, as many people analyze the riddle for a stray dollar that WRC has taken for fun to put on six girls to be selected daily—all at a cost that change can handle. Most persistent customers pull a gag by dialing all but final number until they can think up an answer, and then twirling the final digit.

BURGLAR ALARM VIA SHORT WAVE RADIO

Seattle, Aug. 2. James O. Howler, who owns Seattle from Freewater, Ore., early this year has received approval from C. C. for his new burglar alarm system operated by short wave radio. It conveys an automatic call direct to police radio as soon as any part of the circuit on the premises is broken.

Working through a transmitter installed in the building and to a receiver in the home, the system operates from any part of the premises through an intricate series of switches. The system, which is being made here now in various buildings.

100% Is Good Anywhere

Philadelphia, Aug. 2. Murray Arnold, WIP pa. and gaber, local radio personality, has been picked up by the Sportland Can since there is a radio music quiz on bands, vocalists, etc. Arnold through the year runs a 15-minute show nightly of discs of pop ocherz under the name Tom Kocak.

When it was announced that Arnold had won with a score of 100% he identified himself and volunteered to step out because of his professional station, but house, by a show of hands, voted him the prize anyway.

Allice Cornett in Hospital

Allice Cornett, who recently faded off the air with the Coca-Cola show, currently bedded in Harkness Pavilion, Medical Center, N. C., is recovering nicely.

She's recovering nicely.

CBS' cog station, WABC, N. Y., revamped its early a. m. schedule in an effort to meet direct competition with the type stations of New York. The new schedule, beginning with 10 o'clock of biz. WABC at present has about one 15-minute program most during the whole week from time station starts airing (6:45 a. m.) until it joins the network (8:30 a. m.) Time underlines is the Friday 9-9:15 a. m. niche with Arthur Godfrey doing for Hecker

In altering its early morning program layout, WABC is trying to cut the sales cost to make them more competitive with the stuff on the indie stations. No orchestras offered. Programs all blocked out by quarter hours.

Not in Phone Book
Until CBS recently got busy about building up WABC as a new outlet, the station was hard to distinguish as an entity in the maze at Columbia headquarters. Until the drive was put on the station was not even listed in the phone book on the basis that it was a CBS building; nor was there a printed rate card.

Now Art Hayes has been put in charge of negotiating WABC time sales, with an assistant, and the Columbia people are making a big effort to lend support in wedding programs to fit the single station; in past the department conducted the station's shows designed to web spreading.

New program plot goes into effect July (Wednesday). Daily, 6:45-7:30 a. m. is a new program aimed at the ruralite within WABC's audience. It is a 15-minute program of the type known as the "colic belt" outside New York City's area. It is a new program, Allice Cornett follows for 45 minutes, but now into quarter hours to facilitate the program. It is a new program of purely New York newscasting, with items supplied by United Press.

Bob Byron sings, talks and whistles from 8-8:15. In the subsequent quarter-hour niche, which Ann Lead used to fill, is a new program, "The Dick and Jack Shannon. From 8:30-8:45 George Perrine spins on "This Town of Ours" on Mondays, Wednesdays and Fridays. Patter deals with rights and stuff to see around New York City. On alternate mornings, Dick Brine, new staff commentator imported from Chicago, airs. The 8:45-9:00 a. m. slot is a new program, "The Murray's Fun Club," with Murray's Fun Club, Dick Brine and Arthur Godfrey divides the week with hymns. Richard Maxwell on the 9-9:15 assignment. Montana Slim holds down the 9:15-9:25 a. m. slot throughout the week. News will be continued as of yore for the last five minutes before the good time goes network.

DETROIT CHEERFUL Outlook for Fall Deemed Good Despite Lack of Sign

Detroit, Aug. 2. Radio biz prospects here this fall are about as bright as they can be, but many actual contracts have been signed as yet. This is due, generally, to the fact that the radio business has been definitely set, with result local buyers are holding off until they're sure of the future.

With networks expected to be loaded down heavily this fall, local radio stations are expected to be scarcely of time available for local sponsors. Result is boys are bidding for actual radio time, and programs until sometime in September, when live lineup will be pretty well set.

Non-affiliated stations here report fine prospects likewise cheerful, with many prospects being shoring out extent of auto employment pickup as new model production gets under way. In fact, many stations are already at, sales in dollars here currently, so no panic in radio has seen from these quarters at present.

William M. Miller has joined the publicity department of NBC. Formerly with the Department of Interior.

Station Reps Contact Sponsors Direct, and It's Okay With Agencies, Who Collect Anyhow

Idea that a station rep is slashing his throat if he attempts to sell his wares to the sponsor is gradually being broken down. Several of the reps have made overtures to sponsors in the past couple of weeks with profitable results, and the agencies on the accounts were glad of it.

Advertisers reps steered away from previously themselves, because the agencies got sore and said that the rep's tinkering with agency authority. Now the agencies feel, in many instances, that the rep will talk the sponsor into spending more coin, which is how the agency makes its bread and butter. In all cases the reps are careful to report back to the agency what transpired in the sponsor's sanctum.

It is also figured by the agencies that after the sponsor has had few good down-to-earth verbal combats with the rep, he'll turn out to be a liberal education in spot radio. Hereafter, the sponsor allotted so-and-so-much budget for network radio, and so-and-so-much for spot. While the sponsor partially took the agency's word on the size and division of the expenditure, it was next to impossible to get more money for a whole year. Consequently once the annual budget was spent, the agency found it tough to make further use of spot in opportune situations.

By using the reps as lever, it looks now as though a partial remedy for a bad situation is being fashioned. At least, so far a few of the sponsors have been persuaded to shell out some extra coin.

COLGATE STEERS AWAY FROM SPOT BLURBS

Although Procter & Gamble is a big buyer of spot blurbs, Colgate Palmolive-Peet has been steadily reining in till at present time it is underwriting spots on only one station in the country, KWTB, Springfield, Mo.

Later is carrying four blurbs daily for Chrystal White and Superduds.

Set Exports Down

Exports of radio apparatus dropped far below 1937 figures in June, according to a report from the Bureau of Foreign and Domestic Commerce.

June figures were in advance of May by 12%—\$1,859,474, as contrasted with \$1,661,863—but June, 1937, exports were valued at \$2,534,777, or 36% better than last month. Decline also reflected in exports for first six months of 1937, total for January-June being \$10,472,586, a decrease of \$5,040,801, or 32.5% from the corresponding six-month period in 1937.

Goodman Batons Berliniana

Al Goodman will direct the musical portion of the radio salute to Irving Berlin's "Alexander's Ragtime Band" tonight (3) on CBS 9-30 to 10:30.

Al Johnson, Eddie Cantor, Sophie Tucker, Belle Baker, Ben Bernie, Lew Lehr, Connie Boswell, Eddie Merman, Jack Haley and Irving Berlin are slated for the hour.

XMAS SAVINGS WOOS THRIFTY VIA AIR

"Christmas Club," the designed plan of saving offered the public by banking institutions, will try the air for the first time this autumn with a trial test of three spots. Brooke Smith, French & Dorrance is the agency placing.

Blurbs will ride a month before Xmas on a spread of 80 stations in metropolitan areas.

Jack Slatter, Toronto, Reps CFRN, CFNC, CFQC

Jack Slatter has been named exclusive eastern Canada sales rep for two of stations on the other side of the Dominion—CFRN, Edmonton; CFNC, Calgary; CFQC, Saskatoon.

Currently Slatter is away on a jaunt through the stations' territories acquainting himself with their setups and coverage before returning to his office in Toronto.

CBS' Broekman Special

Hollywood Aug. 2. Program well baited with music will be dangled before agencies in the east next week. Piece being built around David Broekman's 65-piece crew, with Jimmy Newill piloting while the Conrad Nagel narrating.

Don Bernard producing for Columbia's KNX.

Schoolboy Bob Gill

Philadelphia, Aug. 2. Bob Gill, assistant production manager at WCAU, leaving in the fall to resume his studies at Carnegie Tech, Pittsburgh. He'll take a master's degree in dramatic arts. Got his bachelor's three years ago.

Gill will leave radio altogether to do directing in local theatres, with an eye to Hollywood.

AFFILIATE THINKS BLUE SHOWS NOT BAD

Hot Springs, Ark.

Editor, VARIETY: Noting your comments on the grade of sustaining programs on the NBC Blue, I wish to rise to the defense of the Blue quality and say that in our opinion the Blue is far above other networks in sustaining shows representing variety.

Although KTHS gets a little of the Red and Blue as a member of the NBC southwest, our analysis of offerings of the two networks—20 minutes of the weekly listing shows that the Blue is way out ahead of the Red in variety of sustaining shows in special event coverage, and in program balance. And within the last few months the Blue has been growing steadily better. I am sure the affiliates are 'beefing' primarily on the score of few commercials.

It appears that the Red sustaining are just fillers between commercials. All networks suffer from an overload of dance bands picked up from the hotels. Did you ever try to get anything different in the way of music after 10:30 in the evening? In the central time zone all the networks feed the affiliates of any CBS or NBC lineup after 8:15 is dance bands, seven days a week.

I think the joint supervision of general programming of the networks by a board of representative station managers of various sections would be one of the best means of improving sustaining fare. One of the worst examples of programming recently was the hour and fifteen minute 'offering' of some foreign two-plant team playing 16 variations on a Bach fugue. This was broadcast from 12:45 to 2 p.m. CST. Few people know or care what a 'fugue' is or should be. All the average station would get out of such a high brow program would be listeners saying 'fuguey on you!' and dialing off.

This lack of contact with what the average listener of the average radio, is I believe, the weakness of network showmanship.

Some arrangement should be made to pension off the old veteran song and piano teams, soloists, etc., who are still spread the morning hours five or six times per week. More feeding from good affiliated stations with a personality type of show peculiar to that station, would help network bill of fare and at the same time hold down expenses.

There is no doubt but that Mutual is blazing a new way with some clever shows available for sponsorship such as Marriage License, appearances out of WGN, Fulton Lewis' interesting commentary from WOL Washington, the 'Lone Ranger', and other programs that can be used as sustaining while the search for a sponsor goes on.

NBC could well arrange this type of local sponsorship for that dandy Blue network 'Breakfast Club,' which has gone sponsorless for years and years so far as the network is concerned. Same for 'Club Matinee,' which has an army of fans on its daily afternoon ride.

All in all, I think the Blue should get full credit for waking up and shaking the networks about the past derelictions. Now with a little push on the sales end, there is no reason why the Blue should not be up with the rest of the hookups.

S. A. Ciesler. KTHS.

Invitation for Aug. 16-17 Meet

INDEPENDENT RADIO NETWORK AFFILIATES

Philadelphia, July 28, 1938. To All Independent Radio Network Affiliates:

Preparations are being made by the Federal Communications Commission for hearings in its proposed investigation into network broadcasting. We understand Mr. William C. Dempsey, of its legal staff, is now studying the general subject, to define more clearly the scope of the investigation and lay out a program for the hearings.

At the April 30 meeting of the Board of NAB the view was expressed that the network investigation was primarily a matter for the networks and the affiliates to be concerned with, and that while it might have implications for the entire industry, the committee of IRNA was requested to act in this regard.

Pursuant to this request, Mark Ehrbridge and Sam Rosenbaum have had conferences on the subject with Chairman McVinch and with Mr. Dempsey.

On July 25, 1938, Ehrbridge and Rosenbaum conferred with a representative group of independent affiliates who accepted their invitation to meet in New York to hear their report. The group who heard the report, both in formal and preliminary, without authority to act on the subject, was entirely tentative and advisory. The group was composed of representatives of affiliates who have a special and urgent interest in the Commission's network investigation. Benefit could be derived from the investigation by the public, through the industry and the affiliates. If the investigating committee is properly informed, harm can come from it to network broadcasting, to affiliates, and therefore to the public, if the case is not properly presented.

Fundamentally and basically the network is the network. The affiliates are the common interest with the networks to endeavor to increase the usefulness of the American station, to protect it in the interests of the public.

On the other hand, networks affiliates have a common interest with each other to see to it that the relationship between the network on one side and the affiliates on the other, are fair and reasonable.

On the basis of this preliminary gathering was that IRNA should resume its activities in order to select and focus the views of affiliates on these subjects. Several specific measures were suggested to be presented to the affiliates for consideration. These include matters relating to the establishment of a satisfactory common understanding to the manner in which proper recognition can be given to the views of affiliates and their duties and obligations under their licenses.

Network operating policies and the burden of copyright will probably be prominent in this list. Undoubtedly consideration must also be given to possible changes in the law and the extent of Copyright Commission regulation of network broadcasting.

We are sure it need not be pointed out to you that full discussion and co-operative action are essential and

can be productive of distinct advantage and improvement in the status of affiliates, and therefore in network broadcasting, and thus benefit and serve the public interest in the local areas. For this reason the conclusion was arrived at that the IRNA group should meet at once a call and invitation for a convention of Independent Radio Network Affiliates to be held at the Stevens Hotel in Chicago, Tuesday and Wednesday, Aug. 16 and 17, 1938, beginning at 10 o'clock Chicago time on the morning of Aug. 16.

This will only leave a few weeks for the preparation of such material as the convention will wish presented in the hearings, which will probably open before the end of September.

No more important meeting than this has been held of recent years in the industry. It is urged that stations be represented fully, by owners or direct representatives authorized to vote on matters of policy affecting the industry. Please wire your opinion addressed to WFL Philadelphia. We would appreciate any requests or suggestions from individual affiliates or groups regarding specific matters to be included in the agenda of the meeting.

(Signed)
Mark F. Ehrbridge — WHAS.
J. R. Rosenbaum — WOL.
John J. Glavin, Jr. — WJAZ.
John Shepard, III — WNAZ.
W. W. — WBLK.
John A. Kennedy — WHK.
H. K. Carpenter — WYR.
I. R. Lounsbury — WGR.
Arthur B. Church — KMBC.
L. B. Wilson — WCKY.
George W. Norton, Jr. — WAVE.
Harry Stone — WSM.
Edgar L. Bill — WMD.
Jack Howard — WMC.

'OKEY-DOKE' TO USE SCATTERED STATIONS

J. Walter Thompson agency's Chicago office is readied for a spot campaign for a late summer start on behalf of Kraft-Peppin. Product to be plugged is 'Okey-Doke,' a cheese-cream.

Station blurbs will be used in New England States, New York and several midwestern states, including Iowa and Missouri.

Colonial Has 16

Pair of stations added to Colonial region network in New England. Brings total to 16 broadcasters. The new stations are WBNS, Pittsfield, Mass., and WHAI, Greenfield, Mass. Later is a new station breaking into broadcasting.

Flanter for Dukoff

Adrian Flanter now handling publicity as well as advertising for the new New York Italian-language radio.

Ed Dukoff, the freelance pa, who did a particularly balbylike job for the stations during the year, has given up the spot.

THE SMOOTHIES BABBS CHARLIE LITTLE

Completing 2nd Year of Starring in

TUMS "Vocal Varieties"

WLV and NBC Coast-to-Coast Times and Thurs. 7:15 P.M. DST

Thanks to

WLV and H. W. KASTOR & SONS ADVC. CO.

Also Starred in the New

"Musical Steeplechase" Show on

WLV and MUTUAL BROADCASTING SYSTEM

Wednesdays 8:00 P.M. DST

ADVERTISER-AGENCY ALERTNESS TEST

If You Need More Than 3 Reference Books, or 5 Telephone Calls to Answer the Following Questions, You Need The VARIETY RADIO DIRECTORY to Cut Down Your Waste Time

In the Variety Radio Directory Thousands of Answers Are Stored in One, Handy Place

1. Name five advertisers, spending upwards of \$1,000,000 per year, who put the bulk of their campaigns into network radio.
2. Of the following commercial network program types, name the two which made the biggest gains last season (1937-38): variety; popular music; religion; talks; drama; news commentators; audience participation; semi-classical music.
3. Do sponsors spend more money for network programs originating from Hollywood, or for programs originating from Chicago? (Time only).
4. If you want to avoid using over-worked words in putting a title on your program, which of the following would you immediately eliminate—revelry, know, old, march, over, music, revue, look, pets, vesper?
5. How many radio stations are licensed in the United States?
6. How many in Canada?
7. How many (approximately) in Central and South America?
8. Name the three programs, in correct rank, which last season (1937-38) had the highest Co-operative Analysis of Broadcasting average ratings.
9. Of the following five agencies, pick the two which scored first and second place in expenditures with the major networks during 1937: N. W. Ayer, Ruthrauff & Ryan, Lord & Thomas, Blackett-Sample-Hummert, J. Walter Thompson.
10. The following were listed by the C.A.B. among the ranking popular network shows last season: Jell-O Program, Starring Jack Benny; Fibber McGee & Molly; Kraft Music Hall; Burns and Allen; Watch the Fun Go By (Al Pearce). Name the script writers who turned out these successful programs.
11. Which of the following three special events programs garnered the largest audience—King Edward VIII Valedictory; Louis-Braddock fight; President Roosevelt's famed Fireside Chat of March 9, 1937?
12. If you were to pick up a dance band program from a hotel or night club, how many microphones would you need to get the best results?
13. Which city has more radio stations—New York City or Havana? How many stations in each?
14. Do more women read the radio columns in newspapers than men? Are columns read more avidly than radio logs?
15. Indiana University is a famed participant in the Big Ten football conference. If you wanted to sponsor Indiana's football broadcasts this fall, how much would you have to pay for rights?
16. J. Walter Thompson is an advertising agency under whose auspices such notable talent as Rudy Vallee, Bing Crosby and Edgar Bergen goes on the air. Who is the talent buyer for J. Walter Thompson?
17. In what years were the following songs issued: "Sweet Adeline," "Chinatown, My Chinatown," "Melancholy Baby," "Beautiful Ohio," "Moonlight and Roses"?
18. The American Society of Composers, Authors and Publishers licenses music to radio stations. What was the ASCAP bill to radio stations during 1937? On what basis were the stations billed?
19. Supposing you wanted to buy spot announcements on 50,000 watt stations. What is the maximum number of stations you could include in your schedule?
20. Which of the following states has the most radio homes: Arizona, Delaware, Nevada, North Dakota or New Hampshire?
21. If you wanted to broadcast part of a legitimate comedy presented on Broadway last season, how many would you have to pick from?
22. If you had a symphony orchestra on your program whose music sounded too strident or heavy, what would you do—put sound-absorbent material on the studio walls or change the orchestra's seating arrangement?
23. What was Jack Benny's first big network show? What year? What network?
24. How many network programs did General Foods sponsor last season (1937-38)?
25. Who is sales promotion manager of CBS? Mutual? NBC?

ANSWERS ON PAGE 38

Order Your VARIETY RADIO DIRECTORY Now!

Super-Power and the Small Towns

(Continued from page 23)

that it was customary to sell potential radio advertisers with argument that WLW provided both more effective and cheaper coverage than groups of regional and local transmitters in the Indiana-Ohio-West Virginia area. Also pointed out that programs could be put on the so-called WLW line and would for subsequent rebroadcast at the terminus if the 500 kw transmitter was tied up.

He gave advertisers to understand that WLW covered the same area that could be reached with several other stations and that there would be WLW's saving in cost by using WLW's Elites testified.

Advertiser Costs

Whenever commercial entities thought \$1,200 (WLW top hour rate) was excessive, Transamerican spiclers broke down the coverage and demonstrated the large number of markets which could be cultivated with broadcasts from a single transmitter, he said. As a sample he explained solicitors would compare the cost and audience of the Cincinnati plant with those of WRCR, Columbus; WIRE, Indianapolis; WOWO, Fort Wayne; WAVE, Louisville; WBIV, Terre Haute; WFSD, Toledo, and WYVA, Wheeling. Could not recall, however, any case where he got an account to shift to WLW from other stations.

Obstacles encountered in trying to line up eight clients for WIRE were pictured by Elges, whose firm now represents the Indianapolis station. Prejudice in favor of WLW could not be overcome when attempting to sell WIRE to North American Accident Insurance Co., Gruen Water, Remington-Rand, Balthasweet, Axton-Fisher Tobacco, N. A. Armstrong Lincoln, and others. "I would not listen to a word of the regional outlet, he said, as they had been convinced through arguments of the sort 'it was making a year earlier while singing praises of WLW to time-buyers."

Believers

Although often embarrassed by Duke M. Patrick, the WLW attorney, Elges stuck to his story on cross-examination and named McCann-Erickson, Batten, Barton, Durstine & Osborn, and Franklin Bruck among those who were firm believers in the Crosley behemoth.

Local and regional station sales-

men were told to stress the intense coverage and concentration in particular markets, going forth on the angle that listeners prefer to dial home-town stations. Elges explained, in contrast, salesmen for clear-channel plants emphasize the wide coverage possible through a single transmitter.

When Patrick quizzed him about the idea of WLW as a general agency, and knocking down his own arguments, the Rameau solicitor pointed out that the odds were a 50-50 chance if the station he represents is doing a worthwhile job, and left him to ponder the vast power of WLW blinded time-buyers to the virtues of other outlets in its area. Somewhat hard, though, to try to get an agency to shift from a station you had sold it on by maintaining subsequently that it wasn't able to do a satisfactory job.

Besides giving Commissioners, attorneys and spectators plenty of entertainment, Kennedy also supplied some first-hand experiences in telling of the troubles he has suffered while operating WCBS at Charleston, WPAR at Parkersburg, and WLW at Cincinnati. On cross-examination, however, was forced into several corners where Patrick drew some admissions that undermined his earlier testimony.

With signals which can be picked up throughout a large portion of the state, WLW is a serious competitor for West Virginia operators while it is running with 500 kw, Kennedy declared. If the Cincinnati plant should be cut to 50 kw, life would be rosier for him and other managers in the Blue Ridge region.

Blanketed

Principal grangers which Kennedy bore toward further superpower expansion grew out of threatened cancellation last spring of the Boake Carter program, inability to merge Procter & Gamble business, and competition for the Red Top A/c account. Although he did not blame WLW directly, he frequently voiced the belief that some of these programs would have been aired over his three outlets if WLW did not blanket the market.

Kennedy explained that he hooked up with CBS in February last year because of discovery that "we'd have to fight with WLW to get each big web show carried by NBC. Was offered affiliation plans by both."

In describing his plight, Kennedy said he was sent a cancellation order on the Boake Carter (General Foods)

program sometime in April. Upon inquiry, he was informed several stations were to be dropped and the program would be carried on WLW. Similar reasons given to explain his failure to get Lum's A/c. Abner and P&G business.

Trouble about the Red Top account occurred when Joseph Advertizing Agency of Cincinnati wanted to buy, he was informed several stations were to be dropped and the program would be carried on WLW. Similar reasons given to explain his failure to get Lum's A/c. Abner and P&G business.

After pointing to these incidents, Kennedy advised the FCC that WLW is "distinctly competitive" with West Virginia stations. Is the only outlet state transmitter regularly fighting for the same business, although some sections hear other outside plants.

Frofts

To demonstrate the social significance of this competition, Kennedy declared he was constantly trying to expand public service for West Virginia audiences but was having hard sledding financially, jumping the three transmitters, he has made "little or no profit since entering the business nearly three years back.

Although he encountered hard going, Patrick finally scored some important points while cross-examining Kennedy, who admitted he was not "able to compare the amount of competition provided by WLW at 500 kw. I know a confessed superpower short-lighted in not investigating the possible competition from the Crosley outlet before he sank his money in the West Virginia stations.

Red Top case, which has made him see red for months, was placed squarely before Powell Crosley, Jr., Kennedy said, adding he was convinced that the WLW owner and management had nothing to do with the Joseph agency's threats and his failure to receive other business. Maintained, however, that it is decidedly unfair to allow one station to use 500 kw, in a manner which injures other broadcasters struggling to make the Coast and pro-

vide distinctive local service to their public.

Whether Kennedy is having hard going financially was an angle which greatly interested the WLW attorney. After Kennedy refused to unveil his reply to the FCC's economic questions, Patrick offered statistics taken from license renewal files and drew confession from Kennedy that his gross income had increased materially and he has had some encouraging profits. West Virginia operator would not contest the correctness of all the figures, however, insisting he was not thoroughly versed in accounting figures he used at his stations. Uncertain whether the expense figures emphasized by Kennedy included legal and engineering fees, etc., or just what was included under program expenses.

Embarrassed

Most effective quizzing put Kennedy into an embarrassing spot in regard to competition. After bringing out fact that complaining broadcaster owns three-sevenths of state's facilities, Patrick got Kennedy to state he believes competition generally is desirable. When Kennedy declared that local stations would cut down their earnings and thus be improving service, he was asked the admission that the Cincinnati plant was the only one of the three WBLK's. Kennedy maintained he was infuriated by the type of competition he was confronted by. Top air experiences, observing that Crosley should not play with such a small superpower.

Final Commission witness was Andrew D. Ring, assistant chief engineer, who testified from the laboratory and laid basis for presentation of transcriptions of WLW programs from the FCC's Grand Island, Neb., monitoring station.

Transcriptions were put to use by Clarence Patrick induced Ring to concede they showed only fair daytime reception and very poor night reception, but that was not what he was after. Even in an area that is as noise free as the Grand Island, he said, "reception is not good."

Chief engineer readily admitted both night and day Grand Island experienced interruptions due to static; that it was impossible to determine what was coming from WLW at times, and that reception on the average home set would have been poor.

Use of directional antennas by WLW and WOR, Newark, which operate on the same channel, has cut interference between the spectrum-mates, Ring testified, but to provide nearly interference-free secondary service for WOR it would be necessary to prune WLW to 50 kw.

Elimination of either WOR or WLW would be the only way the other plant could provide the best possible service between the Coast and Ohio.

Shouse Recalled

In concluding WLW's case, Patrick quizzed James D. Shouse, vice president of Crosley Radio Corp., about some of the programs to which FCC Assistant General Counsel George B. Porter took exception as well as the complaints by Kennedy. The Lum "A/c" Abner program, which the West Virginian said he could not obtain because of preference for WLW, was cancelled last February, he said. Deal to replace with Boake Carter, desired by Benton & Bowles because of difficulty in getting desirable material for the mid-West of CBS, fell through when Crosley had a chance to sell Paul Sullivan, its own singer.

No knowledge of the Red Top incident until Kennedy wired Crosley, prompting WLW to tighten up on rebroadcast of its commercials and to remonstrate with the agency for the attitude toward the West Virginian. At the end of his direct testimony, Shouse defended the airing of Kolerbak (hair dye) and an Indianapolis religious program, besides telling how ready WLW was to cooperate with trade group attacking advertising claims by the Chicago Bedding Co. These programs had been hit by Commission counsel in earlier proceedings.

Wind-up of the WLW renewal case appears several months off. Three-member committee will file a regular report after digesting the voluminous record of 170-odd exhibits. WLW will have a chance to make oral arguments in the event the recommendation is adverse; and the full Commission then will ponder the matter before reaching a final decision. If the experimental authority is withdrawn, court proceedings are certain.

George Thomas, gabber on WCAY, Philly, was rushed from the studio to a hospital for an emergency appendectomy; won't return to work until late in August.

940 DECISIONS SET DOWN FOR NEWSPAPERS

Washington, Aug. 2.

Four newspapers seeking to muscle on the 940 kc ribbon were turned down last week by the Federal Communications Commission last week in a decision closing temporarily one of the hardest-fought allocation battles in the past year. Court repercussions are probable.

Chiefly one of possible monopolies, because no need was shown, and on account of prospective interference, the Commission knifed Tulsa World, El Paso Times (El Paso Broadcasting Co.), San Angelo Standard and Times, KOLK, and Tampa Tribune after weeks of lively argument. Decision was announced.

Although the newspaper ownership angle was not mentioned, the past year's animosity toward publishers was reflected in the lengthy opinion, while references were made to prior cases where it was felt public interest would not be promoted through giving one licensee too many outlets.

Local monopoly issue was raised in the case of the El Paso applicant, with the FCC noting that Dorrance D. Roderick, principal owner of the potential broadcasting company and the town paper, already has received permission to build a station. Past decisions were cited as grounds for nixing his proposal.

Local monopoly distribution of facilities was an objection raised against the Tampa Tribune. Also citing a recent decision in the case of KTLA in the Florida city, with three regional stations, the FCC said:

Although the matter of interference was brought up in discussion of Tulsa World's request, the only ground given for denying the application was a bare statement that public interest would not be served by giving the rag a franchise. Interference was the chief reason for denying the Tampa Tribune's plea for shift over from 1370 to 940, concurrently boosting wattage. The other three candidates wanted near 1 kw. plants.

DALRYMPLE KILLED

Special Attorney for F.C.C. Victim of Auto Accident

Washington, Aug. 2.

Death of Major Alfred V. Dalrymple, one of the most powerful men who steered the Federal Communications Commission drive against outlaw radio stations in Texas, resulted last week from serious injuries when Dalrymple was run down by an automobile. Before joining the Communis legal staff, he was the last prohibition director.

Major Dalrymple, who was a native of Texas, did much field work since joining the F.C.C. Handled several controversial cases, including prosecutions along the Rio Grande. Served in the Navy during the Spanish-American War and was in the Army intelligence during the World War.

Burial was in Arlington National Cemetery.

Lincoln Dellar, manager of WBT, Charlotte, N. C., and Mrs. Dellar are on a vacation trip to Vera Cruz and Mexico City.

5000 Bay-100 Night
Columbus
ALL YOU NEED IN CENTRAL OHIO
John Blair, rep.

Make your program as popular as WLSX in the Denver-Black Mountain Region with KJLW in Denver

EDWARD J. WOODHEAD with ARK and JET O'NEILL
LOCAL GENERAL REPRESENTATIVE, THE KALZ AGENCY, INC.

CBS Network 560 Kc.

New Washington Rumbles From Wichita Falls, Potential Volcano

Washington, Aug. 2. Reopening of furious scrap over right to operate new radio facilities at Wichita Falls, Tex., which has been attended by repeated political wire-tugging and whispered charges of intrigue, was sought from Federal Communications Commission last week.

On the strength of highly important new evidence, West Texas Broadcasting Co., composed of numerous local businessmen and publisher of two of the town's papers, petitioned the FCC to vacate opinion granting rival plea of the Wichita Broadcasting Co. and to send the opposing applications back for further hearing. Pointed assertions that the FCC reached conclusions not supported by facts in the record were cited as additional reasons for more proceedings.

Long-threatened accusations of audiotape were not contained in the papers, while affidavits said to bear out suspicion that all cards were not on the table were withheld for later use in case the matter is taken before the courts.

Sensational statements that the winning candidate cannot obtain franchise to do business in Texas was the chief ground for asking another chance to offer testimony. Bolstering his plea with certified copies of official correspondence, Paul D. P. Spearman, counsel for the losing candidate, told the Commission that Wichita Broadcasting Co., being a Delaware corporation, cannot qualify under the Texas "tramp corporation" law. Letters between Joe B. Carrigan, president of the winning company, and the Secretary of State's office bore this out.

Corporation owned by Texas residents, organized in another state, and planning to operate in Texas probably cannot qualify for a business permit. M. E. Sandlin, assistant secretary of state notified Carrigan. Even if broadcasting itself is interstate commerce, it is unlikely the State authorities would issue the papers needed to buy or lease land,

build studios, and engage help, the petition suggests.

Inconsistent

On one of the chief grounds for turning down the West Texas crowd, the FCC appears to have been trapped. Spearman cited the statement in Commission decision that the antenna would constitute a hazard to air navigation and then showed via affidavit that the Commerce Department is prepared to approve the proposed site and the 375-foot tower whenever the FCC requests its opinion.

Inconsistent engineering testimony, along with assertedly unjustified inferences and unfair innuendoes, mentioned by Spearman as cause for further testimony. Quoted statements of the winner's engineering witness to show the FCC had no grounds for conclusion that the Wichita outfit would render better service than his own clients and objected to thinly-hidden implication that the West Texas group is split into discordant factions.

MOHAWK CARPET IS BESIEGED BY ADMEN

Most of the larger ad agencies in New York are besieging Mohawk Carpet with proposed programs. Theory is that the company has signified an intention of returning to the air in the autumn.

Last ether excursion for Mohawk was three years ago when firm sponsored the five-a-weeker "Five Star Jones" on NBC. At that time Blackett-Sample-Burnett had the account.

Benny Venola will have Jimmy Durante, Russ Morgan, Leila Roosevelt, who recently returned from an African expedition, and John Steele, as guest stars on her WOR-Mutual sustainer Sunday Aug. 7.

DOGHOUSE CONGESTED

WHKC, Columbus, Cited, But No Details Available

Washington, Aug. 2. Still another broadcaster was placed on the anxious seat last week when the FCC decreed hearings on renewal license application of WHKC, Columbus, O. No explanation given.

Dog-house congestion was temporarily eased at the same time, however, when three stations running on temporary permits got regular renewals for the full term, WSNAN and WGBA, Allentown, Penn., and KOCY, Oklahoma City, which was ordered to defend its existence at a hearing a month earlier). License of WCCO, Minneapolis, also was renewed for a six-month span.

P. J. HENNESSEY HANDLING NBC AS CLIENT

Washington, Aug. 2. Important personnel changes at NBC this week with P. J. Hennessey, headquarters attorney, and Bill Coyle, night supervisor for WHK, WMAL, breaking loose.

Adopting novel method for handling legal chores before the FCC and Congress, the web will retain Hennessey as its Washington barrister with understanding that he will not accept any retainers from clients whose interest might conflict with NBC in future proceedings. Hennessey was sent down from the home office two years ago when legal wrangling became content and required an attorney on the scene steadily.

Coyle goes to the Washington Star, which recently bought control of WMAL, under lease to the web. Will be the link between the paper and the studio, supervising promotion and special radio activities at the paper. Charles (Bud) Barry succeeds him as after-dark boss.

Cite WJJD, Chicago, for Hearing; F.C.C. Gives Brief Explanation In Contrast to Usual Silence

CANDIDATE HINTS NEUTRALITY OFFSIDE

Washington, Aug. 2. Vague complaint to the Senate Campaign Expenditures Committee carries the first charge that political neutrality clause of the Communications Act is being fractured in the 1938 campaign. Without submitting any details, Jol. J. Neal, Democratic aspirant to the Democratic Senatorial nomination in battle-marked Tennessee, wired Chairman Morris Sheppard of Texas that an unidentified Federal official is denying access to microphone, whenever he suspects user would speak critically about the "Memphis situation (where local Boss Ed Crump is fighting Governor Gordon Browning)."

As the committee is aware of Federal licensing of radio, this high-handed attempt to throttle an important channel of free speech during a heated Senatorial campaign in his opinion brings this act under the jurisdiction of the committee, Neal periphrased.

Besides failing to give any specific information to the Senate probers, the outraged office-seeker neglected to call the incident to the attention of the Federal Communications Commission. Search of the files shows no protest from him which would occasion an inquiry.

Katherine Roche Sails

Katherine Roche, the June Baker (Woman's program) of WGB, Chicago, sails today (Wed.) on the Normandie.

Gone a month.

John U. Beber paid the J. Walter Thompson office in Hollywood a fast social call.

Washington, Aug. 2. Fate of another broadcasting station, WJJD, Chicago, was jeopardized when the Federal Communications Commission, questioning the propriety of certain medical accounts, set the renewal license down for a hearing. Nearly a dozen operators in this dog-house currently.

Secrecy policy which has surrounded the FCC's investigation into miscecution charges was abandoned on this instance. Brief explanation disclosed preliminary inquiry has been made into the conduct of the Chicago transmitter and indicates the management disregarded stipulations between undeclosed sponsors and both the Federal Trade Commission and the Food and Drug Administration.

Nervous Patients
Nervous list remains large. Three transmitters held on a temporary permit has a month ago got a clean bill of health. WHDF, Calumet, Mich.; WKAT, Miami Beach, and WPIRA, Puerto Rico. Their places taken by WBLL, New York; KMPC, Beverly Hills, and KWJJ, Portland, Ore.

A half dozen who have been jittery were kept waiting for definite word. Includes KGU, Honolulu; WAGM, Presque Isle, Me.; WEAU, Eau Claire, Wis.; KGBU, Ketchikan, Alaska; WNEW, New York City, and KSUR, Cedar City, Utah.

List is growing longer each month. Last week the Commission failed to take any action on nearly two dozen three, two and co-rotat. tags expiring at the end of July, besides overlooking again several more operating under undated temporary papers.

Era R. Eddy, v-p of Ellan-Altop-Eddy Radio Recording Corp., N. Y., back from Canadian sales trip. Expected to open an office in Toronto.

Surround Your MESSAGE
with the Importance Only a
Great Station Can Lend...

WCHU

50,000 WATTS • PHILADELPHIA

(ADVERTISEMENT)

Follow-Up Comment

Major Bowes' personal chatter with the air men leaned heavily toward the latter on the last status (28). Practically all the candidates got a better cover as to their marital intentions, or past performance record in this department. Heart-throb still undoubtedly has been injected to pay up the usual queries which in time last 29, and begin to sound like a second-class mail questionnaire.

Major Bowes' chatter with the air men leaned heavily toward the latter on the last status (28). Practically all the candidates got a better cover as to their marital intentions, or past performance record in this department. Heart-throb still undoubtedly has been injected to pay up the usual queries which in time last 29, and begin to sound like a second-class mail questionnaire.

Script by Howard Biege and Fred Kress held comedy which was not hard to take, but which doesn't seem to have hit the right groove so far. Included some banter about Berch's "Bath Tub Singing School" which Berch put across well enough, but his strongest points remain his singing and straight performing. Berch, who handled the announcing, doge one job, but there is not enough distinction between his voice and Ashley directed.

Hope Emerson is a strong warbler for radio, but here, too, the patter was not up to her singing. Comedy just didn't quite click. Probably will be improved as program develops. East and Dumke ribbed Berch and sang one of their ditties, and Leth Stevens orchestra sounded lush. Ira Ashley directed.

'Living History', one of the CBS Adult Education shows, has modified its format and is now slanted to one subject. Last Wednesday (27) it selected Mad Anthony Wayne's 'Battle of Fallen Timbers'. It was an improvement over the show caught recently dealing with Shay's Rebellion, but still can be bettered. Idea is good but dramatization is weak. Best executed part was the "Huron" weakest part the "Huron". Dr. Harry Carman, an educator who tends to lose his audience. Summing up described American expansion as a 'great imperialistic enterprise'. For popgov, on the show broadcast, booming artillery was substituted on this one.

'Americans at Work', a CBS educational program, investigated gas station employees last Thursday (28). Half the 30 minute program was from New York, and half from Washington, D. C. Script by Margaret Le Werth is well written, but it always seems as though all Americans, whether audiophiles or gas station employees, are just nuts about their work.

Gas station boys were made out to

be goofy-gooey in the most authentic Horatio Alger do or die manner; impression left being distinctly phoney.

'People's Platform' over WABC-CBS last Wednesday (27) was supposed to be devoted to labor problems but developed into a general discussion of the government, its needs and related subjects. Among the speakers were: Dr. Henry Miller, C. I. E. Workers Education Bureau, George Sokolsky, billed as a labor consultant, Evelyn Brenner, an unemployed teacher on WPA and union member. Latter had a genuine Irish Irish Lingo. Lymann Bryson, Irish laborer.

Sokolsky with his gl'it knowledge and professional training appeared at first to dominate the discussion and looked for a while as though he might run off with the argument. O'Rourke, however, got up his fighting Irish and sneaked in a rap at Sokolsky during a warm argument over the definition of a capitalist. O'Rourke's final sally was defining Sokolsky as a capitalist because he said 10 jobs. Sokolsky previously tried to show the carpenter was a capitalist because he owned a refrigerator, but was stymied when O'Rourke said the janitor's company owned it; he was paying for it on the installment plan.

A lengthy discussion followed in which Sokolsky scorched the Administration for spending billions to subsidize an election. Here too, however, he was stymied when asked what he would have done with the millions of unemployed. Sokolsky offering no answer.

Bryson handled the discussion ably and intelligently preventing it from wandering too far. Argument was going strongly when announcer cut it off the air.

'Chase & Sanborn hour Sunday (31) bolstered by the presence of Fay Bainter in excerpts from 'Dodsworth'. She regaled solidly as Fran, wife of Dodsworth, playing opposite Edward Arnold, in the title role. She put over the only higher dramatic scene with consummate skill. 'Acts of Dodsworth' have been before on the air. La Bainter's role back to appear opposite Charlie McCarthy who was in the last of the original. Good script and comedy job.

Fortunate for program that Miss Bainter was appearing because otherwise it went stuporidly dull when ever Edgar Bergen and Mary McGray were absent. Margaret McGray filled in for Dorothy Lamour when latter was kept away by an operation. Did two numbers nicely. John Carter was handed four hard vocal on his final appearance, with Nelson Eddy due in next week. Entire program is topheavy on singing but it has been that way so long apparently, nobody cares. Not while

'45 Mins.'

(Continued from page 25)

skilled typewriter. Even so for the less choicely it still may be okay.

With Margalo Gilmore, James Meighan, Earle Larimore, Mark Smith, Mary Michael, Bob Stratus, Ruth York, Charles Webster, Madeline Pierce

Second Eugene O'Neill opus in the series of Pulitzer Prize winning ethered Thursday nights over music and drama. Beyond the Horizon was a stand-out, much of that was obviously due to the powerful, deft writing. O'Neill's original and adaptation and compressing by writers Church retained the mood and lifelike characterizations of the original. It was sturdy ether drama, gripping, attention and mounting steadily to a stunning climax.

Capable cast put over a creditable collective trouping job. Name was Margalo Gilmore, lighter and occasional radio player, as Ruth Arkell. She seemed unsure of herself at the start, showing a tendency to rush her lines and overdo the local tone, but presently hit her stride and clicked thereafter. Emotional scene with her husband and the Pittwater of disillusionment at the end was stirring. James Meighan played the husband without ranting. Earle Larimore filled the part of the husband and handled the moments without ranting.

Frankie Connors, pit tenor at the Detroit, Detroit, for past five years, takes time off after stage show hours to turn in a neat job in this weekly program, designed by WJLB to relieve pressure of dance bands in late evening.

As indicated, songs are of yesterday, the best alibi, for stumpy band providing a nifty background.

Bergen holds up the C.A.B. Production leans heavily on that stunk of lumber, the best alibi, for stumpy technique in radio.

Gertrude Lawrence guested on the Rudy Vallees show for Standard Brands last Thursday night (28) with Douglas Montgomery in an adaptation of 'Shadow Play' by Noel Coward. One-acter. Address gave a vivid electrifying performance, as usual, with Montgomery the property collector foil. Fair were stymied by the adaptation, however, which was botched, with pieces of dialog seemingly selected at random from the original. Instead of the pointed and fairly poignant fantasy penned by Coward, the piece turned out to be a straight romantic romance, ill-defined and minus climax.

Vallee's playing of a melody of "Sweet a Tunes" and "Martha" was exceptionally rhythmic. One of the most skilled orchestra jobs he's turned in recently.

'BEYOND THE HORIZON'

With Margalo Gilmore, James Meighan, Earle Larimore, Mark Smith, Mary Michael, Bob Stratus, Ruth York, Charles Webster, Madeline Pierce

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No apparent reason for the pickup except in the short speech made by the Army leader. Words included a mild plea for peace and asserted his country and U. S. were included only in the trenches in the Great War but little today at the front. Itself was little today at the front, but cleared as time went on until at the finish came in like a local airing.

GABBY HARTNETT Interview STANDARD BRANDS Thursday, 9 p.m.

Thanks to New York (London) and comparatively little milk fright, Gabby Hartnett, category of new manager of the Chicago Cubs, proved a satisfactory guest on Thursday (28) with Rudy Vallees. As most of the air fans here are U.S. it is quite easily understandable. Probably this is why so many sponsors buy American transcriptions for program presentation when the flesh-blood is unobtainable.

Program is carried along at a swift pace, and the commercial trest is sharp and to the point.

'DOG HEROES' 15 Mins. 8. CRATCHLY Once Weekly 2 U.E. Sydney

Nuts and a lot of wax for local consumption. No difficulty in breaking the homes of all dog-lovers. As a weekly shot it should return satisfaction to sponsor and air audience alike.

One caught for review told of the stickup, and the loyalty of the dog owned by a young patrol officer. Field attention from claret and despite Yankee setting and dialogue. As most of the air fans here are U.S. it is quite easily understandable. Probably this is why so many sponsors buy American transcriptions for program presentation when the flesh-blood is unobtainable.

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In

BALTIMORE

WFBM CARRIES THE TORCH FOR "NATIONALLY ADVERTISED BRANDS WEEK"

A 15 minute program every day, featuring George Van Dorn and his NBC Red, National orchestral

Plus announcements!

Plus merchandising the programs through our tie-up with newspapers in Maryland trading centers; and in neighborhood movie theatres in Baltimore.

But, National Advertisers, you needn't thank us. It's only what we feel due to the national advertisers who have made WFBM their

FIRST CHOICE STATION IN BALTIMORE

We cooperate with you National Advertisers 52 weeks a year, because the station management understands your problems, thanks your thoughts, speaks your language. If you have a merchandising problem in Baltimore, let's talk it over.

In Baltimore, it's

WFBM

ON THE NBC RED NETWORK NATIONAL REPRESENTATIVES EDWARD PETRY & CO

ONLY OKLAHOMA in Oklahoma the one to think about . . . MOST EVERYONE in the state thinks about and listens to: OKLAHOMA CITY OWNED AND OPERATED BY THE OKLAHOMA PUBLISHING COMPANY . . . REPRESENTATIVE: THE KATZ AGENCY, Inc.

F.C.C. Fairness On Re-Hearings To Trial in Sept.

Washington, Aug. 2. Special proceedings to settle the long controversy about the fairness of the FCC in reconsidering cases sent back by judges decreed last week by the District Court of Appeals.

Partial victory in wrangling over having the FCC's decision on the case of the Potville Broadcasting Co., which wants to air in the Pennsylvania city.

Beginning to issue the requested writs of mandamus and prohibition, the court in a per curiam opinion (written by Chief Justice Charles E. Hughes) ordered the Potville case consolidated with the unusual appeal from the FCC's decision on the case of the Potville Broadcasting Co., which wants to air in the Pennsylvania city.

In the significant Potville case—where the FCC wanted to consolidate the argument with two other later applicants—the court noted the similarity of the procedural questions raised, and remarked that the FCC has agreed to postpone consideration of various applications until the procedural matter is settled by the judges.

Judging. Both arguments grow out of the court's reversal of Chief Justice Hughes' denying the respective applications. When the Heintzinger matter was sent back, the Commission ordered a new hearing in company with other applicants, instead of reviewing the original record and making another decision on the evidence already in the record. Scheduled handling of the Potville case was postponed since, since the FCC appeared satisfied by the testimony and data on hand, but did want to have the Potville Broadcasting Co. request with those of Schuykill Broadcasting and Potville Broadcasting, which entered the picture some time after the first party.

Additional confusion in the Potville case has occurred in the past fortnight. Insisting it is entitled to equal consideration, Schuykill company opposed the request for court review of the FCC procedure, and the court, without prejudice, refused to review the Potville Broadcasting Co. shot back another last document declaring the Schuykill crowd "those to take a chance," and should be bound by the rules. Alleged "right" to have its applications considered "on their merits" is a belated effort of Schuykill to burden and harass his clients, Lovett declared.

Traffic Shows Renewed By Commercial Credit Co.

Baltimore, Aug. 2. It Happened So Quickly, true to life dramatizations of automobile accidents, has been renewed by the Commercial Credit Co. over WBAL. Fied in with local safety councils and the Commissioner of Motor Vehicles, W. B. Rudy.

Programs have been plugged to school children and parents, getting some credit for recent 32% reduction in fatal accidents in this section. A 15-minute weekly airing series, on Sunday mornings at nine o'clock.

Houston Covers Hughes

Houston, Aug. 2. Elaborate coverage of the Howard Hughes visit to his home-town Saturday was given by KTRH and fed to CBS. Entire staff of announcers, headed by Harry Grier, program announcer, was on duty. Grier was municipal airport, renamed the Howard Hughes Airport in ceremonies taking place immediately after the arrival of flier.

The 10-mile parade from the airport to the heart of the city, through streets hung with bunting and welcoming banners, was headed by announcers stationed at strategic points. It culminated in a reception at the Rice Hotel.

KTRH was on the air from 12:30 to 4 p.m. A portion of the ceremony was carried by KXYZ, on the air from 12:30 to 2:30 p.m.

Franklin (Bud) Mitchell appears to chief announcer at WJR, Detroit, after two years' service at station.

STATUS OF TELEVISION

No RCA Receiver on Market—Visio Shows to Resume, However

RCA will not market television sets this fall to the public. Development of the ear-and-eye gadgets is continuing in the company's labs at Camden, N. J.

Hold-off of set sales, which were expected to commence at summer's end, will not retard the television broadcasts with which NBC and RCA are experimenting. Schedule of five hours weekly starts in late August. These broadcasts were yanked early in June at about the time half a dozen department stores in New York City started to peddle tele sets of indie manufacture to the public. Stores put the sets on their shelves to cash in on the wave of publicity that NBC and RCA got for their experimental broadcasts.

Tom Hutchinson, tele program chief at NBC, and Bob Morris, network's development engineer, are currently in London eyeing the set-up used by BBC; pair expected back within a fortnight. Earlier this summer D. H. Monroe, BBC's tele

production manager, ogled what NBC was doing in New York.

CBS is still rather hush-hush on its tele plans, and is still awaiting RCA's delivery of a transmitter with which the web can begin its experimental broadcasts. RCA was to have delivered the transmitter to Columbia late last spring, but the web held it up when it discovered that NBC was going to give its equipment an overhauling during the summer. At autumn's start CBS wants to be abreast its rival in whatever late features RCA can add to a sender. Meanwhile CBS is unable to set a starting date for its visual broadcasts from its prepared studios in the Chrysler building, N. Y. NBC's setup is located in the Empire State.

Farm Power Celebrated

Little Rock, Ark., Aug. 2. KARK went into the rural sections last week to broadcast inauguration of a new power line owned and operated by farmers in the vicinity of Augusta, Ark. Broadcast was from the "farm" of Mr. Smith, sharecropper, and approximately 1,000 people attended the all-day barbecue not picnic.

Stations Set Political Policy Compasses by New F.C.C. Rules

Seattle, Aug. 2. In reply to a request for legal comment on the recent political rules laid down by the Federal Communications Commission, the attorney for a local station sent the following letter which may be illuminating to the broadcasting trade generally:

"Your inquiry of July 29th relative to rule 8a issued July 1, 1938, by the Federal Communications Commission touches only one question relative to paragraph 4 of said rule. I deem it advisable to cover several other questions which may arise in your interpretation of this rule.

"Paragraph 1 contains a proviso that such licensee shall have no power of censorship over the material broadcast by any such candidate." By this we must assume that it is the intention of the Commission to eliminate the power of censorship on the part of the station

to any and all matters contained in broadcast addresses by candidates for office which such candidate has a legal right to utter. It is not the intention of the Commission to encourage the utterance by candidates for office of libelous or slanderous matter. In view of the liability of the licensee in damages, as well as under the criminal statutes of this state in connection with libelous and slanderous matter, it is decisively necessary that you require of all candidates for public office submission in advance to you of a copy of the proposed broadcast statements. If such statement contains libelous or slanderous matter, then it is your duty to confer with the author of the statement and obtain his agreement to the deletion of such libelous or slanderous matter. In the event he refuses to comply with this request then you have no right to broadcast on the part of the station

(Continued on page 40)

Again, a good radio station



in order to be a good advertising medium must

do more than merely entertain



It must, in the final analysis, entertain

a great many people



and ultimately, of course, it must sell

merchandise for its advertisers.

Most merchandise is, for better or worse, still

sold through stores



A program on the Nation's Station not only builds

GOODWILL

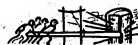
and sales through consumers but brings to your product strong

dealer interest with its consequent preferential display



WLW-land

dealers know the selling impact



of WLW

248,700 times

since 1931, WLW representatives have called on dealers



and shown

them personally this part of the story of



— the Nation's Station.

Agencies-Sponsors

Leitchon & Nelson, Schenectady, appointed to handle radio promotion for the Rutland, Vt. State Fair, the Sandy Creek, N. Y. Fair, and the Altamont Fair, near Schenectady, N. Y. Daily dramatized announcements will be broadcast for three weeks over WGY to plug the Rutland exposition, running from Sept. 3 through Sept. 10. Dramatized announcements will be used, for the most part, on WGY, and on WGY, and on WSYR, Syracuse, and in addition, a series of dramatized announcements on both stations for three weeks. Pick-ups from the fair grounds will also go over WFLB.

WNEW, New York, new business: Clark-Milner Co., Chicago (white rouge, six 15-min. periods weekly on David Lewis's Sound Track, direct. Pennsylvania State Publicity Commission, participation in Travel Mart program, five times weekly, through Walker & Downing, Pittsburgh. Glen Brewery, 2nd spot announcements, for one week beginning July 15, direct. Madison Personal Loan, six 30-min. periods weekly, Zeke Manners

and gang, indefinite, through Klinger Advertising Corp. New York State Bureau of Milk, five spot announcements weekly for 30 weeks, through J. M. Mathes, Inc., 110 W. 42nd St., (Fri) and two Sunday announcements weekly for four weeks, through McCann-Erickson, Inc.

Dr. Frank B. Robinson (Psychiatry), through the Izzard Co., Seattle, is using one quarter-hour transcripted program weekly on KFRS, San Francisco, through Sept. 4.

Western Stapper Co. (coats and saddles), through Greth-Knollin, is participating once weekly through Aug. 31, once twice a morning program on KFRS, San Francisco.

Manolescu School for Boys is conducting a two-week spot campaign, using two weather forecasts daily on KGO, San Francisco, and two Sunday spots on KGO. Placeat direct.

Florida Citrus returned to the ozone with a placement week in the national spot field. Campaign rides over 76 stations of one, one-half, and two hour spots. Rutland & Ryan placed the biz. Last autumn, winter, and spring Citrus was aboard CBS with a morning program featuring Emily Post. As yet no plans are afoot for the autumn return to the network this coming season.

Lever Bros. will resume plugging Spry and drop Lifebuoy soap within two weeks on its spot spread over national stations. It's a Rutland & Ryan account.

WBT, Charlotte, N. C., new biz: Southern Cotton Oil Co., with three 100-word and 15 50-word announcements a week, for 26 weeks, in a half of noon shortening. J. S. Fitzgerald Advertising Agency, International Harvester Co., 14 50-

HEARST AIR COLUMN IN CARBON

Hearst's New York Journal-American is experimenting with a proposed weekly supplement of radio news to be syndicated.

Several months ago Hearst dropped the Sunday radio page stuff which was prepared in New York and carried in all Hearst papers. Experiments since carried on for the proposed Sunday section have reached the dummy stage.

word announcements, over five weeks for tractors, placed by Aubrey Moore & Wallace. The Sunday three 15-minute programs a week for 13 weeks, transcripts (Lem and Martha), for overall, placed by Rutland & Ryan.

P. Leffland, two 15-minute programs a week for 13 weeks, transcripts (Lem and Martha), for overall, placed by Rutland & Ryan. L. B. Leffland, two 15-minute programs a week for 13 weeks, transcripts (Lem and Martha), for overall, placed by Rutland & Ryan.

Williams Fur Shop, of Pittsburgh, Pa., (Frammer's), placed a transcripted program on WWSW for 13-week period following shop's long sustaining. It's a 15-minute, "man and the street" program and goes out every Monday, Wednesday and Friday at 10:30 a.m. Placed by Collier-Tyson Agency.

Brother, furriers. It's a 15-minute program with singers Nancy Martin and Jack Sherwood, and Johnny Mitchell at the organ and Bob McKee doing the announcing.

Albers Bros. Milling renewed 'Good Morning Tonies' on NBC Pacific Coast feed for another week, starting Oct. 4. Tenor Julian Oliver added to permanent cast of program, handled by Erwin-W. Sey.

Yankee Network, Boston, new business:

R. B. Davis, Hoboken, N. J. (Davis Baking Program), 26 participations in the Gretchen McMullen program, twice weekly a.m. to noon, and end Dec. 28, through Chas. W. Hoyt Co., N. Y., on WNAC, Boston; WTAG, Worcester; WICC, Bridgeport; New Haven; WCHS, Portland; WRD, Augusta; WHAI, Greenfield; WSAF, Fall River; WNH, New Bedford; WLLH, Lowell-Lawrence; WRD, Augusta; WHAI, Greenfield.

R. N. Delapenha & Co., New York City (Hartley's Marmalade), 26 participations in the Gretchen McMullen program twice weekly p.m. to start Sept. 6 and end Dec. 1, Gotham, N. Y., WWSW and WEAN.

First National Stores, Inc., Somerville, Mass. (Chain Stores), 117 15-minute programs, three times weekly a.m. to noon, Sept. 27, and end June 24, 1939, through Badger & Brownings, Inc., Boston, on WWSW, WTAG, WICC, and WCHS.

Lee & Ferrins, Inc., N. Y. C. (Worcestershire Sauce), 53 15-minute announcements, twice weekly p.m., starting Sept. 28 and ending March 24, 1939, through Schwimmer & Scott, Inc., Chicago, Ill., on WNAC.

Ward Baking, New York City, renewed 156 one-minute ads plus, on Mutual Roundup, twice daily, March 15, ending Oct. 8; Sherman K. Ellis & Co., Inc., N. Y., on WNAC and WEAN.

Grove Laboratories, St. Louis, Mo. (Grove's Bromo-Quinine), 100 100-word announcements, twice daily, Mon.-Sun., to start Oct. 1 and end March 4, 1939, through Stack-Goble Advertising Agency, Chicago, Ill., on WNAC.

Boston & Maine N. B. Boston (Vacation Specials), 10 100-word plugs, twice weekly a.m., ending August 15, through Doremus & Co., Boston, on WNAC.

Narragansett Rating Association, Pawtucket, R. I., 29 100-word announcements, p.m., started July 28 to end Sept. 15; Chambers & Watson, Inc., Boston, on WNAC, WEAN and WICC.

Inside Stuff—Radio

NBC's sales division is doing some more pointing with pride. This time it has to do with the progress NBC figures it has been making this year in keeping ahead of Columbia on gross sales. The contrast is implied by the fact that NBC has long got away from sharp fluctuations in gross and has created a pretty substantial basis of 52-week and generated slump-notwithstanding business.

NBC points out that it is 1% ahead of CBS in January, 35% on the comparison of the first six months of this year and 51% in the control of June, 38, billings.

Claim that Philco Radio & Television Corp. had run out on an agreement to employ him 'for life' as assistant general manager, is made by Harry P. Dispecker in a suit filed Friday (29) in Federal Court, N. Y. Plaintiff avers he was hired under contract by Philco in 1934 and fired last May.

Claims agreement called for a salary of \$60 weekly and wants the corp. to pay him \$14,832. How he arrives at the amount, he claims is not revealed in the complaint.

CBS promotional booklet, 'Vienna, 1938: A Footnote to History', which originally had a printing of 9,000, will go to a second edition, unique for a commercial brochure. Additional 2,000 will be divided between America and England, where the piece was a sensation both as an historical document and as an example of Yankee zip in advertising. Prepared under Vic Ratner.

Instead of the European tour which he had laid out for himself early in the summer, Hubbell Robinson, Jr., Young & Rubicam radio exec, is making it a two-week vacation in Bermuda. Trip to Europe was first off when Robinson's father became very ill and just as the deferred sailing date rolled around Robinson was taken down with a severe sinus ailment.

Observance of one year for Stan Shaw's 'Milkman's Matinee' on WNEW, N. Y., resulted in open house at the station from 1-7 a.m. this morning (Wednesday). Figured on getting the newspapers from their first lay, as it was Earl Harper's WNEW 'baseball appreciation night' in Newark earlier in the evening, press agent Larry Nixon put in a 24-hour grind.

Crosley Radio and subsidiary companies showed a loss of \$1,094 after all charges and taxes, for the six-month period ending June 30, as compared with a profit of \$219.18 in similar period last year.

Earnings last year for the six months were equivalent to 40c.

of capital stock as against a loss this year.

NBC's booklet with the match-surfaced mug of a gent in need of a shave comes some gagging among N. Y. admen last week. Ed Kobak of Lord & Thomas cracked that it would take Energine rather than Mollie to rub off that beard.

FED. RADIO DIV. TIES UP WITH TEACHERS

Federal Theatre Radio Division, New York City, has started conducting groups of teachers through its quarters, demonstrating how programs are put together. Visitors are given glims of everything from a how-to rehearse under a director's barking to the p.a. fondly displaying his album of fear-sheets. Ideas are multitud. Figured that teachers will be impressed with the work the division of the WPA is doing, that the precept will plug the programs before their classes, and that they may make use of dramatic methods of drumming U.S. history into their charges' craniums. To help the mams and marmas in this later pursuit, copies of scripts dramatized over the ozone dealing with American lore are given away to any requesting.

Diana Boranov resting, on Brewster Morgan's touch up Paganet Sound. Morgan looting meanwhile on Hollywood Hotel scripts.

Jack Kuylen in Denver to help Carl Stanton launch the chain stores program for Lord & Thomas.

LUCKY STRIKE HIT PARADE
Saturdays 10 P.M., EAST
CBS Network
FIFTH SERIES
CARL HOFF
Starting in October
with
AL PEARCE
on
THE GRAPE NUTS
Mgt. MCA



THE O'NEILLS
BY JAKE WEST
NOW RADIO AND TV STARS
FAMILY BUSINESS BY J. J. WEST
Presented by Variety Soap 99¢ a tube
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 - - - - -
ON COMPTON RADIO
MGT. ED WOLF-RKO BLDG., NEW YORK CITY

WENDELL HALL
Radio's Original
ONE MAN SHOW
TWO VOICES, MANY ADVENTURES
RAIN OR NO WIND, COME TO THE
COMEDY
Address: 4351 N. Paulina St., Chicago

ANSWERS TO QUIZ TEST ON PAGE 33

1. American Home Products; General Mills; Lady Esther; Dr. Miles Laboratories; Win. Wrigley Jr. For others, see the DIRECTORY.
2. Drama and audience participation made the greatest gains financially; popular music and audience participation made the greatest gains by size of hook.
3. Based on November, 1937, time sales, there is a slight average difference in favor of Hollywood.
4. 'Alusie' and 'old'.
5. As of May 1, 1938, there were 723.
6. Approximately 35.
7. Approximately 100,000.
8. Chase & Sanborn; Jack Benny; Kraft Music Hall.
9. Blackett - Sample - Hummerts; Lord & Thomas.
10. Bill Murray and Ed Boland; Don Quinn; Carroll Carroll; John Murray and Ed Boland; Thomas K. Carpenter, Jr.

11. Louis Braddock.
12. Two.
13. Havana has 35 stations; Los Angeles has 30.
14. Women read columns more than men; but women read 100 more than columns.
15. Half the station rate (after deducting wire charges).
16. Thomas D. Jackenbill.
17. 1987, 1990, 1912, 1918, 1935.
18. \$137,000; stations are billed at 5% of net receipts plus a sustaining fee.
19. 22: 24 are licensed but one isn't completed and two others share time.
20. New Hampshire.
21. 24.
22. Change the seating arrangement.
23. 'Canada Dry' Cinger Ale; 'Blue' - 1932; 'NRC' Blue (The DIRECTORY contains records on 3,426 artists).
- 24.
25. Victor M. Ratner; Robert A. Schmidt, E. P. H. Jones.

Order Your Variety Radio Directory From
HOLLYWOOD LONDON CHICAGO
VARIETY VARIETY VARIETY
1708 N. Vine St. 84 West Randolph St.
SAYR BOOK 831. Martine Pl.
STORE Trafalgar Square
1520 N. Vine St. 63 West Randolph St.

BRENTANO'S BOOK STORES
NEW YORK CITY PHILADELPHIA WASHINGTON
535 Fifth Ave. 1736 Chestnut St. 1322 F St., N.W.

VARIETY RADIO DIRECTORY
154 West 46th Street, New York

Please send _____ copies of VARIETY RADIO DIRECTORY
(\$5 per copy, postage paid; \$3.50 per copy in New York City;
daily not prepaid in foreign countries). Enclosed find \$.....

Name _____

Address _____

City _____ State _____

firm Name _____

STATION SHOWMANSHIP

(Attention-Getters, Tie-Ups, Ideas)

Club Gab Clips Swing

Listener reaction to the Boston Club at WORL, Boston, airing 730 to 8 a.m. daily, has become a problem, in its third year. Organized by Sam Henderson, the early morning sustainer originated new members each day and died in with jam sessions. Members have been coming in at 7:50 a.m. with suburban group forming district clubs. Now the listeners are complaining that they get too much blue and not enough swing. New members state the exact time they wish to be wakened over the ether, and Rogers attempts to comply and yet keep within his time limits.

Small Town Editor Stunt

Ralph Warden, news director of WJAR, came back to his hometown, Ohio's small towns with a new angle to promote good-will for station in bucolic sections here. He contacted newspaper editor in each hamlet and told them to send in their

best or oddest news story each week. Yarns are dressed up by Warden, credited to editors and aired under heading of "Ohio Speaks." Initial program brought in four orders for time from advertisers in towns mentioned.

Behind the 8-Ball

Station KVOZ offers a program giving listeners a chance to catch boners by the announcers, commentators, actors, etc. Judge presides on the show, with the defendant answering the listener charges against them. Series is tabbed "Who's Behind the 8-Ball?"

Station's Shooting Gallery

Merced, Cal. Semi-pro riflemen from Merced and 11 nearby communities have been competing in a "Central California Rifle Shoot," aired Sundays over KVOZ, with each contestant being sponsored by one merchant from his home town at a cost of \$5 per one-hour program. Where the communities were extremely small, two

merchants were permitted to sponsor an entrant jointly, sharing the cost equally.

Contests were held in the KYOS studios, with standard 30-foot indoor targets being provided by the station and standard 22 calibre rifles being used. Each man was allowed ten shots—five sitting and five prone. Winners were awarded prizes provided by KYOS. A silver cup, to be retained one year, and a Colt automatic woodsman pistol were given the winning team in the final. Manager Johnnie Crews of KYOS was at the mike for the shot-by-shot descriptions.

Cinderella Toolies Hunt

Missoula, Mont. KGOV has sold a "show week" idea to local retailers, which has resulted in a weekly 30-min. sponsored program titled "Footwear Frolics." As an inducement to buy sneakers, a Cinderella search is conducted by KGOV. During each day announcements are made to the effect that the first female reporting to a certain store who can fill, for example, an 8½ size can have the shoes free. Cash is reversed for exceedingly small toolies.

Larry Nixon of WNEP, N. Y., is making speeches before luncheon and travel clubs for his Little Brown book, "Vagabond Voyaging."

Radio Daffodils

Oklahoma City—KOMA vox-popper Roger King believes in taking it easy while he works these hot days. At amusement park he dons bathing suit, takes a plunge into pool and interviews bathers with use of a portable microphone extended over the pool from a set of cables.

St. Paul—Clellan Card, WCCO's 72-inch and handsome wice-cracking announcer, was elected honorary president last week of the W. C. R. A. Translated, it's We Chase Radio Announcers, a group of local high school gals.

New York—Guest of Dave Eiman's Hobby Lobby asserted he collected bombs as a hobby and proved it by exposing a couple of hopped-up eggs from a satchel.

Fort Worth—Popping ad lib question to chorus cutie almost broke up the Texas Mañana tri-weekly interview show over WJAF last week. What would you do if you'd feel a portion of your costume slipping during a dance act? Chorine Virginia Dofflemeyer snapped: "Why, I'd just hold up my pants with one hand and keep right on hoo-ha!"

Oklahoma City—Hauled before Doghouse Court, a WKY stunt program, Continuity Editor George Hammacher set a new legal precedence when he succeeded in forcing the Doghouse judge to pay him instead of him paying the court. George had been charged by the announcer with having deliberately inserted boners in copy. With a magnificent display of legal technicalities, Hammacher succeeded in reversing the 3-cent fine collected on conviction.

Washington Lobby

Washington, Aug. 2.

Not a single reference to the 1937 sensational revelations at the 1937 disbarment trial found last week in the FCC decision mixing Richard M. Case's ambition to build a new station at Johnson City, Tenn. Case provoked the investigation culminating in trial of two radio lawyers for unethical conduct. Case's master was the heart of the case against the attorneys, one of whom was recommended for substituting documents bearing on the application. Technical barrier—fact that disclosures were incorrect, testimony did not support was presented—blocked Commission from citing discrepancies in testimony as reason for denying the plea.

High-priced outside talent engaged by CBS for the scheduled FCC monopoly-chain hearings. Judge John J. Burns, former counsel for the Securities & Exchange Commission will head the web legal battery. Burns is close associate of Joseph P. Kennedy, former RKO director and now ambassador to Great Britain. Engagement seen as hint that Columbia wants to be set for any attacks on its stock registration, which has caused tut-tutting in Congress.

Southern California Methodists have cheered fumigation drive of Communication. Commissioner George Henry Payne. Resolution at recent Los Angeles conference cited the "blood-curdling stories of murder, crime and terror" on the air, which Payne often has denounced. Methodists appealed to churches, clubs, organizations and individuals to back up Payne's agitation for more suitable kid entertainment via radio.

Switch of two FCC members on the recent decision to allow WRNL (Richmond News Leader outlet) to have a power-provoked speculation. When matter of moving the station (then bearing other call letters) from Petersburg to the state capital was up, Commissioner Eugene O. Sykes was one of those in favor, with Commissioner Norman S. Case opposed. Latest split over application from the same crowd found Sykes dissenting from majority opinion—in which Case concurred—stating more waste would be in the public interest.

Another lawyer mess reported being cooked up at the FCC. Not as serious, from present indications, as the 1937 citation and trial. Record tampering is the charge again this time.

Tough attitude toward applicants—especially newcomers to the biz—who take their time about exercising privileges extended by construction permits is being taken by FCC. Too much racketeering. Holders of long-standing CPV in the future may be ordered to appear before an examiner and explain why they haven't lifted a finger and need more time. Several instances where individuals have harassed existing stations, seeking to be bought out, by filing amendments, modifications, and other documents which automatically drag out the time.



NUMBER PLEASE...

... That's what we ask Alberta Burke and Associates, an independent research organization, to determine . . . the number of radio homes listening to each of the three local network stations in Cincinnati.

In Response to this request Alberta Burke and Associates' staff of trained research workers conducted a 13,742 complete round-the-clock coincidental survey for seven days, June 24th through June 30th. As a result it was found that for the total time surveyed listeners were divided as follows:

WSAI—57.1%

STATION A—31.2%

STATION B—11.5%

While this survey was necessarily confined to Cincinnati, there is no reason to believe that this same relative listener intensity is not equally true throughout our entire primary area.

A complete breakdown is now being prepared and is available upon request.



WSA

CINCINNATI

• National Spot Representative TRANSAMERICAN
NEW YORK CHICAGO HOLLYWOOD

On the Upbeat

Jimmy Raschel current at Pleasant Lake, Jackson, Michigan.

Al Cox playing aboard the S. S. North American, cruise ship, for the duration of the summer.

Glen Gray's Casa Loma band into Palomar, Los Angeles, tomorrow (Wed.), replacing Tommy Dorsey.

Al Donahue orchestra, currently at the Rainbow Room, N. Y., has been renewed until latter part of January, '39.

Zig and Zag, cocktailers, open at Jefferson Davis hotel, Montgomery, Ala., Aug. 5, for C.R.A.s.

Charlie Marglis' new band premiered last night (2) on WJZ-NBC.

Artie Shaw into Gateway Casino, Summersport, N. J., Aug. 8 augmenting regular band of Clem Williams. Bob Bundy now handling Shaw band. Shaw also signed for Harvest Moon Ball, N. Y., Aug. 31. Nano Rodrigo's Latinus play rhumbas, waltzes, etc., while Shaw handles swing stuff and fox-trot tempos.

Tommy Reynolds now at Reade's Casino, Asbury Park, N. J. Succeeded Glenn Miller July 30.

Rudy Bandy to Gypsy Village, Louisville, Ky., for three weeks July 30.

Charles Randall follows Hal Hallett at Playland, Rye Beach, N. Y., Aug. 5.

Emery Deschak now being managed by Moe Gale. Exited Rock-O-Kee a month ago.

Chick Webb one-nites Reade's Casino, Asbury Park, N. J., Aug. 20.

Leahy Prima's band booked into the Terrace Garden on the Albany-Saratoga Road. Also appearing are Benny Griffin's orchestra, Dancing Dolls.

Avon Sisters, Reni & Jerry and Deauville Boys, Terrace Garden is managed by Charles and Ray Fine.

Duke Ellington resumes work Aug. 10 after recuperating from recent operation. Starts with one-nites in New England. Then south and west on theatre and dance tour, replacing Cab Calloway at reopened Cotton Club around Jan. 10.

Sanders called into C.R.A.'s N. office as location salesman.

Cab Calloway returns to N. Y., Aug. 22 to begin rehearsals for new Cotton Club show opening early in September.

Bill Barde orchestra has been re-engaged for an additional week at the Hotel Claridge, Memphis. Opened there July 21 and will close Aug. 17. Isham Jones follows for nine days.

Don Redman renewed at the Surfside, Long Beach, L. I., until Sept. 1.

Murray Cohen, oboist, and Frank Signorelli, pianist, joined Paul Whiteman's band last week. Replace Jack Cressey and Irving Brodsky.

Edith Nixey, socialite singer, joined Eddie Lee Baron's band at the Rainbow Room, N. Y., this week.

Blue Barren plays Paramount theatre, N. Y., after closing at Edison Hotel Oct. 1.

Barney Kapay stays at the Nicollet hotel, Minneapolis, until Aug. 10.

Kay Kyser to be presented with plaque tonight (3) by dance students of Fred Le Quorne school, 1138 by pro and amateur teachers.

Jeanie Lunceford at New Ocean Casino, Virginia Beach, tonight (3).

'Klugs of Tempe' swing band moved into Ray Hall's Sevens Sea.

In Hollywood Thursday (28), with Jean Gary vocalizing.

Low Saxe and band opened at the Beverly Wilshire in Beverly Hills tonight (Tues.) with Voyla Voss as vocalist.

Arthur Guitman, Viennese maestro, is conducting 100-piece orchestra and 100-voice chorus in Metro's 'The Great Waltz'.

Al Kats playing the Ocean View, Va., Casino in surprise move, replacing Dan Gregory.

Art Kassel opened Monday (1) at Kenneywood Park, Pittsburgh, for two weeks. He'll be followed Aug. 15 by Tommy Tucker, also for fortnight. One-night stands set for same spot this month include Benny Goodman, Aug. 25, and Smith Balw, Aug. 28. All placed by MCA.

Val Garvin, of Pittsburgh, into Half Moon Club, Steubenville, O., for first stay. Placed by Joe Hillier for C.R.A.

Jackie Heller opens at Washington-York hotel, Shreveport, La., Aug. 10, for month with options. Placed by MCA.

Joe Venuti playing the dance tines at Villa Venice on the beach near Los Angeles.

Leo Maans moved into the Casino, San Clemente, Cal., last Wednesday (27), booked through Labor Day.

Anson Weeks band played a hometown engagement at the Rainbow Gardens, Sacramento, Saturday (30).

Benny Meroff moves into the Los Angeles Orpheum theatre for two weeks opening tomorrow (Wed.). Les Hite's septa bunch, with 'Peggy Lee' and 'The Blue Belles'.

Doris Fisher, daughter of publisher Fred Fisher, will record with her own orchestra for Brunswick. Uses name 'Penny Wise' and her Wise Guys with crew.

Johnny Messner has added a Swiss music box to his band's equipment. Not okay from NBC to use 'box' for background music on announcements on radio time.

Shep Fields replaces Frank Trombar at the Baltimore Bowl in Los Angeles, Sept. 15.

Ben Pellock, Joe Venuti and Bill Amand and their bands have been booked into Pasadena Civic Auditorium for successive week ends next month, beginning Aug. 5.

Dan Gregory is in at Ocean View, Va., for the rest of the season, ousting Dave Ballou and his CBS boys, the operators at the resort.

Panchella and His La Conga Orchestra, Inc., New York, has been dissolved, papers being filed with the Secretary of State in Albany.

Charlie Agnew at Bill Green's Pittsburgh, had option lifted for additional two weeks and stays through Aug. 5, with possibility of remaining longer. Handled by MCA.

Phil Regan is organizing an All-Star dance band for a series of one-night stands on the Coast and possibly an eastern tour.

Tommy Clifford's Swingtette set until Labor Day at Wilmer Yogt's Tavern, Mountainhome, Pa.

Willard Schillingler's music at Tennis Club of the Inn, at Buck Hill Falls, Pa.

Mal Hallett to tour Club, Providence, R. I., Aug. 25, for one week on a R-O-K exclusive booking.

Ben Bernale plays for Beverly Hills Club, Newport, Ky., starting Aug. 5.

Sam Rubin replaced Leonard Whitney as second alto saxer with Jimmy Dorsey band.

Hal Berdan band has wound up an eight-week stand at Atlanta Billmore hotel, Atlanta.

McKinney's Cotton Pickers holding the fort at Clark Lake, Michigan, for an indef. run. Dorothy Derrick vocalizing with the crew.

15 Best Sheet Music Sellers

(Week ending July 30, 1938)

Musie, Maestro, Please	Berlin
'Says My Heart	Famous
Let a Song Go South of My Heart	Mills
Cathedral in the Pines	Berlin
'Lovebird in the Starlight	Paramount
A-Tisket, A-Tasket	ABC
The Flat Foot Floogie	Robbins
Little Lady Make Believe	Robbins
When They Played the Polka	Green Bros.
Oh, Ma-Ma	Olmstead
I Hadn't Anyone Till You	Robbins
'You Lead Me Breathless	Shapiro
11 Married an Angel	ABC
When Mother Nature Sings Her Lullaby	Famous
'Now I Can Be Told	Santley-Joy
	Berlin

* Indicates film musical song.

* Indicates stage production song. The others are pops.

Set Compass

(Continued from page 37)

come a party to the crime of libel by consenting to his use of your broadcast facilities.

Paragraph 2 of rule 36a defines the words 'a legally qualified candidate for public office.' Under Section 3191, Revised Statutes of the State of Washington, this includes all legally qualified candidates for the primary elections. If there be any doubt as to whether an individual is a legally qualified candidate, a certificate covering this question can be obtained from the county auditor.

Paragraph 3 of rule 36a is clear in its purport and comprises a fair standard of a fair treatment of all candidates. A solution of the question therein contained against giving preference to any candidate for public office would be a circular letter advising all candidates for all offices, both in the primary and in the general elections of such rules.

Paragraph 4 of rule 36a is clear in its purport and comprises a fair standard of a fair treatment of all candidates. A solution of the question therein contained against giving preference to any candidate for public office would be a circular letter advising all candidates for all offices, both in the primary and in the general elections of such rules.

be made in the order of applications filed with the station. It is to be doubted that any candidate will seek to purchase all of the available time on the record, but if such should be apparent, then you are required under paragraph 3 to so allot the time that other legally qualified candidates for the same public office will be in a position to contract for an equal amount of time.

Paragraph 4 requires the keeping of a record of all requests for broadcast time. This record should provide blank application forms for use by candidates for public office which should make provision for an application by such candidate for an allotment of time under rules and regulations of the station. These applications, when received, should be entered on the special record maintained for this purpose, upon which should be noted, the disposition of the application.

Tough State
Washington state libel laws were written to hold down rough conversation of the printed word and known as one of the most stringent.

From the present political lineup and the whippers going the rounds, there are going to be several lesser spokesmen on the air in the next campaign.

SONGS FROM ROBBS

The Sensation of The Century!

A-TISKET-A-TASKET

By Ella Fitzgerald and Al Feldman

America's New Novelty Hit!

WHEN THEY PLAYED THE POLKA

Words by Lou Halzer Music by Fabian Andre

The Year's Foremost Production Hit!

I MARRIED AN ANGEL

By Lorenz Hart and Richard Rodgers
From the Musical Comedy, "I Married An Angel"

A Rodgers and Hart Melodic Classic

SPRING IS HERE

From the Musical Comedy, "I Married An Angel"

It's a New High in Swing!

LULLABY IN RHYTHM

By Benny Goodman, Edgar Sampson, Clarence Profit and Walter Hirsch

From the 20th Century-Fox Picture, "Little Miss Broadway"

HOW CAN I THANK YOU

By Walter Bullock and Harold Spina

From the New Universal Picture, "That Certain Age"

MY OWN
YOU'RE AS PRETTY AS A PICTURE

By Harold Adamson and Jimmy McHugh

ROBBINS MUSIC CORPORATION

799 SEVENTH AVENUE - NEW YORK

Feist First

Gordon and Revel's Song Sensational
MEET THE BEAT OF MY HEART
From the M-G-M Picture, "Love Finds Andy Hardy"

Gordon and Revel's No. 1 Song on all Hit Sheets
WHERE IN THE WORLD
From the 20th Century-Fox Picture, "Joelito"

A Fresh Idea in Musical Novellas
ON THE BUMPY ROAD TO LOVE
By Al Hoffman, Al Lewis and Murray Mencher

The First New Style Song in Years
MY MARGARITA
By Maria Grever English lyric by Walter Hirsch

Now Ready!
Gordon and Revel's Latest and Greatest Scare!
I'VE GOT A DATE WITH A DREAM

THIS MAY BE THE NIGHT
COULD YOU PASS IN LOVE
BY A WISHING WELL
From the 20th Century-Fox Picture, "My Lucky Star"

Leo Feist

1029 BROADWAY - NEW YORK

Cincy Opera Having Best Season; James Melton, Better Bally Help

Cincinnati, Aug. 2. New record for attendance and receipts of summer grand opera at the Zoo will be registered Aug. 6 when the 17th season closes. Up to Saturday (30) the gross for the first five weeks of the current season was 30% above last year's previous all-time high.

The 1937 season, considered successful, was being surpassed, finished \$8,000 in the red, as compared to a loss of \$40,000 in 1936. Financial outcome for this season is expected to show only a very light loss, production costs being up about \$3,000 a week over last year, running the average weekly net to \$1,500.

Increased seating capacity, the engagement of James Melton for his operatic debut, livelier publicity and added promotional programs contributed to improved returns for this season.

Harry K. McWilliams is in charge of the press and radio plugging for the second straight year. This season he introduced the idea of film advertising, particularly the art angle, in display ads used in the dailies. Operatic themes of drama, comedy, romance or adventure were separately treated with illustrations such as enliven the ads of de luxe pie houses.

For the final week, four repeat performances of the season's most popular operas are being featured, along with a performance of "Thais." Encore vehicles are "Madama Butterfly" and "Traviata" in which Melton returns, also "Carmen" and "Rigoletto."

WAXED CONCERTS FOR DETROIT SYMPH FANS

Detroit, Aug. 2. To assuage Detroiters' demanding continuance of Detroit's first three-week summer concerts on Belle Isle, the local department of recreation is sponsoring a series of 10 recorded concerts over the rest of the summer in the park's new Regular symph series folded after financial troubles. Devotees can now hear waxed concerts, with all paraphernalia—discs, amplifiers, etc.—furnished by Grinnell Bros. here. There'll be full symphony programs.

Detroit Symph usually gives six-week series on the lake, but city council, faced with relief crisis, was this year able to provide funds only for three weeks. Symph adds immediately obtained 4,000-signature petition and presented to council.

Recco Veces spent the weekend listening to the music of hotbeats at Del Mar track on the Coast.

BERLIN-BULLETS

TOPPING EVERYTHING!
ANOTHER IRVING BERLIN HIT

IT CAN BE TOLD
I CAN BE TOLD

From the Picture of the Century

'Alexander's Ragtime Band'

A DARRYL ZANUCK
20th Century-Fox Production

HARRY LINK, Gen. Prof. Mgr.

IRVING BERLIN, Inc., 799 Seventh Ave., N. Y.

Raise \$143,073 Fund For L. A. 1938 Symph Season

Los Angeles, Aug. 2. Fund campaign of Southern California Symphony Assn. has raised a total of \$143,073. Money will finance 1938 season of the Los Angeles Philharmonic orchestra.

Ask 3d Arbitrer

(Continued from page 4)

agenda for the next general membership meeting.

New statement of policy providing for executive board meetings to be open to general membership once a month, states:

"There can be no democracy in any organization in which free and orderly discussion of any issue is curtailed. It is equally true that there can be no democracy in any organization in which definite policies can be hastily voted without the aid of the organization having an opportunity to consider and vote upon such policies."

"Your board has, therefore, set up machinery which, it hopes, will allow free and open discussion, and still not allow the Guild to be committed to any policy unless that shall be the will of the membership at large."

On your board will meet at a place to be later announced—which shall be large enough to accommodate a considerable number of people. Every member of the Guild is urged to attend these meetings, particularly those working on any Guild committee. At such a time any member is privileged to bring up for discussion any subject he elects and the board will discuss it with him. After such notification, if the member decide whether in his opinion the issue should be referred to the membership or if it does so decide it will be placed upon the agenda of the next general membership meeting.

In the event of an adverse decision, the board shall so notify the member together with the reasons. After such notification, if the member still feels that the question should be brought before the membership, he shall have the privilege of presenting it personally from the floor and the membership there present shall vote whether the issue should be submitted to the membership at large.

"In order to make these monthly discussion meetings as representative as possible, we propose that all members of the studio committee attend the meetings. In this way we

can utilize the studio committee as a means of activating general membership, establishing a closer contact between the members and the board, and checking up on the views and suggestions of all our members."

Bargaining Code Ready
Work on bargaining code of the SWG has been completed and will be submitted to the producers as soon as the NLRB certifies the Guild as bargaining representative for the screen.

Regional director of the NLRB has docketed all pending film cases for immediate hearing at the offices of the SDG case. Assignment of trial examiners to take up a case as soon as one is completed has been ordered by Dr. Nylander.

Among those to be taken up first are petitions of the Society of Motion Picture Film Editors, Script Clerks Guild, Society of Motion Picture Art Directors, and Society of Motion Picture Artists and Illustrators.

Negotiations will be started next week for a new two-year contract between the Fox-West Coast Motion Pictures and Projectionists Local 150, International Alliance of Theatrical Stage Employees. Present contract expires Sept. 30. John Bertero, of F-W legal staff, and Dick Dickson, district manager, will handle preliminary negotiations, with R. L. Haywood, business manager of Local 150, appearing for the IATSE.

Gaines to Mpls. Symph
Minneapolis, Aug. 2. Arthur J. Gaines has been engaged as business manager of the Minneapolis Symphony orchestra, succeeding Mrs. Carlyle Scott, who has served in that capacity for the past six years.

Gaines was business manager of the local organization from 1923 to 1936 and held here to leave a similar post in St. Louis.

Network Plugs, 8 A.M. to 1 A.M.

Following is a totalization of the combined plugs of current tunes on WEAF, WJZ, WABC and WOR computed for the week from Monday through Sunday (July 24-31). Total represents accumulated performance on the two NBC links, CBS and Mutual from 8 a. m. to 1 a. m. In 'Source' column, * denotes film song, 1 light tunes, and 'pop' speaks for itself.

Title	Publisher	Source	Grand Total
Now It Can Be Told	Berlin	*Alexander's Ragtime Band	67
On a Sunday Afternoon	ABC	Pop	67
Hadn't Anyone Told You	ABC	Pop	51
You Go to My Head	Remick	Pop	51
Play My Heart	Remick	Pop	51
When Mother Nature Sings Her Lullaby	Santly-Joy	Pop	51
Let a Little Birdie Know	Remick	Pop	51
There's Honey on the Moon Tonight	Miller	Pop	41
Married an Angel	Robbins	1 Married an Angel	41
Chickadee	Robbins	Pop	41
Where in the World	Feist	*Josette	41
Go Lock Me Up	Remick	Pop	41
Flat Foot Floogie	Green Bros.	Pop	41
I'm Saving Myself	Remick	Pop	41
Little Lady Make Believe	Diman	Pop	41
My Walking Stick	Berlin	*Alexander's Ragtime Band	41
Naturally	Lincoln	Pop	41
There's a Paraway Look in Your Eyes	Tenney	Pop	29
Spring Is Here	Robbins	1 Married an Angel	29
When They Played the Polka	Robbins	Pop	29
I'll Dream Tonight	Witmark	*Cowboy from Brooklyn	29
In a Little Dutch Kinderland	Robbins	Pop	29
Lullaby in Rhythm	Robbins	Pop	29
Alexander's Ragtime Band	Chappell	*Alexander's Ragtime Band	29
Hit to Silver	Chappell	Pop	29
Let Me Whisper	Chappell	Pop	29
It's Time to Get Ready	Spier	Pop	29
You Leave Me Breathless	Famous	*Coconut Grove	29
Will You Remember Tomorrow	Spier	Pop	29
Bambina	Spier	Pop	29
I've Got a Pocketful of Dreams	Santly-Joy	*Sing You Sinners	29
On the Bumpy Road to Love	Remick	Pop	29
Beside a Moonlit Stream	Famous	*Pop Loo	29
It's a Wonderful World	Famous	Pop	29
Why'd Ya Make Me Fall in Love?	Feist	Pop	29
Try Trumpet	Circle	*Rebecca of Sunnybrook Farm	29
Cliff in the Boat	Circle	Pop	29
So Lovely	Crawford	Pop	29
Remember a Time	Witmark	Pop	29
Levelight in the Starlight	Paramount	*Her Jungle Love	29
What Goes on Here	Paramount	*Give Me a Sailor	29
It's a Wonderful World	Paramount	Pop	29
My Margarita	Feist	Pop	29
It's a Wonderful World	Feist	Pop	29
Don't Cross Your Fingers	Feist	Pop	29
Red, Tenderfoot, Red	Feist	Pop	29
Coventry the Sage	Feist	Pop	29
Don't Be That Way	Robbins	Pop	29
Golden Sunset	Robbins	Pop	29
Towny Jamboe	Red Star	Pop	29
Oh, Ma	Red Star	Pop	29
Looked Down and Laughed	Kalmar-Ruby	Pop	29
Small Fry	Famous	*Sing You Sinners	29
Down in the Valley	Famous	Pop	29
Isn't It Wonderful—Isn't It Sweet?	Miller	Pop	29
Coventry the Sage	Miller	Pop	29
There's Rain in My Eyes	Ayer-Yeilen	Pop	29
Don't Let That Moon Get Away	Santly-Joy	*Sing You Sinners	29
It's a Wonderful World	Crawford	Pop	29
I'm Glad I Waited for You	Stansy	Pop	29
I've Got a Date with a Dream	Feist	Pop	29
So He'll Be	ABC	Pop	29
At Your Beck and Call	ABC	Pop	29
It's a Wonderful World	Chappell	Pop	29
Isn't It Wonderful—Isn't It Sweet?	Feist	Pop	29
It's the Dreamer in Me	Feist	Pop	29
Figures	Feist	Pop	29
It's the Little Things That Count	Markis	Pop	29
There's Brand New Picture	Witmark	Pop	29
It's a Wonderful World	Witmark	Pop	29
Dippy Doodle	Lincoln	Pop	29
Remember a Time	Lincoln	Pop	29
Minuet in Jazz	Circle	*Sally, Irene, Mary	29
Love Walked In	Chappell	*Goldwyn Folies	29
Gaego in Grand	Chappell	Pop	29

Inside Stuff—Music

American Society of Composers, Authors and Publishers is sponsoring 'Old Song Week,' beginning Saturday night (30). Part of the observance will be a series of 'Old Song' broadcasts over NBC, CBS and Mutual stations. Shed calls for Al Donohue, Hal Kemp, Kay Kyser, Bill McCann, Sonny Kendis, Guy Lombardo, Henry Busch, Richard Himber.

In connection with the observance, Stage Ma is making its August number an 'Old Song' issue and will feature an imposing list of new authors, including Edna Ferber, George M. Cohan (a new song 'These Lovely Love Songs'), Gilbert Gilbert, Moss Hart, George S. Kaufman, Irving Berlin, Franklin P. Adams, Rubell Cross, Deems Taylor, Ed Wyer and Marc Connelly.

Introduction of name personalities into cartoon strips continues apace with the latest one being an exploitation stunt arranged by publisher Lou Cowan for Bob Crosby.

Cowan has set for plugs of the Crosby orchestra's 'Bob-Cats Club' into the 'Harold Teen' cartoon strip, through the Chicago Tribune syndicate. It means practically world-wide coverage for the Crosby orchestra Crosby band now in the Blackhawk cafe.

Republic Pictures has bought the screen rights to 'Colored Sunset' written by Con Conner and L. Wolfe Gillett. Tune is polished by writer's music company.

Republic will use the number in a Gene Autry western as a title song and feature. Autry's current release will feature the number in p. a. tour this week and serans coastward to start work on the pic.

Coleman's Hoity Dates

Emil Coleman has already booked 35-society affairs for the fall and winter seasonal season. Skeeled to supply transportation for the League Assembly Dec. 2 and dock of deb coming out parties.

Coleman's currently at the Piping Rock club, Saratoga Springs, N. Y., and is set to go into the Sert Room of the Waldorf-Astoria, N. Y., in the fall.

Pearce in 'Rigoletto'

Jan Pearce set for tenor lead in 'Rigoletto' at Griffin Park, Washington, D. C., outdoor program Friday night (5). National Shikaree will conduct orchestra.

Harry Engle, of Fanchon & Maes, is agent.

Ballroom Manager for large hall in Chicago. 12 months a year. Must have experience, qualifications, salary expected. BOX 46, Variety, 51 West Randolph St., Chicago.

WANTED: Chicago. 12 months a year. Must have experience, qualifications, salary expected. BOX 46, Variety, 51 West Randolph St., Chicago.

4,000 See Manana in Texas Opening

With Wayne King, Downey as Stars

Port Worth, Aug. 2. Punch that put the Casa Manana of 1938 out on the opening Friday (29) was Wayne King's orchestra, master personality and the singing of Morton Downey. Nearly 4,000 saw the premiere and the huge cafe-restaurant was crowded over the weekend. A season of four to six weeks is planned. Management estimates weekly net at \$17,500 and expects a \$25,000 gross the first week.

Four production numbers, dancing of Edna Sedgwick and six vaudeville acts round out the show, which is set on the elaborate scenic scale of the two previous years, but it evidently pleases the customers. Fifty-two Texas girls and a local orchestra, led by Ed Lally, gave a Texas touch to the show.

W. H. Stein, v. p. of Muehle Corp. of America, which produced the show, states the opening. "Businessmen, who are backing enterprises, plan presenting next year also."

Show was staged by Paul Oscar, assisted by Lauretta Jefferson and Alexander Oumansky. Lew Wasser, executive director; Norman Stepp, associate executive director; Hogan Hancock, assistant executive director, and William J. Green, a vaudeville acts are Three Nonchalants, Walter Nilsson, Monroe and Grant, Peggy Taylor, Irt, Horton Spurr and Grace Flash.

Apolon Refused Okay

On New Band Import; To Use Yankee Crew

American Federation of Musicians has thumbed down the importation of a Mexican band, the Dan Apolon was interested in bringing up from Mexico City to include in their next season's program.

Ruling of the AFM is that foreign aggregations cannot come into the U. S. engagements, other than concert, without American union members cannot fill. It was pointed out that there were Mexican musicians in this country belonging to the AFM.

Apolon will now use a swing crew of Americans in place of the Hawaiian string group of nine men he has been using in the past. Will continue carrying several of the Hawaiian use players, who serve as a wedge for comedy bits; also Harold Alton, Polynesian singer.

In the new unit Apolon will also include with the girls, whom he carried in past shows. Standard special acts will be used.

JACOBY TO REOPEN N. Y. CAFE AFTER PARIS FOLD

Paris, Aug. 2. Harold Jacoby, currently operating the Le Ruben Bleu here, returns to New York in the fall to reopen the spot of the same name on Oct. 12. Jacoby has brought over almost 100 N. Y. show, which returns with him in the fall.

Moss Signs Rimacs

Joe Moss has signed the Rimacs, Hollywood restaurant on Broadway, which is ordered to reopen second week in September. Orchestra is currently playing abroad.

There will also be another band used, probably a name.

ZASU FOR PHILLY

Zasu Pitts opens a week's stand at the Philadelphia, Friday (3). For date at the Paramount, N. Y., beginning Aug. 17, is cancelled for Dick McKeur, of the Shurtz office, handling.

McGivney Gets Berlin

Booking 18 Mos. Ahead

Owen McGivney, vaude protean act, has been booked a year and a half ahead for a two-month stand at the Scala, Berlin. Will get \$675 per week in German marks. Contract booked in New York by Charles H. Allen for January-February 1940.

For 18 years a standard American act, McGivney went to England a year ago and has since been working there. During vaude's hey-day act got \$600 a week in the U. S.

PITTY NITERY BIZ WORST IN 8 YRS.

Pittsburgh, Aug. 2. First casualty of the summer cafe scene is Blain's Inn, which folded last week. Spot had been having rough sailing all year and only a few times, but has been old-fashioned meller, "Jesse James," on outdoor stage of hopes of stimulating trade. No, however, and when Bob Clayman's band walked out with two weeks' salary coming, the jig was up.

Blain's Inn is old Strands' Inn and has been in business for more than a decade. Frank Blandi and a group took it over two years ago and made a little dough last summer and reinvested it in a tent top this summer.

All over district, 1938 is proving a bad one for outdoor dance spots. Smalltown cafes are all-loses-down in a recent, and only roadhouse making a decent showing is Willows. It's been helped considerably by Blandi's closing since two places are close to each other. Summer generally considered worst around here since 1930.

Added to other woes was Local 60's ban on remote broadcasts, allways halted as chief source of soverizing for out-of-town spots.

SOPHIE TUCKER IS FETTERED BY BOSS

Sophie Tucker was given a surprise party by the management of the Riviera, Jersey's class night spot, upon the conclusion of her appearance there last Wednesday (27). When she finished the concluding song, she was surrounded by the management and a little time. She explained she was in a hurry to get away to Saratoga but did not leave until 5:30 a.m.

A piano made of ice, with lights under the floor and presented to Soph. Songstress is now appearing in the Piping Rock Club at Saratoga Springs, N. Y.

Philly 12 Club Changes Hands; 50G Suit Pending

Philadelphia, Aug. 2. Boo Boo Hot-Bit Bellet's 12 Club here has been taken over by Johnny Murphy.

Suit for \$50,000 is now pending against the spot by New York's 21 Club for alleged pirating of the moniker.

Weaver Bros.-Elviry Offered to End Vaude

Weaver Bros. and Elviry being offered vaude in cash by a local agent, on a deal with Walter Batelcher, who has signed the act as a personal rep. Turn is now in films.

Being offered as a three-act at a renewal \$100,000 contract with the Riviera, the troupe at the top of a unit which used to get around \$5,000 weekly. Elviry's been active in vaude for several years.

N. Y. OPS AGREE TO CURB BIDDING

Leading Talent Buyers for Theatres Get Together to Set Limits on Stage Coin

—Tried It Once Before, but It Didn't Work

'B'WAY OPPOSISH

An understanding has been reached under "gentlemen's agreement" among New York theatre operators, from accounts, to limit salaries of talent on Broadway and elsewhere should competition between theatres develop to the point where bidding for coin in the face of bidding might go out of bounds and raise the levels far beyond a reasonable plane, as has occurred in the past.

While expected that in other keys theatre will be bidding against each other for talent this coming season, in New York there is every likelihood the competition for bands and specialty artists will be keener than for many years. Against the Paramount, Roxy, Music Hall and Loew's State, now using shows, the Strand is putting in a new show, and the Capital may also go into a combination policy this fall.

There are some reports that the Capital might have been going well with double features, may also return to vaudeville, all operators in New York having in mind the establishment of a stage policy for the N. Y. World's Fair, the trend of feeling toward stage shows in other keys is also strong at the present.

Plenty Bands

Par and State are now both using a lot of bands, the former on every show. When the Strand opens its policy, it will fashion it after the Par and also use orchestras, already having booked Ben Bernie, Ozzie Nelson and Jan Garber. Cap, which covered over its pit with concrete on remodeling the house a year ago, might use bands and spot them on the stage instead of on the pit.

In addition to the opening that might be seen for high salary demands among bands and name acts should the New York theatre operators present such competition, operators are not unimpressed that specially entertained which are also used at the Music Hall, Roxy, and State, would similarly try to get a coin.

The experiences of the past when, in spite of dwindling grosses on top of the 29, artists were demanded to appear in excess of a year, have led to the reported agreement among all operators to limit the ceiling along reasonable lines in the face of present business possibilities.

Presumption is that the operators will be in better luck and get what they believe is a proper salary range, either when negotiations open up in advance.

A few years ago, when RKO was still playing vaudeville and the Capital had been an excess of a year, they were putting on big shows, the ops all got together with a view to the betterment of the industry and carried through on it. Competitive bidding for attractions between the Capital and the Strand at that time defied the agreement.

Kay Parsons Bankrupt

Kay Parsons, who conducts the Hudson River Show Boat during the summer, filed a voluntary petition in bankruptcy Thursday (19) in N. Y. Listed her liabilities at \$74,000 and assets \$18,454.

Pitt Actor Union Refuses to Join AFA

Due to Denial of Local Autonomy By Whitehead; Switch to CO Threatened

3 Southern Cities Slated For Occasional Vaude

Wilby-Kinney circuit, southern affiliate of Paramount, will play occasional stage shows in three cities this coming season. W-K will handle bookings direct, through J. H. Harrison, of the Atlanta office.

Burgs due for a resurgence of flesh are Knoxville and Chattanooga, both two-day stands, and Birmingham, a one-dayer. Name shows and units will be played on percentage.

ORIENTAL MAY RESUME ACTS

Chicago, Aug. 2. Several meetings have been held recently by Balaban & Katz executives in an attempt to hit upon a plan for the quick reopening of the Oriental, which closed last week. According to present indications the Oriental will be reopened within a few days.

Several indications are that the Oriental will be reopened within a few days. Several indications are that the Oriental will be reopened within a few days.

Simon Agency Control Passes to Yates With Death of Irving Simon

With the death of Irving Simon, Thursday (28), Charles Yates, who closed his own office less than a year ago, will be the Simon Agency in New York, becomes sole head of the latter. Yates a few months ago bought out the interest of Perde Simon's widow held in the office.

Obituary of Irving Simon is on page 54 of this issue.

PAR, N. Y., TO GUEST NEGRO VAUDE STARS

"Paramount theatre, N. Y., will be turned into a suburb of Harlem, tonight of Aug. 15, when Chick Webb, then the current band, stages a guest night. Each success v. band leader will curley from a visiting negro maestro, or soloist, on one night Webb will bring in a gang to bolster the act and Elia Fitzgerald.

Those already set are Jimmy Lunceford, Ethel Waters, Duke Ellington, Errol Flynn, Count Basie, Roy Eldridge, Teddy Hill.

Private Affairs Kill Astor Roof Extension

Hotel Astor, N. Y., which had been mulling the idea of keeping its Roof Garden open through the fall and winter of season with a name crew on the handstand, has dropped the thought, completely. Roof normally closes in September.

Flock of booked ahead banquets and club dinners which couldn't be evaded forced the abandoning of plans.

Ben Bernie was to have carried on all winter. He opens the Broadway Street's new bandshow policy Aug. 28.

Pittsburgh, Aug. 2. Pittsburgh actors' union, Entertainers' Federation of America, turned down Ralph Whitehead's proposal last week that the organized group here join forces with the American Federation of Actors. Whitehead came here from New York to address AFA membership and found a hostile crowd awaiting him.

Chief reason for Pittsburgh outcasts' refusal was Whitehead's insistence that AFA could not immediately grant full local autonomy to the AFA. He pointed out at great length that the AFA executive board would be required to pay money paid in as dues to be held and expended only by national officers. Pending stretched into five hours of acrimonious argument, at the end of which majority of AFA's claimed 400 members, with vice-president Ted Huber as their chief spokesman, determined they would retain their own identity and not be absorbed by AFA. They say their organization is nearly three years old, that it has a fat treasury and will not concede to Whitehead's demands, not even to get an AFL-AFA charter which he was said to have offered.

Whitehead's proposal was also to annoy the management of Allegheny County's forthcoming Sesqui-Centennial celebration at South Park were discounted, speakers for both sides were invited to discuss the matter. Whitehead had previously told newspapermen that the Sesqui-Centennial would be a "discussion" of AFA based its objections to Whitehead's proposal on the fact that all the unions know of, including even the hood-carriers, retain about 40% of the dues in their local territories, and they are not strong enough to handle their local affairs, why aren't we?

During a particularly heated part of the debate, Jean Fole, magician and business agent of AFA, shot back to Whitehead's suggestion that "our group can easily join the CIO." After the meeting broke up, Whitehead said he would later meet with theatrical booking agents here and planned to call another meeting of stage performers.

Following dictum that all agents must be franchised by the American Federation of Actors, New York promoters were informed from Pittsburgh that they must have licenses there if they intend operating in the state.

Letter to Entertainment Managers Assn. N. Y., states that many New York agents are operating there minus tickets. Agents operating through other local agents on split commission basis and thus avoid payment of tickets. They are also aware of how they themselves as producers of shows.

WARNOW BROTHERS IN PARAMOUNT SHOW

Mark Warnow, CBS musical director, and his 12-piece orchestra, working outfit in the pit of the Paramount, N. Y., opening Aug. 31 or Sept. 7. Warnow's Scott, Warnow's brother, and his quintet, are scheduled for the same stretch.

Joe's Sullivan, who's been swinging singer, will round out the bill.

Henry on Talent Quest

Dick Henry, of the William Morris agency, left for London Aug. 17 to further go into the scouting and booking of talent for America and Britain.

Harry Kalcheim, of the Morris office, is currently abroad and Henry is awaiting his return before sailing.

Exhib Leaders' Views

(Continued from page 2)

to, on a single bill, they should not be forced to play or pay for pictures.

It is also in my opinion, unwise for exhibitors to pay for pictures and news reels in order to secure the feature product, and also unwise to continue to do so.

It seems to me that the producers should realize the importance of the exhibitors to conduct their business on a profitable basis, and should give to the exhibitors more leeway in making adjustments, where same are necessary. As long as the exhibitors are not being hurt by the picture, they should be allowed to make such adjustments as they see fit. As previously said, they are placing their branch managers and exhibitors in a position to force the exhibitor to pay prices which are out of all proportion to the business that the pictures can produce.

We also believe that in a good many cases, unfair requests are being made for preference pictures, by taking away from the theatre owner the right to use his discretion as to when and where to play a picture.

The producers, themselves, by making the exhibitors unsympathetic to other producers, are hurting the industry in the eyes of the public, and we think it is high time this should be changed.

Whoever has charge of the public relation between the exhibitors and the public, apparently have not done a very comprehensive or effective job, as the public, when getting fed up with the producer companies, high salaries, constant intrigues and disagreements, all of which seem to lead to the general impression that the public is being kept in the dark.

It is a general statement, and does not apply to any particular person, but rather to the attitude of the public as we see it.

Morton S. Thibault
President, NEIGHBORHOOD THEATRE, INC.

Crockett Asks 7 Reforms
Richmond, Va.
Editor, VARIETY:
The exhibitors of Virginia object strenuously to some of the trade practices now in force, among them the following:

1. So many pictures are being proposed obviously to be used in double bill theaters. Virginia is primarily a single bill territory, therefore, the exhibitors object to having to play double bills and pay for them, even though they are not suitable to be run in their theaters. We, therefore, believe that there should be either an elimination of lower classification of pictures or a larger cancellation privilege in the contracts.

2. Many pictures are being made impossible for the exhibitor to purchase all the short product and the exhibitors strenuously object to being forced to buy short product and to pay for it on the weekly payment plan, when they are able to use the product or not.

3. The exhibitors object to being forced to buy trailers from producers, as many of the exhibitors feel this an extra cost which they may have incurred if they had contracted for trailer service from outside manufacturers of trailers.

4. The exhibitors object to being forced to purchase newsreels for in many cases they are buying more newsreels than they can possibly use, and are paying for them, which they absolutely have no use.

5. The exhibitors object to payment of service charges and feel that the service charges should not be charged by the producers and should be included in the price of film.

6. The exhibitors object to the price of film being run on a percentage basis they think percentage should include newsreels and service charges and should not be a separate charge.

7. They object to producers insisting on a preferred playing time. They believe that the theatre operator should be sole judge as to when pictures should be played and that insistence of "preferred playing time" by the producers is unreasonable and unjustifiable.

8. Inasmuch as practically all pictures are bought far in advance of production, the exhibitors believe that should make adjustments on such

pictures which, when run, do not take in enough money at the box office to pay overhead of the theatre. Under the present rate, high prices and percentage pictures there is not enough profit left on all good pictures to make up for loss on poor pictures, and producers seem to be unsympathetic to adjust film rental after pictures have been played.

Generally speaking, for the past few years, the exhibitors have had an increase in prices of feature pictures and shorts to such a point that it is very difficult for the individual exhibitor to operate the average theatre at a profit.

Also generally speaking, the exhibitors believe that the producers should exert more care in the production of pictures and have a better understanding of what the public wants to see, and discontinue the production of pictures which obviously have no appeal to the theatre-going public.

The Virginia Association is of the opinion that all of these matters could best be handled by a sympathetic understanding between the producers and exhibitors, and that this will be possible without Federal or State legislation.

W. H. F. Crockett
President, M.P.T.O. OF VIRGINIA.

Advocates Self-Reg.
Nashville, Tenn.
Editor, VARIETY:

I have proposed a trade conference of exhibitors and distributors which you so heartily endorse should bring about a better understanding among all interested in the motion picture industry, from the producer down to the operator in the local theatre.

We are of the opinion that all of the difficulties that cannot be discussed and remedied, if those involved will rationally adjust themselves to the new phases of the business, and be willing to 'give and take' in the adjustment.

Personally, I have very little to complain about the treatment received here at the Motion Picture Industry, and also have little to suggest, but a meeting of the leaders should be held to discuss the situation as it is desired, and I shall be glad to do what I can to bring about an amicable adjustment of the adjustment questions involved, and trust that such a conference will be held soon, and that we may have a clear and definite line of procedure, and that our industry may continue to grow and improve.

Tony Sudekum
10 Felts Mills St.,
McKenzie, Tenn.

Editor, VARIETY:

VARIETY's endorsement of the proposed trade conference of exhibitors and distributors is most gratifying to the exhibitors of Arkansas, Mississippi and Tennessee.

As you know, Ed Kuykendall was formerly president of our Tri-States Association, and his endorsement of this territory have long endorsed the "Ten Point Program" presented by the exhibitors at the National Conference in 1938. It appears now that this program will be used as a basis for negotiating in this crisis. We are not interested because it will vindicate the stand that Kuykendall has taken in the past.

The exhibitors of this section were strongly opposed to the Needy bill in the last session of Congress. They feel the working out of corrections for trade abuses in the proposed conference will force the exhibitors to accept the proposed legislation in the forthcoming session.

Most of the success of the proposed conference will depend on the men chosen to participate in it. They must be men of broad vision, and must be able to understand the interests and rights of all branches and individuals. They must enter the conference with the realization that fair concessions are not a sign of weakness but something necessary to insure a lasting understanding.

Federal regulation administered by persons outside of the industry is not only dangerous to producer, distributor and exhibitor. Unless the motion picture industry shows decided interest in the forthcoming conference, the Federal regulation which is certainly to be hoped that the

industry, by its failure to act, does not bring this about.

Due to the fact that it is not as densely populated as many sections of the country, the Tri-States exhibitors are not under as poor conditions as many sections of the nation. However, in recent years, many abuses which must be corrected have increased. The adoption of the "Ten Point Program" will go far toward the correction of these abuses.

Y. D. Moore
Sec.-Treas. M.P.T.O. OF ARKANSAS, MISSISSIPPI AND TENNESSEE.

Glass Houses
Huntington, W. Va.
Editor, VARIETY:

Business conditions throughout the State of West Virginia varies in the different industrial sections. A close analysis would indicate that the falling off in business is primarily one of season.

A betterment in the amusement business is anticipated with the increase in pay rates. There is much criticism from the public generally of the product released within the past few months, and this criticism, seemingly follows with the trend of the lean and the fat years, of course, the weaker pictures are bad at any time.

Business will be better, pictures will be better, but there are many things the public's reaction to pictures could be improved if there was less loose talk. Producers could help by being more realistic.

S. J. Hyman
President, WEST VIRGINIA MOTORS ASSN.

Theatres Exchanges

Neal, Tenor-Songwriter
Held in Wife's Shooting
Detroit, Mich.
Held under \$1,500 bond, Edgar C. Neal, former picture censor, who now composes love songs and is a silent writer, faces examination next Tuesday (4) on charges of assault with a knife following the shooting of his third wife, Esther St. Neal, club dancer here, in a fracas at Blue Lantern nightery last week.

Fairmont, Md.
Eastland, located on the west side of the river from Fairmont's present three theatres, opens tonight (3) under the management of J. C. Cope.

Denver.
Albert Coppell, who operates the Bideawee, will soon reopen the Sun theatre here at the Mexico. Since his policy of showing Spanish films has been successful, he is considering a new venture. He will show Spanish films at the 440-salaried Mexico also.

Albany, N.Y.
Theater in Albany, which was burned in Santa Fe, is building a 200-room hotel. The new hotel, which is being built on the site of the old hotel, will cost about \$600,000. The new hotel is being leased to the Hilton Hotel Co.

Art O'Connell, salesman for Universal, will enter the picture business. The result of a fall down a flight of stairs at a hotel in Durango, Colo., in which he broke his ankle.

Fischer Closes Deal with the Int'l

On % Guarantee for London Import
Clifford C. Fischer is all set to transport his London Casino revenue into Intercontinental Circuit, New York, which will be the future home of Fischer nitely movies. The deal was set late Monday (1) night with America's Sport 10, but Fischer said of the International. It's a percentage and guarantee arrangement, dealing with the proportion of the deal with the late French Casino, N. Y., which, incidentally, was dealt the deal when the show was more pretentious. International opens its doors just about a year ago, but the deal was set at \$6,000 a week for the show.

Fischer returns today (Wednesday) Sept. 10, but Fischer said with Henry Larigue and Eddie Lewis, his Paris and London aides, who are now in Broadway, will see the present London Casino revenue folds Sept. 8. The show falls for America's Sport 10, but Fischer said over again until Sept. 24 in view of the new London show opening Sept. 22. Around Oct. 4 will be the opening date of the new Fischer-International deal.

Clifford C. Fischer of America will book the I. C. bands per usual, but other-

Shuberts' N. Y. Winter Garden May Go 2-a-Day Vaude Via O. & J. Crazy Show

Parish to Tour Europe

Los Angeles, Aug. 2.
Bob Parrish, local N.Y. vaudeville comedian, is completing details this week for a "Crazy Show," built around the singer was taken to open a "Crazy Show" in London.

Singer was taken in hand by Major Bowes after his debut at the Orpheum here.

GEORGE GIVOT SUED FOR 65G BY EX-10/ER

George Givot, now \$65,000 in London is a defendant in a lawsuit for alleged breach of contract brought by his former manager, Herman Berns.

Supreme Court Justice Peter M. Knickerbocker granted the comedian until Sept. 10 to answer suit.

Complainant states Givot failed to pay him on picture and vaude contracts.

Hirst Shifts Shows In Shuttering Philly. Bijou

Philadelphia, Aug. 2.
Izzy Hirst shuttered his Bijou Station (30) after moving his show to Troc theatre yesterday (Mon.). Houses are only a couple of blocks apart.

Bijou will be renovated while it is closed.

Neal, Tenor-Songwriter Held in Wife's Shooting

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Held under \$1,500 bond, Edgar C. Neal, former picture censor, who now composes love songs and is a silent writer, faces examination next Tuesday (4) on charges of assault with a knife following the shooting of his third wife, Esther St. Neal, club dancer here, in a fracas at Blue Lantern nightery last week.

Neal, who quit Detroit police censorship board last year when he wasn't offered head censor's job after Lester Postler resigned, is accused of attacking his wife, who produces floor shows at the Blue Lantern, following a guest appearance in nightery's show. Neal, author of more than 200 songs, had been estranged from his wife.

Producer Austin Tours

Los Angeles, Aug. 2.
Gene Austin, with Candy and Cost, arrives in the Town and Country, Kansas City, Aug. 19, for one week. Currently, Austin is shooting "Songs and Saddles," his first venture as an indie producer.

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Clifford C. Fischer of America will book the I. C. bands per usual, but other-

Winter Garden theatre, New York, may go two-a-day vaudeville via a deal already set between the Shuberts and Glenn and John Shuberts: are completing details this week for a "Crazy Show," built around the singer was taken to open a "Crazy Show" in London.

Harry Kaufman, of Shubert office, will supervise. Standard material of O. & J. will be elaborated upon and other acts added. O. & J., however, deny reports they are financially interested in the production.

With Clifford C. Fischer set to produce at the International Casino on Broadway, his plans to open a theatre-cabaret in the Winter Garden go into the discard, leaving house available as logical site for O. & J. show to catch the World's Fair crowds.

VAUDE HELPS PHILLY PARKS

Philadelphia, Aug. 2.
Vaude on Sundays and holidays at Phillips again on the occasion of the Centennial. The major entertainment parks is accounting for a large part of the trade, according to the Philadelphia Parks and Recreation department, until July 4, when it picked up and has held pretty well.

Woodside Park gives a 45-minute show, consisting of four free acts. It cannot present dancing or character make-up acts because of the blue sky. The Grove Park, which is outside of the city limits, gives a five-act show, with 15 and 25c charges. The Philadelphia City and the Woodside 2,200.

BALTO CAFES OPEN ON FLY AS CRUSADE FAILS

Baltimore, Aug. 2.
With recent vice crusade knocked into the bucket because of lack of legal evidence, local spots are open to a five-act vaudeville show.

Still holding down promiscuous mixing and soliciting, loop netters are still in the city. The vice crusade is still in the city, with more than 200 peddlers, with better trade reported.

Read's Asbury House Reverting to Vaudeville

Philadelphia, Aug. 2.
Walter Read's Paramount theatre on the boardwalk, Asbury Park, N. J., switches from straight pictures to a five-act vaudeville show (4). For the past four or five years house has been in straight pictures.

Opening show includes Belle Baker, Henry Youngman, Billy Wells and the Four Right Ambassadors, Edna Janis.

AFA's Ringling Troubles Holding Up Phila. Merger

Philadelphia, Aug. 2.
Entrance of United Entertainers Association into the American Federation of Actors, is being delayed by AFA's disagreement with the United Entertainers. The left three years ago, but things were held up by absence of Ralph Whitehead, who is the secretary, on the Ringling situation.

Since an agreement was reached between the two groups, the United group, UPFA, has been anxious to get back into the parent organization.

DANCER WINS DECREE

Des Moines, Aug. 2.
Frances Northup, 27, a dancer with Fanchon & Maurel, Joe Penner, Eddie Cantor and J. J. Higgins, won a divorce decree from her husband, William Northup, 32, who was killed in 1935.

Northup, Cleveland, Ohio, was charged with cruelty and inhuman treatment and failure to provide.

N. Y. Hearings Open in Federal Claim s. Ed Wynn for 400G Income Taxes

Hearings in an action of the Internal Revenue Department against Ed Wynn started in New York early income taxes, with interest, which would come to around \$400,000. It's the largest claim against any stage actor to date. Specifically, the present action concerns the comedian's returns for 1935 and 1936, when drawing big money on radio and in legit, used the incorporation device, frowned upon by Federal authorities because of the changes in the payment of tax as stipulated in the statutes. Personal corporations aren't permitted to deduct expenses that such is the purpose. Law was modified and the taxpayer must pay with Carole, without indication in order to gain any advantages in tax returns.

GLICK, DINEHART SET TO PRODUCE ON B'WAY

Alan Dinehart and Joe Glick will again be associated in a Broadway production, latter directed by Glick. Hollywood to confer with the actor-manager on producing "Thanks For Me, Which" which will be put out in San Francisco recently. Dinehart appeared in the play written by Louis Carole, without indication in some trysts regarded as Broadway possibilities.

Dinehart, principally in pictures for some years, intends coming east and appearing in the play, a comedy. Glick has been recently by Dinehart, N. Y. 14 years ago. Glick has been recently by Dinehart, N. Y. 14 years ago. Glick has been recently by Dinehart, N. Y. 14 years ago.

Rockefellers, Berger

In N. Y. Operetta Deal

St. Louis, Aug. 2. Deal on for Richard Berger to move his operetta production to New York as tenant for idling Center theatre during coming season. Center and Rockefeller are said to be anxious to get Berger, who has had considerable success here.

Would function in conjunction with local shows, with Berger taking play talent from the winter sessions and transferring talent taken on in New York to the 1938-39 summer shows next year.

Offstage's 'What a Life'

Ezra Stone, lead in 'What a Life' at the Biltmore, N. Y., is making a film of the offstage action described in the play. Using players in the company and other players for characters referred to in the script but not included in the play.

Will show the completed pie at a special Sunday evening performance for the 'Abbot acting company.'

H'Wood Signs Devereaux

London, July 27. Jeanne Devereaux, American dancer currently at the Grosvenor House here, has been signed for a Hollywood picture stint. Leaves in a couple of weeks for the U. S. to possibly closed at the La Tabarin, Paris.

Future Plays

'Fledgling,' by Eleanor Carroll Chilton and Philip Lewis, has been produced by Robert P. Culler, and Morison handled the deal. Producer, who operates the Broadway summer, plans a Broadway production.

'Sweet Summer Breeze' by Howard Lester, has been signed for Arthur Hopkins. Producer is said to be working on it for fall production. Will direct it himself, said handled by Tom Kane, of Century.

'A Home for a Homeless' by Sophie Trendwell, has also been purchased by Hopkins. Play is also in the works for probable fall production, with the producer signing.

Paul Duke to Be Magi

In New Abbott Musical

Paul Duke, magician, has been signed for George Abbott's forthcoming 'Boy from Syracuse' musical comedy on Shakespeare's 'Comedy of Errors.' Jimmy Sava and Teddy Hart set for leads and Ronald Squire to do the music.

Show to begin rehearsals Oct. 1 for late November opening.

Bob Goldstein Options

'Plan for a Hostess';

May Book Mlle. Arnaud

Bob Goldstein, with O'Brien, Linnit & Dunphie, currently has 'Golden Boy' in London, has taken an option on another current Broadway play, 'Plan for a Hostess' with an eye to producing it in America next fall.

May Arnaud and Ronald Squire are starred in this Thomas Browne play, wherein Adramelle Allen is also featured. Goldstein's idea is to bring Miss Arnaud, a French actress, to Broadway with the play.

S'CUSE STAGEHANDS WIN

ROW ON MUSICIAN JOBS

Syracuse, Aug. 2. Threatened stagehand strike which would have closed the Strand theatre, now leaving a cut in roadshows, was averted at the zero hour Friday night. A settlement was reached at conference between Harold Crouch, manager, and representatives from the American Federation of Labor.

Stagehands, in accordance with an agreement, had threatened strike unless the theatre complied with demands of the Syracuse Musical Protective Assn. to place five musicians on the payroll.

As a deadline, Crouch agreed to put five musicians on the salary list. They will not play, there being no room in the theatre pit, but will draw weekly paychecks. The agreement is retroactive for three weeks.

MIELZINER'S HEAVY SCHED

Scene Designer Booked for 5 Shows

Until Weeks 4; Musicals

Heaviest advance schedule he has ever had is already listed for the 1938-39 legist season by Joe Mielziner, scene designer, has five new shows definitely set before Christmas, with several others tentative after that. Four of the five are musicals, normally involving heavier outlays than straight shows.

His productions are the new, Max Gordon Revue, 'Sherlock and Anderson's' play about Abraham Lincoln, the musical 'George Abbott's musical 'Comedy of Errors' and the untitled Dwight Deere Wiman tuner by Arthur Schwartz and J. M. McCoy. That work will take all the designer's time until Christmas.

Mielziner and his wife Jean MacIntyre, legit player, last week returned from a month's European trip.

Shuberts Sign Debonairs

Shuberts have picked up the option they held on the services of the six Debonairs since 'You Never Know' which the act has since closed on the road past spring.

Dancers go into the Broadway showing of the musical, whose opening is tentatively set for the Imperial Sept. 1.

Current Road Shows

Week of Aug.

'Behind Red Lights,' Grand Pier, Atlantic City.
'An Unwashed Time,' Geary, San Francisco.
'Prize and Needles,' Biltmore, Los Angeles.
'Room Service,' Brighton, Brighton Beach, N. Y.
'Tobacco Road,' Alden, Jamaica, N. Y.

Assurance

Legit actor dashed into a bar and grill off Broadway the other night. 'Have you heard the latest?' he panted. 'Burglars in the White House' is lost somewhere in Europe. He hasn't been heard from since he arrived there several weeks ago.

'Aw, that's nuthin' to worry about,' answered a waiter.

'Well, turn up in Maxwell Anderson's new play!'

GROUP ASSAYS

F.T.P.N BUFFALO

Buffalo, Aug. 2.

Announcement here by Blanding Coon, regional director of Federal Theatre Project, that Buffalo would have a unit was met by critical blasts from local theatre circles. Anderson and tentative sites in key cities had been selected by the Government and that Buffalo group had been evidence of support of the F.T.P. was assured. Under the plan, 70% of cost is to be covered by the Government and 30% by the city. Springfield, Mass., Hartford, Raleigh, Charleston, were announced as already having initial steps toward F.T.P. theatre.

Among those criticizing the project locally were Dr. Peter C. Federal ex-lobby manager, Jacob Lavene, president of the Variety Club; Vincent J. MacFarland, of the University of Buffalo; and Dewey Michaels, independent exhibitor. They stated that Buffalo has had theatres (DeWitt, Gayety and Teck) suitable for legit, all of which have stayed dark consistently for years.

SHUBERT-RICHMAN DEAL

ON 'FOLLIES' SHELVED

Deal between the Shuberts and Harry Richman for fall production of the 'Ziegfeld Follies' has been shelved.

Percentage of investment each was to take, coupled with desire of Richman to have last word on material and performers believed to have been chiller.

Sherwood's 'Lincoln'

Slated for Rehearsals

Robert E. Sherwood's new one-act play, titled 'Lincoln,' which Illinois, will go into rehearsal right after Labor Day. It will probably start production by the end of the week, although the new Maxwell Anderson show might precede it. Which one will go first is yet to be decided on casting.

Sherwood returned from Europe yesterday (Tues.) He was unable to see Frederick Lonsdale during his play in London, as the latter was unavailable. Had hoped to huddle with the British playwright regarding the possible New York production by Gilbert Miller of a new play.

Elmer Rice is to direct 'Abie' and Raymond Massey, who'll portray the martyred president, is the only one so far set for the cast.

Summer Theatres

(NEW PLAYS)

'Sea Weed,' Little theatre, Mountain Lakes, N. J. (5).
'The Riders,' Country theatre, Westport, Conn. (1).
'A Murder Has Been Arranged,' New Harbor, Boston, Mass. (1).
'Knights of Spain,' Municipal Opera, St. Louis (1).
'The Merry Dutchman,' Country Players, Vassar College, Poughkeepsie, N. Y. (3).
'The Merry Dutchman,' Country Players, Vassar College, Poughkeepsie, N. Y. (3).
'Don't Throw Glass Houses,' Camelback Playhouse, Los Angeles, N. Y. (5).
'The Merry Dutchman,' Woodstock Playhouse, Woodstock, N. Y. (4).
'Love on the Equator,' Coach House, New York, N. Y. (4).
'The Merry Dutchman,' Fish Creek, Wis. (4).
'Alibi Fair,' Wharf theatre, Provincetown, Mass. (1).
'L'esrenshaw,' Starlight theatre, Franklin, N. Y. (1).
'Play It for Comedy,' Cragmoor Players, Cragmoor, N. Y. (2).

Inside Star—Legit

At Green Gables, Pleasure Bay, on the Shrewsbury side of New Jersey's Long Beach coast, one of the oldest organizations in show business, the Hot Air Club, gathered Sunday (31) for its annual clam bake. It was the club's 39th outing, an event which in other years drew such personalities as Flo Ziegfeld, A. L. Erlinger, and Diamond Jim Brady. Turnout was the largest since 1920 with 500 attending.

Club is exclusive and guests are never invited. All the members are on intimate terms with one another, with the roster including company managers, press agents and advance men in legit, several showmen, railway experts, lawyers, treasurers and show biz newsmen.

Most of those in the Hot Air circle are rather veterans, or approaching middle age, and for that reason continue to be regarded as a little out of the clam bake, are out. Instead, the showmen go in for oratory during the dinner. Combined ages of those who were on hand approximated 3,000 years, that about measured the afternoon's genial fellowship.

As has been his custom, John Campbell acted as libation host on his own, coming to the bay from his nearby home. 'Long John' was elected president and became m. c. for the afternoon, though the issue was asked by who is thinner, he or his brother Robert, secretary of the Actors Fund, who is also a Hot Airer.

The retiring pres, William T. Keogh, made an excellent address after reminding the members of the club's slogan: 'Eatibus, Drinkibus, Sed Non Bustus.' Brief remarks, some being witty, came from Fred Zweisfel, Eddie Cooke, Jim O'Neil (Radio City), Harry Phillips, Victor Leighton, Frank O. Miller, Victor Kiraly, and Meek, Bill Wright, Jack Gladfield, Barney Rieger, Campbell Casad, Ben Atwell, Sam Reiter, James D. Barton, Fred Fisher and Freddie Goldsmith. Allan Schnobbe, head of the Truckers Club, ducked when slated to speak. So did Bill Gladfield, Benny Bennett and Louis Lottin.

Trip was efficiently handled by Gus L. Cobb, the clubmen having a special weather forecast and a string of good wishes. Harrison could not attend, he joined his mates at the Highlands, on board the Sandy Hook, on the way back to Broadway.

The costs of the operetta revivals at Jones Beach and Randall's Island, N. Y., which were withdrawn, after three weeks, by Portune Gallo and J. Shubert, were upped accordingly through moves of the management. That particularly goes for the Beach project where the deal arrangement with the State Park Commission called for 1,000 free seats. Management insisted on eliminating cuffs and established a minimum weather guarantee. The deal called for the club to acquire the use of attractions to pay the wages of all persons employed by the stadium. To balance that, tables were added and some tickets priced at \$1.25 plus tax. In addition, persons at tables were required to pay 10c as cover, since there was service on beverages. Park, however, retained all that coin.

Claimed, too, that fireworks used on certain nights were made part of the show. The deal called for the club to pay 10c for the fireworks. The largest items. Rights for 'Showboat' were \$1,500 and 'Rose Marie' \$1,000. Discounted was a report that Gallo and Shubert obtained a future weather insurance and that they would be required to pay 10c for every night the week following the closings. Equity requirement would have required one to the actors regardless though latter subsequently considered the payment of the actors' dues for the season.

John Peter Toomey, a few for 'You Can't Take It With You' at the Booth, N. Y., had for several weeks been planning to grab some stories in the dailies on the manager's side of the deal. He had been planning to drop the idea last week, however, when he learned that 'Tobacco Road,' at the Forrest, N. Y., will play its 1,000th performance just a few days hence. Figures his 700 mark wouldn't even get a nod from the drama ed.

'You Can't Take It With You' poster in the window of Mackey, Inc., Times Square, N. Y., gives Manager, N. Y., has been regularly in her part is a minor one, even for an ingenue, she's the only member of the cast billed on the poster.

Research department of western division of the Federal Theatre Project, under the supervision of Mrs. Cyrilla B. Lindner, has completed compilation of the history of the theatre in the west, particularly that of Los Angeles, which has been heretofore neglected. The project is titled 'Volume, 'The Theatre in Los Angeles,' traces legit as far back as 1857 in Los Angeles area, detailing a religious festival that was staged in that year as the start of the spoken stage in that section.

Efficiency moves at Radio City this week combined legal, managerial, and financial. The renting of the building for the summer season, several transfers in effort to lighten up offices which will all be housed in new Associated Press building when it is completed this fall. Report that several people had been dropped from the roster of the club, in charge of amusement facilities in Radio City, exclusive of theatres.

There was some backslapping between John Golden, chairman of the entertainment advisory committee of the New York World's Fair, and John Krinsky, recently named head of the amusement division. Later Krinsky, who had been an enthusiastic supporter of him upon the promotion and the Fair, was said to have been disappointed. However, that congrats were due since Krinsky is soon to become a father.

Fred Swifel, veteran company manager, will write his legit memoirs, detailing some of his experiences during his 44 years on Broadway. During that period he was employed by only five different managers.

Rockefeller's \$35,000, WIMAN BACKING SEEN

Cleave, Little Theatre, FOR SURRY PLAYERS

Cleveland, Aug. 2.

Little theatre movement here, which has received strong financial support from John D. Rockefeller Jr., who was born in Cleveland, was boosted again by a grant of \$35,000 from the Rockefeller Foundation for the enlarging of Eldred Theatre.

Project is a part of Western Reserve University drive to develop the city and is tied up with the Play House as well as the bluebook Eldred Players.

'Lulu Wants Tau

Los Angeles, Aug. 2. New Tallulah Bankhead comedy, 'An American Girl,' will play in Honolulu if a deal with Consolidated Amusement Co. of Honolulu goes through.

Piece comes out in San Diego, Aug. 18-20, comes to the L. A. Biltmore theatre for two weeks, and opens at the El Comodoro in San Francisco. Deal calls for the Hawaiian trip after two weeks in Frisco.

If Wiman decides against bringing the show directly into New York, the director of the tour will be Earl D. Dean. Sam Rosen is the director.

New Equity-League Code on Ticket Control to Become Effective Sept. 1; Showmen Join Broker Opposition

New 'code of fair practices' the ticket control system adopted by the League of New York Theatres, with Equity signatory to it, document is to become effective Sept. 1. During the past week much pro and con discussion arose over the code with ticket men wondering how they will be able to get by if the maximum premium of 75c. on tickets is strictly followed.

Equity will incorporate its own rigid rules on ticket sales into the actors' contracts, with an appended stipulation that they do not apply to members of the League. Recently formed Associated Theatre/Ticket Agencies advised the managers that it had outlined a code of rules which it thought would be a satisfactory solution to ticket evils. Agency men were of their proposal, however, but it was the intention to call it to ticket brokers before the final draft of the code was ready, but since, in the past, similar sessions produced negligible results, it was decided to ahead.

Several showmen spoke frankly in opposition to the code. League claims, however, that the ticket men were critical of the control system, which was drawn up in the first place by Brock Paine, of the Broadway Theatre. "I don't see ground that Equity added to the plan," one New York League member said. "I don't know what the managers want, explaining it would be to their advantage to join in the light of Equity's own principles. No one applied for membership, however."

Manager Opposed
Several well known managers are not members of the League, including John Golden and Jed Harris. Harris referred to agency practices as scandalous jobbery, yet when he spoke of his own agency, he reported to have sought heavy fines, which was refused by the agencies. Golden said he's in sympathy with ticket control but thinks the Dramatists Guild should join in its enforcement. Guild, however, has been wary of the American Theatre Council, from which it withdrew. Golden said he's in sympathy with ticket control. Actual A.T.C. sponsors are Frank Gilmore and Paul Turner, who were Equity's representatives in the organization.

Sam H. Grisman, who operated theatres on Broadway and Madison Ave., and who is a League member, said he does not think the code operable. In his opinion the code may cause higher prices on some tickets in order that brokers might get more money. Manager who said the ticket control system might force agencies into illegitimate methods. Vinton Freedley, independent producer, and Norman Pincus, who manages the Alvin Theatre, also oppose the code.

End of Buys
Proponents of the control system again point out that the end of buys and the retention of 25% of tickets for the house offices will be of benefit, regardless of what the other results may be. Not all the tickets will be sold direct sale would be allotted to the house. The percentage share not being allotted to brokers.

One of the clauses inserted in the code stipulates that the manager be required to report to the League, for Equity, if outside of what he's interested in any ticket agency. That stipulation is believed to concern the Theatre, since Harris, who is a member of Equity & Co. is supervisor of some of the Shubert musical productions. The Shuberts, however, are not interested in the agency.

To date the other stage unions have not taken part in Equity's ticket control participation. Howard H. Spelman, member of New York's city union, has proposed to introduce an ordinance making overcharging on tickets a misdemeanor. The manager, according to

Marg. Webster Reads Book About Her Family

Margaret Webster, whose dramatization, 'Royal Highness,' will be produced in London this fall, is reading a book about her family. Principal characters will be her mother and father, Dame May Whitty and Ben Webster, legit players.

Actress-director is due to return from England late this month to stage the Maurice Evans production of 'Hamlet.' She will not tour with the Alfred Lunt-Lynn Fontanne revival of 'The Sea Gull' which she appeared on Broadway last spring.

Guild May Bar Miller Showing Priestley's Play

Some doubt whether Gilbert Miller will actually produce J. B. Priestley's 'I Have Been Here Before' in New York, although it has been announced for the fall. Rich is Miller's continued refusal to sign the Dramatists' Guild basic agreement. Priestley is a member of the Guild and as such is barred from giving a non-profit production rights for Broadway.

Despite the announcement of the production, it's understood no contract has been signed by the producer and the playwright. Efforts are being made to get around the impasse, but no word has yet been received from London, where both Miller and Priestley are at present.

Dramatists' Guild has written to Priestley, warning him against signing a contract with Miller for Broadway. "I really haven't yet been received by the Guild. 'Here Before' was a success in London last season, though it wasn't produced by Miller. There's no Guild ban on its members because of non-signers of the basic agreement for London productions of their plays, so Priestley could sign with Miller for production anywhere but in the U.S. Priestley's last New York play, 'Time and the Conways,' was done by Croydon Gayle, a signer of the contract."

Miller was involved a few months ago with a possible non-profit by Frederick Lonsdale. Apparently, through a misunderstanding, Lonsdale was permitted to produce 'Once Is Enough' last spring on Broadway. The Guild declined to allow Lonsdale to do that, but immediately called his attention to the rules when a New York production was required. Now Lonsdale play was reported.

Beatrice Lillie to Return To N. Y. for New Musical

Beatrice Lillie is due back in America in October for the new Harry Kaufman (Shubert) musical, 'The Merry Widow.' She is authoring for the comedienne Charles Butterworth. It is also stated to play anywhere in the U.S.

Miss Lillie is currently in the London musical, doubling into the Cate de Paris.

GETS INTO TROUBLE WITH LEAGUE DEAL

Tieup with Managers on Ticket Control Gives Actors' Assn. Right to Cancel Pact at Will—Union Inserted Clauses in Code Not Generally Known to Affiliate Membership

RIGID REGULATIONS

Equity, through its ticket control deal with the managerial League of New York Theatres, has apparently placed in the position of assuming the dictatorship of Broadway legit, partially or otherwise. Odd angle to the tieup is that Equity holds an ace in the hole and can cancel the whole proposition at the will of its Council.

Stated that the managers are to put forth their best efforts to make ticket control effective. Interpretation of 'best efforts' is seemingly left up to Equity. That the managers would have the same privilege hasn't indicated.

Understood that Equity wrote the ticket code that was not generally known to the managers except the League's board. "That explains the presence of regulations which had not appeared in the amended document."

In addition, Equity has framed the most rigid regulations for non-league members and code violators. In general, Equity feels 'satisfied and assured' the high and salutary purposes of said code and believes that same will tend to improve conditions in the theatrical industry and more particularly increase employment among its members and enlarge the tempo of employment... that the present methods of distribution, sale and resale of tickets is unfair and inadequate and disastrously affects and jeopardizes the employment of its members... and adversely affects the welfare of the theatre-going public.

Detailed Obligations
Detailed statements have also been made on the obligations of managers who may not join the League on the code. Included are general rules, such as the requirement that 25% of Gross Box Office Receipts for the production of buys, agencies may not fail. (Continued on page 51)

Blocs Tiff Over Proposed Changes In TMAT Constitutional Meeting; P.A.'s Line Up Autonomy Support

A Cool Proposition

Suggested by the League of New York Theatres that Broadway boxoffice fates of theatres with cooling systems follow the lead of film houses, so that prospective patrons of legit shows will be quickly informed that the houses are so equipped. An example is the telephonist at the Loew's State, N. Y., who answers all calls during humid weather like this: "Good afternoon. This is Loew's State air-conditioned theatre."

Gert Lawrence, 'Susan' to Open Road Campaign

First attraction on the road for the new Broadway season, Gertrude Lawrence, trained from New York for San Francisco Monday (1). She will play the key stands around the country early spring. Likely that she will appear in London in 'Susan' at that time. Star has dated her departure because she wishes to be present when her daughter wed in London.

Press stunt has tied up Miss Lawrence with New York's World's Fair and 'Prisco's' Golden Gate Exposition. She will bear flowers from Grover Whalen, of New York's fair, to the heads of the Golden Gate expo as a gesture of friendship and good luck. There appears to have been some feeling between the east and Coast fair executives. 'Prisco's' Mayor Ross has issued a declaration making Friday (5) Gertrude Lawrence day in that city.

HARDING IN 'CAMBIA'

Ann Harding and Homer Curran are talking a Coast production of George Bernard Shaw's 'Cambridge' this fall, with a Broadway showing if the piece clicks here.

A Columnist Plays '10 Best'

Contest of Morehouse, N. Y. Sun, Finds Helen Hayes-'Victoria' Topper

In a symposium of the 10 top performances in legit, Ward Morehouse, columnist of the New York Sun, analyzed the results of 150 contributors. Few who sent in lists were aware that Morehouse's intent was to make a contest out of it. He understood the tabulation idea came to him after the lists, which appeared daily for about six months, started to pile up.

He calls it a 'little game of recollection' and says that the results list was told to recall the 10 best plays and the shows in which they were played without resorting to research. Result is that many stars and the sock plays which brought them to the limelight, and which are in the select circle, although some are mentioned in the accompanying analysis. Helen Hayes, whose most recent success was 'Victoria Regina,' heads the list with 41 votes. The most columnists have shown in years.

Oratorical fireworks were displayed at the annual meeting of the Theatrical Managers, Agents and Treasurers Union in New York yesterday (Tues.). Various groups battled over proposed amendments to the constitution, with the press agents especially on the firing line. Session at Grand Central hotel was suspended because of the heat but convenes today (Wed.) at the Lyceum Theatre. Only half the proposed changes were reached.

The New York P. A.'s had joined TMAT in a body with the understanding that the P.A.'s would have autonomy. The group-joining idea ultimately extended to the company managers and treasurers. Union leaders now believe, however, that there are groups within TMAT that are inimical to the welfare of the organization. Trend appears to be for a more solidified union.

P.A.'s demand their own officers and treasury, but indications are they will be unable to record a two-vote vote at the election across their measures. 'New York bunch, with 61 members, have held outside meetings to support their campaign and have succeeded in getting the support of the 1500 downtown group. Several of the P.A.'s have been there, there are 550 press agents outside the so-called Broadway group. (1). The plan is to elect a group which will not vote with them, will decide the issue.

Would Exit Aslan

Understand that the resignation of the leading N. Y. P. A.'s do not think the 'rare the world is working to their advantage, and would like to take on shows without being required to engage assistants. It seems correct that a number of New Yorkers are earning higher salaries at \$1500 weekly per show, when working, as required by the rules, but the favored P.A.'s are not getting the high money they received before entering the union because of the requirement of no assistants.

Members generally have expressed criticism of actions by the present TMAT leadership. In a meeting in October, the chief fight will be over the directors. Membership wants to know what has become of the union's coin since it's stated that TMAT attorney Gustav Gerber has received \$8,000 from the first of the year. Understood that the union has been in continuous attendance at American Federation of Labor organizer in New York, that a lawyer should be in the continuous attendance at meetings and should not be on the board. Later, however, elected Gerber an honorary member regardless.

Is Agents Out

The play of the business agents has been to cut \$25 weekly out of the general membership should vote on such candidates, who are detailed to the metropolitan area is another issue. Lodewick Vroom, TMAT pres., recommended that the union be dissolved. Said that he now getting \$75 because of economy moves. His salary has been \$100.

There are 1,400 members, but the number not in good standing is uncertain, but probably exceeds 200. Those who are not in paying dues have been kicked an extra \$25.

New York press agent group in the Theatrical Managers, Agents and Treasurers Union had notified all constituents that they would meet (Tues.) TMAT meeting to that they would learn how to protect themselves. A note was sent to each agent to aid a P.A. who have defected in the past. The group is planning to place themselves in good standing. A steering committee was formed during the discussions over TMAT constitution. It consists of Elgie Chisholm, William Fields, Bernard Evans, Bernard Simon and Oliver Saylor.

News From the Dailies

Mr. and Mrs. Jimmy Finnan, son, in New York. Father is assistant manager of Loew theatre, Woodside, N. Y.

Mr. and Mrs. William Dauler, daughter, in Pittsburgh, July 26. Father's on the WWSW sales staff.

THIS IS AN ADVERTISEMENT
AM I PAYING FOR IT
YES
AM I GOING TO KNOCK MYSELF ON THIS PAGE
NO
AM I GOING TO SAY NICE THINGS ABOUT MYSELF
YES
WHY ARE YOU GOING TO READ NICE THINGS ABOUT ME
READ TOP LINE
WELL, HERE GOES

NEW YORK JOURNAL-AMERICAN
DURANTE AT ROLLIICKING BEST
ON CASA MANANA STAGE

Two years away from the Broadway scene hasn't changed Jimmy Durante a bit. He's still dynamite and terror to the backstage crew—the technicians, stage hands and property men. For Jimmy Durante, now starting in the vaudeville go-go-go at Billy Rose's Casa Manana, is still by far the most hectic performer in the business today.

In the first few nights of the new Casa Manana "Streamlined Varieties," the Great Schnozzola has hung up an expensive and amazing record of havoc, mayhem and disaster. He has broken four music stands, torn the top completely off a tiny piano and thrown Vincent Lopez and his superb crew into monetary consternation by chucking the maestro's music and cue sheets high into the ozone.

As for the attitude of the boss—Billy Rose—he has resigned himself to it all. One glance at the packed pews of the Casa Manana these nights, while Durante is on the premises, is convincing enough.

"I dunno," murmurs Broadway's bliszy barnum, "—pandemonium pays!"

NEW YORK SUN
By MALCOLM JOHNSON

The new "Streamlined Varieties" at Billy Rose's Casa Manana is just about the grandest night club entertainment to be found on Broadway. Jimmy Durante, lured back to town, after an absence of two long years, heads a big cast and he practically wrecks the joint twice a night while the paying customers howl with laughter. Even Billy Rose, counting his receipts, smiles indulgently and pretends to forget the property damage when the Durante cyclone strikes.

Durante, as dynamic as ever, hurls telephones and epithets at Vincent Lopez and his musicians, scatters sheet music right and left, mauls a piano and bullies the grinning waiters and captains. The comedian keeps the whole place in an uproar.

NEW YORK DAILY MIRROR
Classy Variety Show Makes
Debut at Casa Manana

Durante Headlines Attractive Bill
By ROBERT COLEMAN

The fourth of the variety shows to be presented by Billy Rose since he brought back vaudeville at the Casa Manana is by all odds the most consistently entertaining of the lot. It has class, speed and balance.

The current headliner is Jimmy Durante, back from Hollywood with new material to go along with his more familiar gags and mad-wag songs. Jimmy is in rare form and had the first night customers cheering appreciatively.

NEW YORK WORLD-TELEGRAM
BILLY ROSE HAS BIG SHOW

Well, the odd codgers can stop provoking Billy Rose by mentioning the good old Palace days, because in the new fourth edition of the Streamlined Varieties at the Casa Manana, "Big Game" Billy has brought those good old Palace days back alive. For this is the best, the fastest and the funniest of the variety bills Masah Rose has let loose on the broad stage of his theatre-cabaret; a miraculous and a fun-filled show, worth anybody's money, he that money spent in the last flank of the topmost gallery or at that coveted ringside.

First of all Billy has brought back to us none other than our long-prophesied native son, Jimmy Durante, who has "let up" lately on his "two-no-schnozzola" this time to "cut up" a story of "claw under the m...-parable "Schnozzola" has the run of the premises. Let him wag that three-masted nose of his and let out his larynx, let him heckle the waiters and castigate Vincent Lopez and he can cause more gleeful excitement in a couple of spare moments than a pair of irritable lions just escaped from the Central Park Zoo.

Jimmy, the well-dressed man, naturally is headlining the latest of Billy's variety entertainments.

NEW YORK EVENING POST
By RICHARD MANSON

The cream of the jester crop is on parade this week, affording a fine workout for the funny-bone on all fronts. You can roll in the sawdust of raucous humor or bask in the refined atmosphere of satire—or you may have to do both in the same playground.

Durante "Schnozzola" Durante heads the talent in the latest "Streamlined Varieties" at Billy Rose's Casa Manana. No clown in a show full of bright turns. The veteran is loud and mellow, violent and irresistible, respecting nothing and getting away with it. His act reveals a tragedy in a number called "Toscanini, Stokowski and Me," in which an army of piccolo players assist him in his impudence. Durante is a hard worker; and if he can't win his audience with his first smile, he'll blow it over with a heavy battery of slapstick.

There was a headline across front page of some New York daily paper I wanted to reproduce here but I couldn't find it. Think it went something like this, so will print what I remember of it.

DURING SWELTERING MONTH OF JULY
JIMMY (SCHNOZZIE) DURANTE
Breaks All Existing Records at
BILLY ROSE'S CASA MANANA, NEW YORK

Necessary to call Police Reserves and Fire Department to Handle Crowds. Roads and All Means of Transportation Jammed to Capacity

I think this is an actual reproduction, but maybe I've added a word or two of my own. But anyway I want to thank Billy Rose for a marvelous four weeks at his Casa Manana.

Jimmy Durante

Published Weekly at 161 West 46th Street, New York, N. Y., by Variety Inc. Annual subscription, \$6. Single copies, 15 cents. Entered as second-class matter December 22, 1905, at the Post Office at New York, N. Y., under the act of March 3, 1879. COPYRIGHT, 1938, BY VARIETY, INC. ALL RIGHTS RESERVED.

Vol. 131 No. 9

NEW YORK, WEDNESDAY, AUGUST 10, 1938

56 PAGES

VARIETY

PRICE

15¢

LET'S GET MANY WOES

American Abroad Finds It's Still Chumpo Land; More for Coin in U.S.

By ABEL GREEN

An American in London and/or Paris appreciates more and more how much for how little it is obtained at home. London is unquestionably the most expensive city in the world, and even with the break for Americans on the exchange of the French franc, somehow, it adds up in the clear places, which have realized their scales accordingly.

London is really the shocker. Considering what the Rainbow Room, the St. Regis Room, the Persian Room of the Hotel Plaza and kindred New York spots offer with a \$35-\$44 dinner, the type of floor shows at the hotels Savoy, Dorchester and Grosvenor House in London are so many glorified Paradise (N.Y.) parades. The dinner scale ranges from a pound to a guinea, which means this side or the other side of a \$3 bill for a dinner, per person, and the talent ranges from mediocre to very good.

Most pretentious are the shows at the Dorchester and Grosvenor. Former holds Jack Holland and June Hart, John Haycraft, Oliver Wakefield, The Chesterfields, Richard Hardin, Jack Jackson's orchestra (produced by Henry Sherer), and at the Dorchester is George Hale's "Cafe Society" revue, with Allan, Allan and Allen, Mahon and Rucker, Alan Shires, Joe Termini, and Sydney Lipson mantrizing.

The Savoy, which is a sort of artistic capital of London, despite the fact that many of the Hollywood, dramatic and literary brights think they're doing a hideaway at the ultra-savory Claridge's, makes a big do-do about "the rising floor." So what? So the floor rises, as it's been (Continued on page 19)

9-YEAR-OLD PRODIGY COMPOSES FOR FILMS

Warner Shilkret, nine-year-old musical son of Jack Shilkret and nephew of conductor, Nathaniel Shilkret, has been given assignment to write part of the score for a Famous Players-Lasker travelogue on India. It's his first official assignment after having had some of his compositions taken for two others.

Kid pianist-composer had written "The Stream" and "The Brook" which his father, score for travelers, submitted to Famous-Lasker. Former number was used in "Glimpses of Paris" while latter went into "Madaira" to be released in September.

ANTI-ISMIS

New political organization to fight anti-semitism and foreign propaganda is being pulled by picture people. Drive for big Hollywood names is going on, with several meetings for drafting by-laws and laying out a program.

Group will campaign as the Motion Picture Committee for Americanism and will not be affiliated with any particular party.

Front Billing

Hollywood, Aug. 9. John M. Stahl has asked Postmaster General Felt to put a series of postage stamps bearing portraits of Hollywood stars. Idea is to stress the importance of the motion picture industry.

Thus Far Corrigan Has Turned Down \$200,000 In Soft-Coin Offered Him

Douglas Corrigan still continues to fend off all commercial offers of a show big stripe, such as theatre dates, appearances on commercial radio programs and barnstorming one-acters. E. T. Bern, Jr. for the American Airlines, is handling the ocean-hopper, and at present confining him to welcome celebrations in the key cities.

Unusual characteristic of Corrigan and his handler is that all wires and cables making offers are turned down—with the refusal prepaid. Proffered date at the Paramount.

(Continued on page 44)

GOOD WILL AT B.O. LONG NEGLECTED

The Government's Frown, Legislative Attacks and the Sundry Intra-Trade Squabbles Are All Negatively Reflected in Poor Business—Coast-to-Coast Survey of the American Film Scene Evidence That the Picture Business Has Plenty to Worry About

NEED FOR ACTION

By JOHN C.

Entering the Holland tunnel at Jersey City and proceeding at 35 miles an hour towards the Manhattan city (keeping at all times a distance of 75 feet from the car ahead) a cross-country traveler reflects upon the motion picture panorama as unfolded over a stretch of 3,200 speedometer miles which have registered since leaving Hollywood.

Because he has sought with some earnestness of purpose to find out (Continued on page 25)

Tight-Lidded Saratoga Worst Ever; No Gambling, So Live 'Uns Scram

No Peace at \$2
Promoters of the Peace Parade in New York last Saturday put in a call at Chorus Equity for 25 members, preferably blondes.

Offered \$2 a head, but none of the gals cared to test their bumps at that rate.

Sweet Ousting Swing In Poll; Buck Calls It 'Boll Weevil of Music'

Swing is taking the count from sweet in a poll conducted by Ralph Hitz Hotels to determine what style dancing tarpaper patrons prefer. Balloting is currently going on in seven of the string's hostilities, two in New York and five in the south and midwest.

Combined results from the Terrace Room of the Hotel New Yorker, N. Y., where Henry Busse occupies the bandstand, and the Belmont Plaza's Glass Hall, occupied by Ernie Holst's crew, show sweet out in front by three to one. (Continued on page 23)

Saratoga, Aug. 9. 'The natives will have to eat snowballs next winter,' opined an old timer who has visited New York's watering spot for more than a generation. Not a wheel has turned in the game rooms, although the race meet is in its third week and the observation is based on the absence of splurging and spending that was with every prior year in memory.

The Spa is still the mecca of up-staters and the diet invertebrates who come to Saratoga, whether there are races or not. But such visitors are not spenders. Name attractions for the clubs are entirely absent and that means that night life is dead. It is just a matter of figures. The gay dining places cannot afford to pay the salaries of top entertainers unless the game rooms are operating and are starting to fold.

Instead of being the gayest resort in the east, the Spa is contained with doom. Merchants are up in arms against officials responsible for closing up the town. Even if there is a compromise, it will be too late to (Continued on page 11)

COHAN'S PIX AUTOBIOG FOR M-G; PLAY FIRST?

Hollywood, Aug. 9. Metro is dicker with George M. Cohan to make a film based on his life, the star appearing as himself. Cohan is understood to be holding off for a stage version first, with Metro backing. In that case a picturization would follow. Jack Curtis is liaising.

Reported several weeks ago that Metro was seeking Cohan's signature to a two-picture contract for \$150,000. Cohan is currently vacationing in England and is set to talk with "Ed Rader Be Right in the fall.

Circus Days Numbered, Say Outdoor Showmen, Blaming Radio and Films

Outdoor showmen glumly aware that the days of the circus as an American institution are numbered. Radio and pictures are to blame, they claim.

"What good is a triple-sensational nowadays to the American kids, one vet outdoor imperious wants to know, which come along with Rogers goes clear to the moon? Even though it's all in fancy, the circus is really an extravaganza originally intended to stir the juvenile senses."

And when Tom Mix or Tim McCoy come along with a Wild West show, how can that compare with the herds of cattle the youngsters see on the screen in any western film for a dime?

Just to further prove my point, the Cole Bros.-Clyde Beatty Circus did its only okay business in Canada. So did several of the other shows which have since folded. Why Canada? Because in Quebec, for instance, children under 16 aren't permitted into picture theatres. And while they have the radio as much in Canada as in the U. S., somehow the Dominion youngsters aren't as sophisticated as our American kids. So the circus remains a good, time-honored institution there, as always.

Old or Young Crows

"What crowds do you see these days at the American circuses? They're

either extremely old, steeped in the circus tradition, or extremely young, of kindergarten age and intelligence."

Outdoor showmen aware that the circus comes from the few who come to see the circus arrive in town. The mechanization of the shows, using tractors instead of horses, further tore down the illusion. The big street parades have gradually been diminished because traffic regulations in any city worth playing for-fends lying up the town that way.

As for the small truck shows, there's always been the angle that the irresponsible gyp shows have hurt the worthy, smaller shows.

When it comes to wild west show fancies have grown to the realization that kids today of 10 or 12 do fancy horseback riding at their equestrian classes in a manner to cope with the exhibition stall.

Most all circuses now on the road, as result, are behind in salaries. The off-business is noticeable in all parts of the country, so it isn't just a regional apathy to the circus. Of course, there are certain saddle trade ones, such as the McCoy and Cole shows battling each other in the Chicago territory, and neither coming out.

The circus as an American institution is over 100 years old. The talking-crown, who used to be a Shite-

specian student, and whose talks were excerpts from the Bard, has gradually evolved into the present-style mountebank. But the circus was America's first form of itinerant entertainment. Through the years, however, the tradition of the big top and pink lemonade has undergone (Continued on page 35)

THE COMPANY WILL ACCEPT APPLICATIONS FROM ITS PATRONS CONCERNING ITS SERVICE

WESTERN UNION

745 FIFTH AVE NYC

RECORDS BROKEN AT CLEVELAND

A & HUCK RECORDS AT CLEVELAND

SHOOTING THE THEATERS

HOW THE PIX BIZ MASTERMINDS IT

Executives Reported Skulking Practicing New Setups for Circuit Houses, When and If Divorcement and/or Uncle Sam's Edicts Compel Breaking the Theatres Away from the Picture Companies

LOEW-RKO, ETC.

With the excitement of the Government anti-trust suit and the threat of theatre divorcement contained in this action, plus the North Dakota divorcement law, the picture industry presently is mulling many plans relative to the future. Much depends on the fate of the North Dakota theatre divorcement law, which picture companies are carrying to the U. S. Supreme Court. Legally that may take 18 months for

RKO-Irving Trust Co.

RKO and Irving Trust Co., its trustee in the reorganization proceedings, have been joined as co-defendants in the Government's anti-trust suit against the major picture companies.

Although both were named in the suit separately, the technicality of having them joined as co-defendants was ordered by Federal Judge J. Clancy at the request of Lamar Hardy, U. S. attorney, who contended that, as the trust company had acted as trustee for RKO during the reorganization proceedings and during the time of the alleged violations, both concerns should be joined.

settlement, meaning that certain subjects now being discussed would not go into effect until late 1939. The divorcement phase in the sweeping Federal civil suit also figures.

One report has it that in the not too distant future (depending on developments, naturally), the film companies will present to Attorney-General Homer S. Cummings a brand new setup and division of the film and theatre situation. That the picture companies will divide and absolutely set rid of their theatres by taking various theatre units or circuits and making them into separate corporations. Understood that the generally approved or best thought of plan would be the creation of two kinds of stock, one for the picture company and one for the theatre corporation. It would be largely a matter of making theatre holdings into a new company.

No banking, no bonds and no money would have to be raised in bringing this about. Though not one of the film or theatre companies actually has started drafting a plan, (Continued on page 48)

Philco's Strike May React Vs. Hal Roach's Ad Tieup

Philadelphia, Aug. 9. Tieup between Hal Roach and Philco for exploitation of "Topper Takes a Trip," which was reported in Variety recently, will very probably develop up with a national union boycott of the film. The general strike at Philco is settled before Carl Betting of the United Radio, Electrical & Machine Workers, CIO, will have been taken before the picture appears in October. If it isn't, he declares the Roach ballyhoo tieup with Philco will earn the studio the enmity of labor. He says the exploitation is to tie up a radio sequence in "Topper" with Philco's new "Mystery Control".

FILMS NEED ADVERTISING

Feeling of complete gratification which is spreading through the film industry and meeting promotional efforts of sales managers and advertising executives, who have volunteered to work in behalf of Motion Pictures as Your Best Entertainment drive, does not surprise showmen.

If some of the proponents of the campaign, which is timed to kick off the new season's attractive list of releases with a \$1,000,000 splurge, are startled and amazed at the unanimity of cooperation which their efforts have created, it is because the industry for several years has thought far too much about its troubles, and far too little about their only cure—advertising.

Showmanship is the art of artful advertising, concentrated to the benefit of a specific attraction, or group of attractions. Advertising is showmanship at work. There never has been a substitute for its potent wallop; no other method of digging up customers for entertainment has long succeeded to the exclusion of advertising.

A paid advertisement is something more than a hope, wish or prayerful desire for patronage at the boxoffice or film exchange. It is, rather, a convincing and irrefutable argument that the man who has something to sell honestly believes in his product and is willing to back up his conviction with currency. And all the ingenuity of man never has conceived a more potent argument that will do as good a job as—advertising.

Show business and the men—and women—who have made it great through the centuries have succeeded in direct proportion to their skill as advertisers. If everyone in America over the age of six knows who said "there's one born every minute" it is because the name of P. T. Barnum had more good American dollars (and they were real 100c dollars in those days) spent on its exploitation than any other industry, in and out of show business, of his time.

And the bigger Barnum's show became through his genius as business organizer, the greater its audiences became, because of his life-long policy of meeting increased investment with increased advertising budget.

Only a part of Barnum's message was aimed at the public. Its dominant job was to infuse his own unparalleled organization with the conviction that they were working for the Greatest Show on Earth, and were ready to

fight at the drop of a hat with anyone who questioned the claim.

Film business in its early days won over to the function of exhibiting important live showmen of legitimate and vaudeville, by only one method—advertising.

Ask any of the early settlers. They will tell you that the film business started when showmen, with some reluctance at first, were persuaded to take hold of the new plaything and profit by the lesson that where thousands could afford the \$1.50 scale, millions would spend a dime.

So important was the function of advertising in early picture days that the heads of companies insisted on approving all trade advertising, lithographic display and pictorial copy. Zukor, Loew and Fox didn't write copy, but they knew and when they saw one. Showmanship is something you feel. Entertainment is emotional escape.

Then many top executives became too busy to keep in intimate touch with their advertising men.

They began to hire advertising agencies.

Show biz, since the first paid advertisement, always has been out in front of commercial advertising and selling in ideas, display space and ballyhoo. Billboards were originated by showmen, not soap manufacturers.

A strong theatrical press functioned long before Women's Wear or The Iron Age. History of show business is in the advertising columns of its press; not in gratis paragraphs in daily newspapers.

But the advertising agency brought to films the subtle art of "service." Translated into show terms, it means that letter writing and colored pamphlets tried to do the work of smashing double-truck banners, which told exhibitors that a picture was great, why it was doing business and how every theatre could duplicate the first run sellout.

George J. Schaefer and those who are members of his committee are getting the thrill of their business lives because "Motion Pictures Are Your Best Entertainment" drive is headed to sure success.

There is no reason why the elation should die down at the end of the campaign. The bond that is holding together independent and affiliated showmen in a common and mutual purpose is indestructible. It is the one link that is as indigenous to show business as prevarication about boxoffice receipts.

It is advertising.

Fred Wise Sues Lucas-Jenkins On Trust Ch'ge

Atlanta, Aug. 9. Savannah Theatre Co., owned by Mr. and Mrs. Fred Wise, on Saturday (9) filed suit in Federal court for \$254,000 damage against Lucas & Jenkins, Inc., alleging the defendants ruined a prosperous theatre business through violation of anti-trust laws. Arthur Lucas and William K. Jenkins, operators of the Georgia cinema chain, were named individually as defendants, along with nine major job producing and distributing companies.

Petition was filed by attorney John L. Kelley and alleges that L. & J. about Jan. 1 entered into conspiracy with the defendant producers and distributors to monopolize and attempt to monopolize the picture theatre business in the cities of Savannah, Macon, Augusta, Gainesville, Athens, Barnesville and other towns.

Savannah Theatre Co. prior to this time had operated Savannah theatre successfully for 14 years, petition states, building up a hit that "in normal years realized a gross earning of as much as \$50,000 per week."

Plaintiff alleges "conspiracy" through contracts which made it impossible for Savannah theatre to obtain sufficient first class film to maintain its big and regular gross, building up a hit that "in normal years realized a gross earning of as much as \$50,000 per week."

In addition, company avers it suffered an estimated \$400,000 loss through depreciation in the value of the property and a \$135,000 shrinkage in the value of equipment.

Plaintiff figures its actual damage at \$181,000 and claims, under terms of state laws, thrice this figure, plus costs.

VARIETY

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

SUBSCRIPTION
Annual... \$5 Foreign... \$7
Single Copies... 15¢ Cent

Vol. 131 No. 9

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Fresh Coin Spurs U to Tee Up 11 Pix in 9 Weeks

Hollywood, Aug. 8. Backed by a fresh bankroll, Cliff Work, Universal production chief, announced starting dates for 11 new pictures during August, September and the first week in October.

Second of collegiate series, "Swing the Cheer," gets the gun today (Tues.). Other starting dates are: Aug. 10, "The Last Express"; Aug. 15, "Service De Luxe" (screen debut of Vincent Price); "The Storm" and "Adam's Evening"; Aug. 22, "The Sun Never Sets"; Aug. 29, "Exposure"; Sept. 6, "D.C. Fields Rides Again"; Sept. 15, "Buck Rogers" and an untitled Scout script; Oct. 1, "The Girl in the Red Coat"; Oct. 3, "Three Small Girls Grow Up"; starring Deanna Durbin.

W. C. Fields joins U with a contract to make two pictures with his own unit for the 1938-39 schedule. First picture will be based on Field's original, "You Can't Cheat on the Moon." George Marion, Jr., doing the screenplay. It gets the gun Sept. 15.

Howard's LeRoy Script

Sidney Howard left Sunday (7) for New York to do the screen play from William Faulkner's novel, "Unvanquished," for Mervyn LeRoy. Metro will release it. Playwright had been at his Tynningham, Mass., farm.

Upon his return, Howard is expected to resume work on a legit play for the Playwrights Producing Co.

WOBBER'S SWING OVER ALL 20TH EXCHANGES

Prematary to making a tour of the Dixie-Fox exchange circuit, Wobber left for San Francisco, Sunday (7), from which after a brief stay he will start his tour of the S. R. Kent branches in connection with the S. R. Kent sales drive which extends Aug. 14 through to the end of December.

Wobber is expected back in New York some time in September, probably on his way toward the end of the month, the three Bills (Sussman, Kupper and Gehring) being in control.

Dietrich May Do One Pic In France for \$120,000; Theme Woos Int'l Trade

Paris, Aug. 9. Marlene Dietrich is delecting to make a French picture here for Fox-Parrot-Film. The \$120,000 to be paid her would be something of a record, but the idea is to interpose the proposed Montmartre nitty theme with many British, American and German references. Purpose is to woo the international market in this manner. It's akin to "La Grande Illusion," wherein Eric von Stroheim is one of the features, along with Jean G. bin and ito Paris. The characters are heard speaking French, German and English, as fits the situation.

L. R. CASE STRICKEN
L. R. Case, assistant secretary-treasurer of Selznick-International, was rushed to a hospital in Brooklyn Friday suffering from gallbladder ailment.
He was transferred to a N. Y. hospital Monday (8).

Warners Asks U. S. Approval To Refinance \$29,400,000 Worth Of Optional % Convertible Bonds

Washington, Aug. 9. Federal consent for first big film refinancing move in many months was sought from Securities & Exchange Commission last week. Unable to raise cash by public sale, Warner Bros. asked permit to issue certificates of deposit for \$29,400,000 worth of optional % convertible debentures due next year.

Proposed certificates would be listed on the New York Stock Exchange, providing a market for the maturing notes and bridging the gap which has prevented the corporation from putting new paper on the market. Application to the S.E.C. explained WB has been unable, because of depressed business, to secure underwriting of new bonds for general public peddling.

Plan already outlined to holders of the 1939 series is to swap maturing paper for equal principal amount of new % debentures due in 1940. Issue would be redeemable from sinking fund at WB option, at price of 101 up to March 1, 1940, to 100% to March 1, 1941. Plan calls for annual retirement, with 4% of the total principal of \$29,400,000 in 1939, 1940 and 1941; 4% in 1942, 1943, and 1944; and 5% in 1945, 1946, 1947, and 1948. Annual statements attached to the application showing firm's profits are running a little behind last year's. Most substantial loss fiscal year ending in August, net amount \$1,194,658 in 1935, \$4,469,538 in 1936, \$1,174,847 in 1937, net after taxes and all fixed charges were respectively, \$704,156, \$3,177,312, and \$5,778,182. During the fiscal year ended Feb. 28, 1938, the net was \$11,714,504, with the gross after taxes and fixed charges at \$23,820,000.

Balance sheet shows total assets at \$70,010,673. Of this amount, current working assets are \$20,000,000, and fixed assets \$50,010,673. Par, Leew, & Trading

Inc., under three local executives were active in the market during the year in their company stocks, the Securities & Exchange Commission revealed last week.

Biggest transactions were by Stanley C. Griffith, Paramount director, who continued his sporadic operations by unloading all of his 6% first preferred. Dumped 100,000 shares in three batches, cleaning the portfolio.

Here, small-lot purchases of Loew's Boston Theatres company by the parent, Loew's Inc. Added 42 shares for five dollars, and another string up to \$6,000. Daniel M. Sheaffer of Philadelphia, director in Universal Corp., holding company which controls Universal Pictures, acquired 200 more voting trust certificates, boosting his stake to 13,000. Also has a finger in the pie through Standard Capital Co., which holds the strings on 10,000 certificates and 11,283 warrants.

Holdings of newcomers in film market portfolios were unveiled. William F. Whitman of New York, recruit Keith-Abel-Opreum director, has 15 shares of stock, cumulative preferred. Indirect interest of Cliff Wright, new Universal exec, was shown to result from his 100 shares of Paramount Corp. which has 228,927 of the picture company common, studied the 6% first preferred and 20,000 of the second preferred.

Unlisted trading privileges on the Boston Stock Exchange were extended to Paramount Pictures common in the Securities & Exchange Commission Thursday (4). Important to provide secondary market, which would be in greatest demand involving more than a dozen stocks. Of 2,453,658 outstanding \$1 par shares of Paramount common, 1,882 are in the hands of 2,498 residents of New England (outside of Connecticut, 455 persons) and 10,000 (20,000 shares). Trading volume is 189,925 shares in period from February 1, 1937, to January 31, 1938.

Par Reduces Stock Value. Paramount Pictures, Inc., converted 7,172 shares of its \$100-par stock into preferred stock, 10,000 shares of common in the past year, according to a certificate of stock which was filed with the State of California. Company also converted

Reverse Twister

Charles E. McCarthy, director of advertising and publicity for 20th Cent-Fox, on being informed that audiences at the Broadway N. Y. where Alexander's Rag Time Band is playing, are sitting through the film twice, now planning a campaign to get customers out of the theatre.

He is thinking about running his ads backward.

Sam Fox Sues Metro-Robbins For \$1,500,000

An order directing appearance of Joseph M. Schenck, Sidney R. Kent and others, before trial in the \$1,500,000 suit brought by Sam Fox and Harry Fox, of the Sam Fox Co. Publishing Co., against Loew's Inc., Metro-Robbins Corp. (Loew subsidiary), Jack Robbins, 20th Century-Fox Corp. and Movietone Corp. was issued Monday (5) of N. Y. Supreme Court Justice Leander. The suit, charged, the defendants conspired to deprive the Sam Fox company of a contract to handle the publishing and promotion of all music compositions in 20th-Fox and its subsidiary, Movietone, during the years 1931-1935.

It is claimed by the plaintiffs that the conspiracy was hatched to cancel 20th to cancel the agreement in favor of the Robbins company, which in 1935 signed a 20-year contract to handle 62-3/4% of the music, and that Movietone was to be dissolved under the Robbins deal.

The plaintiffs want \$1,000,000 damages from Loew's, Robbins Corp. and Metro-Robbins, and \$500,000 from 20th-Fox and the Movietone Corp. Also an injunction to prevent the latter's dissolution and to prevent the plaintiffs from the Sam Fox company, enjoyed a separate income under the deal, and to prevent the defendants from carrying out the Robbins contract.

Deides Schenck and Kent, others, were to be examined by the plaintiffs as: W. E. Michel, executive v.p. of 20th-Fox; J. H. Kirtland, executive v.p. of Robbins; Darryl Zanuck, production v.p.; William Goetz, v.p.; and William B. Dyer, studio manager. Also Movietone, through Kirtland.

TO CONSULT EXHIBITS ON NEW 'CHARLIE CHAN'

Hollywood, Aug. 9. No success in Warner Bros. in the 'Charlie Chan' series will be picked by 20th-Fox execs until excluded from the advance sale in the new Chan. Studio died Aug. 6 in Stockholm, Sweden, after making 17 pictures since 1931.

Studio denied that Keye Luke, who played Chan in the series, died in Oslo during the last year. Exhibits have been consulted and a canvass made of all possibilities.

J. Edward Bromberg is rated having 42.5 per cent share in the new Chan. When Warner Oldfield fell ill, the studio cast about for a substitute, and the Bromberg's test reportedly showed up best.

(Additional details on Oldfield's death in Oslo during the last year, which was attributed to an oil on John G. Blystone who directed many of the Chan's).

Tone Quitting Pictures

Hollywood, Aug. 9. 'Franchot' Tone is quitting Hollywood for Broadway when his Metro contract expires. Currently working in North Dakota divorcing his actor refused to sign another pact. Tone left Broadway for the pictures five years ago. Recent break with his wife, Joan Crawford, helped to make up his mind.

HAMMONS-GN MERGER ALL SET NOW

Creditors of Grand National, having consented to a merger with Educational, E. W. Hammons and Lloyd Wright trustees of GN have agreed to the deal under which Hammons gains control of the GN company. Wright reached N. Y. Friday (5). Attorneys are now preparing the papers for presentation to the court on Wright's return to the Coast. He plans leaving the end of the week. Meantime, there appears no possibility that the deal now won't go through, the only two required being approval of the bankruptcy courts in California. Wright is co-trustee with Eddie Alperson for GN.

The plan calls for the formation of a new company, possibly to be called New Grand National, and its incorporation as a \$100,000 company. Another corporation will be set up at \$1,000,000 capitalization for the purpose of providing financing for production, \$400,000 to become available immediately for picture making. A total of close to \$1,000,000 will be put into the project, with Hammons having the option of taking cash or stock in the new company in satisfaction of claims.

Hammons suggested the name of 'New Grand National' to Lloyd Wright, switch to something else if considered more desirable. He might follow Wright to the Coast in a couple weeks or so.

They'll Fight It Over For Par at Gettysburg

Hollywood, Aug. 9. Paramount finally has decided to produce 'Gettysburg', \$1,000,000 War picture, after months of waver. Making a shot in the arm for the last reunion of the Blue and Gray veterans on the Pennsylvania battlefield.

Clifford Odets has turned in a preliminary script on the battle film, revenue experts feel the miscellaneos as Albert Lewis, producer, returns from his vacation in October. Henry Hathaway will direct.

More Than \$20,000,000 Amus. Tax K.O.'s Hope U.S. Will Drop 1% Tap

Washington, Aug. 9. Indefinite continuance of the present scale of admissions taxes (10% on all ducks over 40c) was foreseen by Treasury officials last week. Congress probably will be asked again this winter to produce the tax, but the House has anticipated huge deficit in the fiscal year which ends next June 30.

Deat to the walls of exhibitors, revenue experts feel the miscellaneous levies imposed in 1932 still cannot be lifted, even though repeal would be desirable by 1939. The lines of business. Chiefly because machinery is well established and also because industries affected can calculate the effect better than they could some new form of levy.

As has been noted many times since the sequestration, prospects for lightening the load on amusements are decidedly poor. The Treasury has noted the substantial yield from theatres and other types of entertainment, adding that relief that patronage is not materially

One Slant on Divorcement

Discussions in the trade regarding theatre divorcement and the possibility of this actually eventuating as a result of the threats in the House of Representatives to force the Government to take protective action, have produced interesting factual data and theories regarding circuit operations as existing today with regards to big picture companies.

Greatest success enjoyed by such circuit operations came before they were consolidated in 1926, after veterans in the business. Some sources claim that theatres were planned and operated by independent affiliated circuit operation as before or as had been anticipated. They cite Salaban & Katz, Stanley and Trendle as enjoying a bigger slant of prosperity in the circuit, and the Government of the Bros. and Par, respectively. They are inclined to apply the word 'dominant' to the operations as existing today.

Under their own (theatre) operation, B. C. (Before Consolidation), the box office take was good. Now, either because too mechanized, too unwieldy or too impersonal, the old-timers believe the affiliated circuit operations are not panning out so well.

Reason for considering these phases in relation to what was possible under circuit management, without any supervision or control by a parent picture firm, is that there is now a trend to return to the old method of circuit operation, voluntarily or otherwise.

London Producer Chies U. S. Film Ad Sensationalism on Booloo Pic

'PROF. BEWARE' IN PLAGIARISM SUIT

London, July 26.

Suit for \$8,500, plus a percentage of the profits from 'Professor Beware' will be filed in U. S. District court, N. Y., in the next few days against Harold Lloyd and Paramount by William Jourdan Rapp and Lowell Brentano, writers. Action will claim the comedian used his name as his film, after turning down the purchase of the script. Summons in the case has been served, but the complaint has not yet been filed. Phil Wittenberg is attorney for the plaintiffs.

According to the plaintiffs, 'Beware' will be filed in a couple of years ago and received a partial payment of \$1,500 for it. If Lloyd purchased the film, he would owe them another \$8,500, plus a percentage of the picture's gross, they allege. Instead, he returned the script. Plaintiffs now assert Lloyd used their story in 'Professor Beware' and are seeking the \$8,500 plus the stated percentage. They figure the total will come to about \$70,000.

Rapp is editor of True Story magazine and Brentano are also authors of 'The Shipman' and 'The Vinton Freedley production schedule and for which Cole Porter is to do the music.

Brabin Stricken in Paris

Paris, Aug. 3. Charles Brabin, director-husband of Thea Bara, was in an American hospital here suffering from 'nervous fatigue', the result of his recent illness in London.

He was released this week, but is still convalescing at home.

Editor, VARIETY: I have read Raymond's advertisement in the paper on page 14 of your issue of July 20, 1938, with a great deal of interest and awe and, I must confess, with a certain respect. I know have unwittingly taken place in the 'very heart' of the matter, and I know several of my friends know have unwittingly taken place in the 'very heart' of the matter. I know have unwittingly taken place in the 'very heart' of the matter. I know have unwittingly taken place in the 'very heart' of the matter.

Mr. H. D. Noone, the anthropologist who took me up into the jungle, has had several trips of many months duration alone across the remotest mountains and untouched jungle, and I know that he is certainly one of the most intelligent and helpful. They never understood what I was doing with the camera, but they were willing to humour us in our, to them, stupid actions.

Advertisements of the 'Book of the Dead' and 'The Book of the Dead' in the cinema industry. I am, personally, an enthusiastic admirer of adventure stories on the screen when such stories are frankly fictitious and do not pretend to portray actual facts. But to goad me to read of films which definitely present distorted facts concerning actual people and places, and to make me feel that the activities of Tarzan, of jungle princesses and white goddesses, are but a shadow of the real thing.

There must be many people who from this sort of film is offensive, and certainly in this day and age there is a large potential audience which is definitely being kept away from cinema by this sort of sensationalism.

Your headline of the same issue, 'The Shipman', is, perhaps there is some connection between the two items.

Alexander Shaw, (Strand Film Ltd., 37-39 Oxford Street, London, W.1.)

Runyon's Pic Bow Waits

Hollywood, Aug. 8. Damon Runyon's debut as a Metro director has been postponed until the fall because of the writer's commitments in New York.

Hearts are reported to be assigned to the picture by James J. Hines, Tammany district leader, in the policy racket case.

Nelson Circulating in Pix

Hollywood, Aug. 8. Bert Nelson, who was in the picture in Sol Lesser's 'Peck's Bad Boy at the Circus' before lenses with his own of lions and tigers.

PIX BIZ MISSES OUT

Postponement and probable abandonment of the industry trade conference is news blow to exhibitor interests throughout the country. Quite apart from the long delay in the settling of trade problems through the medium of the Government anti-trust suit against major distributors, it is the general belief of exhibitors that self-regulation could do the job better and quicker than court action.

Frankness of Sidney R. Kent's statement that the reason for postponement is because of the legal issues which have arisen since the filing on July 20 of the anti-trust suit against major companies and 122 individuals is typical of the forthright policy he always has used in dealing with trade matters.

He says, "Right after Labor Day, and after counsel have given their opinion, it can be said definitely what the position is in regard to meetings with exhibitors will be, or it can be said without conditions, because of the pendency of the Government suit, make it impossible to meet the exhibitors at all."

Film industry never before has found itself in a situation quite so confusing. Never before have industry leaders found themselves in a spot quite so embarrassing. And never before has the trade been so curious to know and understand exactly what President Roosevelt told the heads of the eight largest film companies at the White House meeting on June 25, last. In attendance at that meeting were Will H. Hays, Barney Balaban (Par), Nate Blumberg (U), Harry Cohn (Col.), S. R. Kent (20th-Fox), George J. Schaefer (UA), Nicholas M. Schenck (Loew's), Leo Spitz (RKO) and Major Albert Warner (WB).

Spokesman for the industry started after the White House conference that the Chief Executive "received an encouraging picture of production activities and the continued progress in self-regulation of the motion picture industry."

Is it possible that the film executives, when they met with the President, were unimpressed by the Department of Justice which had sent to the Government printing office the carefully drawn and extensive bill of particulars in the contemplated anti-trust action?

And is it possible that none of the film executives was aware of the impending legal strife?

And was there any relation between the White House meeting on June 25 and the announcement of the trade conference issued on June 28?

And did hope beat expectation that the trade conferences might avert the Department of Justice from its long avowed purpose of cracking down on the major film companies?

And, last, are answers to these questions anyone's business except the defendant companies and the 122 individual executives and company directors who are defendants?

Yes. Thousands of independent theatre operators in the United States are intensely interested in knowing exactly what is likely to happen to their interests if regulation of trade practices must await the court's decision and the interminable appeal rulings. They would like to know why and how a gesture for cooperative planning is suddenly converted into an indefinite push-off.

Upon the outcome of the Government's suit depends the future structure of the whole motion picture business. Will the Government through the Federal courts, write the ticket for independent exhibitors whose combined investments in theatre properties far exceeds the values of properties owned by the defendant companies?

It begins to look that way. It begins to appear that the major film companies, through refusal earlier to cope with the trade practice problems of the industry during the interval of three years since the end of the NRA code, have let slip from their grasp the opportunity for self-regulation.

In other words, major distributors talked about self-regulation and did nothing about it. Then, at the last minute, they attempted to set up a plan for conferences, but it was too late.

That the plan for self-regulation was still-born may not be attributed to the enterprise, foresight and determination of Sidney R. Kent, who assumed an industry duty in undertaking the chairmanship of the distributors' committee. It was Kent who fought and won for exhibitors the concessions they obtained in 1933, and some of the favorable provisions they won in the NRA code.

Self-regulation is dubious.

Procrastination has won again.

Still an Orphan

Hollywood, Aug. 9. John Speaks, independent producer, has postponed but not abandoned his plan to make "Little Orphan Annie" for Paramount release. Latest move is to expand from one picture into a series.

Studio has extended the date of release to permit Speaks to arrange the financing.

Day-and-Date

Hollywood, Aug. 9. Sam Bischoff plays a double headed

at Warners Aug. 22, sending two productions before the cameras, at the same time.

Films are "Crime Is a Racket," featuring Frankie Burke, and "Unit to Print," with Pat O'Brien and Joan Blondell.

Glutton on Diet

Hollywood, Aug. 9. Busier than a one-man band for 18 months, Richard Lane is winding up his acting contract as RKO and is settling down his seven business enterprises to one. In his leisure moments, between pictures, Lane had financial interests in a firm making chemical farming tanks, a tire rebuilding plant, an auto sales agency, a Venetian blind factory and a restaurant in the Bronx which he staked through college.

His lone remaining business activity is the management of Gentleman Ranch McChain, resaler.

HICKS, BRITISH, OGLES H'WOOD PROD. SCENE

Hollywood, Aug. 9. Ben Hicks, theatre operator in America and London, before leaving his British home, Paramount, is here from England, backed by British capital, to use the film industry situation, with a view to producing on international scale.

His first report to his financing associates on whether to make pictures here or concentrate in London, idea to produce for both American and foreign release.

Leo Robin and Ralph Rainger, after a month in New York, have completed their writing of the songs for "Gulliver's Travels." This is the full-length cartoon feature which Max Fleischer is producing for Paramount.

Rainger is already back west and Robin follows.

Hollywood, Aug. 9. Color tests are in progress for Walter Lantz's \$750,000 cartoon, "Aldrin and His Wonderful Lamp," at Universal. Arabian Nights tale is one of four cartoons Lantz will produce for U. release.

SNIDER MEETING DEAN ON COAST NEXT WEEK

Leon. Snider, who has been in New York for several weeks before returning from a two-month stay in Europe, leaves for the Coast next week. Farther in the Snider-Dean feud of Australia plans to meet George Dean of the firm in Los Angeles.

Snider stopped for several weeks in N. Y. early this spring before going to Europe. On this and other questions he is credited with contacting film companies and stage producers and animating support for Snider-Dean. Understood that Dean came to the U. S. to follow through on these propositions, probably doing actual signing of all deals he approves.

Bette Davis' Mexer

Hollywood, Aug. 9. Bette Davis' next starring role will be in "Phantom of the Opera," a yarn of Maximilian's career as the last royal ruler of Mexico.

Picture is slated to start early in fall, with the script already completed by Aeneas Wyman, Wolfgang Reinhardt and John Houston.

BAKTER'S NEXT

Hollywood, Aug. 9. Next for Warner Baxter at 20th-Fox will be "King of Khyber," which he's typed after "Beulah Hutton" and concerns the occupation in India by British troops.

RICHMAN'S 2-IN-1

Hollywood, Aug. 9. Harry Richman opens a miniseries in two weeks' stand at the Clover Club here, Aug. 28.

Likely he'll do a picture while on the Coast.

NW Exchanges See No ill Effect From U. S. Suit and D. Decision; Chi Indies and Allied Plan Suit

Minneapolis, Aug. 9. Local exchange heads claim that the Government's anti-trust suit against the eight major distributors and the Federal court decision upholding the North Dakota divorce law's validity haven't had the effect of making independent exhibitors in this territory, outside the Twin Cities, together to do business with and put them in an anti-buying mood. The branch managers insist that selling is progressing "most satisfactorily" and that gains are being shown over the corresponding period a year ago.

As far as Minneapolis and St. Paul are concerned, the major exchange don't start selling until later. "Some of the more prominent independent exhibitors in the Twin Cities have, however, indicated they expect to buy 'just about as they please,' if not at their own terms, and to be prepared to 'take up with the Justice Department at Washington any 'unfair' or 'unreasonable' demands on the distributors' part."

"Eager to Buy" Branch managers declare that the bulk of exhibitors in this territory are eager to buy, especially because they anticipate normal business in the fall and winter. Except for the first-runs in the largest cities, business in this territory has held up better during the current depression than other sections of the country, being off, on the average, only 15-20%, the exchange heads insist. Attitude of exhibitors generally isn't any different today from what it was before the distributors were handed their recent body blow by the Federal court and government.

At a Standstill Northwest Allied leaders here deride the exchanges' claims regarding the credit and "standstill" they say the "unsettling" is making independent theatres "very cautious" and loath to buy because of the feeling that more advantageous deals can be made later.

Northwest Allied is holding a meeting here this week to decide "what effect, if any," recent "industry developments" should have on members' buying policies. President W. A. Steffen is expected to advise the members to resist percentage deals, force buying of shorts, and, if necessary, to carry out threats to enlist the aid of the Federal Justice "to obtain a square deal."

One fly in the ointment, as far as the business outlook in this territory is concerned, is the abnormally low grain prices. While crops, generally, will be good, prices have dropped so far that the farm income will be much less than was previously anticipated.

M-G Stalls Court Tiff

Hollywood, Aug. 9. By Giving "Test Pilot" Script to Collins' Wife

As a condition for postponing argument on the motion for a preliminary injunction, Metro has agreed to furnish the widow of James H. Cagney with the actual shooting script of "Lieut. Frank West's original, 'Test Pilot,' which Victor LaRocca, Waldemar Young authored. Mrs. Dolores Cagney Collins is suing Metro for \$100,000, alleging that the husband's similarly titled book, "Test Pilot," was infringed upon.

Her attorney, Harry Weinberger, has gone to the Coast in connection with this case.

Irene Castle Confers On Three-Way Stint

Irene Castle McLaughlin, due here Thursday (11) to confer with the Mayor Berman on her new job as writer, technical advisor and costume designer for "The Castles," will be in the city for a few days. She is the wife of the late Nippon cast, when they were America's leading dance team, will co-star in "Ginger" and "Fanny" and "Start is slated for mid-September."

Chicago, Aug. 9. Attorneys for the Allied and independent theatres here are ready to file suit within the next few weeks in the Federal courts to seek an injunction restraining film production from entering into contracts on the new season's product if the new studios contain the present clauses of clearance and protection, and fails to eliminate double features.

This decision to file suit follows the futile meetings that were held here between Allied representatives and Paramount-Balaban & Katz execs. In for B. & K. were Austin Scough, Sam Rosenthal, John and Dave Balaban, Walter Immerman and Morris Leeman. Sitting in as attorney for Allied members was Rosenberg, of Rosenberg, Stein & Rosenberg. Also in the picture is the new local Allied chieftain, Jack Kirsch, who has succeeded the late Anton Smithey.

Meeting resulted in no compromise whatever, with each side laughing off the other's proposal for a basis of get-together. Allied group asked for either of two changes in present picture setup in Chicago: (1) the slicing of loop to first week of general release clearance from present 10 week to three weeks, or (2) the immediate elimination of double features.

B. & K.'s Mix Balaban & Katz execs couldn't see either one of those proposals.

How the picture business will spend day with an offer to eliminate double features in all houses in the city with the exception of the few first-run releases, which is the run immediately following the loopings.

This counter-proposal was mixed by the Allied branch, so that the entire deal was drastically altered. The court contends that the restriction of doubles to the A houses would be a "standstill" practically.

While it is generally admitted in industry circles that the "standstill" is nothing contrary to equity or law in double features, the attorneys for Allied insist that double features are being used by the major theatres in such a way that the pictures are being "sold" to most of their boxoffice value in the first few runs of the flicker. The picture industry and the tail end of the releasing procession getting the skimmed milk.

Allyed hopes to tie in double features as a key point in their entire argument, and insists to kill any attempt to do so as an inequitable method of exhibiting pictures.

METRO RELEASE, COIN FOR 'GONE'

Hollywood, Aug. 9. Metro is going to finance and release "Gone With the Wind," David Selznick producing, and Clark Gable, the Metro picture, for United Production will start shortly after the release of "Gone With the Wind" with an initial budget of \$1,500,000.

Pact allows Selznick to select a picture of his choice to release. He'll release "Gone With the Wind" or "Harris," either from the Metro stellar ranks or from the outside.

Warners Ahoy!

Hollywood, Aug. 9. Fleet of whirling vessels is being rounded up in Seattle for the filming of Warners' "Sea Wolf," starring John O'Brien. Production starts Sept. 5.

Studio is getting sea-minded, with "The Sea Wolf," "The Sea Wolf" and "The Sea Breeze" scheduled for the next few months.

'Ice' for Schuchel

Hollywood, Aug. 9. Reinhold Schuchel gets "The Ice Folies" at Metro as his second directorial effort. He'll follow "The Man, the Girl, the Girl" with "The Man, the Girl, the Girl." Risky risk is being constructed on "The Man, the Girl, the Girl." Start is slated for mid-September.

DIRECTORS' GRIEVANCES

Studies Balk at Guild Demand to Bargain for Three Groups—20-Fox Film Lengthy Answer of Denial—Action Seen as Short Cut if SDG Certified

SP BREAKUP?

Hollywood, Aug. 9. Charges that 10 major film companies were guilty of unfair labor practices in refusing to negotiate a working agreement with the Screen Directors Guild will be aired before a trial examiner for the National Labor Relations Board here Aug. 10. The board's examiner will conduct a hearing on the petition of the SDG asking for certification of bargaining representative for directors, unit managers and assistant directors.

The Twine Nylander, regional director for the NLRB, ordered the three groups consolidated after attorneys for the companies renewed their refusal to recognize the Guild unless the organization was divided into two separate bargaining units, one for directors and unit managers and assistant directors.

Producers contend that the three groups do not constitute an appropriate bargaining unit, and insist the directors and unit managers be treated as separate units in the meaning of the Wagner Labor Act. They have offered to negotiate separate agreements with the directors and unit managers and assistant directors.

Plans for an agreement to stipulate certain evidence pertaining to the film industry will be discussed this week at a conference between Dr. Samuel Goldwyn, William Walsh, Nylander, and counsel for the NLRB; Barry Brannan, attorney for the Guild; and representatives of the 10 companies. Such an agreement will eliminate the necessity of calling many witnesses, as evidence used in the Screen Writers Guild hearing relating to interstate commerce, etc., could be offered by stipulation.

Companies against which unfair labor practice charges have been filed include the producers, Samuel Goldwyn, Selznick, Paramount, Universal, Warner, Wanger, Columbia, RKO, Radio, 20th-Fox. Action is seen as a move by the Guild to speed up recognition by the producers. Though the legal move would save the Guild 12 months time, using production delay to wait until after certification of unfair labor practice and then start the NLRB case is a short cut.

20th-Fox's first formal action to file an answer to the petition of the SDG for certification. Answer, prepared by Alfreo C. General, counsel for company, claims directorial individual contracts with studios that cannot be upset by a congressional act.

Denies that Association of Motion Picture Producers, Inc., Motion Picture Producers and Distributors of America, Inc., or Pat Casey, employ any directors, or that it has any authority or right whatsoever to employ any employee for or to act or render services of any kind or nature whatsoever in the employment of any person or persons by 20th-Fox Film Corp.

Denies that the alleged question concerning representation described in the amended petition is a question affecting commerce within the meaning of said National Labor Relations Act, or otherwise within the jurisdiction of the congresses alleged to be denied petition to exist, or to investigate any controversy between

motion picture directors, assistant motion picture directors, unit managers and 20th-Fox Film Corp., or to certify the name or names of any representative or representatives of any selected motion picture directors, or assistant motion picture directors, or unit managers, or persons, either under the National Labor Relations Act or otherwise.

Denies that the production of motion pictures by 20th-Fox Film Corp. does not affect trade, traffic, commerce, transportation or communication among the several states of the United States.

Denies that the average approximate number of employees employed by said 20th-Fox Film Corp. is \$5,000, but alleges on the contrary that the average number of said employees does not exceed 3,000; denies that the number of such employees who are either motion picture directors, assistant motion picture directors or unit managers is 55, but alleges, on the contrary, that the number of such employees is approximately 65.

"Not Appropriate Bargainer"

That the National Labor Relations Board cannot certify the directors, assistant motion picture directors and unit managers comprise a bargaining unit, and that the board is not authorized to appropriate for collective bargaining under the provisions of the National Labor Relations Act, the view of these organizations. That the Screen Directors Guild, Inc., is a representative of motion picture directors, assistant motion picture directors and unit managers for collective bargaining within the meaning of the National Labor Relations Act, or that the Screen Directors Guild, Inc., is entitled to represent employees described in said amended petition, or entitled to be certified as such representative; denies that motion picture directors, assistant motion picture directors or unit managers are employees within the meaning of the National Labor Relations Act.

Denies that any question has arisen between said Screen Directors Guild, Inc., and 20th-Fox Film Corp. under the said National Labor Relations Act, or that any question has arisen between said Screen Directors Guild, Inc., and 20th-Fox Film Corp., as to whether the National Labor Relations Board has any jurisdiction whatsoever.

That the National Labor Relations Board has no jurisdiction over the alleged controversy set forth in said amended petition, or that the controversy between 20th-Fox Film Corp. and the individuals who are described in said amended petition, as motion picture directors, assistant motion picture directors and unit managers, or any employee of said persons are not employees within the meaning of the National Labor Relations Act.

That said Screen Directors Guild, Inc., is not a unit entitled to represent any employee of said 20th-Fox Film Corp., or entitled to be certified as the representative of any employee of said 20th-Fox Film Corp. The individuals who compose and are members of said organization, and any employee of said organization, in the meaning or intent of the National Labor Relations Act and most of the individuals who compose and are members of said organization, or the original petition or the amended petition have not been certified by the National Labor Relations Board, and where the terms and conditions set forth in said amended petition of said respective motion picture directors are prescribed and set forth.

"Charge Purposes Void"

That the National Labor Relations Act is unconstitutional; that the National Labor Relations Board is not authorized to certify the said National Labor Relations Board, or any representative of the said National Labor Relations Board, to bargain collectively with such of its motion picture directors as have entered into individual contracts, and in so far as it purports to entitle said National Labor Relations Board to direct any representative designated by it, or any other person or person, to decide what unit it appropriates for purposes of collective bargaining, or for the purpose of investigating any question concerning persons whose relations to said 20th-Fox Film Corp. are governed and controlled by written contracts between

(Continued on page 2)

NLRB O.K.s SWG

Washington, Aug. 9. Screen Writers' Guild was designated today court-ordered exclusive bargaining agency for scribes at 13 Hollywood studios. National Labor Relations Board ratified results of June balloting, throwing out petitions for right to represent individual concocaters at four other plants.

Based upon results of the June 18 election, the Board dubbed the Guild as mouthpiece for all plot doctors at Metro, Selznick, Goldwyn, Republic, Universal, Paramount, RKO, Universal, 20th-Fox, Warner Bros., Monogram, and Dammor, where clear majorities were registered. Ashcaned request for permit to elect writers working at Grand National, Trem Carr, Major and Schubert shops. Petition for investigation of situation at Wanger studio also was dismissed.

Board cannot accept the principle that "where there is only one eligible voter" the Board cannot certify a union. No voters at the four plants where the Guild was frozen out. Refusal of the studios to furnish lists of employees drew a slap which indicates the protests against the outcome of the election will be shelved. Board said Dr. Towne J. Nylander, regional director for the NLRB, had asked for names of eligibles but employees would not cooperate. In view of these conditions, "they are clearly not in a position to object to the procedure which was followed by interpreters sarcastic. Also, they failed to exercise right to elect a union, and the objections are without merit and do not deserve further consideration."

Academy Reorgs; Sustaining Radio Show Over CBS

Hollywood, Aug. 9. Academy of Motion Picture Arts and Sciences will go strictly sustaining radio checks at a full hour radio show. Decision was reached at a reorganization meeting last night (Monday) at the headquarters of the organization to maintain freedom of expression and avoid any overlying by a bank.

Columbia Broadcasting is favored for the free show as Academy members feel that NBC carries most of the gossipers who assail the film biz.

RKO UP IN THE AIR OVER "BALLOON" FILM

Hollywood, Aug. 9. RKO is pressuring Pandro Berman, president of "Balloon," to work pronto to cash in on the interest in air dirigibles. Show has owned the Liberty name since 1928, and Cliff Reid has the script ready for most release programs since that time.

Berman personally supervises the production.

Previously Lee Marcus a new three-year contract with supervision over 34 pictures for the 1938-39 program. He has been with the company five years, starting as a shorts producer.

Company also lifted options on Robert Sisk, producer, and Lou Landers, director, for one year.

Lombard; Powell Will Gamble with Selznick

Hollywood, Aug. 9. First steps to gamble on profits under the new Myron Selznick plan are Carole Lombard and William Powell.

Pair will co-star in the second picture to be made by the Ernst Lubitsch Productions, Inc., with Lubitsch as director. Shooting will start immediately after completion of "The Shop Around the Corner," in which Polly Bass is starring.

Quite a Battle Wages in Cal. Around Bioff's \$100,000 Loan; Air IA Fees

DISCORDANT NOTES

Heifetz-Goldwyn Can't Conciliate on Film Shooting

Hollywood, Aug. 9. Jascha Heifetz has declined the offer of Samuel Goldwyn to call off his annual concert tour for which consideration the producer would reimburse the violinist with \$55,000 he would have earned. Heifetz told Goldwyn the concert field has been worked out, but for a quarter of a century and he's not giving it up, even for one season to accommodate Goldwyn's shooting schedule of "The Great Music Festival." Producer made the offer when it became apparent the picture won't be ready for start by Sept. 1. Contract calls for Oct. 15 finish, for which period Heifetz receives \$12,000.

Heifetz has been under contract to Goldwyn for more than a year, with stipulations by Federico Hurler, later taken over by L. A. R. Wylie and now delegated to Robert Riskin. Goldwyn is awaiting Heifetz's reply to overture for postponement to March 1, for which the virtuoso would receive a bonus. Heifetz has a play-or-pay contract with Goldwyn.

Helen Vinson Brings Her \$33,000 Suit Vs. Topitzky Into N. Y.

Helen Vinson, stage and picture actress, has filed suit in N. Y. supreme court against Bernard Topitzky, who claims she paid the N. Y. Life Insurance Co. through Bernard Topitzky, Los Angeles and Hollywood business agent for picture stars who are to buy to handle their own financial dealings. Miss Vinson, wife of Fred Perry, the tennis ace, refused Topitzky, representing himself as an authorized agent of the insurance company, induced Miss Vinson to invest total of \$33,000 in annuities with the N. Y. Life through him and Frank N. Nathan, the acknowledged business agent of the company on the coast.

The company returned \$22,000 to Miss Vinson, but denied responsibility for the remaining \$11,000, claiming the sum was never paid but for policies. The company also denies ever having done business with Topitzky; that he, not its agent, and if anything, he acted as a broker for the actress.

Miss Vinson recently got a judgment in Los Angeles courts for \$25,000 against Topitzky but she received \$5,000 of this amount thus far. Through her N. Y. attorney, Leighton Powell, she now asks the courts to hold the insurance company liable for the unstated amount which she paid for the annuities.

Justice Ferdinand Pecora has recommended the company to the superior decision on the matter to dismiss the action and also on a request of Leighton that the company's group of its officers be referred to appear for examination before a committee to determine the exact relationship between Topitzky and the company. Leighton's motion is based on the fact that Topitzky is unable to obtain the policies for Miss Vinson either through Nathan or through Topitzky, who is putting up the cash before delivery, a rule the company insists upon.

Garbo's Russky and 'Curie'

Hollywood, Aug. 9. Greta Garbo returns to Metro Nov. 1 to make two pictures next year. Her previous passes passed most of her years' absence from the screen in her native land.

First film is a Russ tale, "Love Is No Sin," directed by Ar. Screen is Melchior Lengyel, followed by "Madame Curie," hogged by the scientist's daughter.

Sacramento, Calif., Aug. 9. County clerk jury, which tomorrow (Wed.) resumes its investigation of alleged legislative corruption, is expected to delve further into the \$100,000 which William Bioff testified he received as a loan in June, 1937. The jury also is expected to resume its inquiry into legal fees paid by the International Alliance of Theatrical Stage Employees while the Assembly's capital-labor committee was investigating charges of racketeering by the IA.

Bioff, former Coast head of the IATSE and personal representative of George E. Browne, IA president, admitted to the jury that he deposited \$100,000 in a Hollywood bank on June 25, 1937. He said the money was a loan and that he placed to the joint credit of himself and wife.

Bioff testified the money was withdrawn in a few days and placed in a safe deposit box in the same bank. He was not questioned as to where he secured the loan and whether any security had been posted.

Testimony of Bioff brought out in the report that the leader had deposited \$100,000 shortly after settlement of last summer's studio racketeering charges. The report of the Internal Revenue Department have been in Hollywood for weeks the Federal agents and officers are known to have gone over the books of the Association of Motion Picture Producers and Distributors of America. They have questioned Pat Casey, producers' labor leader, and executives of several other studios.

C. P. Cregan, auditor for the IA, refused to testify when called before the grand jury. He had been paid \$5,000 check previously offered in evidence had been taken by him and the grand jury was told of the check. With attorneys, Cregan returned to the jury room and asked to answer questions.

Drawn for Legal Fee

He testified the \$5,000 check was drawn by the grand jury and was a legal fee. He said he was ordered by Harland Holden, IA International Brotherhood of Actors, to cash the check. He testified it was in payment for legal services.

Holden, who previously threatened to "blow up" the investigation, finally was called as a witness. He admitted receipt of the check, but refused to go into details of his employment claiming that to do so would violate the confidence of a client. He also contended the Sacramento County jury had no authority to investigate anything that happened in Los Angeles.

The attorney refused to state his relationship to the president of the IA, but said the legal services for which he was paid involved hearing of a threatened \$50,000 strike, a conference with motion picture executives and Washington missions. He also testified that he was the Assembly's committee report and did not know whether it was typed in Sacramento or Los Angeles. He denied that Clayton S. Adams and William W. Williams had any facilities in his office.

Balk at Questioning

Adams and Williams were appointed investigators for the committee inquiring into the racketeering charges. The committee insisted on continuing the probe after they had advised that they had no further work to do. He promised that the investigation he dropped. Both refused to testify, stating that they had no further work to do by counsel not to answer any questions.

Jury Foreman Marsh recommended that the prosecution ask for contempt citations against any witnesses who refuse to testify.

The jury recessed until tomorrow. The jury has announced that citations would be sought to clearly establish the authorship of the charges. The jury will investigate any matter in connection with alleged corruption by an Assembly committee.

"Motion Pictures are your best Entertainment"

Special Promotion Edition

VARIETY

August 8, 1938

Dear Sir:

The united motion picture industry is launching a MILLION DOLLAR promotion campaign September 1st. Plans for this far-flung operation, in which thousands of exhibitors will join forces with distributors and producers, are about completed.

During the weeks the campaign is in progress the industry will release many of the most important attractions ever created by the master craftsmen of Hollywood.

The drive will be a powerful stimulus to the box-office and to all enterprises which do business with motion picture theatres--such as yours.

Variety has lined up solidly behind the campaign. On Wednesday, August 31 (mark the date), Variety will publish a special advertising section called "Motion Pictures Are Your Best Entertainment", official title of the drive.

Variety invites you to reserve space in this special campaign section; to place your own forceful sales message before Variety's army of exhibitor readers at precisely the RIGHT time to capitalize on their enthusiasm.

An early response will be appreciated.

Sincerely yours,

VARIETY

TELEPHONE BRYANT 9-8153

OFFICES: 154 W. 46th ST., NEW YORK

To be issued
August 31, 1938

He has been here about four weeks conferring with homeoffice officials.

FILM BOOKING CHART

(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 releases as given in VARIETY and the running time of prints are included.)

(R) REISSUES

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WEEK OF RELEASE	PRODUCER	TALENT	DIRECTOR	TIME	WHEN REVIEWED MINS. BY VARIETY			
5/20/38	SIX SHOOTIN' SHERIFF SWISS MISS NUMBERED WOMEN COCONUT GROVE BLIND ALICE BASCALS THE DEVIL'S PARTY MYSTERY HOUSE	M. & A. Alexander Hal Roach E. S. Derr Geo. Arthur Cliff Reid John Stone Ed Granger Bryan Foy	GN MGM MGM MGM MGM 20th WB WB	Western Comedy Drama Musical Musical Musical Drama	Ken Maynard S. Laurel & Hardy S. Blane-L. Hughes MacMurray-H. Hillard E. Riley-W. Roome J. Withers-R. Hudson W. McLaglen-B. Roberts H. Bogart-G. Page	Harry Fraser John G. Hyndes Carl Brown Al Cantell Lew Lander H.B. Humphreys W. McCarty Lew Seltzer	5/11 5/18 5/18 5/25 5/25 5/25 5/21 6/1	
5/27/38	YELLOW JACK HUNTED MEN DESERT PATROL KIDNAPPED CRIME SCHOOL	Jack Cummings Harold Hurley A. W. Hackel K. MacGowan Bryan Foy	MGM MGM MGM 20th WB	Drama Meller Western Rom-Dr Drama	R. Montgomery-W. Bruce L. Nolan-M. Carlisle Bob Steele-W. Moiden W. Baxter-F. Bartholomew W. Bogart-G. Page	Geo. Seitz Louis King Sam Newfield Al Werker Lew Seltzer	5/25 5/18 5/18 5/25 5/25	
6/3/38	THREE ON A WEEKEND THREE COMRADES A FAREWELL TO ARMS (R) SIGN OF THE CROSS (R) SAINT IN NEW YORK JOSETTE WIVES UNDER SUSPICION LITTLE MISS THOROUGHbred	H. Manckiewicz F. Borage C. B. DeMille Wm. Sistrum Gene Markay Ed Granger Bryan Foy	GB MGM Par RKO 20th WB GN	Rom-Dr Rom-Dr Drama Drama Meller Drama Com-Dr	M. Lockwood-J. Lodge-R. Ray R. Taylor-Tout-M. Sullivan G. Cooper-H. Hayes J. March-Coburn-Laughton L. Hayward-R. Sutton S. Simon-R. Ames-R. Lehr W. Williams-G. Patrick J. Chapman-J. Lilel	Carol Reed Frank Borzage "Borzage" C. B. DeMille Ben Holmes A. D. Murphy Jas. Whale John Farrow	76 100 100 114 112 68 68 65	5/25 5/25 12/3/1932 12/6/1932 5/25 5/25 5/25 5/25
6/10/38	HELD FOR RANSOM THE TOY WOMAN YOU AND ME TING KONG RIDERS OF BLACK HILLS LADIES IN DISTRESS ONE WILD NIGHT GOLDDIGGERS IN PARIS	Merian C. Cooper Fritz Lang R. C. Cooper Wm. Berke Harry Grey John Stone Sam Bischoff	GN MGM Par Par Spec Rep MGM WB	Meller Drama Rom-Dr Spec Spec Rep Meller Meller	G. Withers-R. Mahaffey L. Bailey-M. Connelley S. Sidney-G. Hall-H. Carey F. Wray-C. Cooper J. Messinger A. Skipworth-F. Moran J. Lunn-L. Talbot-C. Teller R. Valter-R. Lane	Clarence Bricker R. Bailey F. Rit Land Richmond George Sherman Geo. Meins Ray Enright	59 83 90 90 57 68 100	5/25 5/25 5/25 5/25 5/25 5/25 5/25
6/17/38	HOLIDA CRIME OVER LONDON WOMAN AGAINST WOMAN PRISON FARM BLOODHOUND CHASE THREE BLIND MICE BLOCKADE OUTLAW EXPRESS WHEN WERE YOU BORN	Everett Riklin M. Nystrom Edw. Chodorov Wm. Sistrum Ray Griffith Walter Wanger Trem Carr Bryan Foy	Col MGM MGM MGM 20th 20th WB WB	Drama Mystery Rom-Dr Rom-Dr Rom-Dr Drama Western Drama	K. Hepburn-C. Grant M. Nystrom-F. Cavendish W. Bruce-H. Marshall S. Ross-L. Nolan-J. C. Nash J. Fontaine-D. de Sierra L. Nolan-J. McCrea W. Williams-C. Carroll Bob Baker-C. Callego C. Ralms-J. Cooper	George Cukor M. Nystrom R. Sinclair Louis King Richmond Wm. Seiter W. Williams Geo. Wagner Wm. McGann	93 82 117 88 88 88 70 70	5/25 11/1/38 5/18 5/18 5/18 5/18 5/18 5/18
6/24/38	HIGHWAY PATROL LORD JURY ROMANCE OF LIMERLOCK BAR 18 JURY BORDER GEM MR. NOTO TAKE CHARGE YOUNG FUGITIVES WHITE RAINBOWS	W. MacDonald Frank David F. Monro Harry Sherman Bet Gilroy Moto Taro Barney Sarecky Henry Blane	Col MGM MGM MGM RKO 20th WB WB	Meller Rom-Dr Meller Mystery Western Mystery Meller Drama	J. Wells-R. Falce Bartholomew-Sondergaard J. Parker-E. Linden W. Sistrum George O'Brien F. Lorne-R. Hudson R. K. Hall C. Balus-J. Cooper	C.C. Coleman, Jr. Wm. High Leo Landau Wm. Seiter W. Williams Geo. Wagner Wm. McGann	56 62 80 80 61 87 87	8/10 8/10 8/10 8/10 8/10 8/10 8/10
7/1/38	CITY STREETS F. W. BREAGHER HAVING WONDERFUL TIME ARMY GUY ALWAYS GOODYE SOME RIDING DANGER ON THE AIR BOOTH OF PARIS MEN ARE SUCH FOOLS	W. MacDonald V. Saville P. S. Berman R. C. Cooper Ray Griffith Alfred Hitchcock Irving Starn B. G. Desyva Wm. McGann	Col MGM RKO 20th WB WB WB WB	Meller Musical Comedy Comedy Rom-Dr Drama Com-Dr Com-Dr	Carroll-L. Bellows-H. J. Eddy J. Matthews-R. Mackay G. Rogers-D. Fairbanks, Jr. J. F. Foster B. Stanwyck-H. Marshall D. Richardson-E. Best D. Woodley-A. Grey D. Darrell-D. Fairbanks, Jr. W. Williams-L. Lane	Al Rogel Victor Saville Al Santell Art Luger Liz Landau Vic Saville Ed. Galt Henry Koster W. Williams-L. Lane	68 82 76 80 86 86 80 80	5/25 1/15/38 5/25 5/25 5/25 5/25 5/25 5/25
7/8/38	FAST COMPANY MAN'S COUNTRY CRIME KING LITTLE WOMEN (R) DUBANOG VALLEY PANAMINT'S BAD MAN MY BILL	F. Stephani Mono Col K. MacGowan A. W. Hackel S. Lester Bryan Foy	MGM Mono Col RKO Rep WB WB	Rom-Com Western Mystery Rom-Dr Western Western Drama	M. Douglas-F. Rite Jack Randall A. Lane-F. Mercer Hepburn-J. Bennett-F. Dee Bob Steele-L. Stanley S. Baller-N. Henry K. Francis-J. Lilel	Eddie Buzzell Robert Hurst L. Landau Sam Newfield Leo Farrow John Farrow	83 83 76 117 88 88	5/25 5/25 5/25 11/21/38 8/10 8/10
7/15/38	PIONEER TRAIL SHOOTING ANGEL PRIEST OF THE WEST GOLD MINE IN SKY PASSPORT HUSBAND FISHY BREAK ACFORWARD	J. L. Manckiewicz Harry Sherman C. E. Ford Col S. Wurtzel Trem Carr Col	Col MGM Western Western 20th Col Col	Western Rom-Dr Western Western Com-Dr Drama Drama	J. Luten-J. Barkley T. Wallis-R. Saint Bill Boyd G. Adler F. Moore-S. Erwin G. Farrell-H. McLane	Jos. Lawford S. Sidney L. Seltzer Joe Kane Jas. Tuning Arthur Lubin	85 76 76 76 76 76	5/25 5/25 5/25 5/25 5/25 5/25
7/22/38	LOVE FINDS ANDY HARDY TWOIC RICH BOO-LOO SIX GIANTS I'LL GIVE A MILLION ALGIERES LITTLE TIGER PENROD'S DOUBLE TROUBLE	Hal Roach A. Howard, Jr. C. E. Elliott Robert Sisk K. MacGowan Walter Wanger Ken Goldsmith Bryan Foy	MGM MGM Par RKO RKO UA WB WB	Com-Dr Com-Dr Adv-Dr Meller Meller Rom-Mel Drama Com-Dr	M. C. Hall-C. Foster M. Rooney-J. Garland C. Taylor-R. Burns-R. May C. Elroy-S. Amara-A. Lane B. Dix-C. Morris-J. Fontaine W. Baxter-M. Winters C. Boyer-S. Glick-H. Lamar R. Head End Kide	Leo D. Collins Geo. Seitz Theodore Reed L. Landau Lew Lander John Cromwell Herold Young Lew Seltzer	72 72 77 76 76 85 85	5/25 5/25 5/25 5/25 5/25 5/25 5/25
7/29/38	SOUTH OF ARIZONA STRANGE BOARDERS THE CRASER PROFESSOR BEWARE HEROES OF THE HILLS MOTHER CAREY'S CHICKENS LITTLE MISS BRIDGEMAN AMAZING DR. CLITTERHOUSE	Geo. B. Mason Frank David MGM MGM MGM RKO RKO WB	Western Com-Dr Com-Dr Com-Dr Western Drama Rom-Com Drama	C. Starrett-L. Meredith T. Wallis-R. Saint D. O'Keefe-A. Maris-L. Stone H. Lloyd-F. Welch Three Messengers R. Keeler-A. Shirley S. Tenen-G. Starn E. G. Robinson-C. Trevor	Sam Nelson George Mason Elliott Nugent G. L. Marin Rowland V. Lee Edw. Cummings Anatole Litvak	75 88 78 78 78 78 78	5/25 5/25 5/25 5/25 5/25 5/25 5/25	
8/5/38	THE LADY VAMPIRE THE CROWD BAREFOOT BOY BULLDOG DRUMMED IN AFRICA COME ON, LEATHERNECKS THE MISSING LINK I'M FROM THE CITY LETTER OF INTRODUCTION MR. CHUMP	A. Hitchcock Sam Zimbalist E. S. Derr Harold Hecht Herman Schlem Chas. S. Ford Wm. Sistrum Samuel G. Engel John Stahl Bryan Foy	GB Rom-Dr Mystery Drama Mystery Drama Rom-Dr Rom-Dr WB	M. Lockwood-F. Lukas R. Taylor-M. O'Sullivan J. Moran-M. M. Jones-R. Morgan R. Taylor-M. O'Sullivan R. Crowell-M. Hunt G. Aultry-S. Burnelle J. Penner-L. Krueger D. Ames-R. Whelan-R. Haffel A. Lane-A. Menjo-R. Leach Johnnie-Lola Lane	A. Hitchcock R. Taylor-M. O'Sullivan Carl Brown John King Jas. Cusack Joe Kane Ben Holmes Al Werker John Stahl Wm. Clement	83 83 83 83 83 83 83 83 83	5/25 5/25 5/25 5/25 5/25 5/25 5/25 5/25	
8/12/38	THE GLADIATOR RICH MAN, POOR GIRL THE TEXANS PAINTED DESERT KEEP SMILING THE MISSING GUEST RACKET RUSTERS	David L. Loew Edw. Siodoroff Lucien Hubbard Bet Gilroy Col S. Wurtzel S. Wurtzel S. Wurtzel	Com-Dr Com-Dr Outdoor Western Com-Dr Com-Dr Com-Dr	J. E. Brown-J. Travis R. Taylor-M. Huxley J. Bennett-R. Scott J. Withers-E. Johnson F. Kelly-C. Moore-Landau H. Bogart-G. Page	Ed Sedgwick H. H. Hays Jas. Hogan David Howard Herbert Ross John Rolins Leo Barina	76 76 76 76 76 76 76	5/25 5/25 5/25 5/25 5/25 5/25 5/25	
8/19/38	CONVICTED MARIE ANTOINETTE GIVE ME A SAILOR SMASHING THE RACKETEERS A ROMANTIC CRIMINAL ALEXANDER'S RAGTIME BAND THAT CERTAIN AGE BLOCK-HEADS	H. Stromberg Jeff Lazarus R. F. Fineman John R. Auer H. J. Brown J. Pasternak Hal Roach	Col Drama RKO RKO 20th MGM MGM	Meller Drama Meller Meller MGM Musical Musical	M. Nystrom M. Nystrom M. Nystrom M. Nystrom M. Nystrom M. Nystrom M. Nystrom	W. S. Van Dyke L. Landau L. Landau L. Landau L. Landau L. Landau L. Landau	71 71 71 71 71 71 71	5/25 5/25 5/25 5/25 5/25 5/25 5/25
8/26/38	I AM THE LAW TOO HOT TO HANDLE CIRCUS COMES TO TOWN SPAWN OF THE NORTH BREAKING THE ICE TENTH AVENUE KID SPEED TO RUIN THE YOUNG IN HEART WOMEN CONTRAST BOY MEETS GIRL	Everett Riklin J. Weisbart Wm. L. Lacey Al Lister Col S. Wurtzel S. Wurtzel S. Wurtzel S. Wurtzel	Com-Dr Com-Dr Rom-Dr Outdoor Musical MGM MGM MGM	E. G. Robinson-W. Barrie Gable-Loy-Cavendish A. Nage-L. LaRue H. H. Hays-F. L. LaRue B. Ryan-C. Ruggles R. Cabot-R. Roberts M. Whalen-L. Bar J. Gaynor-D. Fairbanks, Jr. F. Fritelle-Rosmary-Lane C. Boyer-R. H. Wilson	Al Hall Jack Conway Carl Brown Henry Hathaway Cliff Claborn B. Nard Vorhaus John King Richard Wallace Michael Curtiz Lloyd Bacon	85 85 85 85 85 85 85 85 85	5/25 5/25 5/25 5/25 5/25 5/25 5/25 5/25	
9/2/38	THE LADY GIGS BOYS' TOWN STARLIGHT OVER TEXAS SING, YOU SINGERS CAREFREE LITTLE LUCKY STAR MAN WITH 100 FACES FOUR'S A CROWD	Wm. Perleberg John Considine Ed Finney Wm. Ruggles Pandro Berman Harry J. Brown David Lewis	Com-Dr Drama MGM MGM RKO 20th WB	S. Stuart-L. Ross T. H. Hays-R. LaRue R. Crosby-F. MacMurray F. Astaire-G. Rogers H. H. Hays-R. LaRue R. Russell-E. Flynn	Eric C. Kenton T. Hays Al Homan Wm. Ruggles M. Nystrom Roy Del Ruth Lloyd Bacon Michael Curtiz	85 85 85 85 85 85 85 85	5/25 5/25 5/25 5/25 5/25 5/25 5/25 5/25	

**OH!
HOW THEY
DANCE!**

So you think Fred and Ginger are good, eh? . . . WELL, YOU AIN'T SEEN NOTHIN' YET! . . . You haven't seen dancing until you see the greatest dancers in the world in the greatest picture they ever made! . . . Never before such romantic flair, such abandoned fun, such excitement and interest and delightful plot in an Astaire-Rogers offering! . . . Never before such richness of production!

. . . And the four Berlin songs are said to be the best he ever wrote! . . .

The pittoresques are amazing it;
Everybody's singing it.
Fred and Ginger started it—
Now all you have to YAM, YAM, YAM.

together again!

**FRED ASTAIRE★
GINGER ROGERS★**

in **"CAREFREE"**

NO WONDER SHOW-
MEN HUNGRY FOR
BIG ONES CAN
HARDLY WAIT
TILL SEPTEMBER!

Lyrics and music by

IRVING BERLIN

with
**RALPH BELLAMY • LUELLA GEAR
JACK CARSON • CLARENCE KOLB
FRANKLIN PANGBORN**

A PANDRO S. BERMAN PRODUCTION

**DIRECTED BY
MARK SANDRICH**

SCREEN PLAY BY ALLAN SCOTT
AND ERNEST FREUND • STORY
AND ADAPTATION BY HARLEY
WICKES AND RAGAN WILKE



PARAMOUNT'S LAUGH PRESERVER



MARTHA RAYE
BOB HOPE

"GIVE ME A SAILOR"

"Upbeat comedy should show some nice figures at every type of box office. Scouts do right well for Paramount."
—Film Daily

"Exhibitors meet Hollywood's new glamour girl Martha Raye in a Cinderella story of a hilariously farcical type. Provoked to constant laughter. Provided applause."
—Motion Picture Herald

"Martha Raye, complete with her glamour legs, Bob Hope and a highly competent supporting cast fix a brand-new supporting that will blast audiences out of their seats and should run up the SRO flag on the million-mast of any man's boxoffice."
—Showman's Trade Review

A Paramount Picture with
BETTY GRABLE • JACK WHITING
J. C. NUGENT • CLARENCE KOLB
Screen Play by Dots Anderson and Frank Butler
Directed by Elliott Nugent

HELD OVER ALL OVER!

BR W K I N E V Y (!)
(and big gro of the se (!))

HELD OVER IN ALLEY!

HELD OVER IN CLEVELAND!

HELD OVER IN PORTLAND!

HELD OVER IN FRESCO!

HELD OVER IN GEES!

HELD OVER IN MOONESER!

HELD OVER IN MOSCOW!

DON'T
FORGET IT
WHEN YOU
GET IT!

TIME
FOR EXTRA
PROFIT!

TIME
IS MONEY
FOR YOU!

EDW. G.

ROBINSON

In

"The Amazing Dr. Clitterhouse"

with
CLAIRE TREVOR HUMPHREY BOGART ALLEN JENKINS
DONALD CRISP • GALE PAGE • AN ANATOLE LITVAK PRODUCTION

Screen Play by John Wesley and John Huston • From the Play by Barre Lyndon • A First National Picture

Adapted from WAGNER

Gov't Suit's Effect on Stocks

The Government's anti-trust civil action against major companies reacted against amusement shares last month, and although the stocks have had about two weeks in which to recuperate, many still are selling well below the price before the suit was filed. Check this table, which reveals that 12 representative amusement stocks had depreciated \$24,464.50 in value since July 19, day before the action was formally filed. While eight issues were selling below quoted price last July 19, four actually were higher.

Big picture issues sold down sharply for two days or more after the suit was filed but later came back. Since then, however, they have failed to maintain their old vigor.

Biggest loss of 12 issues was sustained by Loew's which was down 6 1/2 points at 49 1/2. This represents a depreciation of \$10,080.375 in the value of Loew common. Other next heaviest loser was Paramount, which retreated 2 1/2 points to 10 1/2 or a depreciation of \$8,467.500. Dip in both was attributed to the large affiliated theatres under the film company banner since the theatre divestment angle was stressed in the federal suit.

Picture issues to show an advance were Consolidated Films, pfd., which needed a point; Pathé, which gained about the same, and Universal, pfd., which climbed 3 points. Other issue was Radio Corp. of America, pfd., which rose 2 1/2 points and showed an appreciation in value of \$2,373.000.

Though the Government action may hang over the amusement list for a short while longer, picture stocks probably will no longer count this as a market factor. The entire stock market resumes its advance and the usual fall pickup at the box office sets in.

Mosquitoes May Dent Spread Of Drive-In Cinemas

This summer having brought out a bumper crop of mosquitoes due to excessive rainfall, showmen report that the pests, plus a disappointing results for drive-in theatres and, in the end, may discourage the spread of the mosquito-borne disease, a most discouraging factor for them, of whom are in drive-in theatres. The claim people will not stand for that, plus warm weather, too long.

On the other hand, the prior success of the drive-ins, notably in New England, has led to fear that the mosquitoes, which are the most abundant to little more than that) might ultimately hurt regularly open theatres, which are the most inspiring the value of theatre real estate.

One of the largest in the east, at Canton, N. Y., threw its spots and its operators have moved to Union, N. Y., also mosquito territory, while at Valley Stream, L. I., the Chanin really interests, who have a large development out there, are building a large drive-in for Boston intentions to open Aug. 21.

New York City first drive-in opens tonight (Wed.) on a 12-acre site. It is located off the Sunset highway, the main artery of Long Island, and will be known as the Sunrise Drive-in Theatre. The innovation will be a double-size screen, making images twice the size they are in regularly equipped theatres. Policy will be two shows nightly.

WB H.O. NIXES AKRON POOLING WITH F. & S.

Revocation of plans to make Strand (WB) and F. & S. double the first-run programs from the Colonial (Feiber-Shea) to the smaller theatre, which would mean a loss of the Strand management Thursday (4).

Warners-F&S some time ago pooled the management of houses and discussed shifting of programs to Strand immediately after their runs at Colonial. First was to be "Clutterhouse."

With ads on and local highlights in type, Strand management had to change entire setup when plans were revoked by New York government. Scenes will be used in "Too Hot to Handle."

Partly included Clyde De Vinna, Richard Rosson, Carlos Miller, William Beattie and Thomas Dowling.

Metro's Jungle Footage

Metro's expedition to the jungles of Dutch Guiana, which has taken 20,000 feet of film showing native life and a secret tribal dance forbidden by the Dutch government. Scenes will be used in "Too Hot to Handle."

NEW PETITION FOR N. Y. OK ON 'BIRTH OF BABY'

Albany, Aug. 9. The American Commission on National Welfare, Inc., and Sam Citron served a certiorari petition, prepared by former Supreme Court Justice Ellis Starke of Albany, on the State Education Department in the 'Birth of a Baby' case. The Department is anxious to answer charges that the Regents acted arbitrarily in rejecting the film as "indecent."

In Troy, N. Y., the case is expected to eventually go to the Court of Appeals.

Forcing Philly's Film Row to Move, or Else

Philadelphia, Aug. 9. Philly or film rivalry will either have to move or be forced to move in the next few years. One of the subjects of the call for the special session of the legislature now convened was widening Vine street for approaches to the Delaware River bridge. The project, involving exchanges and appliance houses, is along the street. Columbia is right in the project, moving into a brand new building.

Exchanges, if forced to get out, will probably take to the side streets around Vine.

Sweet Vs. Swing

(Continued from page 1)

originally was 12 to 1 in favor of sweet at the two spots, but Saturday night's swingers whittled the lead.

Gene Buck's Distaste

Hollywood, Aug. 9. Swing is the "oil" of music, the taste of Gene Buck, the American Society of Composers, Authors & Publishers, who addressed 150 songwriters at a luncheon last night. Buck said he would not squelch the desire to swing.

Discing stuff, he warned, is not only a threat to the morale of the nation's youth but is threatening the very life of the songwriting business. "Swing was organized to preserve."

Buck urged his hearers, for their own preservation to steer clear of the swing-ding type and turn their talents to the production of wholesome music. The organization was founded. Paying a tribute to George Gershwin, he pointed out "Rhapsody in Blue" as the outstanding American composition in the last 25 years.

He pointed out that Buck disclosed, ASCAP is in robust health, with last year's collections amounting to \$5,500,000.

Tattle Ends Par by Titlle Ends Par by

Hollywood, Aug. 9. Frank Titlle terminated his director contract at Paramount when he brought "Paris Honeymoon," starring Bing Crosby.

Director is taking a vacation in Colorado before supervising the cutting job.

ESSANESS TAKE OVER WOODS, CHL, SEPT. 4

Chicago, Aug. 9. Final details on the takeover of the Woods building and the Essaness circuit were completed on Friday (5). Essaness, comprising Ed Silverman, Sam Stern and Sidney Spiegel, take over the 10-story loop building immediately. They purchased the building and rent the ground on a 99-year lease from the Marshall Field Co.

Circuit acquires the Woods theatre as of Sept. 4. House has been operating for the past five years by Jones, Linick & Schaefer, and the JLAS firm had a prior claim to the Woods. But this priority has been voided by JLAS on a deal with Essaness whereby JLAS received \$80,000 in exchange for Woods plus 40% of the profits of the theatre for the next five years.

Jones, Linick & Schaefer are moving their offices out of the Woods building immediately, shifting to the McKee theatre building. Essaness planning to concentrate its offices in the Woods building, and negotiating a series of leases on the offices they now rent in the Diana Court building on Michigan avenue.

Woods theatre is a grind house playing subsequent films on a double feature basis. It has some 1,200 seats and is located in the center of loop activity. With the Woods deal, Chicago's theatre business, makes its first appearance in the loop. For the past 20 years the loop has three companies represented, Balaban & Katz, RKO with its single house, and Jones, Linick & Schaefer, JLAS, with the loss of the Woods, now operate three houses in the loop. State-Lake and McVickers, which they operate on a partnership deal with B&K, and the small off-the-beat grind JLAS.

Essaness circuit has been a constantly growing power and force in the Chicago theatre business. Stern and Spiegel upsetting all precedent and working against heavy odds to build a new circuit.

NEGRO EXHIB LEFT ESTATE OF \$113,000

St. Louis, Aug. 9. The \$113,000 estate of the late Earl Turpin, motion picture earnings operator here by the late Charles H. Turpin, was held to be part of Turpin's estate last week by Circuit Judge Eugene S. Ladd. Turpin, who died last week, founded in 1932 the judge awarded the estate to Turpin, one of the justness of the peace here, out off his son in the place here, a small minor estate, but the disposal of the residue of his property, apparently in the belief it was unnecessary, as he had placed it in trust.

From the trust Turpin received the income and it was to go to his sister upon his death and to his children upon their death. Turpin died for scholarships in St. Louis Negro high schools. In a brief decision, Judge S. Ladd said the trust, void because it was testamentary in character and was obtained through fraud and undue influence. The judge did not amplify the fraud and undue influence charge. Turpin died on Dec. 25, 1935.

'Blues' Limps

Hollywood, Aug. 9. Camera work on Paramount's St. Louis Blues, directed by Harry Lauder, is under way. The picture is being shot in St. Louis (Mon.) with George Raft and supporting cast shooting around the city.

Miss Lamour is expected to be ready for work in about two weeks.

Newspaper Squawks Frightening Exhibs Into Dropping Screen Ads

Jaffe's S.O.S.

Pittsburgh, Aug. 9. Night Sam Jaffe opened as Shylock in Penn State College production of "Merchant of Venice," cast of RKO. Jaffe's "Gunga Din," in which he plays title role, wired him as follows from Hollywood: "Settle for 18c and hurry back. We need you."

Lot of comment created by Jaffe's interpretation of Shylock in new version staged by Benno Schneider. Star made him a younger person and humanized the character considerably.

'Son of Sheik' Soie Reissue Click; All Others Died at B. O.

Reissues have died aborning. The almost universally disappointing business on those put out by various exhibitors, will result in the dropping of numerous others that were scheduled for dating. Earlier this week, all major exhibitors 20th-Fox and Warner Bros. started offering oldies for release, with companies in some cases including them on the coming season's (1938-39) schedule.

Reissues on the average exhibitor is now getting hopped up on the new '38-39 product and own't want to be bothered with the mildewed celluloid. "Son of the Sheik" proved to be the one freak reissue with wide booking, with claims made that contracts not farther back than a week having been running as high as 400 a day.

FORECLOSURE SUIT ON RIVIERA, ROCHSTER

Rochester, N. Y., Aug. 9. Suit asking foreclosure sale of the Riviera theatre building filed in supreme court here. Defendant is Rochster-Riviera Corp., of which John May Glover is president and controller of the Schine Theatrical Co., is listed as plaintiff.

The suit, brought by the Fulton County National Bank & Trust Co. of Gloverville as trustee for holders of certificates issued in 1927 and secured by mortgage on the building. According to the complaint \$215,000 principal and \$91,735 interest are due on payments made since Feb. 15, 1932, up to which time \$34,500 had been paid on the original \$250,000 principal. It was stated.

The Strand, operated by Fenvesky Bros. for more than 20 years until shuttered in June, has been remodelled by Howard G. Carroll Corp. and reopened as the Strand by former city manager for Schines.

Martina theatre circuit has taken over the Strand theatre and is running Fred Everson from Mt. Morris as manager. Angela Scorsio is charge of Family theatre, Mt. Morris.

Fenvesky Bros. have shaken up the Strand theatre management. Alex Dunbar and Ben Neiver, Albert Fenvesky, Jr., former operator of the Strand, became manager of West End and Chester Fenvesky are charge of the Monroe.

Mr. Rubin, house manager of Riviera, Schine house, transferred to Paramount, Syracuse.

Lowe Extends P.A.'s

Edmund Lowe will do a three-day newsreel, the Radio, Film, Music, opening Sat. (13). House is an 80-second playing occasional stage show.

Film alert is current at State-Lake Chicago. Charles H. Allen agency book.

SANTLEY'S BIG TOWNER

Hollywood, Aug. 9. Joseph Santley directed by the Big Town Girls series at 20th-c. slated to start Aug. 15 as a Green production.

Santley and June Lane, repeat in the top roles of the series with Lynn Bari.

Chicago, Aug. 9. Growing animosity on the part of newspapers around the country against screen advertising is being reflected in the decision by more and more exhibitors to do away with the screen plugs and to return to the first screen of their operation. They have about come to the conclusion that the few bucks that they can pick up on running commercial trailers is more than offset by the loss of prestige, squawks of patrons and the strained relations with the dailies.

Where screen advertising had looked like it would wind up as a rich coin source for exhibitors, the indications are that the tide has reached its high point and is now on the down-side of the ore. Big city deluxe theatres have mixed every offer on the part of the screen advertisers, turning aside all efforts of these agencies to creep onto their screens.

On the other hand, the general run of advertisers, convinced that they can never hope to garner much on the major screens of the key cities, have decided that there isn't enough business to be had in the small town spots. Since they can't do it up there, they also are rethinking the whole thing, either rather than continue with the skimmed milk.

Editors' Mix

Omaha, Aug. 9. Central States has been taken a flat stand against screen advertising in all forms. Always open to the public, the editors of the local merchants in the individual towns, the editors have come to the conclusion that the screens for national advertising. They are readying to take the fight directly to the public, editorializing the stand that the customers pay to enter a theatre and therefore expect amusement entertainment without commercial advertising.

This turn-up by the editors has been brewing for some time. Individual exhibitors have been individual newspaper rebukes against screen advertising, but it is in the hands of the editors to face a concerted campaign by the editors to drive all advertising off the motion picture silver screen.

OKLA. FINALLY SETS TAX ASSESSMENTS

Oklahoma City, Aug. 9. After two months of chewing the rag during which assessments went as high as \$975,000, the county executive board has finally reached a compromise with the city. The Oklahoma City film exchanges on personal property valuations for the firms during the 1938 tax year.

Board more than doubled the voluntary valuations submitted by the firms during the assessments, went as high as \$975,000, the county executive board has finally reached a compromise at \$55,445 more than double the \$23,200 total voluntary submission.

Firm valuations: 20th-Fox raised from \$4,270 to \$8,890; Columbia, from \$1,200 to \$2,000; Paramount, from \$2,030 to \$8,250; Universal, \$3,450 up to \$10,710; RKO Radio, \$2,250 to \$7,170; and United Artists, \$2,500 to \$5,225.

Navy Sinks 'Fleet'

Hollywood, Aug. 9. Objections by the Navy against Universal to make "The Fleet," which was to have been Maurice Pivar's first job as a producer.

Since the Navy is not in the Navy's interest in regard to discipline and routine, it may be rewritten later.

Tracy on Loan

Hollywood, Aug. 9. Metro is loaning Spencer Tracy to "His Girl Friday" opposite Alice Faye in "His Girl Friday." Tracy is being loaned to start early next month with "Gloria Bathurst" production.

Tracy is also being loaned to "Merry Widow" to star with Warner Baxter in "The Married Man Wife."



They had to spray Leo's tonsils this week. So much good news to ROAR about, he strained his sound track.

For instance:

Continued amazing box-office performance of "Love Finds Andy Hardy" with 2nd week hold-overs mounting.

Followed by sock-o-penings of Bob Taylor in "The Crowd Roars."

And the announcement of "Marie Antoinette" at popular prices!

★ ★ ★ ★ ★



TRADE-SHOWS!

Ask your M-G-M Branch where the nearest Trade Show of "Marie Antoinette" will be held. Call your wife and enjoy it with her. Until you sit before this enthralling picture you cannot fully realize what's in store for you and your patrons. An eye-ful, a heart-ful, a theatre-ful!

★ ★ ★ ★ ★

"BARNUM GIVES UP!"

M-G-M showmanship. More than 200,000 persons have already visited the Marie Antoinette Museum in the Astor Theatre. Summer visitors to Broadway send postcards back home. Feature stories in newspapers and magazines everywhere. Broadcasts from the lobby with visitors interviewed. Entire theatre converted into a museum, seats covered with terraced platforms covered with royal purple plush to display exciting properties from the picture. Real antiques, historical items from the dramatic period. The Premiere of the picture is Tuesday, August 16. New York, Los Angeles and San Francisco are the only advanced price, twice-daily engagements.

Speaking of M-G-M showmanship: thanks for your vote of confidence which gave M-G-M four out of five awards in the A. M. P. A. exhibitor survey on promotion determined by leading showmen throughout America.

ABOVE:
Interior of
Museum
from Stage.

RIGHT:
From morning to
midnight crowds
wait patiently
to enter.



"MARIE ANTOINETTE" AT POPULAR PRICES!

As its sincere contribution and gesture of enthusiastic cooperation with the united industry drive ("Motion Pictures Are Your Best Entertainment") M-G-M has cancelled elaborate road-show plans for this glorious and truly road-show picture in order to bring it directly to the public at popular prices as the first of the great entertainments of the new season.

Preceded by the longest advance publicity campaign any picture ever received, plus a nationwide billboard campaign with thousands of boards in 1200 cities, plus color-ads in all fan magazines, plus the fame of three advanced price engagements in Los Angeles, New York and San Francisco, plus large-scale newspaper advertising... "Marie Antoinette" is on the way to fame and (your) fortune!

"Sweetheart of the Day"



NORMA DEAR YOUR FANS ARE WAITING!

The most beloved, the most admired personality on the screen comes to her millions of loyal followers in a role so thrilling, so touching, so beautiful that it must truly remain first and forever in their memories as the greatest they have ever witnessed. Many lines will be written in praise of her, but the greatest line will be at your box-office.

★ ★ ★ ★ ★

HOLDING THE HARDYS

Two weeks for Mickey Rooney and his women. "Love Finds Andy Hardy" extended engagements at Capitol, N. Y., Baltimore, Houston, Wilmington, Atlanta, Harrisburg, Indianapolis, New Orleans, St. Louis, Toledo, Boston (State & Orpheum day and date), Washington, Cleveland, Hartford, New Haven, Pittsburgh, Worcester and still they come!



Bold 24-Sheet Nationwide!

WATCH M-G-M!

Leo's list of releases for August, September and October made public last week brought roars of approval from showmen.

"Love Finds Andy Hardy" followed by "Crowd Roars" started the ball rolling.

"Rich Man, Poor Girl" with Bob Young, Lew Ayres, Ruth Hussey and a cast of new faces is an August bright spot together with Laurel-Hardy's funny feature "Block-Heads."

August 26th ushers in "Marie Antoinette" as first of the impressive Fall Season Big Ones.

Closely followed by Clark Gable-Myrna Loy in "Too Hot To Handle" (still in production, it's terrific!) Next comes the great heart drama, Spencer Tracy-Mickey Rooney in "Boys Town."

"The Great Waltz" with Luise Rainer, Fernand Gravet and Miliza Korjus is something to look forward to. "Stablemates" gives you Wally Beery and Mickey Rooney. "Listen Darling" brings Freddie Bartholomew, Judy Garland, Mary Astor, Walter Pidgeon. "Three Loves Has Nancy" delights with Janet Gaynor, Robert Montgomery, Franchot Tone.

Lots of other M-G-M money-makers in between and then the October-topper: Jeanette MacDonald, Nelson Eddy in the Technicolor triumph "Sweethearts."

That's what you'll call each and every one of those August, September, October releases.

Yes, we repeat

"SWEETHEARTS"

-Leo

"ALEXANDER'S SHATTERS ATTENDANCE IN UNPRECEDEN

LOOK AND COMPARE!

Top opening day figures
since the Roxy first opened:

Attraction	No. of People
WHAT PRICE GLORY* (1927)	23,221
FOUR SONS* (1928)	25,981
STREET ANGEL* (1928)	24,177
COCK EYED WORLD* (1929)	27,299
ONE IN A MILLION† (1937)	26,404
THIN ICE (1937)	16,196
WAKE UP AND LIVE (1937)	18,599
HAPPY LANDING (1938)	14,954
IN OLD CHICAGO (1938)	18,123
ALEXANDER'S RAGTIME BAND	29,614

*Saturday Opening

†Including New Year's Eve Show



THE KEYSTONE OF YOUR FUTURE

THE GREATEST BOXOFFICE SUCCESS EVER

RAGTIME BAND" ALL-TIME E RECORDS TED ROXY RUN!

BIGGEST OPENING DAY . . . topping "Cock Eyed World," former world's record-holder, by more than 2,300 people!

BIGGEST SINGLE DAY . . . 34,149 people jam theatre in greatest boxoffice stampede since theatre was built 11½ years ago!

BIGGEST OPENING WEEK-END . . . 90,393 pack house to continuous over-capacity establishing new, all-time high!

BIGGEST MONDAY . . . played to 25,970 people! Compare this with opening day records shown at left.

AND AT PRESS TIME TUESDAY . . . Running well ahead of Monday and indications are week's business more than double usual big week!

PRODUCED...ADVERTISE IT ACCORDINGLY!

'MILLER-FRANKLIN' OF AIR SHOWS SET CONCESSION TO MAKE SURVEYS OF CROWDS, IN PRELIMINARY SURVEYS

Miller-Franklin, Prospective Holder of World's Fair Concession to Make Surveys of Crowds, in Preliminary Surveys

Miller-Franklin & Co., consulting research organization which is expected to have the concession to make industrial and advertising surveys among the millions who attend next year's New York World's Fair, are about to make the field of preliminary explorations in the field of radio program "pre-testing." With the cooperation of one of the major broadcasting organizations, a number of radio programs will be tested through the crowds attending the final five days of the musical-literary season at Chautauque, N. Y., beginning Aug. 22. On a basis of the findings and experience, a system of statistical controls and weights is expected to emerge.

Transmissions

Variety of radio programs will be exposed to audience reaction via transmission, it is understood. It is presumed that some hit-dip contrasts may be attempted and various clues run down to get a hint on what makes for popularity and why. While tentative plan is pioneering work well off the beaten path, Chautauque is expected to be a success.

Smart Dummies

One of the methods contemplated for industrial and advertising fact-finding surveys to be made at the 1939 New York World's Fair involves the use of puppets manipulated by Bufano, stage puppeteer.

Sugar-coated entertainment approach to questionnaires will be worked out, with the puppets helping people in filling out questionnaires, etc.

tasking patrons will know in advance that they will be invited to vote, that they will be asked to fill out a Miller-Franklin set-up functions under the title "Producers' Forum" and also pre-test radio programs at state fairs in Massachusetts and New Jersey this fall. At the World's Fair itself, the organization will have some 15 test sets equipped to canvas public likes and dislikes through various techniques. They predict they can extract some 700,000 to 800,000 answers to questions business men want them to ask. This covers 25 weeks of the exposition.

In addition to the radio companies, Miller-Franklin has approached the film industry to see if latter would like to put the bee on the public as to what and who is popular.

WILLIAM POWELL SET

Vie Young Draws Battle on Hollywood; Jean Sabin Also In

Hollywood, Aug. 9. — Not for the music spot on Hollywood Hotel, resuming Sept. 9, went to actor Young last week after Ward Wheeler, agency head, studied several other candidates, including Claude Rains and Frank Sinatra. Raymond-Paig betoned the soup show for the past three years. Formal of the program has definitely taken shape after considerable help by Whiting. Producer, Brewster Morgan and Diana Bourson, Coast production chief for the agency.

Only scripter on the new program will be John McClain, film scenarist. The spot will be confined to stage plays, with the agency buying completed scripts in the open market. Both old and new legions will be performed.

William Powell has been signed to make two shows for three years, in 30-week stanzas. Joins the program after the sixth broadcast, with some other picture name filling in meanwhile.

Vocals will go to Frances Langford, only holdover from last season, and Jean Sabin, French tenor.

Ed Davis Out of Kasker

Chicago, Aug. 9. — Ed Davis has resigned from the Kasker agency here where he was handling new business.

Going back to the coffee bean biz.

Scotch Telegram

Lauder Ha' Strathaven, Scotland, Aug. 9. Editor, VARIETY: I am 68 years young, not 78 years old.

Of course you credit me with the 10 additional years you may send me VARIETY for 10 years or what you say the coffee.

Harry Lauder.

(By carrier pigeon, via William Morris, Jr., who virtually has the knighthood. Scotch comedian set on a radio commercial in America next fall).

ADDEN AOP BRITISH WEEKENDERS

Those weekends the ad agency execs around New York are taking from their desks (and, incidentally, their rivings in leather) are fabulous British weekend. Last summer found all the agencies keeping only the charwomen and watchmen on hand Saturdays. But this summer the boys have taken to eating out at lunchtime Fridays and not getting back till 1 p.m. on Mondays. Then, too, it's usually hotter on Mondays in New York than it is in London. East Greenwich on the other hand, is a lot cooler. The Larchmont, so the lads beat it at 3 p.m. Nice work if you can, or can't.

Project accomplished by the agency hasn't exactly touched staggering proportions this summer. Jingles and jingles are for rather a raft of the soul-masters as well as the brass bands.

Of course, all these lengthy weekend conferences (a much more refined word than "bathing") have not made it any easier for such folk as station reps and talent peddlers and others. Station reps used to do a lot of agency calling on Fridays, then spend Saturdays dictating letters to stations telling them what vast amounts of big boys were doing loose—but had not yet completely cooled.

Now the reps can dictate longer letters since they have both Fridays and Saturdays—and more alibis to construct. And the talent sellers have more time to explain to their mail-clerks why it'll have to be hamburger for a while longer before the diet goes nice nignon.

J. Walter Thompson will follow Edgar Bergen around with a mike whenever he vacations late this month.

Radio Baseball for N. Y. Nears;

Lorillard Enters Sports Field

Lorillard Co., one of the tobacco big four, has entered the lists as a heavy national sponsor for play-by-play baseball broadcasts. It proposes to compete with General Mills and Kellogg for the rights to air all big and minor league games for the 1939 season. One thing that is certain is that the Lorillard Co. is sponsoring the game-calling companies, as has happened in the past. The Lorillard Co. is also the remaining games of the Sacramento Kings for the 1939 season over the radio.

Feeling current in agency circles is that the New York teams will ease out of the opposition to broadcasting by next season. The Yankee are expected to join the Brooklyn Dodgers

Sears-Roebuck Show Expands to 27 Stations

Chicago, Aug. 9. Sears-Roebuck show "Grandma Travels" will expand to 27 stations by Sept. 1.

Spotted five-a-week through Blackett-Sample-Hummers agency which has been in northwest territory, and will be spread down through Texas and southwest.

Ethel Hawes, Ben Levin Experiment with Novel Merchandising Centre

Cleveland, Aug. 9. Ethel Hawes and Ben Levin, billed on the radio as "Ethel and Ben," have taken a three-months' leave of absence from WGAR to operate a merchandising center which will be a glass-enclosed broadcast studio. Fair have started a remodelled building and staged the entire Merchandise Exposition, Inc.

They intend a dining room for customers and the Club Women's Forum. Visible broadcasts will be staged during luncheon and tea, and will be handled by manufacturers of household products or goods on display. Proposed program will consist of talks by Ethel and Ben on household hints, news, books and poetry, and a feature on "Ethel and Ben" interviews with celebs and guest speakers, with Henry Plinder's orchestra, recruited from within the musical interludes.

Project is expected to unfold Oct. 1.

Molle Auditions

Stamok-Goble agency auditioned 30-minute quiz program for Mollie last Friday (5), with the account as yet not answering yes or nay on the deal. Proposed show has Frank Crummet and Julie Anderson, captains teams of men and women contestants chosen from studio audience, and Ben Levin.

Would be a return to the ozone for Miss Anderson (Mrs. Crummet), who laid off the air last season with her husband doing a single for Coca-Cola.

Molle's most recent program was the Wally Butterworth-Parks Johnson vox pop, which faded from NBC earlier in the summer, and is being given a new bankroll in Penn-Town, Rubnuff & Ryan account, starting Oct. 1, also over NBC.

Rubinoff's 5th Operation

Detroit, Aug. 9. Dave Rubinoff, who underwent his fifth operation in three months last week, appears to have passed the crisis in his long illness which began May 6 with an appendectomy, after which peritonitis set in.

MacCormick on Own

Chicago, Aug. 9. After seven years with Columbia-WBEM announcer Frank MacCormack has gone free-lance.

On WBEM was an special which with his "Petit Melodis" readings.

MacCormack on his own.

MacCormack on his own.

MacCormack on his own.

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The Affiliates and ASCAP

Philadelphia, Aug. 9.

Editor, VARIETY:

I have just read your editorial "Changing the Tune."

In my opinion you are perfectly correct in your analysis of the situation as it exists today. A considerable amount of the difficulty between the broadcasters and ASCAP was the result of the manner in which the negotiations were handled several years ago. Many independently owned stations are of a firm belief that they were locked into an arrangement which was not equitable. Personally, I do not feel the NAB is the instrument to successfully negotiate a renewal of the ASCAP contract for independent stations. If my opinion is IRNA could do a very much better job of negotiating a satisfactory contract, if the members of this group are willing to consider the problem from a national rather than a local standpoint.

Mud throwing from any direction will not result in any constructive plan satisfactory to ASCAP and the stations. I also agree with you that those radio stations who are applying to their respective state legislatures are pursuing an unwise course. If the copyright law is to be changed, it will come after a long series of hearings and in the end it is questionable whether the independent broadcasters will benefit materially.

I believe the sensible approach for this matter is for the independent stations to agree on a platform, appoint representatives to act as a negotiating committee with ASCAP, and finally to conclude an equitable agreement for all concerned.

Donald Withcombs,
General Manager, WFIL.

Texaco Not Changing Agency? 22 Have Wig-Wagged Account; Buchanan Absorbs Wertheimer

SPEAKER BAKKHEAD'S YEN

Tallulah's Dad Always Wanted To Be An Actor

Birmingham, Aug. 9.

Speaker W. B. Bannhead, whose early ambition was to be an actor instead of a politician, being station WAPB, Birmingham, celebrate its 16th anniversary. He recites his favorite passage from Jim Bledsoe by John Hay in a special program given at the Alabama theatre Wed. (10) to be picked up by CBS. Tallulah Bannhead, the actress, introduces her father on the program.

Later in having a special program of special programs for its anniversary, M. R. Runyon, vice-president of CBS, the city.

SCREEN GUID DEAL'S GOLD

Hollywood, Aug. 9.

Benton & Bowles agency for Screen Actors Guild radio show yesterday became enmeshed in a hopeless impasse and indications were that negotiations are at an end as far as B & B is concerned. Music Corp., representing SAG in discussions, is expected to option the show to another agency.

Harold Hackett, radio head of MCA, planned back to New York, which partly confirmed the report that the deal with B & B is mackerel-cold. Several other agencies are reported interested in the program. While the Motion Picture Relief Fund would receive \$10,000 weekly for 39 weeks.

RADIO REGATTA

A Bit of an Oversight Is Corrected for Chi's Greater Glory

Chicago, Aug. 9.

Due to the fact that radio as an industry had been overlooked in the national and publicity campaign, it has been decided to correct the coming error by having a radio regatta on a mammoth "Radio Regatta."

While the program still calls for water, spectacle, racing, yachting, etc., the theme of the regatta will be based on Chicago as a key town for the radio industry. Cooperation for this "Regatta" is being obtained from radio station manufacturers, agencies, and stations, advertising, and agencies.

George Donoghue of the Chicago Park District, chairman of this program, hinted a general meeting of newspaper men, radio station manufacturers at luncheon on Friday (9) to discuss the set-up for the "radio regatta."

Texaco Co. will decide within the coming week on the network show it will underwrite this fall. It is reported that Texaco is considering advertising agencies which have gone after the account during the past several months—have shown to 22, while the number of shows auditioned or presented on paper figure at close to 40.

Despite the heavy scramble for the Texaco business, the indications at the Texaco headquarters Monday (8) were that the agency would not change in agencies. Account has been with the present agency representation for nearly seven years, with the latter passing through two firm name changes and mergers in that time. MacCormack & Co. and Wertheimer & Buchan & Co. On Aug. 1 the latter merged with the L. D. Wertheimer Co.

Texaco proposes to make it an hour's program and the choice of time left to the account on the NBC red and CBS are the spots opposite Fred Allen Wednesday night and the Lux theatre Monday night. Oil refiner's current leaning is toward the Lux operation.

G. W. HILL GESTURE TO KAY KYSER

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Rather unusual for radio is the new term "George Washington" has been used by Kay Kyser (Lucky Strike) gave to Kay Kyser, his maestro on the L. S. show. Hill voluntarily upped Kyser's income.

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Girl Tosses Baseball Spots for Gen'l Mills

Helen Detweiler, femme radio speller, paused in Atlanta Stadium (6) and gave Joe Hill, WAGA baseball announcer, a lift in double-header between Atlanta Crackers and New Orleans Pelicans (6) and gave Joe Hill, WAGA baseball announcer, a lift in double-header between Atlanta Crackers and New Orleans Pelicans (6) and gave Joe Hill, WAGA baseball announcer, a lift in double-header between Atlanta Crackers and New Orleans Pelicans (6).

AIR'S PROGRAM INCUBATOR

C.A.B. Adopts Showman Classification Of Air Programs as Set by 'Variety'

Recent comprehensive report (covering October to April data) issued by the Cooperative Analysis of Broadcasting for the first time makes compilations on program types from the showman's viewpoint. That is, programs are classified as music, drama, etc. in accordance with their predominant content (which is the way a showman judges them). C.A.B. method was adopted from method employed in the **Variety Radio Directory** whose breakdowns were carefully scanned by the C.A.B.

Adoption by the C.A.B. of the showman viewpoint marks the first time that any of radio's major fact-finding bodies (including network statistical departments) has broken away from the old, sterile method of splitting programs into so many categories that any easy handling of the data was impossible. Networks not only have a thousand and one breakdowns, but additionally they change the names of categories so often that the data is well-nigh unmanageable.

C.A.B. now has 11 evening and 11 daytime categories. The post-sundown group includes:

Variety.
Comedy.
Drama.

Serial Drama.
Audience Participation.
Semi-Classical Music.
Classical Music.
Popular Music.
Band Music.
Commentators and Talks.
Popular Singers.

Drama group includes:
Drama-Serial Drama.
Semi-Classical Music.
Hymns.
Popular Music.
Children's Programs.
Variety.

Band Music.
Classical Music.
News and Commentators.
Talks.
Familiar Music.

Network system in many cases involves breaking shows down into so-and-so many minutes of music, so-and-so many minutes of comedy, etc. and then distributing these time segments into categories. Neither NBC or CBS has ever devised a system that would suit the competitor network, with the result that comparisons produced little more than utter confusion. C.A.B. says of its method that 'every effort has been made to avoid a purely statistical concept of a program and to visualize it rather from the producer's standpoint.'

LOCAL STATIONS LOOK NOMINATED

Present Desperation for New Programs Draws Renewed Attention to the Place of the Local Station in Germinating Production Patterns

'VARIETY'S' FILE

Dissemination of information on radio programs and ideas has always been radio's weak spot. Paradoxically **Variety** finds it weaker today than ever—at a time when the quiz mania shows every sign of burning itself to a crisp without leaving a good replacement idea in its embers. It's got to the point where agency execs, having pulled their hair thin, in desperation call up the C.A.B. **Variety** and one another to find out if they've stumbled on some good local shows.

Local shows, it begins to appear, are radio's life-blood. Amateur hour got started locally. So did the quiz

(Continued on page 36)

Ballard & Ballard, Active as Sponsor, To Apply for Radio Station

They Inspired Idea

Stations which to date have sent in program data for the register of local programs to be filed and maintained by **Variety** are:

WCCO, Minneapolis-St. Paul; WGR-WKBW, Buffalo; KSPO, San Francisco; WNEW, New York City; KSL, Salt Lake City; WSYR, Syracuse; KDYL, Salt Lake City; WMCA, New York City; WOR, New York City; KLZ, Denver; KFTZ-WMT-KSO, Iowa Network; WHK-WCLE, Cleveland; WFAA, Dallas; KOIN, Portland; WCKY, Cincinnati; WKRC, Cincinnati; WQAB, Cleveland. Quality and diversity of these listings prompted the establishment of the file in permanent form.

Any other station, wishing to do so, may now send in material. But note: **Material should not be sent to **Variety** without first obtaining the necessary blanks and format for the proper writing-up of the data. Material not complying with the format is useless.**

Louisville, Aug. 9.

Public Service Broadcasting Co. of Louisville, comprising Fred Borries, Thurston B. Morton, and John P. Decker, was granted a charter of incorporation at Frankfort, Ky., last week. Officers of the proposed station are all officials of Ballard & Ballard, flour millers, and intend to apply for a license to operate a 100-watt station in Louisville. Licensed for capital of \$25,000.

Ballard & Ballard has used radio quite extensively in the past, having sponsored the Ballard Chefs and Jug Band over WHAS for years, and made a practice of sending the colored quartette and band on a tour of several Southern states, playing the towns where the flour manufacturers had a distributor.

Company recently signed Ed McConnell for a show in behalf of Ballard biscuits, which will ride out of Cincinnati in the late morning hour each Thursday and Saturday for 15 minutes. Deal was worked out by Frank Ferrin, radio production chairman of the Henri, Hurst & McDonald agency.

Jimmie Fidler will do a P & G reaper for the Coast so that he can be the east earler.

FREE PROGRAM REGISTRY

of Local Productions Suitable for National Sponsorship—A New Variety Service

SCOPE OF LOCAL DATA

1. Title of program.
2. Age of program.
3. Past sponsorship, if any.
4. Record of programs in terms of (a) mail returns; (b) contests; (c) telephone calls; (d) any other measurement. DESCRIBE FULLY.
5. Time of day program was aired.
6. Size of cast needed (state minimum-maximum).
7. Production cost (exclusive of time cost).
8. Describe idea of program completely, but tersely.
9. State merchandising possibilities, tie-ins, etc.
10. Suggest type of sponsor for whom such show would be suitable.
11. Are sample scripts or recordings available?

WARNINGS:

- a. Do not send in any shows too new to have a performance record.
- b. Do not make misstatements unless you want to take the rap when the agency finds you out.
- c. Do not send in information unless it is complete.
- d. Do not send in any programs over which there is a controversy with another station, or a controversy of any kind.

Broadcasters!

Register those local station programs suitable for national sponsorship with the New York office of

VARIETY

154 West 46th Street

Write for sample form to fill out—NO CHARGE. BUT YOU MUST USE 'VARIETY'S' OWN FILE FORM.

Advertisers!

A file of local radio station programs is in process of creation and will hereafter be kept up to date at the New York offices of

VARIETY

154 West 46th Street

Full data, uniformly assembled, with price quotations, records as to age, history and nature of the programs.

GATE CRASHERS FROM STIX

Showmanship an Orphan at CBS

Economy Inspiration Saves \$150 a Week by Cutting Out Arrangements—Singers Strictly Time-Killers

CBS' latest economy stroke in the sustaining program division calls for cutting the vocalists to a single sustaining singer now allowed in special arrangements a week. The move would effect a savings of \$150 a week. There are five pop singers on the network's New York program, with the highest weekly percentage figuring \$65.

Tendency to treat its vocalists as a many time fillers and to deprive them of any special showmanship attention becomes more pronounced at Columbia as the summer goes on. Musicians budget has been sliced to the point where a number of the singers must content themselves with an organ accompaniment or else, even though the vocalists' style doesn't tell with that instrument. Latest squeeze gives them the alternative of using rock arrangements or accepting the favors of payola music publishers.

On the Other Hand

Columbia Broadcasting is discouraging the deglamorizing practice of instructing audiences at studio broadcasts. Annoying business of telling audiences to applaud and make background for show is being discarded with chain letting shows rest on merit.

Only specific demand by sponsors does station permit the signal system of signs to start applause and designate silence is wanted. Audiences are permitted to spend themselves in applause disputes itself.

Old system is still maintained at NBC. Later clings to instruction theory in studio shows.

Beatrice Creamery Waxes

Chicago, Aug. 9. Beatrice Creamery goes on air this fall with a 30-minute weekly program through the Lord & Thomas agency here. Set-up calls for a western-drama with music. Will start on spot, with recordings made at the RCA Victor studios here.

RAYMOND SCOTT TO JOIN CBS HOUSEMEN

Raymond Scott and his six-man combination moves into Columbia as a sustaining setup at the end of next week. Network's New York novelty band, consisting of 10 men, has been given its notice, effective a week from tomorrow (Thursday).

Scott, near Harry Warnow, and a brother of Mark Warnow, will make the fourth house leader in CBS' local studios. Besides the two Warnows the sustaining batonists are Leith Stevens and Ray Block.

Omega Oil Stirring

Omega Oil is scouring around for a network program. Account is handled by Husband & Thomas agency.

For the last several seasons Omega hasn't been very active on the air. In past it bought in the national spot field.

VACATIONERS SEEK NEW YORK JOBS

This Summer Finds More Than Average Influx of Small-Time Radio Talent Yearning for a Chance on the Big Time

LONG SHOT

New York's radio row is currently being over-run with the largest crop of hinterland hopefuls to descend on Big Burg Broadcasting for jobs in memory. Lads and ladies come on from the small-town stations each summer during their vacations and spear for bigger fish in the bigger pond. This year they must all of them have taken their vacations during the first two stanzas of August.

Estimate of the number is difficult to arrive at, but there must be around 300 on hand, according to indications. Their facets of talent are split into three divisions, dramatic, vocal and announcing.

They visit the networks, the larger agencies and the more obvious of the producing units, such as Phil Lord and Blackett-Sample-Hummer's Air Features, Inc. They come with case histories of their pasts and clearing their throats for the auditions.

It is a rare hopeful who gets through a gale and lands a job. They haven't time enough to persevere through a series of visits until they can bag the boss of an outfit in a relaxing mood and get a head-dramatic talent gets the shortest

Moody Bible Institute's 72 Stations Tops Lutherans' 55 on Mutual

shake, up against a camel-through-the-needle's-eye odds are they all and it's almost as tough for the singers.

Announcers from the sticks land most frequently; indie stations around New York have found many okay announcers from among those in from the sticks job hunting during their vacations.

This season the predominant number of out-of-towners making the rounds come from Ohio, it seems and for reasons scholarship is investigating. The Midwest invariably sends in the largest number. The south for some reason never sends many. Probably fear Southern accent is a handicap.

As far as possible auditions are concerned, they are just as tough to get now as in the past few years. It isn't hard for a vocalist to get a listening at NBC Artists Service, a bit more difficult at CBS, and almost impossible anywhere else save at some of the indie broadcasters. But auditions in themselves are meaningless. And even landing at one of the Indies; a warbler must start out sustaining and that's at no coin.

Announcers aren't sought at the webs, and actors don't seem to be sought anywhere.

Flo Freeman in 'Alias'

Florence Freeman is now playing the part of Rose Lane in Blackett-Sample-Hummer's Alias Jimmy Valentine serial for Dr. Lyons tooth-powder.

Replaces Elizabeth Day, who will do other B-S-H shows.

Moody Bible Institute of Chicago is going on network radio for the first time this autumn with a half-hour Sunday afternoon program over Mutual. Buying up all the MBS stations save WOR and WGN. These have policies of refusing commercial religious broadcasts. Moodyites have a Chicago small-watter.

New York outlet, in place of WOR, will be WIN. Start is scheduled for Sept. 27. Precise type of program has not yet been decided.

Moody will give MBS the biggest number of stations looped up for a commercial program it has ever had; hookup will embrace 72 broadcasters. Biggest hookup on Mutual in past has been the Lutheran League Sunday program, which will return in the autumn after a summer layoff. Show last season rode 55 stations.

DETROIT TO SEATTLE MOVE FOR PATTY JEAN

Patty Jean, who's been conducting health programs hereabouts for past two years, will leave for Seattle soon to join the staff at KIRO there, Aug. 25.

Conducted programs over CKLW here for past nine months, and previously handled similar shows over WMBC here.

Sunny Jim, piano and songs, has been placed on KYW, Philly, 10 minutes daily by William Eby for George Washington Tobacco.

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Petrillo Union Mouthpiece For CBS Employees in Chi; Others to Follow?

Chicago, Aug. 9. With announcers sound effects men and production men of Columbia Broadcasting System within the jurisdiction of the Chicago Federation of Musicians, the announcers, sound effects and production men at other studios may fall to James C. Petrillo also.

Petrillo obtained for the Columbia boys a 20% increase above the existing scale, plus a further 10% raise

commencing with the third year of the three-year agreement.

However, Petrillo so far has refrained from organizing the men in other studios, stating that the Columbia men were organized strictly to prevent them from being taken over by a union which Petrillo claims is CIO-controlled.

Don Fridie renewed as Joe Penner's gag writer.

Werner Back to WXYZ; Now Has 2 Conductors

Detroit, Aug. 9. Eduard Werner, director of Michigan theatre symph, rejoins musical staff at WXYZ this week and will conduct three half-hour concert programs weekly over King-Trendle station and its Michigan w.b. Left station about three years ago to devote full time to theatre.

Expected Werner will also ban theatre band when, and if, theatre resumes vaude, with switch of broadcast time to avoid conflict with overtures. Werner's return to WXYZ doesn't affect Benny Kyt, who sticks as musical director of station.

BBD&O in Cleveland

Batten, Barton, Durstine & Osborn agency will open a branch office in Cleveland in October. Clarence Davis, v.p. with the firm, will take charge.

New regional will give BBD&O offices in New York, Chicago, Buffalo, Pittsburgh, Minneapolis and Boston.

Ruth Deerr Joins WCAU

Philadelphia, Aug. 9.

Ruth Deerr, singer, set with WCAU and will be heard in a series of programs with Robert Golden and his house band.

No Libel In Legal Brief Vs. O'Keefe

Suit brought by Walter O'Keefe, comedian, for \$100,000 libel against Maxwell Hawkins, radio script writer and the latter's agent, Norman C. White, was dismissed Friday (5) by N. Y. supreme court Justice McGoldrick. Action was a result of the unsuccessful suit brought by Hawkins and White against O'Keefe, Hesse & McCaffrey, agents, and RKO, for alleged plagiarism of the script, "Hollings Street" which Hawkins claims he wrote for the defendants and which O'Keefe is alleged to have peddled to RKO for the pictures, without Hawkins' okay.

O'Keefe sued on the grounds that the allegations made by Hawkins and White in the original action were libelous. Hesse and McCaffrey also sued on the same grounds for \$50,000. Latter action was also dismissed, the court holding, that the allegations in the complaint were material to the Hawkins-White suit and could not be held libelous.

Encore 'Aldrich' Character On the Rudy Vallee Hour

Extra Stone will do his third guest shot on the Vallee show tomorrow night (Thursday) in another Henry Aldrich sketch. This one will be tabbed 'Henry Aldrich at the Dinner Table' and will include the same cast of Betty Field as sister, Leah Penman as mother and Clyde Fillmore as father. Piece is by Clifford Goldsmith, whose legit comedy, 'What A Life at the Biltmore', I. Y. also has Henry Aldrich as lead character.

'Dinner Table' was originally scheduled for Aug. 25, but on only three days' notice was moved two weeks ahead when another piece for the program fell through. Jess Cohen, of Brandt & Brandt, handles Goldsmith.

Unveil KSFO's New Face

San Francisco, Aug. 9. Hour-long transcontinental dedication broadcast marked opening of new Columbia-KSFO studios atop Palace hotel Friday (12) at 7 p.m. Opening was postponed a day to allow presence of a plane-load of Hollywood notables on the broadcast, including Bud Gluskin, Tito Guizar, Jo Stafford's Fred Piper and the Sinsone Singers. KSFO band, headed by Jack Meskin, provided background.

Show also included Frisco's first radio preview of a new Hollywood film, title of which was kept secret until air time. Other special programs included dancecast from 11 to 12 midnight, in which Paul Penzance Palace hotel orchestra was greeted by special numbers piped in from all other Columbia bands; up and down the coast, and regular Art of Conversation broadcast which originated here under Tom Brennan.

Jim Turner Promoted

Nashville, Aug. 9. Jim Turner has been made director of WSIX. Replaces Reggie Martin, now manager of WJNO, West Palm Beach, Fla.

Till his promotion, Turner had been hosting special events and newscasting on WSIX.

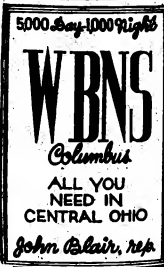
For the seventh successive month of 1938, NBC network business increased over 1937 to all-time highs.

In July the NBC Red Network advertising volume ran 74% ahead of its closest competitor. But even more interesting and important to you...

Winter and Summer, advertisers affirm their recognition of NBC as the world's greatest broadcasting system. *NBC carries eight of the ten highest rated shows.* Sponsors know that the audience maintained by NBC throughout the Summer guarantees a flying start for Fall programs.

Winter AND Summer they say it with Orders...NBC is the World's Greatest Broadcasting System

A SERVICE OF THE RADIO CORPORATION OF AMERICA



Henry Jaffe of N. Y. Single Gladiator For AFRA at the St. Louis Probe

St. Louis, Aug. 9. Gabbors in St. Louis radio stations double as actors and singers, according to testimony given last week by witnesses in the AFRA hearing before Trial Examiner J. Fitzpatrick of the NLRB in the Federal building, of AFRA, New York, counsel and Henry Jaffe, started the ball rolling Thursday (4) by testifying that the local branch was chartered last Dec. 26 and opened negotiations with employers last March. AFRA takes the position that it represents all who speak, sing or act before the mike, whether they be staff members or freelance workers while the management contends the duties of gabbors are different from other workers and have raised the question whether they should be included in a separate bargaining unit.

Jaffe, questioned by John R. Green, counsel for KSD, said that contracts with the principal radio nets did not include announcers, covering only actors and singers on the stationing programs. He testified, however, that gabbors had been included in the bargaining unit.

Refer to AFRA
Jaffe also said that new commentators should belong to AFRA, but that he expected no trouble with the CIO-affiliated American Newspaper Guild on that point. In the event of a jurisdictional dispute with the AFRA Jaffe said AFRA would give way to the booters in borderline cases.

Don Phillips, gabbor at KMOX, local outlet of CBS web, and president of the St. Louis branch of AFRA, followed Jaffe to the stand and corroborated the statement that gabbors double as singers and actors. He testified the duties of the three types of performers are interchangeable, that announcer sometimes act before the mike, actors sing and singers take dramatic parts.

R. W. Chubb, counsel for KMOX, sought to show cross-examination that actor was a very small part and

incidental to announcers' principal duties by reading a part of a script for a children's program and asking Phillips, "Is that dramatic?" "Not the way you read it," was Phillips' reply. He said that Phillips to give his performance of the part, but Examiner Fitzpatrick nixed the benefit performance with the declaration that this may be very amusing to the spectators, but it is adding nothing in determining the issues.

The two-day session, interrupted Saturday (5) to permit station managers to attend a regional meeting of the NAB in Kansas City, other witnesses who substantiated Jaffe's contentions were Allen Anthony, chief staff gabbor for KWK, Miss Adelaide Tarrant, freelance actress and warbler; Alexander Buchan, former WEW gabbor; Dave Ward, former KSD gabbor, and Miss Coyita Bush, KSK songbird.

Jaffe is fighting the battle of AFRA single-handed while a large array of legal talent represent KMOX, KSD, KWK and WEW, the local stations involved. The union's petition involving employees of WFL was dismissed Friday (5) when Jaffe said members of AFRA had been dismissed. AFRA claims a membership of 131 in St. Louis, KMOX topping the list with 58, the membership including 11 gabbors, 2 staff actors, 16 staff warblers and 29 freelance singers and actors.

Hearing was resumed Monday (8) with Jaffe calling more witnesses.

CHEVROLET WAXERS OFF THE AIR AUG. 31

Chevrolet will not renew its waxed 'Musical Moments' series when the three-weekly 15-minute discs appear nationally on Aug. 31. At present 'Moments' is scored over 385 stations.

It is unlikely that the account will be on the air at this fall.

Double-Jointed

St. Louis, Aug. 9. Henry Jaffe called himself as expert witness at the AFRA hearing. It was his first experience on receiving end, and he was cross-examined for five hours by the 10 opposing attorneys.

He frequently made objections to their questions. Didn't object to any of his own questions to himself, however.

JALLOPY-ERA RADIOS 57% ON FARMS

Philadelphia, Aug. 9.

Survey of 200,000 farm families just completed for Philco showed that with highest percentage of radio ownership of any group in the country yet Philco figures farms to be the biggest single market for new sets.

Radios are owned by 93.7% of the group, which is the more prosperous agricultural classification, as the survey was limited to those families having electrified farms. Less than 64% didn't own a radio.

Why set manufacturers consider this a good market, however, is fact that only 12.1% of the radios were less than a year old. Sets which were one or two years old amounted to 31%; three, four and five years old, 25.1%; and over six years old, 31.8%, largest single grouping. More than half of all radios owned, 56.8%, were over three years old.

Tums Off-the-Line

Chicago, Aug. 9. Kastor agency has contracted with the RCA Victor studios here for off-the-line recordings of the 'Tums Vocal Varieties' show starting Aug. 25.

Show will be spotted around country to augment the NBC plannings.

Six Salesmen, Who Formed 'Union,' Re-Classified as Outsiders; Simon Sees Unionization Nipped in Bud

Philadelphia, Aug. 9.

Six salesmen at WFEW, who three weeks ago formed the first unit of the Radio Salesmen's Guild of America, an unaffiliated union, were forced to resign last Friday. Leaves the station completely stripped of salesmen.

Each of the solicitors, all of whom worked on straight commission, was 'bought out' by the management. After bargaining confabs with the Guild's attorney, which came to naught, each of the men was called into the office of Manager Arthur Simon and given his walking papers.

They weren't 'fred.' Station fixed an arbitrary sum as to what the value of each man's continuing commission would amount to. This was all figured out, done up in legal language, put in a black-backed lawyer's folder, marked 'Release' on the outside and handed to the men. They could either accept or not. But if they didn't, they were informed, the station would no longer accept their accounts.

Simon explained to each man how sorry he was about the whole thing. He took pains to tell each that he liked him very much, but that he was only working on orders from New York. WFEW was recently purchased by Arde Bulova.

Simon said each man could declare himself an 'agency' and the station would then accept accounts on the regular 15% commission basis; however, it would take no accounts in this manner which were already on the books, eliminating as possibilities all those accounts which the salesmen now have.

'Great Service'

No plans are being made to replace the line solicitors, Simon said. He is counting on WFEW's sister station, WOW, in New York, to feed new biz and to handle the renewals of the local staff himself. He declared that

he believes he has done a great service to the radio industry by breaking up this first attempt at unionization by salesmen.

Well-known Philly labor attorney, Saul Waldbaum, had several meetings with Simon which were also attended by the six union members as observers. Demands were presented for job security, a preferred shop and increases in commission. Men asked for 20% on new direct biz and 15% on agency biz. Management offered 15 and 7½%, which was refused.

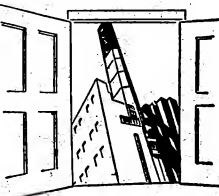
Those affected are Leonard Pell, chairman of the unit; George Lasker, who served as g. m. at the station for several months after it changed ownership; Al Fisher, Charles Borrelli, Fred Solton, and Henry Potter. Solton is continuing to bring his accounts to the station as an 'agency.'

LABOR DISCS OFFSET BOSSES' DITTO

American Federation of Labor now has 80 stations around the country carrying gratis pro-union dramatizations discs. Two New York stations on the list are WEVD and WNYC. This offsets the Nat'l Manufacturers Assn. and so forth.

Transcriptions are sent to the stations once monthly, with the broadcast on the list taking the free service as a help to their programming. Discs are prepared in Washington, D. C., by Chester M. Wright, labor editor and writer.

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WCAU

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Synchronous Operation Doomed At WBBM-WBZA-WBZ, WBAL-WJZ, KFAB WLLH-Type Satellites Uncertain

Washington, Aug. 9. Death knell to synchronization experiments by stations in the regular broadcast band is expected to be sounded when the FCC proposes new allocation policies involved in the pending revised rules governing operation of broadcast stations.

Growing engineering opinion that synchronous use of limited facilities, while technically feasible, is not economically or socially wise seems to have been substantiated by the expert testimony collected at the recent long hours hearing and bolstered indirectly by data presented at the WLLH, Cincinnati, 500 kw proceedings. Result indisputably will be revocation of experimental permits when the spectrum is redistributed in accordance with the new allocation theory and the shifts required by the North American Radio Agreement take place.

Value of synchronization was not debated directly at any of the gabfests of the past two months but the views advanced about the way the limited number of frequencies should be exploited provide ammunition for opponents of dual operation. For some months there has been feeling among both industry and FCC engineers and some Commissioners, as well, that this sort of operation should be terminated.

New Frequencies
Strong arguments against more synchronization. And as an alternative, the engineers have the opportunity to play with this idea in the high frequencies, just being opened up for regular use. In bands over 30,000 kc, there is more room for dual broadcasting, particularly since many of the waves are not suited for covering a wide area.

One technical expert of widely-recognized ability considers that synchronous operation of two regular plants with substantial power is a brake on progress, by limiting the number of stations which can be spotted in an area. Except in rare cases where some city is wholly lacking in signals it is felt there is little justification for hitching more than one transmitter.

Hypothetical case illustrates the objections, although it is not based

on exact standards of good engineering practice, either those now being followed or those proposed for future observance. Not even sure of take into account varying factors, which would be different if other frequencies were used. In the case of two stations with 5 kw operating on 1000 kc, for instance, there must be wide separation if they are not to prevent assignment of other transmitters to nearby frequencies in adjacent territory. Under the technical limitations to minimize interference, next side channels, 900 and 1010, would not be available for stations within a radius of several hundred miles; 980 and 1020 would be open to plants closer to the 5 kw outlets but still separated by a considerable distance; same is true, although to lesser degree, in case of 970 and 1030 kc.

Thus if the two synchronized outlets were closer than the distance required between a 1000 and 1010 or 980 kc station, use of the latter two channels would be prohibited over a considerable area. And so on down the line, spacing to permit operation on adjacent frequencies in the area between the synchronized plants would be a difficult engineering and allocation chore. Otherwise a clash of signals would greatly limit service and irritate listeners.

This means that synchronous operation, in most cases, must involve widely-separated plants. In finding ways to exploit this technical possibility many practical problems would be encountered. On the other hand, if the plants are so close their signals overlap, listeners would be getting an unnecessary duplication of program service, at the same time being deprived of possible additional choice of entertainment.

Spotting the synchronized stations in wide areas to provide the inevitable mileage separation is not in accordance with the desire to render the maximum local service. Listeners to one of the dual outlets would not be particularly interested in purely local happenings hundreds of miles distant; residents of the primary service areas of the two hitched stations very likely would be in different states, having no special reason to hear political, sports and

Studio Phobia

St. Paul, Aug. 9. KSTP was almost stumbled last week when a speaker on a radio program phoned in and asked: "Do you have big studios or little ones?"

Upon being assured that the station had several sizes but that ordinarily only the smallest is used for a single speaker the fellow moaned: "Oh, that will never do. I must have the largest—and I'm not even sure of that. You see, I have claustrophobia."

Station solved the dilemma by hitching up a pack transmitter and putting the interview on outdoors.

news programs directed to audience of the other transmitter.

Double Harness Fairs

Prospect that dualization will disappear affects specifically six plants: WBAL, Baltimore; WJZ, New York; WBZ, Boston; WBA, Springfield, Mass.; WBBM, Chicago, and KFAB, Lincoln, Neb. For considerable time this half-dozen has been split up into three teams on as many frequencies: WBAL, with 24 kw, and WJZ, with 50, during 8:30 after 9 p.m.; WBZ with 50, and WBA, with 1, on 980; and WBBM, with 50, and KFAB, with 10, on 770.

Likely abandonment of this type of synchronization does not mean that in the regular band there will be no cases where more than one station use the same frequency and carry identical signals. Current experiment with satellite or booster plants would not be affected. Only one instance of this is present: WLLH, Lowell, Mass., which operates on 1370 kc with 100-250 watts and is echoed by a 10 to 100 watt station at Lawrence.

Ring of Satellites

Whether the booster method ever will come into general use is problematical. Cost is an important factor. But in the high frequencies, where the waves have characteristics that limit service to small regions, it is possible that broadcasters might spot one transmitter with considerable power in the center of a metropolitan area and ring it with low-voltage responders to provide the service for suburbs. Particularly in the event some geographical or scientific phenomenon—hills, or bodies, etc.—prevent the parent plant from reaching all of the potential audience. In some cases, this identical technique could be used by new Class D stations, which have barriers make it doubtful if there will be many instances of such operation.

Morris Novik Must Answer Council Charge WNYC Carried Communism

AIR INCUBATOR

(Continued from page 31)
sessions, court reporters, news broadcasts, etc. But the station reps have proved a full range of communications. They have had the station's facilities as regards anything beyond checks, coverage maps, and other standard paraphernalia. When a good local show is discovered, somebody invariably stumbled into it by accident.

To plug this extremely lamentable gap, Vanver will heretofore collect, on a regular schedule, information on local shows. This service, naturally rendered gratis, will follow somewhat the same lines as the aid found for years in Vanver's Protected Material Department.

Junk Edited Out

It should not essentially be pointed out that this collection will steer away, insofar as possible, from news, transients and desperation measures unworked by local program departments which have fallen into the trap—less than trying to extricate themselves with high-powered junk. Radio already has been in such desperation measures to last a century.

What the collection will attempt to do is the following:
1. Provide a ready reference for programs which have proved themselves to be audience-pullers. An audience of smaller need not necessarily incorporate world-shaking departures from existing norms, just as the categorical gap between the "Benny and some local counterpart is, on paper, not very great. Difference, however, is that one pulls an audience and the other doesn't.

2. Provide standardized information. That is, all material will be collected in such a fashion that self-back-patting, puffing, and other possible waste of time and space will be eliminated insofar as possible. To achieve this end, the info will be collected on a questionnaire.

3. Provide complete information. This includes: Age of program; past sponsorship, if any; program's past performance record in terms of mail, phone calls, contests, etc.; time of broadcast; size of cast needed; profile of talent; description of program content; survey of merchandising possibilities; availability of sample scripts or recordings.

From time to time Vanver will print samples of the information collected. This info may be clipped and filed.

However, because all the material collected could not possibly be printed for reasons of length, the remainder will be stored in a filing system at Vanver's New York office where it may be viewed on request by sponsors and advertising agencies. This filing system will be cross-indexed so that any program can be found under its market, originating station, type of program, and program type into which it fits (such as variety, hill-billy, etc.). Detailed announcements of the completion of this filing system will be printed soon. Meantime, it is to be noted that requests by mail for transcripts of the file cannot possibly be taken care of. Personal visit to the Vanver office is the only feasible method of getting a gander at its contents.

Data Already In

Preliminary data received so far evidences some good, down-to-earth programming by various stations. Many of the programs have a long run behind them—always a good fact for judging caliber. Others have a pretty decent record in contests, mail pull, and phone calls. A sample of how the material will look in print, and in the file, and herewith appended (this sample was chosen for any reason other than sampling purposes).

Program title: "KSL Players." **Originating Station:** KSL, Salt Lake City, Utah. **Age of program:** Seven years continuously. **Past sponsors:** Mills, Baker, Logan Knitting Mills, Mar-Gold Shampoo.

Popularity record: Players stanza holds all-time KSL mail return record with 47,000 replies to gift offer. Station claims are adjudged correct. Its No. 1 production, "The Song of the Sea," has been needed. No less than seven; variable. Price (exclusive of time cost): \$135 per program. Length and time of

Morris Novik, director of New York City's municipally owned non-commercial broadcaster WNYC, has been called upon to appear today (Wed.) before a special committee of the City Council to answer charges that he has carried communist propaganda. Allegedly, he has been leveled by Councilman Charles E. Kahn, who is the broadcast of last February as a special occasion upon which he bases his complaint.

Program under fire was a travel talk put on under the auspices of the National Travel Club. Program was conducted by Samuel Gold and the guest speaker was George Brandt, travel writer. Broadcast dealt with travel in Russia.

National Travel Club is chartered by New York State as a non-commercial enterprise; has 6,000 members and publisher Robert McBride says the club has been furnishing the scripts to any station wishing to air them. At current time the club claims to have 234 brochures around the country on its list.

No Injunction In Jewish 'Court' Pea Vs. WLTH

Jewish Court of Arbitration, Inc., an organization which deals with domestic and business disputes, was denied a temporary injunction against the Jewish Radio Service, Inc., by Justice Frank McGoldrick in the State supreme court Monday afternoon. Pea vs. WLTH, Brooklyn, sought to have WLTH, Brooklyn, stopped from using the arbitration agency. Pea is a Jewish radio aired over the outlet. The WLTH Court for arbitration.

In his decision Justice McGoldrick stated that the relief asked by the plaintiff was not justified. The main question involved was the extent to which the use of the Hebrew word "Pea" in both names causes confusion. Under the circumstances, the court held, the law could not be determined after trial. Motion for the temporary injunction was denied with the understanding that the defendants agreed to go to trial in October.

Foster Brooks' Child Dead

Louisville, Aug. 9. A fractured skull suffered in a 15-foot fall to a concrete sidewalk while on a visit here caused the death of 18-month-old son of Foster Brooks, former WHAS announcer, Tuesday (2). Accident occurred on the porch of the grandparents. Brooks had brought his family from St. Louis, where he had been on the announcing staff of KWK.

During the 1937 Ohio Valley Radio Brooks distinguished himself by dealing with others for his work in the air of relief messages and aiding the evacuation of refugees from the flooded area.

Salisbury's WSTP

Charlotte, N. C., Aug. 8. Salisbury's new radio station, WSTP, has been given the call letters WSTP. Motto: "We Serve the Piedmont."

Station is to operate on 1500 kilocycles, 100 watt output, and full time. Officers and stockholders of the corporation are Bryce P. Bank, W. S. Overton, Jr., Cashier, J. H. Hurley, W. F. Roney, J. P. Mattox, J. F. Hurley, Walter Carter, Stable Link Gregory Peeler and M. M. Murphree.

Program: 30 minutes; usually presented between 9:30 and 10:30 p.m. Program is centered in the local area, plays somewhat a la First Night.

Plays generally follow a lighter vein, though heavy material may be used with okay results. Availability of samples: Any number of complete scripts available for review. Merchandising: Low cost sampling via gift offers feasible; cost available for p.a's.

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CBS Network 350 Kc.

SANDWICH LEE PLANT BETWEEN NBC AND CBS

Hollywood, Aug. 9. Prospect of Don Lee-Mutual network joining NBC and CBS along South Boulevard between Vine and Lee chain began negotiations for a new plant on the site between other Mary Long, who will erect a combo plant-story. Mutual idea is to share forces with Long on the structure, with the Long enterprise occupying the ground floor and Don Lee the remainder of the four or five-story edifice.

Move from the present quarters downtown, ending a tenancy of 11 years, is imperative.

Mort Lawrence Upped

Philadelphia, Aug. 9. Mort Lawrence, relief gabber at WCAU, has been named assistant production manager to replace Robert Gill, whose resignation takes effect in the early fall. Lawrence has been with the station for five years, most of that time emceeing Drug Trade Products hillbilly shows.

Harry McVaine, former program director and chief announcer at WTMJ Trenton, has been added to the WCAU gab staff. Before joining WTMJ, McVaine appeared in dramatic sketches and musical shows on WCAU. He replaces Calvin Jackson, who resigned.

WQXR Sales Mgr. Tours

Norman S. McGee, sales head of station WQXR, N. Y., high fidelity outlet, left town Monday night (8) for a glad-handing jaunt through the west and Pacific slope.

He will be gone three weeks explaining station's 'quality music' programs and familiarizing western agencies and advertisers with station's work.

TED ALLEN AT WGNV

Old Timer in Radio Biz — Last with E. J. Devlin

Newburgh, N. Y., Aug. 9. T. P. (Ted) Allen has joined WGNV as commercial chief. Peter Goetz is director at the station. Allen was recently with J. J. Devine, station rep firm. Before that served with NBC sales from 1928 to 1936.

Pullman to Blackett

Chicago, Aug. 9. Pullman account has been acquired by Blackett-Sample-Hummett agency. Formerly with Charles Daniel Frey agency here.

No plans set for Pullman under B-S-H guidance, though there is a possibility that the agency will attempt some radio for the sleeping car organization.

Marvin Harris goes on the Drefit account at B-S-H, replacing E. K. Bannevert.

Hevenor Takes Over

Albany, Aug. 9. Horace L. Hevenor, for many years manager of the De Rouville Agency, Albany, owned by the late George S. De Rouville, is now operating it under the name of Hevenor Advertising Agency. Incorporated with a capital stock of \$50,000.

Marjorie McMullen, formerly of WGY, continues in the radio department.

Radioites' Legit Try

Two NBC warblers, soprano Helen Henry and baritone Glenn Darwin, were this week auditioned for parts in "Knickerbocker Holiday." Maxwell Anderson play with music. Show is scheduled for a late September opening on Broadway.

Nancy Martin to NBC, Chi. Pittsburgh, Aug. 8.

Nancy Martin, singer with WCAU for last five years, leaves this week to join NBC in Chicago. Has been on several local commercial programs, principally "Romance Background" which she has been doing for two years, and "Night at the Inn."

League, Rogers Form Team As Tractor Firm Sponsors

Memphis, Aug. 9. Archie League and Eyrle Rogers started a twice-weekly quarter-hour series today (Tues.) for Allis-Chalmers (tractors). Doing rustic characters labeled "Sewanee Eyrle and Happy Pappy."

Both performers were formerly in vaude, but during last several years have worked as singles in Memphis radio. First time they've been teamed.

Lonesome Friday Night Prevails Pro Tem on CBS

CBS is creeping through this month of August with what is likely the smallest commercial Friday night schedule in the network's history. From 8 p. m. onward there is being carried only a quarter-hour of bought time—Boake Carter for "Rudies." And that show fades on Aug. 26.

Next month, however, will see the fall biz bouncing back into Friday night, which was always strong on CBS in the past. Campans starts on Sept. 3; Instant Postum follows (5), and then successively Campbell Soup's "Hollywood Hotel" (9), and Listerine and Chesterfield (3).

Hearst Office Goes On

San Francisco, Aug. 9. International Radio Sales, San Francisco branch, previously announced as folding, is continuing operations with John Livingston succeeding J. Leslie Fox as Pacific Coast manager.

Livingston was formerly Los Angeles manager for same organization and San Francisco sales manager of Hearst Radio.

Pittsburgh Pirates Win Injunction Against KQV Eavesdroppings; Lack of Sponsorship 'Immaterial'

Pittsburgh, Aug. 9. It witnessed as long as it does not plagiarize other news agencies.

In his findings, Judge Schoonmaker quoted opinions on cases involving the Twentieth Century Sporting Club against Trans-Radio Press Service re the Louis-Farr fight; INS suit against A.P. Waring vs. WDAS; Irving Berlin vs. Daigle, and others. He then added:

Good Will Angle

The defendant contends it is not unfairly competing with any of the plaintiffs because it obtains no compensation from a sponsor or otherwise from baseball broadcasts. It concedes, however, that KQV gets, by its broadcasts of news of baseball games, to cultivate the good will of the public for its radio station. The fact that no revenue is obtained directly from the broadcast is not controlling, as these broadcasts are undoubtedly designed to aid in obtaining advertising business.

In his conclusion, Judge Schoonmaker stated that the doctrine of unfair competition is, not, recognized under the English Common Law and therefore his decision could not be construed as an authority.

Suit involved only the broadcasts of the Pirates' home games, which would presumably leave KQV free to air accounts of contests of Pirates' soil. Generally admitted here that only KQV's practice prompted Pirates to permit broadcasts of home games from Forbes Field since management for years had been dead set against that practice. Option on this was taken up by Socony-Vacuum and General Mills immediately, with KDKA and WWSW both carrying play-by-play descriptions by Rosey Rowsell except on Sunday and holiday games.

Lillian Okun, formerly with WOR, N. Y., has teamed up with Marjorie Norton in a publicity combine, claiming the right to broadcast what

WAPI starts 17th year as most powerful station —day and night—in all Alabama

WAPI, Birmingham, is the only station that covers all Alabama, day and night. It is the only Alabama station with a complete schedule of Columbia Network shows (plus a steady pageant of brilliant local originations). And WAPI is the only station in the state that serves the farmer as well as the worker ... with farm programs that rural audiences want to hear.

For sixteen pioneering years, WAPI has been the "Voice of Alabama." Today, with its new, vastly improved facilities, it becomes more than ever—Alabama's voice for all the state ... and the advertisers' least expensive voice to all the state!

Represented by **RADIO SALES**

A DIVISION OF THE COLUMBIA BROADCASTING SYSTEM, NEW YORK, CHICAGO, DETROIT, MILWAUKEE, BIRMINGHAM, LOS ANGELES, SAN FRANCISCO



Sheffield Uses WGY Program To Woo Favor of Critical Dairymen

Schenectady, Aug. 9.

Various trace phases of milk production and distribution, coupled with information and advice to dairymen, are covered in the WGY program over WGY, which is counter-propaganda. Opening shot aimed at consumers as well as dairymen, is covered in the program. Second salvo, however, was aimed exclusively at agriculturalists. It is likely that during future broadcasts the dealers' side of the theory problem will be carefully presented. Sheffield Farms Co. is one of the big distributors recently criticized by radio and other media, by a group of upstate dairymen.

Program, while it might be patterned after General Electric's popular evening "Farm Forum" over WGY. Presence of Emerson Markham, pilot of latter, as reporter, question man and emcee makes the parallel more noticeable. Markham is neutral on the milk question, very controversial in these parts, so far as his G. C. chores as rural broadcast director are concerned. Here, however, he's identified with one side of a fiercely partisan intra-industry dispute. Wisdom of that is for others to decide. Question was naturally suggest itself to persons familiar with "propaganda in the higher levels of these."

Broadcasts start with an angle of interest to farmers: reports by Sheffield agents of crop conditions in various counties and sections of the state, with a special report on New Jersey and Pennsylvania. Markham leads these. Then Duryea takes the floor for ten minutes to discuss the Northeast. Following this is a question and answer period, long a staple of GE's Farm Forum.

Duryea knows his subject, but could deliver with more verve. Like many farm talkers, he lacks a trade A voice and is inclined to be drab. Quizzing is productive of sound advice, but is without the tangy dry humor and the hominess of Ed Mitchell, GE's farm adviser. Injections into the program of Markham's miking is good but stilted. No advertising except tabling of Sheffield names, but a record makes a so-so theme.

DANNY DEE
Schenectady, 8:30 a. m.
WFAA-NBC, New York

NBC's legal lights did some cramming, and it is reported before giving this show, produced by WTAM, Cleveland, the nod to fact the network. Idea is that Dee, la-

GENE AND GLENN
Felix, 8:15 a. m.
WFAA-NBC, New York

Way-laws listeners are on NBC's eastern loop after doing a Greeley from WTAM, Cleveland, to Des Moines to Los Angeles in the past several broadcast seasons. The work is of the particularly radioactive of dairy milk clerks, the team today, as before, exemplifies a gentle idiom of sporting, light-plotted interplay of boobish characters, Jake and Lena, which Gene Carroll creates while Glenn Rowell plans and warbles.

Gene and Glenn have a knack for ingrating themselves with the multitude. An analysis of the methods they employ is difficult because under-playing and not-seeming-to-be is an integral part of an ultra-smile appeal. They pitch for a wide base. At their neck they were terrific grossers when making theatre bookings around the middle west.

Heard now at 8:15 a. m., the pair offer a maternal fondishment that makes much capital of Jake's superb talent for avoiding work. Lena is a bit of a pie-and-cakes gal. Their mythical uncommenced courtship has been going on to these many semesters to the non-comprehension of some outsiders and the genuine delight of the family circles.

As an accompaniment to the morning cordials for work-bound and school-bound classes of mommys, this quarter-hour is still in the game.

LYNN GREY
Schenectady, 8:15 a. m.
WFAA-NBC, New York

Gray, who has been on the air for many years, is a well-known personality. She is a very popular singer and actress. Her program is a very popular one and is well received by the audience.

LYNN GREY
Schenectady, 8:15 a. m.
WFAA-NBC, New York

Gray, who has been on the air for many years, is a well-known personality. She is a very popular singer and actress. Her program is a very popular one and is well received by the audience.

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Schenectady, 8:15 a. m.
WFAA-NBC, New York

Follow-Up Comment

Bob Burns, summer keeper of the sport, dressed (4) Burns and his wife, Walter Huston was most of the assistance, with the veteran stage-screen team. Presenting a 30-minute vehicle every Tuesday night. Each script is a new one, with a new cast. Presentations in the crossroad hamlets over the past few weeks. Judging by "Aunt Jerushy," the fourth of this series, the essence of the program may just as well be in the barn. "Jerushy" in its intent is a comedy. But on the air, partly due to the fact that the drama runs, there are few laughs, no quantitative, sounds blab for urbanites and not sufficiently well suited to the rural listeners—that is, if the wisped-up farmers will tune in on something as fastidiously as this.

Due to the strained effort of the cast to achieve that comfused with the dialog isn't any too clear. Great and numerous stress on the pronunciation of the words "constable" as "constable" is a tip-o.

For commercial purposes this doesn't seem to fit a chicken-coop manufacturer.

ANNOUNCERS CIVIL SERVICE
Schenectady, 8:15 a. m.
WFAA-NBC, New York

Idea of the municipally owned, non-commercial station in quizzing the announcers with a series of questions with scripts of passed exams is a tip-o.

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ANNOUNCERS CIVIL SERVICE
Schenectady, 8:15 a. m.
WFAA-NBC, New York

FOUR CORNERS THEATRE
Schenectady, 8:15 a. m.
WFAA-NBC, New York

WABC-CBS, New York
Schenectady, 8:15 a. m.
WFAA-NBC, New York

WABC-CBS, New York
Schenectady, 8:15 a. m.
WFAA-NBC, New York

WABC-CBS, New York
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Schenectady, 8:15 a. m.
WFAA-NBC, New York

'I HEAR AMERICA SINGING'
Schenectady, 8:15 a. m.
WFAA-NBC, New York

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WTC

Radio's Number-One News Service
Now Available on Southern New England's
Number-One Radio Station

Available Sept. 1 • Transradio News on WTC
15-MINUTE PERIODS

DAILY: 8 A.M., 1 P.M., 6 P.M., 11 P.M.

Rates and Further Information Will Be Supplied on Request

50,000 WATTS
HARTFORD, CONN.

The Travelers Broadcasting Service Corporation
Member NBC Red Network and Yankee Network

Paul W. Moseley, General Manager • James F. Murphy, Business Manager
Representatives: Weed & Company, New York, Chicago, San Francisco

WABC

Radio's Number-One News Service
Now Available on Southern New England's
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Available Sept. 1 • Transradio News on WABC
15-MINUTE PERIODS

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WEEB & COMPANY

Radio's Number-One News Service
Now Available on Southern New England's
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Available Sept. 1 • Transradio News on WEEB
15-MINUTE PERIODS

DAILY: 8 A.M., 1 P.M., 6 P.M., 11 P.M.

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MORE WASHINGTON FOG

THIS TIME TRADE COMMISSH VAGUE

Months of Delay Foreseen in Giving Broadcasters Any Tangible Hints of What Is Permissible Under Lea-Wheeler Act Stiffening Terms of 'Misleading Advertising'

NO BEACONS

Washington, Aug. 9.

Long wait predicted for crystallization of the new Federal Trade Commission understanding of the Lea-Wheeler Act stiffening government control of misleading advertising. Broadcasters apparently will have to find out by experience what is permissible and what the Federal copy readers consider extravagant and deceptive.

FTC will continue along present line in administering the new statute. That means no regulations or formal caution in advance which would give the radio industry something to steer by. Instead, the Commission will rule on individual cases, making it a perpetual guessing game when it comes to deciding if some particular blurb might draw a reprimand.

Broadcasting industry is not in danger of being severely punished by FTC, because of the waiver clauses in the act, but naturally cannot forget the possibility that the Commis-

sions Commission will decide to spank managers who allow their mikes to be used by drug, medicine, and cosmetic makers with little sense of social conscience. It will be imperative for station execs to keep a much closer eye on the FTC's handouts about stipulations in the future and to ogle commercial puffs more intently than in the past.

Lack of Do's, Don'ts

Although the government combers will be disposed to give everybody a chance to get acquainted with the new statute, the obligation on broadcasters is disturbing, even if the law says cooperating managers are not liable to fines or jail terms. Absence of formal interpretation, lack of a list of do's and don'ts, and virtual certainty that the blue-penciling will be a sort of ex post facto proceeding will make it tough for the industry, regardless of how anxious it is to see that listeners are not duped.

Procedure under the new law will be the same as broadcasters are accustomed to. As has been the case since 1933, when radio advertising first came under the FTC quint, the special board will scan published blurbs, labels, pamphlets and radio copy; in the event something looks bad, opportunity will be offered to reform voluntarily; when resistance is met, the Commission will crack down with a formal complaint, preliminary to an official cease-and-desist order. The act says that stations are not to be held responsible unless they refuse to play ball by telling who placed the account or prepared the script.

Overwhelmed with run-of-mine chores, the special board has been slow about jumping any advertiser under the Lea-Wheeler verbiage. May be several months before the censors get around to reading the documents or listening to some air-waved build-up which horrifies their sense of decency. In such circumstances commercial managers will be

KGy. Olympia, on Block

Seattle, Aug. 9.

Deal is reported to be under way for J. E. McCaw, gen. mgr. of KGBA Centralia, to buy KGy. Olympia. Sale figure quoted is \$25,000. Archie Taft, v.p. of KGy. Seattle, is the principal owner of KGy, which operates at 500 watts on 1440 kc.

GOOD PRESS FOR FARNSY VISIO

Los Angeles, Aug. 9.

Coast editors and publishers got their first look at television as it today, and got a southern Californian hot 'n' bothered over it pronto. Live talent was used in the demonstration, in which 441-line images were transmitted from one room to another on a screen 9 by 12 inches. George Everson, sec. of Farnsworth Co. of Frisco, said the results would have been identical at 50 miles were facilities available. Images were clearly defined and the tone was flawless. Background was a grayish blue. Only one camera was used, precluding an unbroken continuity.

Those who had witnessed visio demonstrations in the east claim the local brand was good, and other enthusiasts compared the screening and sound with motion picture projection. It was far and away the topper of anything along those lines previously attempted out here.

forced to keep fingers crossed for a long time, with some FTC waltzers estimating five years will elapse before everything about the act is fully understood and reliable precedents are established.

Inside Stuff—Radio

Life is getting to be just a series of accidents to the two purveyors of musical background on the 'Jane Arden' script show, which airs on WJZ, N. Y., for Ward Baking.

Fortnight ago Gertrude Schneider, cellist on program, failed to show for Monday morning broadcast because she was recovering from effects of having been pulled from the surf in near-drowned condition at Jones Beach. Missed program last Monday (8) because her train was wrecked returning from weekend in Vermont.

Christine Caton, organist on the program, is bandaged for bruises and cuts on left elbow and back. Her escort late last Thursday (4) night shoved her into a doorway on a Jackson Heights street when gunmen sprayed the lane with bullets after holding up a grocery store.

O. C. Cash of Tulsa, third assistant temporary vice-chairman and grand exalted keeper of the minor keys in the gag organization, Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America, has received a telegram from the W. M. C. C. of Hollywood, Cal., which asks that organization be allowed to join the S. P. C.

Telegram came from Herb Polese, head of the Westwood Marching and Chowder Club and revealed that the society, made up of such sterling singers as Bing Crosby, Pat O'Brien, Fred MacMurray, Wesley Ruggles, Ken Murray, Shirley Ross, William Frawley and others, had voted unanimously to merge the W. M. C. C. with the S. P. E. B. S. Q. S. A.

Noel Coward number sung by Gladys Swarthout on last Sunday's (7) Magic Key program was set on the show by the composer himself. Conralto and her husband, Frank Chapman, saw Coward at the Riviera during their recent European vacation. When he was told of the Magic Key date he asked Miss Swarthout to sing the song, which he said is his favorite of all his own compositions. When she agreed he set the arrangements by cable with RCA execs. Piece is called 'Where Are the Songs We Sung?' and is from Coward's legit musical, 'Opretto,' which recently closed in London. Recording made from the broadcast was sent to Coward, as 'payment.'

False rumor of the finding of the wreckage of the Pan-American trans-Pacific Clipper kept both NBC Red and Blue networks on the air an hour and 25 mins. overtime Saturday (6) night.

Both webs stuck around until 2:25 a.m. relying bulletins as fast as they came in, meanwhile filling in with live dance music from Chicago. Networks were also trying to arrange a pickup from the Japanese steamer which had apparently radioed finding the wreckage, when word came through it was all a mistake.

Jack Howard, prez of Scripps-Howard Radio, Inc., flatly denies that his outfit made a bid or intends to make a bid to buy WMCA, N.Y. Rumors to that effect have been circulating along radio row.

WKCRC

CINCINNATI... "50% more!"

Local Cincinnati advertisers prefer radio

station WKRC. It sells 50% more time to

local advertisers than both other

local network stations combined.

COLUMBIA'S STATION FOR CINCINNATI 550 KILOCYCLES

Macquarie Radio Network Formed In Australia; Has Transcription Angles

Sydney, July 30.

Macquarie Broadcasting Network is new title for the various stations under the control of Sir Hugh Denison, mogul of Associated News papers. Executives include R. E. Denison, Stanley Crick, Fred Daniell, Don Service, and N. A. Shaw. Unit has 13 commercials.

Company is also a stockholder in Australian and New Zealand Theatres (Williamson-Tait). Crick, formerly 20th-Fox boss here, is a managing director of W.T. Means; this outfit will now become interested in the radio field as well as legit. Dr. Power is the representative in U. S.

Transcription bit, formerly handled by 2 GB, Ltd., and Broadcasting Services, has been taken over by new lineup. Transcription production will come under the personal supervision of Fred Daniell, who recently returned from U. S. visit. American transcriptions are being handled by American Transcription Agency through Clive Ogilvy. This particular unit draws on 18 U. S. writers for material to program Australian field.

Reported that an interest has been bought in Broadcast Enterprises Ltd., London, and that Oswald Anderson, previously with 2 DW, Sydney, is acting as the agent in that spot. Understood that a bid will now be made to sell Australian transcriptions abroad.

LOWNEY'S BUYS CKAC'S MOST FOULS SHOW

Montreal, Aug. 9.

Gala Humouristic or Musical, most elaborate of the CKAC sustainer, has been bought for Lowney's Chocolates by A. McKim advertising agency. CKAC program department will continue to produce the show under agency supervision.

Scheduled to go on Fridays, 8 to 9 p.m. period, starting Sept. 18.

ARTIST'S MANAGEMENT

AMERICAN PREMIERE
OF
JULIAN FUHS
Noted Continental
Modern Conductor

On WJZ-NBC Blue Net
work Friday, Aug. 12,
10-10:30 P.M., EDT

IT 4.45 PM
N.Y.C.
MOS-1500

THE O'NEILLS

BY JANE MEST

NOW RADIOS ARE BEING
FAMILY BRINGS YOU MORE
LAUGHTER TEARS AND HEARTFELT

Presented by Ivory Soap 99 1/2% pure

LISTEN TWICE DAILY
Radio Network: 12:15 to 12:30 P.M. DST
CBS - WABC 2:15 to 2:30 P.M. DST
IN... COAST TO COAST

DR. COMPTON ADVERTISING AGENCY
MGT., ED WOLF—RKO BLDG., NEW YORK CITY

In England

Ernest Lonstaffe, after trip to study U. S. radio, restarts at B.B.C. with 'Singing Song' program Aug. 13.

Hal Kemp playing from the Hotel Astor room in New York City, and Sammie Davis from Atlantic City, contributing to B.B.C. Saturday night series, 'America Dances', on hook-up with C.B.S.

Harold Cox quit picture production to join BBC Television gang, supporting Philip Dornie on outside broadcast department. Billy Milton wrote the music for television show, 'Order to View', in which he also had lead.

Canadian Comic Earns \$300 Weekly, A New Local High

Montreal, Aug. 9.

Graetien Gelinas (Fridolin), leading French language comic, has been signed by Black Movie Ales at \$300 weekly, new high for a radio entertainer in Canada. New show starring Gelinas, scheduled to begin next month, will be produced by the Rupert Entertainment group under Bill Harlow's direction.

Gelinas was built up by the CKAC production department, and studio tried to retain him for last year's season. N. G. Valiquette, furniture store, Valiquette felt unable to meet the \$200 figure for the brewery, and in the shuffle production was switched to the Caplan office.

Gelinas has reserved right to negotiate scripting and talent to be in the new production, and that Maurice Meerte and orchestra as well as Lionel Dunaus, vocalist, will go along with the comic.

KRAFT, FEEN-A-MINT RENEW ON NORMANDY

London, Aug. 3.

Sunday half hour on Radio Normandy has been booked for a further 52 weeks by the Kraft Cheese Co. Time is currently being used to advertise Miracle Whip. Air time booking and program are handled by the radio department of J. Walter Thompson Co.

An extension of the Feen-A-Mint contract on Radio Normandy for a further 52 weeks has also been set with the International Broadcasting Co. by Edwin Wastley. Extension covers a Sunday morning quarter hour, in which George Formby is regularly featured. Same advertiser also broadcasts from Normandy on Wednesday afternoons.

Clinton Johnson and wife, originators of KJR Seattle serial 'Lars and Lena', in San Francisco stalking sponsor.

Air-Conditioned Studio Last Word in Vienna

Vienna, July 28.

New radio station (Reichsdeutscher) on Argentinierstrasse is nearing completion. New radio building is first here to be equipped with air conditioning, something unknown as yet to Austrians.

Experts from Germany here working on plans to install television.

SEE POLITICS IN GAUDRAULT CASE

Montreal, Aug. 9.

Maurice Gaudrault, prominent local attorney, has been appointed manager of station CBK, the Canadian Broadcasting Corp. 50,000-watt, here, succeeding John C. Stadler. Stadler was formerly an assistant to Dr. A. Frigon, assistant general manager of the CBC.

Gaudrault is a law partner of C. A. Bertrand, Member of Parliament, who sat in as a member of the Parliamentary Commission which recently conducted an investigation of the CBC setup.

Reappointment is considered by some as political, and with the oft-repeated declaration that the CBC would not bow to political pressure or permit the national radio network to be used as political football, Gaudrault's entry into the post as director of the government's 50,000-watt here may very likely result in political reassignments.

Broadcasters here in any event are inclined to view Gaudrault as political appointee.

EMPHASIZING VISIO AT LONDON EXHIB

London, July 28.

Radio manufacturers are out to force the pace of technical change at the annual Olympia exhibition, Aug. 24 to Sept. 3, spotlighting the radio. Radio is liberally being shifted from radio to video. Whereas in former years, with cooperation of British Broadcasting Corp., radio has been boosted by special programs relayed from exhibition buildings, this year such support is to be scrapped and instead BBC will concentrate on there.

Covers, therefore, is seemingly likewise being against attempts to hold back television, as during the show five to six hours of programs will be shown daily instead of routine two hours.

Officially confirmed is story repeated way back that BBC would open second television station in Birmingham, serving English midlands. Now stated that special coaxial cable running north from London is in full working order that fact and further sections are being laid as far north as Manchester. Idea is to serve entire U. K. with one program from London.

Louis Morrisette, publicity director for Station CKAC, Montreal, back at his desk from two-week honeymoon.

Canadian Notes

CJCA, Edmonton, Canada, is giving free time to 'Ducks Under the Skins' in Banff, an American-Canadian movement to preserve wild game in breeding grounds around this area of Canada.

M. V. Chevum, manager of CKCK, Regina, and Fred Scanlon, manager of CJRM, Regina, off to annual meeting of Western Association of Broadcasters in Banff Springs Hotel, Banff, Alta., Aug. 8 and 9.

Key Gogan leaves CKCK, Regina, Sask., Sept. 1 to be married. Her place as editor of Women's Magazine in Regina will be taken by Marjorie Duff.

J. Walter Thompson, through All-Canada Radio Facilities, has placed True or False series of platters for Williams Shaving Cream Co. with CKCK, Regina, Sask., commencing Sept. 15 for 16 weeks.

Judge Rutherford From London Offered Yankee Air Stations on Sept. 11

Judge Rutherford's Watchtower Society is this week contacting 200 stations coast to coast to line up as much coverage as possible for a special one-hour live spot on Sept. 11. Date is a Sunday, and time is 10:00 a.m.

Broadcast will be rather unusual that Rutherford will speak from what is called 'London'. Telephone wires will be used to hop the talk across the Atlantic.

Acorn Advertising agency is buying the time for Rutherford, and dealing with the main with radio reps, buying where possible the entire lineup handled by each rep. However, around half of the stations in the country have bands against carrying Rutherford.

One-hour live spot is an annual with the Judge, whose mouthings are regularly purveyed to listeners via wire. Last September he was on over a hookup of around 75 stations from a convention of the Watchtower Society held at Columbus, O.

ENGLISH SALUTE NEW SCOTS TRAIN

London, July 31.

All BBC regional transmitters will cooperate on all-over the hookup for program dramatizing London Midland and Scottish Railway's crack 'Coronation Scot' train. Each region will contribute items relating to express's passage through its own territory, and material will be mixed in Manchester to go out through Regional and National stations on successive days, Aug. 17 and 18.

Ida was worked up by D. G. Bridson, who will trace train's daily itinerary through each region—London, Midlands, North and Scotland—with local production teams in each section. Scenes on the railroad, recordings on footplate, in the coaches and alongside the train will be used, and interviews with personnel. Music composed by Norman Fulton will be played by BBC Northern orchestra.

Whole program will be recorded for Children's Hour program Aug. 18.

Sets in Canada

Montreal, Aug. 9.

Final figures compiled by the Canadian Broadcasting Corp. for the fiscal year just ended show the sale of radio licenses in Canada at 114,207, a 19 per cent increase over the previous year. Canadian manufacturers estimate the number of radio sets in use at more than 1,500,000, pointing to the probability that thousands of sets are in use for which licenses have not been applied for.

Biggest increase in number of radio licenses is shown by the Province of Quebec, which accounts for 14.6 per cent of the total increase. Only province where a decrease in licenses is noted is Saskatchewan, probably due to the disastrous drought which reduced the wheat crop there last year to practically nothing.

PROVINCE	LICENSES, 1937	1938
Fries Edward Island	3,282	4,198
Nova Scotia	40,938	29,956
New Brunswick	27,253	29,956
Ontario	240,105	286,550
Manitoba	454,126	491,681
Saskatchewan	69,881	72,099
Alberta	58,193	62,538
British Columbia	72,658	124,841
Yukon and Northwest Territories	91,978	100,226
	306	386

CANADA WEB NOW HAS 45 STATIONS

Montreal, Aug. 9.

Canadian Broadcasting Corp. now reckons 45 basic stations on its trans-Canada network. Total stations that there will be a total of 54 stations affiliated with CBC before next year's fall. Last year there only 37 stations figured on the CBC basic network.

Understood that new additions to the network resulted from the sale of American programs which have been taken over by the CBC from privately owned stations. The American commercials attracted independent stations for revenue and the sustainer for potential radio listening interest.

With CBC shortly scheduled to expand its facilities still further through construction of international exchange programs, broadcast as well as American programs over the network, it is believed here that more privately owned stations will find it convenient to hook up with the CBC.

Emulates O'Daniel

Longview, Texas, Aug. 9.

Success of Lee O'Daniel, use of a hillbilly band in the Texas gubernatorial primary recently has led to imitations of the stunt.

Jerry Sadler, candidate for state legislative commission, has commenced using similar hillbilly outfit on KFRQ here as well as during his non-broadcast rallies.

LUCKY STRIKE HIT PARADE

Saturdays 10 P.M., EDT
CBS Network
FIFTH SERIES
CHARL HOFF
and
Starting in October
with
AL PEARCE
GRAPE NUTS
Mgt. MCA



Mgt. LOU CLAYTON

WENDELL WALL

Radio Originator
TWO MEN SHOW
WITH HENRY
NIGHTER OF CHERNOBYL
BIRD KING AND THE
COUNTRY BOY
CONCERT HALL
Address: 4551 N. Pauline St., Chicago

WJZ BLUE
LANNY GREY'S
WHYNOT SCHOOL OF MUSIC
THURS. 6:30 P.M. EDT

RAP SECRETLY IN COMPLAINTS

GOLDFISH BOWL JUST PROMISE

Washington Lawyers Increasingly Disposed to Challenge F.C.C. on Its Procedural Tendencies—Failure to Give Details Hurts

HUSH-HUSH

Washington, Aug. 9. Hush-hush manner with which the FCC handles program complaints and the legal right of the regulatory agency to rule on the propriety of programs are becoming important issues which threaten to sway the industry, via its legal musclepieces, against the Government in court proceedings.

Growing resentment since the goldfish bowl drive got under way last week has reached the point where the Communications Bar Association is laying with the idea of making a direct demand that the FCC put all the cards on the table, cease being fussy in a manner which gives innocent parties a black eye, and lay down some yardsticks by which the business can escape constant fear of harassment.

Felting that the FCC is decidedly right and employing improper tactics came to a head last week when the radio-called to defend themselves at hearing on renewal license applications—openly challenged the

Cutting Down

Philadelphia, Aug. 9. Everyone, even her boss, has been telling Mrs. Margaret "Mike" Schaefer, production director at WFIL, that she works too hard. So she's cutting down. Last year she wrote and produced a serial called "Just We Two".

This year she's doing one tabbed "Just Me".

right of the Commission to deny permits because of certain advertising matter which went out over their antennas. Put in the doghouse a month ago, WMBC, Detroit, and WMIN, St. Paul, through attorneys Phil Loucks and Arthur Scharfeld, agreed to participate in hearings under protest because the Commission assembly is proceeding without benefit of statutory authority.

Has the Power?

Legal fraternity is split on the question of whether the Communications Act gives the FCC power to investigate particular programs in reaching conclusion on the public interest proposition, but virtually all lawyers are becoming furious over the veil which the Commission throws around program complaints.

Evidence of this deep-seated feeling was shown when Scharfeld, on behalf of WMIN, demanded the Commission provide particulars about the way in which the law was fractured when "Prosperity Night" program was aired last spring. Over a period of more than four months, neither proprietors of the transmitter nor the legal spokesmen have been able to get detailed information. Pointing to the need of making thorough preparations for the forthcoming hearing, Scharfeld requested the FCC to furnish a record of all communications received by the Commission relating to the pending application for renewal of Station

WMIN's license and specifically showing the name and address of the person making the statement and the substance of such statement.

Columbus Injury

Another squawk about the unfair methods of the FCC is based on the misleading type of public announcements when stations are handed temporary licenses. Because of the secrecy thrown around investigations, it has been impossible on numerous occasions to find out the reasons why a regular renewal was withheld. Most recent example of injury worked by the vague statements in weekly summaries of Commission action is the case of WHKC, Columbus. Report of meeting July 27 showed the FCC ordered a hearing station's renewal plea and issued a temporary permit, but no reason was given. Looked as though this was another of the stations cited for some law violation. Real facts are that the hearing is occasioned by improper frequency shifts.

WHKC currently using 640 wanting to swap berths with WGBY, Youngstown, which is on 570.

Several other broadcasters have been wounded in the same fashion during the past few months, although as a result of repeated yelps Chairman Frank R. McIninch has partially lifted the secrecy lid in recent weeks. Basis of the loudest complaints is that the Commission frequently will not let licensees know for some time what sin they have committed. In one recent instance, three weeks after a formal announcement that a station would be required to present evidence at a hearing on its renewal plea neither the owner nor the legal front had been able to find out exact reasons behind the action. Considerable delay in learning the facts is the general rule.

Not Obeying Own Rules

This situation is brought squarely before the Commission by Scharfeld's letter in the WMIN case. Only tip which the station received was a letter dated April 29 stating attention

McIninch's Health

Washington, Aug. 9.

Showing marks of long period flat on his back, Chairman Frank R. McIninch visited his FCC office for a few hours last week and then departed for a seashore vacation to replenish his strength.

Expected to be back at the desk regularly about the middle of the month, but probably will have to take things easy for a while.

had been called to certain weekly broadcast. Asking details, Scharfeld remarked that the renewal application apparently was set for hearing on the basis of communications to the Commission of which the station has had no prior notice and with respect to which it is entitled to be informed under Order No. 25. The FCC isn't living up to its own regulations, the barrister hinted by pointing to one of the McIninch goldfish-bowl decrees which directs the Secretary to keep a record of every communication, listing the name and address of the sender, pertaining to the merits of any application requesting the granting, renewal, modification or revocation of any license or construction permit.

Right of the FCC to accept broadcasters with prior programs has been raised before, with the courts holding it is proper to consider general calibre of service in determining whether the public interest is being served. Precedents are the gagging of Norman Baker, Dr. John Brinkley and Rev. Bob Shuler. But lawyers still question whether either the statute or these opinions authorize the Commission to cite stations for only one or two programs which may be controversial.

A new basis of opposition to the FCC prohibition crusade has been unearthed in the WMIN and WMBC

matters. Besides questioning whether any law gives the Commission jurisdiction over the nature and character of the program service, Scharfeld has protested the Commission clearly lacks power to enforce the anti-lottery clause of the Communications Act (Section 316). For years, the FCC and its predecessor have gone blithely ahead on the assumption that airing of traffic and chance programs was evidence that the public interest is being slithered.

Section banning lotteries over the radio is specifically penal in character and enforceable only by the appropriate authorities in the district where the offense is alleged to have been committed. Scharfeld said in regard to both the WMBC and WMIN citations, which are based on prize contests. District attorneys should hale offenders before Federal courts, which are empowered to slap on punishment to the extent of \$1,000 and one year for each day the statute is violated, Scharfeld contended, and the Commission has no right to chastise offenders through an administrative proceeding.

Other demurrer in the WMIN and WMBC appearances is the claim that the notice of hearing is insufficient because charges are not set forth with particularity. Regulators failed to respect the due process clause of the Constitution and the proprietors are unable to learn what specific matters will be taken up at the hearing, document noted.

WJJD Charges

Meanwhile, the Commission law department finally made known the exact charges against WJJD, Chicago, which was ordered to a hearing three weeks ago. Complaint based on two of the programs which were thrown at WLW, Cincinnati, last month during the superpower hearing. Kolorbak (hair dye) and Cystex (proprietary remedy). Whether these medicinal advertisements are in the public interest is the central issue to be determined in the WJJD case.

JERRY COOPER

Now Appearing at
LOEW'S STATE, NEW YORK
(Week of August 4th)

- * "Recommended, Jerry Cooper, grand voice."
—Ed Sullivan, New York City News.
- * "Jerry Cooper has established himself with his voice and affability."—J. E. (Dinty) Doyle, New York Journal-American.
- * "Recommended: Jerry Cooper's baritone on any program."—Nick Kenny, New York Daily Mirror.
- * "New Yorkers to Jerry Cooper's vocalizing."—Walter Winchell.
- * "Jerry Cooper has an exceptionally fine baritone singing voice and is thoroughly at ease when it comes to handling dialogue."—Ben Gross, New York Daily News.
- * "Should have no trouble pleasing anybody anywhere."—Billboard.

Guest Appearance
FORD SHOW

Address All Communications to
GEORGE B. EVANS
1775 Broadway
New York City

ONE YEAR
HOLLYWOOD HOTEL

Transcriptions
DRENE • DREX

CBS

Maestro's Method to Up Patronage Is His Own Pvt. Phone System

A business-entertaining system through personal contact is being developed by Lee Myles, orchestra leader at the Coconut Grove, atop the Park Central, N. Y., with results so far, after a few weeks of experiment, having upped the patronage for the roof spot. Myles will continue the plan as far as possible.

Maestro figured that if he could meet people who come to the place, getting their names and possibly their business, without in any way offending, he could tabulate the names, together with phone numbers, etc., so that after a week or so, had they not returned to the Coconut Grove, he could call them up. The idea is one which basically provides a lure through personal contact and interest, with Myles or an assistant telephoning indexed former patrons, asking why they hadn't been up lately; they'd all be glad to see him again; it's so hot, come up and cool off, etc.

The idea is working out satisfactorily, with customers doing a repeat on such bidding. Among other things, the personal interest of an orchestra leader may appeal to the average patron.

Cantor Sponsors Vienna Refugee After Boat Debut

Ruth Hilde Sommer, refugee pianist whom Edie Cantor accidentally met and introduced at the ship's concert of the S.S. Normandie when returning to America recently, has been made a protégée of the comedian.

Franklin Sommer's delicate click on shipboard prompted Cantor to introduce her to the William Morris agency for her U. S. professional career.

Henry King signed for a sequence in Selly Rand's picture, "Murder on Society Boulevard" at Grand National.

Melchior's Air Dates

Laurits Melchior, due Sept. 8 from Europe, has been set for spot radio dates during the winter. First will be Sept. 10 for Lucky Strike.

Immediately after that he goes to British Columbia for hunting, and opens his concert tour in Winnipeg early in October, returning to the Met Opera for the season opening in November.

CONCERTS AIRD IN ST. PAUL BY KSTP

KSTP Friday (5) night pop concert to NBC's red network. Series continues through August, from the municipal auditorium.

Leo Kopp, Chicago City Opera conductor, is baton-waver for the pops, whose orchestra is comprised of 68 music makers from the Minneapolis Symphony. Tying in with the orchestra is the St. Paul Civic Opera Assn. chorus and soloists, and in addition—all for a \$6c top—there's a figure skating revue headed by Robin Lee, national senior champion.

Concerts are held every Tuesday, Thursday and Friday night, though only the Friday ones are broadcast. Jackpot is cut four ways: St. Paul Figure Skating club, St. Paul Civic Opera Assn. Musicians' Assn. and City of St. Paul, which owns the auditorium.

SONGS FROM ROBBINS

The Sensation of The Century!

A-TISKET A-TASKET

By Ella Fitzgerald and Al Feldman

America's New Novelty Hit!

WHEN THEY PLAYED THE POLKA

Words by Lou Holzer Music by Fabian Andre

The Year's Foremost Production Hit!

I MARRIED AN ANGEL

By Lorenz Hart and Richard Rodgers
From the Musical Comedy, "I Married An Angel"

A Rodgers and Hart Melodic Classic

SPRING IS HERE

From the Musical Comedy, "I Married An Angel"

Hits a New High in Swing!

LULLABY IN RHYTHM

By Benny Goodman, Edgar Sampson, Clarence Profit and Walter Hirsch

From the 20th Century-Fox Picture, "Little Miss Broadway"

HOW CAN I THANK YOU

By Walter Bullock and Harold Spina

From the New Universal Picture, "That Certain Age"

MY OWN

YOU'RE AS PRETTY AS A PICTURE

By Harold Adamson and Jimmy McHugh

ROBBINS MUSIC CORPORATION

799 SEVENTH AVENUE • NEW YORK

Following is a totalization of the combined plays of current tunes on WEAF, WJZ, WABC and WOR computed for the week from Monday through Sunday (Aug. 1-7). Total represents accumulated performance on the two NBC radio nets, CBS and Mutual from 8 a. m. to 1 a. m. In "Source" column, * denotes film song, *1, *2, *3, *4, *5, *6, *7, *8, *9, *10, *11, *12, *13, *14, *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, 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The **CHICK** *that lays the Golden Eggs!*



Roosting at the **N.Y. PARAMOUNT THEATRE**

WEEK OF AUGUST 10TH

WITH HIS ORCHESTRA

\$

"America's Greatest Swing Band"

\$

FEATURING

ELLA FITZGERALD

Creator of the Sensational Song

"A TISKET - A TASKET"

\$

NO NEST TOO BIG FOR THIS ATTRACTION

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Dance Direction

Personal Representative

Theatre Direction

CONSOLIDATED RADIO ARTISTS, INC. • GALE, INC. • WILLIAM MORRIS AGENCY

On the Upbeat

Frank Bailey to Nicotell hotel, Minneapolis, Aug. 11 for ROK.

Sagar Kelly band set at Adolphus hotel, Dallas, for two weeks starting Aug. 26.

Al Donahue stays at the Rainbow Room, Radio City, N. Y., until Jan. 20, '39.

Clyde Lucas plays Hamill's Million Dollar Pier, Atlantic City, N. J., Sept. 5 to 11.

Lanny McIntire set at Seven Seas, Hollywood, Cal., indefinitely.

Benny Meroff into Toppy's, Hollywood, Sept. 14.

Gleam Miller plays Ocean Pier, Wildwood, N. J., Aug. 17 to Sept. 2.

Horace Helde's theatre tour hits Palms, Milwaukee, Sept. 2; Orpheum, Minneapolis, 9; Orpheum, Omaha, 23 and Tower, Kansas City, 30.

Sande Williams into Carlton hotel, Washington, D. C., Sept. 18 for MCA.

Buddy Fisher opens at the 400 Club, Wichita, Kan., Aug. 10 for CBA.

Kidde Condon opened at the Pines, Pittsburgh, Pa., Aug. 8.

Bob Grayson set at Riviera ballroom, Lake Geneva, Wis., starting Aug. 7.

Mike Riley plays for Woodmere Country Club, Woodmere, L. I., N. Y., Aug. 13.

Georgia Trio booked at Fort Hayes hotel, Columbus, O., Aug. 15 by CBA.

Earl Melton band open at Gray Wolf Tavern, Sharon, Aug. 15.

Guy Lombardo does a three dayer for Steel Pier, Atlantic City, Aug. 28-29.

Jan Garber plays Strand theatre, N. Y., under new policy Sept. 30.

Precedes with Tower, Kansas City, Sept. 2; Lyric, Minneapolis, 9; Stanley, Pittsburgh, 16; Earle, Washington, 23.

Frankie and Johnnie band opened at the Shamrock hotel, Rochester, N. Y., Aug. 9.

Red Narve and Mildred Bailey into Pennsylvania hotel, N. Y., Aug. 22.

Sammy Kaye plays for Commodore hotel, N. Y., starting Sept. 30.

Benny Goodman plays Chicago theatre, Chicago, Sept. 2 and the Tower, Kansas City, Sept. 16.

Buddy Russell's cocktailers opened at the Fontaine hotel, Omaha, Neb., this week.

Lewry Clark's band and Mansion, Youngstown, O., merge Aug. 13.

Phil Harris one-nights at Valley Dale, Columbus, Sunday (14).

Jimmy Joy's orchestra opened return engagement at Bill Green's, Pittsburgh, Friday (5), succeeding Charlie Argue, who moves to Cincinnati spot after 10 weeks at Green's. Placed by MCA.

Jimmy Peyton has had option picked up at Plaza Cafe, Pittsburgh, until March 1, 1939. Band has been there now for more than six months.

Lake Riley regular staff band at station WJAS and on two-month summer leave from that station, into Crest, near Pittsburgh, for month's stay.

Four Camlages, novelty band out of Pittsburgh, to Whitecap Cafe, California island, for remainder of summer.

Carmela Calhoun replaced Maxine Grey as singer with the Skinkin Ennis band at the Victor Mugo, Beverly Hills.

Candy Canale and his Swinging Strings opened last Wednesday (3)

at the Ray Haller's seven Seas in Hollywood.

Mervin Ratley and 58-piece orchestra dubbing the musical score of Hal Roach's 'Blockheads'.

Lee Reisman signed for an extra week at Coconut Grove, Los Angeles, winding up Sept. 5.

WORST SEASON FOR DELL IN PHILLY

Philadelphia, Aug. 9.

With only one week left to go in its eight-week season of all fresco concerts, Robin Hood Dell is closing the worst year in its nine-year history. Joy Pivius has been the cause of the bank financial showing by sponsoring co-Phil Orchestra members. With completion of the season held tonight (Aug. 9) of 35 sketched concerts will have been called off. Several were given in weather so threatening that audiences were negligible.

Gross of about \$80,000 last season, with each of the 50 men participating a salary of approximately \$50 a week. Will probably wind up at about \$60,000 this year. Another loss was taken due to a local department store failing to repeat last year's scheme of buying out completely all Sunday night concerts for customers and employees. While six concerts a week were given last season, only five were scheduled in 1938.

Difference in the net, however, won't be so great, as expenses had been trimmed by about \$10,000. There have been fewer high-priced soloists and fewer pretentious opera and ballet performances. This resulted from the fact that the season was planned early in the spring when winter recession was greater than at present.

SOFTBALL FOR FUN AND PUBLICITY IN N. Y.

Kay Kyser's sweet crew finally got around to swinging Sunday afternoon (7) in Central Park, N. Y., swinging at the screw-ball deliveries of George Warde, forgotten tort for Johnny Mesner. Outlets laughed in a hot session of softball with Kyser's swingers taking the short end of the 'score', 8 to 2.

Mesner's 'Mudcats', Kyser's 'College Kids', Henry Busse's 'Bombers', and Hal Kemp's 'Kannonballs' were scheduled to square off in a doubleheader. Sweet was swung was not the issue. But the Kannonballs proved to be very large ducks by ducking the setup.

Nightcap was rained out, much to the delight of Busse's cats and disgust of Mesner's Mudcats, with the 'B' holding down a close lead of 11 to 0 and none out in the second inning.

Games were the first of regular scheduled sessions between various ball orchestras. It's thought to develop 'em into winter attractions with the backing of Bill Hearst, Jr., using armies as playing fields, and proceeds forked over to Hearst's Free Milk Fund for Babies.

JEAN TENNYSON RACK

Jean Tennyson, Chicago opera soprano, returned to the U. S. last week from Europe. Left to fill a concert date at Grant Park, Chicago. Miss Tennyson, who's been singing on the Continent, is set for a radio date Aug. 19 on the Cal Tinney show.

15 Best Sheet Music Sellers

(Week ending Aug. 6, 1938)

Music Maestro, Please.....	Berlin
I Let a Song Go Out of My Heart.....	Mills
'Says My Heart.....	Famous
A-Ticket A-Ticket.....	Robbins
When They Played the Polka.....	Robbins
Calaburn in the Pine.....	Berlin
I Hadn't Anyone Till You.....	ABC
1 Married an Angel.....	Robbins
Ten Gonna Look My Heart.....	Shapiro
'Now It Can Be Told.....	Berlin
There's Honey on the Moon Tonight.....	Miller
'I've Got a Pocketful of Dreams.....	Shapiro
Tu-Li Tulip Time.....	Chappell
Little Lullaby.....	Olman
With Mother Nature Singing Her Lullaby.....	Sandoy

* Indicates financial song. * Indicates stage production song. The others are pops.

Inside Stuff—Music

Current novelty hit of England and a smart-set rave on the Continent is 'The Lambeth Walk' out of 'Me and My Girl', the Lupino Lane musical in London. It's almost a year old, the show starting poorly, but the song pushed it into the hit class, somewhat paralleling Harry Archer's 'I Love You' song hit for 'Little Jesse James', and kindred instances around Broadway in former years. Reg Connelly's Campbell-Connelly firm owns the tune which Mills Music has in America. Letty is holding it back until a suitable spotting opportunity.

'The Lambeth Walk' refers to the Lambeth district in southeastern London, a sort of the local Bowery. The exaggerated 'tough' manner of walking in Lambeth inspired the title. The 'hey' catchphrase is a local idiom. From that comes the special type dance, which is a sort of modified big apple. Reg Connelly is due over in America in September on new music deals with U. S. publishers.

Harms, Inc., has obtained the renewal rights to 'Somewhere a Voice is Calling Me' from Arthur Tait and the estate of Eileen Newton. Right to renew becomes due April, 1939. There was intense competition from American publishers for the renewal rights to the song, which has not only as a major radio performance-getter but a substantial sheet seller. 'Somewhere's' original publisher is Edward Ashdown & Co., of London, with Harms holding the American agency to the tune. Renewal deals, the American rights were worked out with the approval of the Ashdown firm.

Wayne King has deflected a new song, 'Lee, Pass the Biscuits, Please' His orch' introduced the piece on its Lady Esther commercial over CBS on Monday (8) night.

Song was written as a salute to Lee O'Daniel, the Texas four salesmen-turned-politico who fortnight ago triumphed in that state's gubernatorial Democratic primary, for which he campaigned with a hillbilly group.

Fred Waring is seeking an all male capella choir to be featured on his program which starts for Bromo-Seltzer in the fall. Robert Shaw, brother of Hollis Shaw, will direct.

Advertisements were inserted in New York Herald Tribune and Times Sunday (7) for applicants. Waring wants only college men, preferably those formerly connected with school glee clubs. Wants 20 men for his choral group.

Hal Kemp celebrated the 12th anniversary of his first radio broadcast last night (9) on his Griffin commercial. Leader was scheduled to play part of the original program played Aug. 9, 1926, over WSB, Atlanta.

Only three members of Kemp's original seven-piece crew are still with him. Saxie Dowell, sax; Ben Williams, clarinet; and Kemp himself are the trio.

Deal between American Society of Composers, Authors and Publishers and 1929 Golden Gate International Exposition in San Francisco was set. Deal calls for a 10-day tour between the Exposition and the Golden Gate last week. Buck is moving to Frisco with family for two months next summer during Fair.

All-America Jive

Paul Whiteman discourses on All-American Swing in an early issue of Columbia.

Dean of jazz likes the all-time, all-American swing band as a feature of his mag article.

Jimmie Lunceford orchestra plays three day date at the Palisades, N. Y., Sept. 3-5. Southland Cafe, Boston, gets out-of-town, opening Sept. 21, for four weeks with options. Latter spot crew gets a Mutual wire.

Bill Barde orchestra opens a four-day stay at the Orpheum theatre, Memphis, Aug. 12, then hops to Fort Worth for a date at Lakewood Casino, opening Aug. 18.

Lotte Lehmann to Guest

For Crosby, Magic Key

Lotte Lehmann, arriving today (Wed.) from Europe on the Clanplain for her first summer visit to this country, has been signed to guest on the Bing Crosby program, in addition to bookings set for Magic Key, among other air programs. Exact dates aren't set. She will fill concert engagements Aug. 16, Colorado Springs; Aug. 20, Santa Barbara; Aug. 25, Milwaukee; and Aug. 30, Hollywood Bowl. Opens her regular fall tour Oct. 13 at Wellesley, Mass. Miss Lehmann will again appear with the Met Opera this winter, and is booked for another lengthy concert dates of Australia next spring. So prano also expects to concert final proofs of her autobiography, 'Midway in Life', which she is now writing. She also plans to take out her first citizenship papers here. She arrived with her four stepchildren.

BERLIN-BULLETIN

IRVING BERLIN'S NOW IT CAN BE TOLD MY WALKING STICK

Two hits from New York's record-breaking picture, "ALEXANDER'S RAGTIME BAND"

A Darryl Zanuck 20th Century-Fox Production

Another Irving Berlin sensation, RKO's musical production "CAREER" starring FRED ASTAIRE and GINGER ROGERS, with four new songs.

I USED TO BE COLOR BLIND THE NIGHT IS FILLED WITH MUSIC CHANGE PARTNERS

THE YAM

(The new dance sensation created by Fred Astaire and Irving Berlin)

HARRY LINK, Gen. Prof. Mgr.

IRVING BERLIN, Inc., 799 Seventh Ave. N. Y.

THE SMASH NOVELTY HIT

STOP BEATIN' ROSE OF THE MULBERRY BUSH

By JACKIE REICHER and CHAD BOLAND

BREGMAN, VOCCO and CONN, Inc., 1619 BROADWAY, NEW YORK

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Continued on page 55)

THEATRE

Equity Declines Ruling in Case Where Danish Actress Was Fired

Story from the Coast concerning a left play on Broadway in which Miss Skoubo is a Danish actress who is said to have been fired after being engaged to play in "I Am Different," which is a play by Tullulah Bankhead. The artist is Miss Skoubo, who was fired by a Christian Ditley Revelland, said to be a kin of the nobleman name of Barbara Hutton. Equity was asked to intercede but Miss Skoubo was not a member, no action will be taken. Actress and her husband are reported to have been about to embark for Copenhagen when Joseph M. Galties, who is president of the play with Lee Shubert, prevailed upon her to remain and play a secondary lead. After three days rehearsal, Galties told her that she would not do.

Miss Skoubo, who is said to have played in Scandinavia, claims that she was fired from the Coast had involved a heavy financial loss. Her luggage had been seized the day since she was allegedly induced to stay within 10 minutes of sailing, shipping people refused a refund on the charge, which cost \$800, on the grounds that the time between cancelling and sailing did not provide enough opportunity to resell the reservation. Given a building, Miss Skoubo is reported to have been \$1700 in Scandinavian days for the play.

Miss Skoubo speaks English so well, that she attracted the attention of Galties and Miss Bankhead, who is said to have complimented her when the Danish actress read her (Miss Skoubo's) part. Understood that Galties sought a modification of her play contract if and when the play reached Broadway, which would call for her services for the next six weeks after the play's opening. However, instead, he is said to have given a minimum of five months, at the run of the play. Manager and the husband of the player claim that she was fired for the reason that she was a Danish girl's appearance in special matinees during the run of "I Am Different." Miss Skoubo to play the lead in review which brought her note. For such appearance she was reported to get a guarantee and "I Am Different" clicked, 2% of the gross over \$500.

It appears, however, that she came under a visa from a New York, and having no quota number, may not be able to legally sustain the claims she mentions against Galties. That she would have been permitted to appear under Equity rules no quota number, as she had no quota number and therefore was not subject to be become an alien member.

An "I Am Different" was written by Lili Hayward and adapted by Zoe Akina. Later, she has not been represented on Broadway for some seasons. From the time that Miss Bankhead was "thrilled" by the performance of the Danish girl's speaking, she claimed that she had no verbal notice but Equity ruled that she had no standing to intercede for a non-member in any period for usual engagements is the day.

3 SUE FOR \$25,000 IN THEFT OF 'HATTI'

William DuBois, Jr., Maurice Clark and James R. Ullman were named as defendants in a plagiarism suit filed in N. Y. by Martin B. Jones, a demand Halleran, who claim that they were Federal Theatre Project "Hatti," was thefted from the Halleran and untitled time by the Halleran in 1933. Suit for \$25,000 damages and an accounting of profits on the play.

An injunction to stop further performance of the play is currently at the Lafayette, N. Y. court. The action, the defendants deny copying any part of the play. The story, also, that "Hatti" is a "Hatti" play, which has been in the public domain for years.

Literal Equation

A. H. Woods has had considerable difficulty casting the three lead roles for his forthcoming production of a play by J. H. Harris, due in November on Broadway. Reported that the players, must be "exceptional" for the portrayals. "Title is 'The Unusual Three'."

EASE PLOTTING CHARGES VS. FIP

Charges of subversion within the five arts projects in WPA's New York area, now under Congressional investigation, is not expected to include the Federal relief theatre, except in isolated instances. Radicalism within the project has been alleged a number of times, but never substantiated.

Miss Flanagan, national director of WPA's theatre, who as drama instructor at Vassar college, has been regarded as being "pink," has denied more than once that red influenced activities of the relief stage. Miss Flanagan has not been the subject of any investigation of activities emanating from the Federal Theatre Project in the metropolis. However, the project has been criticized from Paul Edwards, administrator for the five arts units. He has ordered that any who are anxious to testify before the probing committee to be ready, on call, to leave for Washington, to aid the investigators with any information.

The theatre end was not specifically mentioned when subversive methods were alleged to exist in the arts projects. Committee is reported to have been informed that the writers unit is mostly involved. But Edwards denied that last week. Equity's WPA committee has said that radicalism had not been charged by its members.

ST. L. AL FRESCO SEEKS 200G IN IMPROVEMENTS

Plans are being drawn to apply for a \$200,000 grant from the Public Works Administration to help defray the approximately \$250,000 cost of improving the municipal theatre in Forest Park. Proposed reconstruction of pergolas, etc., the al fresco theatre, when completed, will be planned before the start of the current season, were ditched when bids ran far above the previously estimated \$100,000 cost.

Baxter L. Brown, president of the Board of Public Service, said he representative plan, being worked out by the city and execs of the Municipal Theatre, calls for a new theatre to furnish funds, to cover cost of construction, to the city, which then would apply PWA for 45% of the project's expenses. The unexpended portion of the money turned over to the city by the PWA, would be returned to the latter upon the completion of the work. Should PWA make the grant, the work probably will be started this year.

5 Shows for Det.

Although opening play and date has not been set yet, the city's new town's lone legit, has booked George M. Cohan's "Ed Ditcher Be a Sailor," "Amphitruo 39" and "Sea Gull," "Susan and God" with Gertrude Lawrence, and "Of Men and Mice" for the coming season.

NEW BACKERS FOR THE HORROR

See \$100,000 Outside Money for Five Playwright-Producers—Hollywood Still Hands-Off—Possibility of \$1,000,000 Combo of Biz-men

LONGER SEASON AIDS

With the first gleanings of new season plans come words that new backers outside of show business will be on the Broadway scene this fall. However, there's no indication that Hollywood will change its hands-off attitude on legit support.

First definite info that some shows will be bankrolled from outside the ranks comes with the activities of five name playwrights—Maxwell Anderson, Robert Sherwood, Elmer Rice, S. N. Behrman and Sidney Howard. Agreed that each puts \$10,000 in the pot to finance the start. As much more is to be invested by others, not known to have been in the project, has been agreed.

Group bases its production budget on a \$100,000 b.r. but it is estimated that its first two shows will not require that much expenditure. The authors, however, intend operating with a surplus. Rice is the only one who heretofore has produced on his own. Among those said to have produced since are Howard S. Cullman, vice-president of the Port Authority of New York, who was reported to have produced "The Sign of the Cross" and John Wharton, an attorney, who has several showings as clients notably the name dramatist.

ATC Facility

Publicly favorable to show business is expected again to accompany the American Theatre Coalition two-day convention in New York, Sept. 12-14. When it was indicated that there would be no convention this year, there were show people who vigorously protested among them being William A. Brady. This year's party, around the start of N. Y. World's fair season of 1939-40, is figured to attract as much attention and it may be a magnet for outside investors.

Last year, a banker in the Times Square district attended all sessions and saw possibilities for investment from the bank with which he is connected, but from a coterie that he formed. The year 1938 season got started so slowly that the idea went on the shelf. This autumn, (Continued on page 52)

Expansion of TMT Held Too Rapid—Slowing Its Progress and Clouding Future; Plan Group Semi-Autonomy

An Angel's Tailor

Backstage attendant from the Shubert theatre, N. Y., was seen recently carrying the celestial wings worn by Vera Zornin in "I Married an Angel." Just taking 'em to the cleaners, he explained to startled passersby.

MTAT TAKES 2 B'WAY HOUSES OVER RULE

Theatrical Managers, Agents and Treasurers' union, started picking two Broadway theatres, the Astor and Loew's 54th Street, while "Marie Antoinette" (M-G) does not open at the Astor until next Tuesday. The union figures to take the advance sale. The State is being picked because Metro, also owned by the producer of "Antoinette," MTAT states that Metro refused its recognition. Union claims jurisdiction over the staff and artistic decisions in a road show, admission to which must conform to legit show, reserved tickets being sold, rather than the strip ticket system of regulation theatres.

Union contends, therefore, that only executive staffs, press agents and company managers, who are members of the MTAT, should be engaged. An entire new draft of the revised constitution of the Theatrical Managers, Agents and Treasurers union is being written as the result of the second day of the extended annual meeting last week. On the first day there was so much difference of opinion that the future of MTAT was clouded. Wednesday (3), there were a couple of near-fistic encounters, then order prevailed and a committee was named to devise the new proposed constitution. Group is to report back not later than Aug. 24.

Difficulties facing MTAT appear to have arisen through too rapid expansion. When in dispute panned down, more logical heads pointed out that any organization which grew from 400 to 1,100 (that was the current membership) within one year would be bound to find that the mechanism on the original scale would be unworkable. That particularly applies to MTAT because of its varied nature. There were suggestions that the divergence of interests would make harmony among the members in dispute. That a solution of the problem is being worked out.

Evening according to the plan, would have autonomy up to a certain point. Idea of merging all into uniform membership has been dropped as impractical because of the variance in the wages or salaries which members in dispute have set as minimums, established in the basic agreement with the managers. The union also has been asked the appropriation of the group's funds, taken in largely through initiation fees. There was no hint that it had been used improperly. Around \$36,000 was expended during the past year. The union has no hint that was formed. Considerable coin was used for organization, including recruiting of California racetrack ticket sellers and picture house managers.

W. Y.'s Radio Station Offered, Gratis, To B'way Legit Mgrs.

Wave of economy, including lowered stipends of the entire staff, has been decided upon at the start for this summer. With the new season, and more consistent payments of dues, (Continued on page 52)

Fresh Coin Needed by TMT, AFRA As Organization Drives Dent Firms

Cost of organizing the newer actor unions and others in show business has exceeded original estimates with the result that at least two seasons have sought fresh money to bankroll continued organizational drives. They were reported that the American Guild of Musical Artists and the Theatrical Managers, Agents and Treasurers Union, AGTA, also a new law, expended \$35,000, or more, in the past year.

MTAT's board met last Friday (5) to discuss a solution after it was made known that funds were too low. When the Equity drive started in force. Early aid was received, amounting to a \$2,500 loan, from 30 members. TMT also had the backing of affiliate unions; AFRA has, last year, formed a new law, but no over jurisdiction of radio to the new affiliate of the Associated Actors and Artists, who are said to have agreed that AFRA would require financing. At the time, Equity guaranteed to advance \$12,500 or more to the radio

union, with the Screen Actors Guild lending the same support. Additional money was needed, and the Equity Council decided to offer other \$5,000 loan was okayed to AFRA. SAG is believed to have followed suit. Federal report that the American Guild of Musical Artists also figured in supporting the radio union. AGTA, also a new law, in good condition financially.

From a near scratch, AFRA has fluctuated between 3,000 and 4,000 members. The ultimate aim is 10,000. Radio union in recent years has a basic agreement with the National Broadcasting Co., took its most important step forward since its formation. For so new a group to secure recognition from the air chain is a comparatively short time had been regarded skeptically.

One of the most friendly gestures made Broadway by New York city authorities came Tuesday (9) when License Commissioner Paul Moss offered the use of the municipal radio station WNYC to the League of New York Theatres. He was accompanied by New York's League manager of the station, and so enthusiastic were the managers over the idea, that they visitors to yesterday's League meeting were given a write of thanks.

Rehearsals Planned For Connelly Comedy

Mare Connelly is putting the final touches on a new comedy, "The Girl Who Came to Stay," which she has fitted which by plans to perform at the New York City Theatre. She has rehearsed next month under her own direction. Three other plays are also scheduled on the Connelly list for the next season. She was dramatic until last year. Since then the membership has grown from 100 to 1,100. However, it has not AFRA's fertile field.

OBITUARIES

WARNER OLAND

Warner Oland, 57, Charlie Chan of films, died Aug. 6, in Stockholm, Sweden, of bronchial pneumonia. He was taken while preparing to sail for America to start work in the 18th picture of the 'Chan' series in the picture lot.

He had been in ill health since last spring when he called quietly aboard a steamer for Italy, where he spent his strength during a summer in Europe.

Born in Sweden, Oland came to America when he was 13, made his stage debut with a Sarah Bernhardt company, played a season with Nazimova and lost his savings producing his own plays at the Hudson theatre, New York.

His start in the films was in the role of the Madonnini with Trade Bars for William Fox in 1906. Most of his picture career was spent with Fox and later with Famous Players.

International note came to him in the Charlie Chan series, which he began in 1919 and played exclusively until his death. 'Charlie Chan in Monte Carlo' was his 17th and last.

In Loving Memory of My Dear Wife

MAUDE RYAN

(August 16, 1898)

CHAS. INNESS

WM. T. RYAN (BROTHER)

He was getting ready for 'Charlie Chan in Honolulu' when the end came.

Oland left extensive land holdings, including a farm in Massachusetts worth \$600,000 acres of property in Mazatlan, Mexico. His wife, the former Edith Shearn, died a separate intestate suit in California last year. A reconciliation was being effected.

JOHN G. BLYSTONE

John G. Blystone, 45, film director, for past 17 years, died suddenly Aug. 6, of a heart attack at the Beverly Hills home. He died the same day Warner Oland, whom he directed in the last picture, expired in Sweden.

A native of Wisconsin, he went to Hollywood after being selected by the University of Wisconsin, and broke into films as property man in 1916. After a brief anticlimax as a director he was given his own meg and during his career directed such stars as Will Rogers, Clara Bow, Richard Barthelmess, Miriam Hopkins and Jane Withers. In 17 years director he turned out 100 pictures. When stricken he was preparing 'Capitan Midnight' at Roach Brothers, where he recently made 'Swiss Miss' and 'Blockheads,' with Laurel and Hardy.

He leaves a wife, two daughters and a brother, Jasper, who is an assistant director. Services and burial at Burbank, Calif., Aug. 9.

JAMES N. MCGRAH, JR.

James N. McGrath, Jr., stage manager of the Seymour Theatre, Pittsburgh, and for many years at the Carnegie theatre here, died of an aneurysm during his 12th holiday, died at his home in that city Aug. 4 after a long illness.

While at the Alvin, he met and became intimate friends with such celebrities as Edna St. Vincent Steele, DeWolf Hopper and Harry Lauder. Active in affairs of the Carnegie union, he had recently operated a vaudeville booking agency in a downtown Pittsburgh office building.

He was a bachelor and leaves one sister, Mrs. Mary Gallagher, and two brothers, Edward and Frank.

N. T. LE ROY

Nat Le Roy, 73, died with his wife, Minnie Woodford, performed as a comedy team in vaude thirty years ago, died from a lingering illness at his home in Astoria, La., Aug. 2. He suffered a nervous breakdown at the height of his career and retired from the stage to devote his time to writing scripts for actors.

Directed by his wife and a daughter, Dorothy. Interment was in Ferncliff Cemetery, Harlside, N. Y.

CONSTANTIN STANISLAVSKY

Constantin Stanislavsky, 75, of the Moscow Art Theatre, died in Moscow. He suffered a heart attack.

Founder of the theatre under the Czarist regime, he returned to his position when the Soviets took over. He was decorated with the Order of Lenin, the Red Banner

and the title of the People's Artist. The 30th anniversary of the founding of the project was celebrated with much pomp in 1928 and he was awarded a state pension.

ABRAHAM CHERMASINSKY

Abraham CHERMASINSKY, 62, onetime conductor of Romy opera house in Moscow, composer and actor in an early film, died Aug. 3 in Los Angeles. His children, whom he tutored; are well known.

Surviving are his sons, Leo, Jan and Michel, who formed a concert trio with the violinist, Mrs. Clara Friedman, singer. Services and burial in Hollywood Aug. 6.

JOHN FRANCIS KNOTT

John Francis KNOTT, 39, of the vaudeville and night club team of KNOTT and Bennett, "the tiny team with the tiny piano," died July 27 at his home in Youngstown after a brief illness.

His widow, a son, mother, two brothers and a sister survive. Body was taken to Cleveland for cremation.

CHARLES A. LOQUE

Charles A. LOQUE, 48, screen playwright, died Aug. 2 in Venice, Calif., after the months' illness. He was World War reporter, he had been with correspondent and author before taking up scenario writing. In his long Hollywood career he wrote plays for several studios and was editor-in-chief at Universal in 1931. Surviving is his widow.

JOHN AASEN

John AASEN, 51, circus giant, died Aug. 1 in Mendocino, Calif., after a long illness. He was with the Barnum & Bailey circus more than 25 years and at one time played in pictures with Harold Lloyd. He was eight feet nine inches tall and at one time weighed 500 pounds.

Surviving is a sister.

BILLY DOOLEY

Billy DOOLEY, 44, vaude and screen player, died Aug. 4 in Hollywood after a heart attack. He has been in the show business for 34 years, formerly as a vaudeville headliner and later as a screen actor in comedy series, "The Goofy Goo." He had been freelancing in pictures for several years.

Surviving are a brother and sister.

SAM SEWER

Sam Sewer, 42, sales and advertising mgr. of the popular division of the Warner Bros. studio publishing combine, died suddenly of a heart attack Tuesday (9) in New York. His wife and five-year-old son survive.

Details in the music section.

LUCIEN VAN NOZ

Lucien Van Noz, 72, former translator of musicals, died at Metropolitan Opera house, died Aug. 1, in Mount Vernon, N. Y. He came to this country from France 28 years ago and lived in New York until recently. No survivors.

CLARK TWELVETREES

A married soloist who recited Sunday (7) in the Chicago theatre, died Aug. 3 in Twelvetrees, 34, yesterday (9) in New York.

He was the divorced husband of Helen Twelvetrees, film player. Surviving is his widow by a second marriage.

RUSSELL G. KNEISLY

Russell G. Kneisly, 51, Akron, O., outdoor showman, died in People's hospital there Aug. 3. He had been a second married man.

His widow, stepfather, a sister and five children survive.

LAWRENCE KORTS

Lawrence KORTS, 36, a song-writer, committed suicide Aug. 9 in Central Park, N. Y., with a rifle shot. Some of his lyrics were found beside him.

Of his songs, "This Night Is Made to Dance" was the most popular.

DOC ALLISON

Doc Allison, 56, stage mechanic, for more than 20 years identified with East Liverpool, O., theatre, died of a lingering illness.

Burial in East Liverpool.

HOMER H. BRIGGS

Homer H. Briggs, 63, former stage manager of the Lyceum Theatre,

died Aug. 2 at his home in Rochester, N. Y.

His widow and son survive. Burial locally.

PEARL WHITE

Pearl White, 41, first to be starred in a serial, "The Perils of Pauline," died in Paris Aug. 6.

Story in the picture section.

ED JAMES LAFFERTY

Ed James LAFFERTY, 74, former member of the A. G. Fields minstrel, who traveled with the G. G. G. and Sullivan Conscience circuit, died at his home in Wichita, Kan., Aug. 6.

FRANKIE RYDER

(Miss) Frankie RYDER, 16, onetime circus and vaude performer, died Aug. 6 in Los Angeles. She was one of big top's earliest women animal trainers.

FRED ARTHUR WALTON

Cornell Donnelly, 50, known on the stage as Fred Arthur Walton, died in New York Aug. 6. He committed suicide by turning on gas jets in his furnished room.

JOSEPH FLECK

Joseph FLECK, 35, operator at Austin theatre, New Gardens, died suddenly on the 19th of August of a heart attack. He is survived by his widow and two children.

LILY GARDNER

Lily GARDNER, 62, of former vaude line of Carroll and Gardner, died in Chicago on Tuesday following a heart attack. He is survived by his widow and two children.

JACK LONG

Jack Long, film stunt man, died Aug. 6 from injuries sustained when his motorcycle crashed with an auto in Los Angeles. Widow survives.

ALAN COOGAN

Alan COOGAN, 50, former member of the film team of Alan and Kaye Casey, died at his home in Brooklyn, Aug. 5.

Mrs. William Greenwald, wife of owner of radio station WKQB, New York, died at her home after illness of five months.

Father of Les-Singerman, manager of the Imperial, Ottawa, died in Montreal.

Wife, 38, of Ray Garber, in the Columbia transportation department, died Aug. 7 from injuries in an auto accident.

Father of Sam Wineshield, with Metro on the Coast, died suddenly Aug. 7 at his home in New York.

2 N. Y. Burley Houses

Renewed for 3 Months

New permits for the Burley and Ettinger burley stands, only two spots currently operating in New York, were finally issued Monday (9) after a week's delay. Originally scheduled for releasing Aug. 1. New okays are for the usual three months.

Delay was attributed to misbehavior on the part of both houses, and especially the Burley stand, which were issued only after operators of the spots agreed to abide strictly by the rules of John Masterman's committee, censorship outfit set up to control strips, etc.

Patricia Ryan at NBC

Patricia Ryan has quit as vocalist with the Barbers' and released to New York. Band is currently playing an engagement at Lake Charles, La.

Warbler has re-booked with NBC for a sustaining series. Was on the network before joining Barbers last spring.

MARRIAGES

Dorothy L. Sherrill to Barton Coffey, in Hollywood, Aug. 6. Bride was Deanna Durbin's stand-in; in the picture "The Sign of the Cross."

Pamela Thilander to Roy Rich, in London, July 28. He's new manager of John Masterman's committee, censorship outfit set up to control strips, etc.

Dee Weston to Nate Pumphrey in Chicago, Aug. 4. He's time and space with the film "Hustle and McDaniel."

Arada Newman to Scott Colton, in New York, Aug. 3. He's stage and screen player.

Jane VanDempsey to Silvio Carracci, in New York, Aug. 6. Bride is in WGY. Schenectady, press club; he in WGY control dept.

McCarthy in Covington, Ky., Aug. 3. He's a trombonist in Ben Bernie's band.

News From the Dailies

This department contains rewritten theatric news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood, and London. Items are given credit for these news items; each has been rewritten from a daily paper.

East

Babe Ruth quit the coaching line at Ebbetts Field Friday to hustle to a Manhattan hospital to give his arm a rest. He is still in the hospital.

Helen Hays and Charles MacArthur announced that they are expecting a baby boy. They have a home-made daughter, but want a son.

Late Martin Johnson left a gross estate of \$175,804. His widow is residuary legatee.

Leon Leondoff to assist in staging the charity bandstands at Randall's Island.

James Ryland, for 46 years at the N.Y. Empire theatre, in the N. Y. hospital with a heart ailment. Reported to be improving under treatment.

Liner Queen Mary takes new west-bound record—three hours and 48 minutes. Be the Normandie by more than an hour.

Charles Greenwood lasted just one inning in a softball game at New Haven, Conn., last Sunday, played by teams captained by Gene Tunney and Alvin Karpis.

White took over in spite of protests that he was a Republican. Score was 19 to 19 at the time of the aggregation, recruited from the staff of the Chicago Tribune.

Vinton Freedley to hold an audience at the Lincoln theatre at the time of this (Wed.) afternoon. For the Gaxton-Moore production.

Alvin Karpis, in the N.Y. and the Gold-Belt music men, were held in Central Park last week. First two were 100%, with Kootie falling to 90%.

Lothe Lehman, arriving in the U.S., arrived at the willow. He will publish papers. Sore on Austria before the war.

Foster for Vassar production of "Tree of Heaven" mysteriously defected. Finally discovered when he thought it was an advertisement for the new musical.

Police campaigning against newspaper men at the beach. Claim it makes too much talk. First man jailed last week.

Reich to employ French and Jewish labor. He will publish papers. Sore on Austria before the war.

George M. Cohan selling off Judy Garland's story. He will publish papers. Sore on Austria before the war.

Some of the stuff dates back to 1909. Treasury Department tentatively has set the federal building at the lower end of City Hall park to New York City. He will publish papers. Sore on Austria before the war.

Editor George of honor at a luncheon last Wednesday for his work on behalf of the Jewish people of the Nazi. Hitler denounced the work.

Shirley Temple hurt in Boston Thursday when a chauffeur shut a car door on her under chin while she was visiting the Navy Yard. Preliminary report.

Several members of the original staff of Motion Picture News, including Edith Warner, died of a heart attack. He will publish papers. Sore on Austria before the war.

Helen Vinson in N. Y. supreme court last week to compel the N. Y. State Bar to sue, to legitimize annuity contracts taken by Bernard Topolky, who represented her. He will publish papers. Sore on Austria before the war.

Walk On Club of "Our Town" bit played to do "First Lady" at the United States Club. He will publish papers. Sore on Austria before the war.

Pyrene Force narrowly escaped in the fire. He will publish papers. Sore on Austria before the war.

Berkshire music festival at Lenox, Mass., last week to a audience of 6,000. N.Y. a once held opened last Thursday with Eleanor Roosevelt. He will publish papers. Sore on Austria before the war.

New York had its first shark scare this season. He will publish papers. Sore on Austria before the war.

Huguenot Bachel, Staten Island. Special guards at the Polo Grounds.

withdrew their pickets last week. Union said a settlement through NLRB.

Mucha Elman drew more than 100,000 people to the Lewiston stadium last Friday.

Col. Jacob Rupprecht, bent and base, was shot by Paul Frick, who was shot by Frick.

Doug Corrigan started up Broadway last night. He was shot by Frick, who was shot by Frick.

Ad Leonard, stripteaseur who defied the police, said he was operated on for appendicitis saying so. He was shot by Frick, who was shot by Frick.

Post Commissioner Moses expects to construct 58 miles of bicycle highways in New York.

Critic signals between 42nd street and 47th street on Broadway failed during Monday night's rainstorm and congested traffic for an hour. Stalled cars helped confusion.

Coast

Yves Steadman, former film actor, died in a heart attack in Los Angeles against Martin Padway.

Barbara Stanwyck and Frank Fay, who were married in 1935, were divorced in court in L. A. Three null, hanging. He will publish papers. Sore on Austria before the war.

Elmo Lincoln, former "Tarzan" of the Jungle, died of a heart attack. He will publish papers. Sore on Austria before the war.

John McCormick, Hollywood agent, answered Zita Johann's divorce suit in L. A. He will publish papers. Sore on Austria before the war.

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AFA Brings Charge Vs. Ringling Before NLRB for Wagner Breach

Following the show Gibson turned a reception at a local hostess. Males Harding of Goldwin

Old Fashloned Cafe	Peggy Wood
Lisa Marvella	South Shore Farm
Mary Lou Harris	Tommy Carr Oro
Frances Rhea	Steuben's
Pemberton Inn	

Other circus equipment brought

Rochester, Ind., Aug. 6, after being billed 10 days ahead in Iowa to

Ringlings were chiefly interested in nullifying the 1937 contract which Ralph Whitcomb negotiated on be-

horses, which took place a few days after the show folded in W.

Billy Thurn Oro	Ed White Oro
Aquafuge	Hotel Fenway Ha
Eddie Foy Jr	Jimmy Joy Oro
Manhattan Drama	Hotel Hollander

unusual trappings which went under the hammer of auctioneers Ralston and Robert Weschler, who sold

quartered in their usual winter hibernations.

referent name is a deliberate move to dodge responsibilities under both the Wagner law and the AFA contract, complaint charged.

Marty Lewis Oro
Gray Sia
Irene Kessler
Danny Rogers
Steamer Seelandsee
Tony Caputo Oro
Leo & Illia
Vernon & Billy
Nations

for some time to come. Super
rodeo, into which McCoy and
others had poured a fortune, we

Circuses Fading

Dowling Bros. Circus, which winters here and trekked back to this point after terminating its tour latter part of May in Portsmouth.

L. Delaware referee in bankruptcy has announced that creditors

Coconut Palms	Frances McCoy
Phil Skillman Orc	3 Orchids
Jimmy Nolan	Adorables 1

Judge Nields confirmed the sale of general equipment, which brought \$14,426, but declined to confirm

of troubles. Cole Bros.-Bentley, 50 c
ht | pulled stakes at Bloomington Ill.,
-a | week and made for winter quar

Canton, O., Aug. 9.
Duke Drukenbrod, whose home is here, has taken over the concert of

Hotel Matter (Terrace Room)	Westwood Gardens
Frank Gagen Yr.	Horace Hebl Ott
Arthur Murray Yr.	Peaky Edm
	Agnes & Gladie

five large pictures of Col. McCoy
and \$1 for two boxes of Tim McCoy
buttons.

men point to those twin debs
radio and films as the cause of it.

W. H. Schenck, 11; Akard, 12; D. M. Schell, 13; Yankton, 14; Sioux Falls, 15; Sioux City, 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;

VARIETY

Issue August 3, 1938

-UPBEAT IN HEAT WAVE -KRUPA ORCH BIG \$41,000



"... the Gene Krupa orch. brought the Paramount a very handsome \$41,000 on first seven days ending last night (Tues. 2) and holds over... Krupa swing band sent gross soaring on first week to big \$41,000. Krupa has been 'drawing heavy jitterbug trade mornings and mats.'"

Reprinted from

VARIETY

Box Office Reports—Aug. 3, 1938

GENE KRUPA

AND HIS ORCHESTRA

'With the heat hovering in the 90's Krupa had the best matinee business this summer, and played to 120,000 admissions in seven days' says

ROBERT WEITMAN,
Managing Director of
the New York Paramount.

Brunswick Recording Artists

- HIPPODROME, BALTIMORE, WEEK AUG. 12
- STEEL PIER, ATLANTIC CITY, STARTING AUG. 21

PERSONAL REPRESENTATIVE:

ARTHUR T. MICHAUD

250 West 57th Street, New York

MANAGEMENT:

MUSIC CORPORATION OF AMERICA



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64 PAGES

Italian Film Chief Scores American Pix as Anti-Fascistic; Sees Reprisal

**'Lone Ranger' Giving
Santa Claus the 'Hi-Yo
Silver' for Xmas Trade**

idea is a Lone Ranger Village
start with paper mache caves, life-
like depictions of events in radio and
film serial, etc. Will include an
Indian guide through museum and
premium for kids in form of guns
etc. Admish will be 25c. at Gimbel's
emporium.

Gag will be sealed according to
stage budgets, selling at about \$500
per unit. Same will represent a
stage coach holdup, runaway horse
rescue, etc. Fair Store, Chicago,
Krege, Newark, and Kaufman's
(Continued on page 25)

HUGHES' AIR PIC ON AMELIA EARHART

Corrigan's RKO Pic

RKO closed a deal yesterday afternoon (Tues.) with Douglas Corrigan for the filming of his life story and the flight he made—"by mistake"—to Ireland. Under the deal Corrigan will aid the studio in the framing of the story as well as in the production of the picture.

Production will start as soon as the story can be put into shape. Corrigan's price not disclosed.

TOURIST GUIDES NO. 1 NUISANCE

CURIOUS BLURBING

Meanwhile, Bert is living in a furnished room over a Chinese laundry, safe from molestation except for the landlord, while the owner of the hacienda wonders why his front lawn is being used as a location for a mob scene.

While the **SAG** is mulling it over, more and more Hollywood stars are building homes far in the hills where they can roost in peace with the hood owls.

U. S. FINALLY ENTERS INT'L DRAMA ORG

Although founded in France, it embraces most of the artistic wealth of Europe. It was the French dramatists' idea to move the 12th international congress to New York, since, during the Paris Exposition of two years ago, the French capital learned how advantageous it was to concentrate such conclaves to coincide with any sort of a World's Fair. Already 746 world groups are committed to meeting in N. Y., coincidental with the Fair. The Societe Universelle du Theatre is a quasi-official organization in almost every one of the 27 member-nations. For instance, at last month's confab in London, under the patronage of the British Drama League, the Duke of Kent presided.

There were signs on all sides this week that the New York exposition was adjusting its personnel, and placing experienced people in the fair's key spots. One of the most pertinent moves was bringing in Capt. Jack Riley by Grover Whalen.

(Continued on page 25)

Lillie-Butterworth
Musical Based On
Ripley's Oddities

According to the plan the show, which would star Beatrice Lillie and Charles Butterworth, would be a number of the Ripley subject, and dramatize them somewhat about the lines Ripley follows on his radio programs. Out of his collection of thousands of phenomena, Ripley believes he can offer an extensive array of subjects suited to the adaptation. It would be the first use of Ripley's material in best.

WOLFCAMER

N.Y. Move for Freedom of the Press Into Pix-Radio-Legit Voted Down

More in the New York state constitutional convention, now in progress at Albany, to extend the freedom of press to the stage, motion picture and radio was snuffed under by delegates, who voted 62-28 against the proposal. It was from the committee for decision. Henry A. Hirschberg, of Newburgh, N. Y., moved that the proposal to bring pictures, radio and the stage under the same freedom as enjoyed by the press be taken from the committee which failed it several weeks ago. The Orange County district attorney described the present film censorship as an un-American attempt to throttle ideas. He contended that there have been no instances in which anybody, child, man or woman, were injured by indecency on the screen.

Considerable opposition was made by Clarence E. Runals, another Republican delegate, who claimed Protestants, Catholics and Jews have joined in a crusade to bring economic pressure on producers of pictures inimical to interests of the people. "There is in New York," was that there was small chance of any proposal enlarging freedom of the press because it might in time directly result in the state censor body being eliminated. State censoring always has been regarded in the industry as a valuable source of political patronage to have a fighting force to fend socialist, both political parties viewing the state censorship board as something to be preserved for the party in power.

Kenneth Roberts' 50% Cut If He Can Do His Film Writing in Maine

Kenneth Roberts, whose "Northwest Passage" is being readied for production by Metro, has received an offer from a major company (not MGM) to go to Hollywood to do an original. He suggested doing it at his Kennebunk Beach (Me.) home for half the amount, but the studio turned it down.

Contrary to general custom, the studio has not been given advance words of Roberts' new novel, "The March to Quebec," but will have to wait until its publication. Script is by Dudley-Doran. Writer is already at work on a new novel, "Oliver Winwell," which is said to have controversial theme. He has completed 19 chapters and expects the work to run about 70 chapters.

HEIFETZ FIDDLES WHILE GOLDWYN PREPS YARN

Hollywood, Aug. 16. Samuel Goldwyn and Jascha Heifetz settled their differences by agreeing on a new picture which will not interfere with the violinist's concert tour.

Heifetz is going on with his tour with Marjorie Roberts writes the screen play for "The Dancing Age." The film selected to introduce him to the screen. Original plan called for a Russianian's appearance in "The Great Music Festival."

Par Bucks Jinx, Takes Another Try at 'Hote'

Hollywood, Aug. 16. Paramount is dusting off its "jinx" picture "Imperial" for the American screen debut of Lisa Miranda, Italian screen actress. "Imperial" was originally made by Paramount as a silent in 1927. Maria Dietrich refused to play it three years ago after it had brought him several times. Later Paramount was signed for the top spot, but she broke her arm and the picture was again shelved.

Private Checkers

Irving Berlin, Inc. office is a block away from the Roxy, New York, and several times during the day the songwriter-author of "Alexander's Ragtime Band" has been noticed checking the theatre.

When Berlin's band at his Atlantic City summer home, his music publishing partner, Sam Bornstein, does the clocking. Berlin's deal with 20th-Fox is a percentage of the gross.

BREAD - BUTTER PIX AT ALL STUDIOS

Hollywood, Aug. 16.

Paramount is mulling the bread-and-butter idea, with Charles Ruggles and Mary Boland co-starring in a family series. Peter Milne is writing an original story for the duo, and it is expected the company will go ahead with a string of sequels.

Par is the only major studio not represented in this field. It had a taste in mind when it signed Fibber McGee and Molly last winter, but the idea was cancelled by Molly's illness.

Metro is launching a new series based on the career of a young doctor, from the "Dr. Kildare" letters written by Max Brand. Low Ayles will play the title role in the first of the series, "Young Dr. Kildare."

"The Hugins Family" won't "Everything Happens to Me" recently completed at Republic; may be built up into a serial featuring the Gleason family. James Gleason, under contract as a producer, director, writer and actor, shares top honors with Lucille and Russell Gleason. He has written dialog for special footage to trail the picture in order to sound out audiences on the serial idea.

Bryan Fox starts production on "Torchy in Chinatown" (Tomorrow) (Wed.) without a letup after the completion of "Torchy Gets Her Man." Idea is to keep the same cast working before they break up for outside commitments. Same lead roles played by Frances Farmer, Barton MacLane and Tom Kennedy.

Bryan Fox sends "The Passport to Larkspur Lane" into production at Warners this week, with Bonita Granville, Alex. Cullen, and Ed Keyes. It will be the first of new series directed by William Clemens.

'U. P.' Lead to McCre

Hollywood, Aug. 16.

Joe McCre is Cecil B. DeMille's choice for the star role in "The Sign of the Cross," scheduled to start at Paramount Oct. 15. Femme lead is still to be selected.

Paramount's "The Sign of the Cross" is being produced by Jeanie MacPherson and Walter De Leon are working on the screen play. Bob Burns, Alex. Cullen, and Ed Keyes are in supporting roles.

Beth Brown's Dramatized Novel Shown by H'wood

Beth Brown has finally completed the dramatization of her novel "Riverside Drive." She had offers to produce it from the National Public for the script, but she wants to see a stage production first. "Riverside Drive" is a dramatization of the three phases of the story, with the lead being Helen Hayes-Victoria Regine slung of gradually again.

PIR SONGS TAKE MUSICALS QUEST

Berlin's "Alexander" Touching Off a New Cycle—Every Studio Mulling Quick Action on Show Biz Names—Cohan, Hammerstein, Gershwin, et al.

FILMUSICAL ANGLES

Pace of "Alexander's Ragtime Band" (20th) at the boxoffice has almost every picture company cavalcade-minded.

It's bringing up anew the idea of show biz cycles, and reviving talk about pictures treating with Gerhart Cohan, Oscar Hammerstein, et al. Major deterrent is the knowledge that the public has temporarily chilled on musicals, and to risk these cavalcades, sans tunes, is something else again.

Click of "Alexander" may bring on a cycle of pictures built around or using the title of pop tunes whose popularity has persisted over the years and which also lend themselves to dramatic treatment. Bids for this type of use has already been made in the cast of "My Melancholy Baby" by three producers. Joe Moritz, Music Co., is the lance corporal.

"Melancholy" first became a hit in 1914 and underwent two major show revivals, namely, 1919 and 1927. It was Gene Austin's disc version of the song that was responsible for the latter resurgence of copy interest. Moritz obtained the assignment of the right on "Melancholy" from Theron C. Bennett in 1924.

Hollywood, Aug. 16. Irving Berlin's next for 20th-Fox, "Nightingales," will be an early song. Berlin insisted on a 100% new and original score, as a swifty away from "Alex."

U.S. 'CAVALCADE' PIC FOR '39 FAIR

Work has started on "Cavalcade of America," the \$1,200,000 feature production which will be the picture industry's contribution to the New York World's Fair. Actually the feature film will cost less than \$200,000, it is estimated, but if made by one company without the cooperation of all firms in the industry it could not be turned out for less than \$1,200,000, picture executives aver.

All major film companies are collaborating in the making of the production. The office co-operating on script and many details. Any actual new filming will be done on the Coast. Much of it will consist of scenes from historical features, turned out in the past, representing the progress of American history from the landing of the Pilgrims to the present day.

The theme will be carried along by superimposed story, much the same as was done in 20th-Fox's "Cavalcade," with narration added.

Film business considers it a worthy contribution from the industry and far superior to any sort of exhibit that might be framed for two reasons. One is that it will be best typically American historical feature, turned out since it will contain all the great moments in the nation's history (taken from previous productions), and, secondly, because it is bound to focus public attention on the accomplishments of the picture industry, both as to entertainment and in highlighting historical events.

Divorcement Legislation Grows Apace; Local Interests Manifest Little Sympathy to the Chains

Food Vs. Fame

American film executives, visiting Paris, have all been hit markedly by the attitude of Jean Gabin, ranking film star in France, who might be Hollywood timber. When approached he's always died terrified.

First, he points to sad fate of Simone Simon, Germaine Aussey and other Continental imports. But above all he points to his favorite restaurant, down the Paris market district and exclaims, "And can they give me this kind of food in America!"

FILM ITES DENY COMMUNISTIC TENDENCIES

Hollywood, Aug. 16.

Charges that certain members of the film colony are aiding communism, levelled from Washington this week, has brought a denial from Motion Picture Artists Committee raised coin for Spanish Loyalists Sunday night (14). They raised the money by staging "Sticks and Stones" which took in \$2,000, in a house scaled at \$5, with an overflow crowd of 300. Money is to be used for purchase of hospital supplies.

Show was a series of blackouts and sketches highly tinged with political significance and derogatory to communism. Among those taking part were Milton Berle, Bert Lahr, Johnny Green, Gale Sondergaard, Jerry Colonna, Dixie Dunbar, Johnny Downs, John Garfield, Jack Smart and Ray Mayer.

TMAT ASKS SHEARER NOT TO CROSS PICKETS

Theatrical Managers, Agents and Treasurers' union which has been picketing the Astor, N. Y., because house is not staffed with union members, telegraphed to the shearer, asking her not to cross the picket line at the premiere of "Marie Antoinette" last night (Tuesday). T.M.A.T. stated she was the only film star in New York. Union representatives "Marie" as a roadshow but is not in N. Y.

TMAT states it has the moral support of the Screen Actors' Guild on the grounds that both bodies are American Federation of Labor affiliates.

Tarkington Tale to Bow In Peter Holden at RKO

Hollywood, Aug. 16. Seven-year-old Peter Holden, now appearing in "Borrowed Time" at the RKO, will get a heavy buildup when he reports to RKO. It is the close of the play's run in N. Y.

Pandora Berman has bought Booth Tarkington's "Tallie O'Connell" as new property's springboard in films.

Following the North Dakota court's sustaining the constitutionality of the divorce law in that state, it is understood that similar divorcement legislation is in the making in South Dakota, Minnesota, Ohio, Penn. and Massachusetts. Independent exhibitor organizations are back of them in all these states and are reported mulling similar actions in others.

The divorcement legislation should not be confused with the U. S. Government suit in which the breaking up of affiliated circuits is among issues dredged. One is a matter of legislation, while the latter is a lawsuit in civil courts.

There seems to be little question but that theatre divorcement idea is making momentum, even from the boot given it by the Dakota decision. This is attributed to the growing illness of business owners. Affiliated operations. Never extremely popular with business firms in smaller communities, some firms recently have indicated that they are hopeful that theatre divorcement may be extended so that new theatre circuits will cut themselves loose from lines of trade which would be little essential to film business.

There have been plenty of complaints from business men in these smaller cities who have been exhibitors (often linked to affiliated operation) entering into active competition with the picture houses, that installation of a candy counter, generally operated by the house owner, is a necessary concession. Such as ice cream and sodas now are being dispensed. They are hoping that these cinema spots don't start soda fountains, lunches and selling hot dogs.

Then, too, newspaper publishers are unhappy over the use of blatant screen advertising. They know that affiliated circuits will be able to get away with this so much per film per show and they consider it tough competition when there is only so much coin available for advertising in smaller communities. They know that these cinema spots and business men blame affiliated circuits linked up with major companies for these practices. Which possibly accounts for their failure to sympathize with major theatre operators. They see in the theatre divorcement legislation a chance to force theatres to attend strictly to the picture business and when necessary to force them to let out concessions.

REP EARMARKS 750G FOR SAM HOUSTON EPIC

Hollywood, Aug. 16. On the shelf for a year, Republic's "The Sign of the Cross" is the life of Sam Houston, goes into production Oct. 1 with a \$750,000 budget. The studio's history. "Wagons will be followed by two other high budgeters. "Two Men in the Saddle" and "Doctors Don't Tell."

Republic's hitbilly musical, "Down in America" (Aug. 16) is being shown today (Tues.) with June Storey borrowed from 20th-Fox to share the romantic spot with Ralph Bunker Brown, "The Sign of the Cross" and Elvira head the cast.

Okay Acad Revamp

Hollywood, Aug. 16. Plan to revamp the Academy Award ceremony is being approved by the industry. It will be a new ceremony, with a new name, and a new format. The ceremony will be held in a new location, and the awards will be presented by a new group of people. The ceremony will be a new event, and the awards will be presented by a new group of people.

Summer-Darkened Houses Ready To Reopen This and Next Week; Not as Many Shuttered as Planned

Numerous houses are preparing to reopen this week and next, swinging into motion for the 1938-39 season. The new production line is becoming available. In other cases, theatres all over the country are reopening in order to pick up film that has piled up during the closing period.

Not nearly as many houses as threatened decided to bolt the doors, including in the Greater New York area where a record number was scheduled. In union circles it is claimed the threat of a flock of closures was largely in the nature of bluff in hopes of forcing reductions for booths and stagehands, where used, over the summer months.

In asking for cuts, most theatre operators told the unions they were turning to sources in latter quarters, that unless the booth and stage bills were reduced, they'd have to close down. Unions refused to take the cut, telling operators they could stop instead if they wanted to. Many didn't go through after getting this union answer. Only in a few isolated instances were any cuts approved by unions.

Nevertheless, there was a substantial number of darkening this summer, the figure going away over last summer and including some of the very first runs and de-luxes. In reopening, the policies in some cases are being switched, with likelihood of a percentage decrease of stage shows will be used this closing season.

JANET GAYNOR'S OWN UNIT WITH SELZNICK

Hollywood, Aug. 16. Myron Selznick is dickering with Janet Gaynor to form a production unit similar to the one he recently formed with Ernst Lubitsch, to operate a percentage basis.

First picture planned by the new unit will be "Forever," based on a novel by Mildred Cohn. Miss Gaynor owns the screen rights.

Laurel Fails to Show, Unbitched From Payroll

Hollywood, Aug. 16. Stan Laurel is off the Hal Roach payroll, under suspension for assorted failure to show up during preparation for the next untitled Laurel and Hardy comedy. Roach notes a rumor that he would replace Laurel with Harry Langdon in case the difficulty is not straightened out.

Meanwhile, two other problems are worrying Roach. Death of John Breen necessitates a change in direction of "Captain Midnight." Constance Bennett, under contract to Roach for "Service to the Stars" universal, starting Aug. 13, may not be able to start as Roach's "Topper Takes a Trip," slated to Sept. 1.

Pascal Back Home

Hollywood, Aug. 16. Gabriel Pascal, indie British producer, airt cut Aug. 18 to board the Rex for Venice to attend the premiere of his picture "Pygmalion." He's due back in September to prepare "The Devil's Disciple," an other show play, for early production starts.

Studios After 'Pilot'

Hollywood, Aug. 16. Don Les network's "Phantom Pilot" has Metro and RKO tied up against each other for picture rights to the air serial.

Les chain sold "Lone Ranger" to Republic.

Taurog Draws 'Oz'

Hollywood, Aug. 16. Norman Taurog gets the directorial job on Metro's Technicolorized "Oz" to be produced by Werny LeRoy.

Director just finished "Boys Town."

Shaming Nature

Hollywood, Aug. 16. Warners did a big makeup job on the studio lake, touching up its complexion with 1,500 pounds of best vegetable dye.

Water was too pale for Technicolor filming of scenes for "The North."

Date palms down India way just now are dateless but that didn't affect Warners' plan to send a troupe there on location for "They Made Me a Criminal." Script ambles the season when dates are in full cry so the prop department had its work cut out. Two truckloads of the fruit were hauled to the site to be wired to the stems.

Tony Martin Back For Extra 4 Days, But Minus His Orch

Detroit, Aug. 16. After leading house last week to best gross since last spring, Tony Martin returned solo to the Fox stage week broke in the end, leaving remaining four days of current week.

Complimented with "Letter of Introduction" (U), Altmeyer warbler and his band dragged down \$34,500 into Fox week. The week was a one-nighter second stanza with next pic. However, prior to booking here, Martin was booked in the end. Fox show currently and remains through the week.

Following a one-nighter Sunday (14), Martin returned stage for remaining four days of current week. Happy Felton, also minus his band, was scheduled to play Fox show currently and remains through the week.

MUSIC HALL SETS ITS NEXT FIVE PICTURES

Although a couple of pictures have been set to be set back due to later completion than anticipated at the Music Hall, N. Y., has lined up ball bookings of five pictures and has scheduled the rest of the week.

Following "Four's a Crowd" (WB), current the pictures in the order which they will play are "You Can't Take It With You" (Col), "Carefree" (MGM), "Drums" (UA), "Young in Heart" (UA) and "There Goes My Heart" (UA).

Agcy. Sues Cummings For \$19,603 on Walkout

Los Angeles, Aug. 16. Walter Herzberg agency is suing Robert Cummings for \$19,603, claiming the actor walked out on a seven-year contract with agency.

Complaint declares Cummings will earn \$1,674,200 during balance of his Paramount picture "The Sign of the Cross," plus \$683,333 claimed due since April, when he abrogated the agency contract.

Mobbing Up on 'Gunga'

Hollywood, Aug. 16. Bottle scene in RKO's "Gunga Din" next week will require 400 more extras at Paramount, raising the total cast of cast and crew to more than 1,000.

Original camp site was built to house 400. New lot of extras will be housed in auto camps, hotels and private homes. Temperature in that hot zone is the late nineties to 115.

'KITCHEN' ROLLS AT WB

Hollywood, Aug. 16. Low Seller director Warners' "Hell's Kitchen," slated to go before the cameras this week, is topped by Humphrey Bogart, Gale Pace and the Dead End Kids.

Bill Morris' Quickie

Hollywood, Aug. 16. William Morris, Jr., is here from New York, accompanied by Bill Wilkin, for 35 years attorney for the Morris agency.

After a week of confabing with Abe Lastfogel and Johnny Hyde, Morris goes to Detroit for a fortnight vacation. Wilkin is seeing the Coast for the first time.

Sammy Weisbord, liaison for Abe Lastfogel in the William Morris agency east, ready to hop to the Coast for a week.

William Ringer, who was to be his permanent headquarter.

Directors Cite No Studios For NLRB Violations

Hollywood, Aug. 16.

Complaints against 10 major studios have been issued by the Labor Relations Board for asserted violation of the Wagner Act in refusing to negotiate with Screen Directors Guild. But the studios' representative for collective bargaining of the writers opposed in motion picture studios.

Notice of certification was received last week by the three parties concerned—SWG, the 13 studios and the writers—voicing their preference for the Guild. But the studios, led by Towne Noyce, head of the local National Labor Relations Board. Producers may either recognize SWG or file their exceptions.

With the producers' refusal, SWG may report the refusal to NLRB, which will investigate the facts. It has evidence against the studios, which will command the producers to negotiate with the Guild. In the event of a refusal, two courses are open.

NLRB may take the case before the National Labor Relations Board or the producers may take to the same court and question the right of the board to authorize any collective bargaining negotiations with SWG. No matter what the result may be, it is held that the studios have been barred to the U. S. Supreme Court for final adjudication.

Executive board of the Guild last week accepted the application for membership of James K. McGuinness. Writer was one of the organizers of Screen Playwrights when the SAG split into two factions about two years ago. He recently resigned his SP membership with the announcement that he was going back to the Guild.

MOSTLY B-WAY PLAYERS IN ORLOB'S WPA FILM

Harold Orlob, who is independently producing "One Third of a Nation," the WPA play, for Paramount release, will start actual shooting at the Eastman Kodak Studios in Astoria, early in September, in the region of Sylvia Sidney from Europe.

Meantime, Orlob started testing Broadway talent Monday (15), giving the job to Henry King, John Sullivan, William Post, (Cyril), Dorrie, Myron McCormick, Clyde Filmore, Charles Macklin, and Russell and William Rochick. Most of the talent to be used in the picture will be drawn from Broadway.

Bartholomew's Point In Superior Suit by Selznick

Hollywood, Aug. 16. Superior Judge Robert C. Fox ruled that an agent is not a necessity in the life of a young actor, in eliminating the right of the picture party to the suit filed by the Myron Selznick agency.

Century is paying for \$39,000 in fee.

U. S. Research For H wood

Washington, Aug. 16. Invaluable aid to the motion picture industry is being given by the Historic American Building Survey, the Department of the Interior.

Beginning in 1933, the Government supplies, the survey is resulting an increasing number of requests from film producers for data on authentic historical buildings, which it produces from files containing a list of 4753 buildings and public buildings, 10,888 drawings, 16,636 photographs and 6,751 pages of written data.

New Orleans sets for "The Buccaneer" and "Jesse" were recreated through the services of the survey. The survey also has been used for the design of the set for the film "The Sign of the Cross," which depicts the early days of the American Southwest.

Funds for the survey are provided from State WPA projects throughout the country and cooperation is given by the American Institute of Architects, the Federal Government and the states. Survey representatives have been stationed in 70 districts of the American Institute, where they serve without pay, except on special occasions where their assistance is required to supervise projects. The National Park Service, private schools, universities, and architectural groups aid in the work of assembling data and manpower is provided by WPA and CCC architectural foremen.

Film Studios and Unions Extend Their Labor Pact Until Next April

Eastman's \$3.05 Per Share Earnings For First 24 Weeks in '38

Although there was a big dip in per capita share earnings during the first 24 weeks this year, Eastman Kodak still showed \$3.05 per common share in less than half a year. In the initial 24-week period last year, Eastman had \$3.01 a share.

June quarter for the company was especially disappointing, net profit dropping to \$374,635 or nearly half what it was in the second quarter of 1937. Company showed net profit of \$7,051,873 for the first 24 weeks or more than \$4,000,000 less than the \$11,773,667 reported for the same period last year.

Netty decline was largely attributed to higher operating costs and additional taxes because net sales for this period were only \$4,141,268 below comparable period of last year. Earnings of Madison Square Garden Corp. were more than \$100,000 greater for the year ended last year.

Report issued last week showed that net profit was \$48,780 for the fiscal 12 months ending in May as against \$346,774 in the preceding company year. Earnings amounted to \$1.82 on capital stock in the past fiscal year as compared with \$1.21 per share in the preceding 12-month period.

NEWSREELERS' EXECUTIVE DEAL SET THIS WK.

Long delayed conferences on a new wage-hour contract for newswomen cameramen have been set to get underway this week with Pat Casey, Charles Darnes and several others from Local 658 and newswomen representing respective demands.

Old contract was perfected shortly after the WPA was declared null and void but the impetus of the new arrangement helped the union photographers to obtain a financially fair pact. Matter of freelance cameramen, insurance for lensmen and better understanding on apprentice photographers are scheduled for consideration in forthcoming parleys.

'38's Great Train Robbery

Hollywood, Aug. 16. Henry King, 20th-Fox director, and his "Jesse James" cast out Thursday (16) to start shooting on location at Pinewillow Mo.

Latest additions to the cast supporting Tyrone Power are Brian Donlevy, Donald Meek, Jack Darwell, Lon Chaney, Jr., Harold Gatos, and Charles Tannen and Ernest Whitman.

That Was Years Ago

Hollywood, Aug. 16. Jackie Coogan is dickering for a part in "Tom Sawyer" starring, rolling this week at Paramount.

Years ago he starred in "Tom Sawyer."

The same arrangement as called for was reached to let everything between the studios and unions signatory to the five-year basic agreement be continued through the year until next April, with no outside unions to be brought in under the five-year pact.

Each year under this agreement, the producers through their labor representatives, the unions through representatives of the five big unions get together to set terms for the ensuing year. The terms are set by the unions, which are to be set by the producers.

On Monday (15), with the various representatives of the five international unions and Casey all in New York at the same time, a conference was held at which the agreement was reached to let everything continue as until next spring, this representing a compromise. Unions representing the International Alliance of Theatrical Stage Employees, the American Federation of Musician, the Screen Actors and Electricians.

No consideration was given to the inclusion of any other unions under the basic agreement, including the Laboratory Workers who want to be included.

Last year the various unions obtained an increase and believed in some quarters that the unions were as willing to salt this year's conferences with the producers in the thought that they would be in better conditions may have meant a determined effort to get decreases.

RAFT SNUBS 'BLUES,' PAR STOPS PAYCHECK

Hollywood, Aug. 16. For refusing to play the male lead in "St. Louis Blues," the picture in development at the Paramount payroll by order of Adolph Zukor, suspended the actor's pay.

Zukor declared the actor turned down the offer of \$10,000 a week at the same time suggesting that the studio lift his option, which was set to expire on Sept. 12. But the actor had not heard the script until a week ago and did not okay it. Picture was set to start Aug. 1 but was held up by Dorothy Lamour's operation. Delayed start was due to the fact that the picture was being shot on location at Santa Monica.

'Man Mountain' Deann Will Forget About Ga. Politics

Norcross, Ga., Aug. 16. "Man Mountain" Deann will forget about Georgia politics and screen actor, will become politician for ring in Georgia.

Deann, who returned to his home here after completing his work on "Man Mountain," was Frank S. Leavitt, has quit race for representative in the Georgia legislature from the Georgia county. Citing fact that his political foes had been "personally" in their hands about him. Deann said: "I'll stay in politics. I'll slug some body sure."

With all of the companies asking for and demanding extended playing time with preferred dates and additional percentage terms on all pictures, there is very little possibility for an exhibitor to get by in a town. Should there only be one theatre in a town and the exhibitor does not comply with these requests there will be a move by some salesman or manager to create opposition at once.

(Continued on page 35)

Continued on page 35)

three years . . . is a long time-

- a long time to be in jail, for instance
- a long time to sustain the highest quality of performance in any line of endeavor

SPYROS SKOURAS,

- in renewing for three years subscriptions to Variety for all theatres operated by National Theatres Amusement Co., Inc., of which he is president,
- acknowledges the constructive job in better showmanship which Variety is doing,
- guarantees to his company's managers a dependable source of information from all fields of show business,
- quickens the channel of producer-distributor advertising to the men who exhibit films,
- fortifies the organization with ammunition to combat competition.

three years . . . is a long time-

- to renew subscriptions for any publication

there must be good reasons

- and there are:
- because Variety does the best job year in, year out, in the trade paper field
- because a showman, without Variety, is a showman without knowledge of his business.

Film Industry Tieng In All Loose

Ends in 'Best Entertainment' Drive;

Exhibits Losing Their Skepticism

Approximately 160 circuit chiefs of both affiliated and independent chains in Greater New York huddle today (Thursday) morning at 10 o'clock to outline cooperative effort on the Motion Pictures' Greatest Year campaign. Stress will be laid on the part to be played by subsequent-run houses in insuring maximum community action. Session will be in an air-cooled room at the Hotel Astor.

General meeting, indie circuit heads confab under direction of Theatre Promotion committee, will plan campaign in a statement. Tentative plan is for Bronx, Brooklyn, Manhattan, Queens, Long Island, Westchester and Richmond, as well as nearby New Jersey territory to be apportioned to small community committees. Special publicity committee also contemplated. These committees will consist of managers, publicity men, district managers and others directly concerned with theatre operations.

Joseph Seider, with Harry Brandt and Irving Dillingham, indie circuit heads general New York committee, Max Cohen is secretary; Reubenblatt, secretary of the L. Abrams, chairman of district committees. Committee members include: Frank Bowen, president of the L. Arthur Rapp, J. M. Hirschblatt, David M. Levy, Lee Newburgh, Robert Wolf, William Rintler, Edward Bell, Harry Randall, Rudolph Sanders, David "Snapper" Samuel Strauberg and others.

"Pictures' greatest year" committee reported that the Milwaukee Sentinel, Aug. 2, donated a page on the theatre-drive campaign. The N. Y. World-Telegram, Aug. 15, took cognizance of campaign editorially. Both were cited as instances of what can be accomplished through support of the public press.

Albany, N. Y., Aug. 14. Motion Pictures' Greatest Year, Inc. has been chartered by the Secretary of State. The office of general advertising business. Directors are: Robert S. Benjamin, 307 West street; Sidney L. Fisher, 235 West 78th street; Seymour M. Peyer, 2628 Davidson avenue, New York; and Phillips and Rapp, 1501 Broadway, film attorneys.

Northwest's Accord. Minneapolis, Aug. 16. Local independent exhibitors' smouldering opposition to the industry's united advertising campaign ended at a meeting called by President W. A. Steffes of Northwest Allied and attended by members of the trade generally. Following an explanation by Andy Smith, member of the national committee, for the purpose, aims and details of the campaign, antagonism that had been in evidence just prior to the conference was almost entirely dissipated. Northwest Allied members in attendance felt in line enthusiastically, joining the drive.

Expected fireworks failed to materialize. Steffes, who had refused to attend the district meeting until he "knew more about the campaign," lost no time in putting his stamp of approval on the drive. Taking the floor after Smith, Steffes declared he considered it "an honor and privilege" to have been invited to praise the undertaking in fulsome terms and pledged his wholehearted support and cooperation.

Moreover, Steffes asserted emphatically "no theatre owner can afford not to participate." He wound up by whipping the doubting Thomases that still remained idle. And the meeting was not adjourned until Steffes had practically everybody present signed up to agreements to contribute 10 per cent of the campaign cost. With the district's share set at between \$5,000 and \$6,000, approximately \$4,000 was

them that everybody would share from the certain benefits. Excepting for a few unimportant blowouts which had been scheduled, the mandate and received by the Paramount circuit and doubts expressed about the drive being done for the independents, everything was harmonious, and the meeting played off peacefully as a quaker party gathering.

Greatest surprise was occasioned by Bennie Berger, one of the territory's leading independent circuit operators. Before the meeting, in a statement to the trade press, he had declared he wouldn't attend the New York preliminary conference to which he had been invited or even join the campaign at all "because the only thing that will improve the independent exhibitor's position for the industry to rectify trade abuses handcutting theatre owners and ruining the business" and the industry should "clean house" before launching any cooperative scheme to ballyhoo the box office.

Final district meeting, Berger arrived shortly after its conclusion and, following a talk with chairman and Steffes, came up with hardly any struggle.

Opinion generally expressed at the conference was that Berger's assurance to be considerably stimulated by the campaign and that fall will be a banner year for the industry. The \$250,000 cash prize contest for patrons, which is part of the drive, was met especially to those in attendance.

Some of the independents commented that the drive was of fair clearance, "they'd be getting more of the releases that figure in the coming year than they could before their patrons could witness them to answer the questions. It was explained, however, that in the coming release schedule, only 30 pictures need to be seen, the independents are getting a square deal.

Philly's \$1,000,000. Philadelphia, Aug. 16. The industry's \$1,000,000 exhibition campaign got off to a disappointing start at a mass meeting last week when the district's independent exhibitors, as was expected, it turned into a battle between warring factions of two independent picture theatre owners, exhibit organization here.

Aside from a distinct lack of interest which was the picture, however, cause of the small turnout was this split in UMPTO. Notices of the district meeting were sent by UMPTO stationery and it was held in the office building of Lewen Pizer, UMPTO pres. This gave many members the idea that the drive is being sponsored by UMPTO instead of being an independent action of the exhibitors. Large number of exhibitors here have expressed their disapproval of UMPTO or anything it is connected with as long as present executives are in charge.

Reason for lack of support of the meeting was brought up by Milton Auerbach, who is in the floor. Pizer denied it, which brought about battle No. 1. After the matter was cleared up, the meeting was held by Warner chief here, who is co-chairman with Pizer of the local drive. Auerbach agreed that UMPTO stationery will no longer be used in the drive. Rogan's explanation of the drive was not taken into it into the index for not coming to the meeting.

The drive was between Pizer and Mo Wax, exhibitor and editor of the Independent Film Bulletin. Wax agreed with Rogan's explanation of the drive. Pizer's own account of the drive was that he had been threatened Wax with a libel suit a month or so ago in a statement in Wax's paper.

When the meeting finally got down to the actual business of electing a committee for the local drive was named. It will consist of Pizer, Ben Auerbach and Leonard Schindler, chief of WB nabs. Pizer and Auerbach are members of the national committee.

Exchanges will be represented on the steering committee by Sam Goss, of 20th Century-Fox, and

MONMANT'S SUIT

\$5,500,000 Action Comes to Trial Aug. 19

Oklahoma City, Aug. 16. A. B. Momand's \$5,500,000 anti-trust suit scheduled for trial in Federal district court here starting the 19th of this month. Momand is suing practically all the companies named in the U. S. suit and also includes the independent circuit chain of Oklahoma, Texas and New Mexico.

Interest in the Momand suit on first hand is confined to the office of the Government suit in New York, with general feeling that Uncle Sam's distribution office has chances of getting at least a continuance of action.

Momand charges the production-distribution-exhibitor triup over his chain of 30 houses to the rocks by monopolizing position.

Pathe's 4 Sets of Shorts

Four series of shorts, being turned out by Pathe newsreel staff and commercial department in New York for RKO product lineup in 1938-39. Previously only the Pathe Parade was handled.

Four shorts starring Sheila Barrer, which have been started for one series, while initial work on shorts in the Sportsqueste series also has been started. Newsreel staff also will handle Parade series.

Harry Bodkin, of United Artists. An exhibit committee to drum up interest in the shorts which have been frigid to the idea was also named. It pledged 10, a seat to the campaign which will be Gring, Bill Rovner, and Leo Poo.

Exhibits who attended the meeting represented about 90 houses. All agreed that other exhibitors who have since learned they must pledge 10c a seat, too, to get the contest booklet. Several exhibitors who were at a disadvantage if they are not. They look on the contest like any other prize giveaway.

Price Contest Details

Details and rules of "Movie Quiz" contest, which is part of Motion Pictures' Greatest Year campaign, were announced Monday (15). The contest committee headed by Charles McCarthy and Bob Gillespie. All essentials are outlined in a 32-page illustrated booklet supplied to exhibitors.

First prize in quiz contest is \$50,000 and second, \$25,000. There also are 100,000 prizes, five of \$5,000 each and five of \$2,000 each. Included are 3,390 prizes ranging from \$1,000 to \$100 prizes. Contests will be open to any persons employed in the motion picture industry, and there are other prizes for exhibitors who might have undue advantage in the contest. Otherwise it is open to anybody in the U. S. and Canada.

The 94 pictures in the "Movie Quiz" contest start with releases from July 29.

Denver Gets Rolling

Denver, Aug. 16. The film industry's advertising campaign will be one of the principal subjects discussed at the convention of the Rocky Mountain Exhibitors' Association when they meet Aug. 24 at the Cosmopolitan hotel here. With A. P. Auerbach, president of the district, the advertising campaign is looked on with favor by many exhibitors of the drive. A favorable reaction is expected.

Departing from the usual custom that when no registration is taken, a large attendance is expected. The second day of the convention will be devoted to the business of the Screen Club picnic to be held at Evergreen, Colo., 40 miles from Denver.

Regina, Sask., Aug. 16. Saskatchewan exhibitors solidly behind the drive to get the picture in here. In Hotel Saskatchewan they formed a committee headed by P. M. Warner, with W. N. Rogers, secretary, to direct activities here. About 40 exhibitors, sales managers of the district, and exhibitors, and visitors were present.

Plans were outlined by J. F. Fitzgerald, g.m. and vice-pres. Famous Players-Lasker, and Haskell Masters, g.m. United Artists, and Leo M. Devany, g.m. RKO-Radio, here from Toronto, at a luncheon meeting.

Theatres Inspired the Drive

"Motion Pictures Are Your Best Entertainment" drive was inspired by the exhibitor side of the trade, something which few in the business realize. The necessity for a nation-wide campaign to bolster the drive and to attract additional exhibitors by word of mouth. At a meeting which was called by prominent exhibitors and to which other branches of the trade had been invited, George J. Schaefer, United Artists' distribution chief, was asked to take charge. That's how the thing got started.

The work had to get under way quickly, as there were only around six weeks to go before the start of the new releasing season.

Fanfare Previews Mean Little; Philly Exhibits Find Out A Better Way to Dig 'Exploitation' Angles

'Screen Test Previews,' New Outfit, Warned By Metro and Par

Screen Test Previews, recently started company which would assist in getting screen tests before principal film company talent heads, according to reported information, has been warned by both Metro and Paramount not to link their company in any advertising for clients. Talents of these companies told reporters that they planned to sue the company. Several talent executives pointed out that they would look their screen tests the same as those of any person and that anybody was free to submit such tests. But they would not permit the company name to be tied up in a lawsuit with the training school.

When S. T. Previews told picture officials that they planned to sue, the picture departments of big companies, one talent official informed that they never had any department, but usually assembled a file crew whenever tests were to be given. Several talent executives, according to story told other industry officials, would only pick out the tests which showed latent talent, making any guarantees but simply providing a test and ultimately making a selection of the best people from which picture companies could draw on for talent.

Several talent executives pointed out that when only five to 10 make the grade in screen productions out of 100 tested, and that they were not impressed with the new enterprise unless it was stressed that the school only could guarantee a worthwhile test.

WB'S H.O. SCREENINGS FOR DISTRICT MGRS.

Warner Bros. brought in all its district managers Monday (15) for screening of new '38-39 product, prints of which have arrived in the east, plus a luncheon at headquarters.

The company showed the men "Four Daughters," "Valley of the Giants" and "Garden of the Moon." Home office executives participating in confabs with the district men included Grad Sears, Carl Leseman, Roy Haskin, Percy Galante, and Mort Blumenstock. In addition to pictures screened, leading forthcoming '39 drive was discussed from the sales angle.

Okay Ohio Tax

Columbus, Aug. 9. Ohio House of Representatives has approved the tax extender bill, anticipated to produce \$720,000 in profit for the state. The bill includes the 3% admissions tax, which was extended through 1941.

Spartanburg, S. C., Aug. 16. State board on theatre taxes has voted \$156,210 during past fiscal year, ending June 30.

The board bitterly fought for several years.

Crime Takes a Holiday

Hollywood, Aug. 16. Martin Munksgaard is scriptwriter of Nick Carter yarns for Surety Productions, slated to hit the cameras at the end of the month. Surety obtained rights to the old detective tales through a tieup with Street & Smith, publishers.

Philadelphia, Aug. 16. With the \$1,000,000 film drive getting under way to put new life in the film business, exhibitors must do more exploitation on run-of-the-mine films, there has been a big change in the way trade screenings by exchanges.

Distributors are finally getting wise to the big of exhibitors which usually take place in the morning in some big midtown theatre. Exhibitors are giving the type of exhibition means nothing towards getting exhibitors to see exhibitors. Exhibitors are giving the pictures. Most exhibitors don't come because it is too much trouble; they give the nicely engraved invitations to friends or members of the family. And the rest of the crowd is just a bunch of people who play the exhibitors and their friends. So the whole thing amounts to nothing unless exhibitors can get the whatever publicity can be gained by getting a few more out.

Present more is away from this type screening. Trend is to hold more and more of them in projection rooms of the exchanges themselves with small, informal groups of exhibitors present. In this way, exhibitors are only making the exhibitors can concentrate on exploitation angle that will suit their particular needs. Exhibitors are being once in a while pick out a deeper this way and sometimes are led to give a better or preferred date to the picture that they might skip if they hadn't seen. It is always more satisfactory to see the picture than read reviews and thumb through a press book. And even the latest trend is to have exhibitors come in to a screening if it's right on the film rials and there's not too much to do.

An example of the new-style screening was given by RKO Monday (15) at the "Smash" theatres. Telegrams were sent to about 10 men and half a dozen more were sent to Paul Sussman, who came from comment afterward, turned out to be advantageous to both exhibitor and exchange.

RKO DUMPS LINCOLN, CLEVE; EASES OTHER 3

Cleveland, Aug. 16. Chain of RKO's theatres is being cut down to three theatres with the same in Cleveland. The movie runner, on expiration of its lease, Lincoln with 850 seats is passing to Paul Sussman. The other two signed 10-year lease. Latter also owns four other theatres but no downtown place since closing of his Cameo.

Seats leave RKO with the downtown theatre, the Adelphi, and used for more movies and Class B's and the suburban Keith's 105th for more runs. Nevertheless, it is a big loss for RKO. In its work circuit's which was tough at times when Palace couldn't get enough good product for itself.

Guild Dickering With Par on Wage-Hr. Pact

Discussions still are on between the Newspaper Guild relative to a wage and hour pact. The pact is being discussed by the Par news office in N. Y. Understanding is that the Guild is seeking to establish a scale equivalent to what other newsreels currently are paying editorial workers.

SHOW NEWS FROM RKO RADIO

With the Astaire-Rogers-Berlin "Carefree" set for release on Labor Day . . . with "Gunga Din" and "Room Service", two of the biggest shows to be released by any company this Fall, in the cutting room . . . with other important shows shooting and being moved into production as this announcement goes to press, **RKO-RADIO Lays Its Show News on the Line.**

We have more box-office stars and more fine properties than ever before. Impressive as our program looks today, it will be augmented by box-office names and properties, and strengthened month by month, as alert showmanship in our studio, with Pandro S. Berman in charge of production, seizes every show opportunity.

54 FEATURES FOR 1938-39

'GUNGA DIN' SHOOTING!

CARY GRANT . . VICTOR McLAGLEN . DOUGLAS FAIRBANKS Jr.

IN KIPLING'S PANORAMIC DRAMA OF FIGHTING MEN IN LOVE with
JOAN FONTAINE • SAM JAFFE • EDUARDO CIANNELLI

and cast of thousands!

Produced and Directed by GEORGE STEVENS

Screen play by Ben
Hurst and Charles
Arthur; Joel
Cree and Fred Guise

PANDRO S. BERMAN
IN CHARGE OF PRODUCTION



TWO
LEO MCCAREY
PRODUCTIONS

IRENE DUNNE
CHARLES BOYER
IN
"LOVE MATCH"



THE FIRST
LEO MCCAREY
PRODUCTION

ASTAIRE ROGERS

WILL MAKE ANOTHER GREAT SHOW FOR YOU!



MARX BROS. "ROOM SERVICE"
READY IN SEPTEMBER!

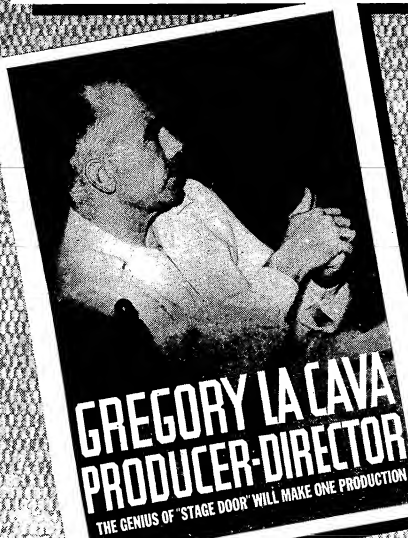
In the play by John Murray and Allen Dorey that was Broadway's 2-year Laugh Sensation.

FRANK ALBERTSON
LUCILLE BALL
ANN MILLER
Clifford Dunstan, Donald MacBride, Charles Matton, Philip Ward, Alexander Aaro, Philip Love... Produced by Hendon S. Warner... Directed by William A. Seiter
Sept. 10th, Musicland

COLBERT



"MEMORY OF LOVE"



GREGORY LA CAVA
PRODUCER-DIRECTOR
THE GENIUS OF 'STAGE DOOR' WILL MAKE ONE PRODUCTION

"THE MAD MISS MANTON"

COMPLETED!

BARBARA STANWYCK
HENRY FONDA

and great
cast in the
season's
novel
thriller!



AND ONE
ADDITIONAL
BARBARA STANWYCK
PRODUCTION

GEORGE STEVENS



SIGNED AS PRODUCER-DIRECTOR... CURRENTLY DIRECTING "GUNGA DIN"

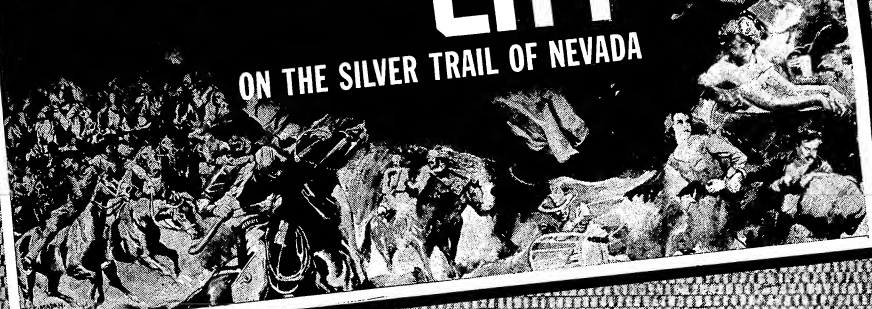
THE NIGHT OF JAN. 15

New York gasped and thrilled and sat rooted tense through 235 performances of this great A. J. Woods melodrama at the Ambassador Theatre. Now this smashing bolt of stage thunder strikes the screen!

Through the pioneer hearts of daring men and women, this epic story of the Silver Rush in Nevada courses in mad dramatic cascade. Filmed in the all-sweeping spirit of the West That Was!

VIRGINIA CITY

ON THE SILVER TRAIL OF NEVADA



RKO SIGNS PETER HOLDEN

7-YEAR-OLD SENSATION OF N.Y. THEA TRE SEASON WILL APPEAR IN PICTURE WITH BOB BURNS



When he starred in "On Borrowed Time" every New York critic craved like this!

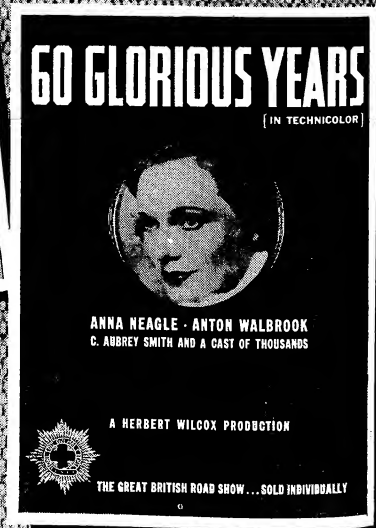
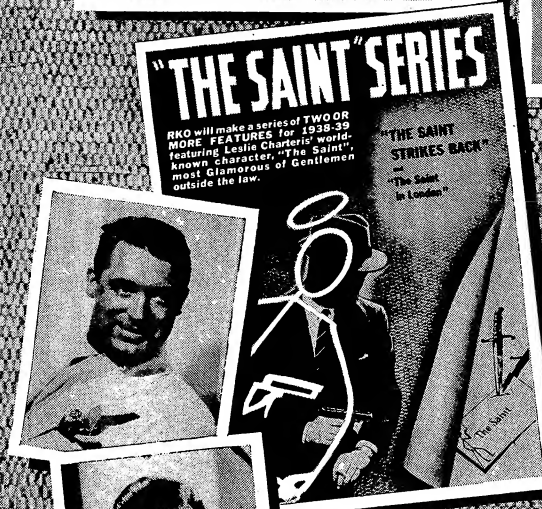
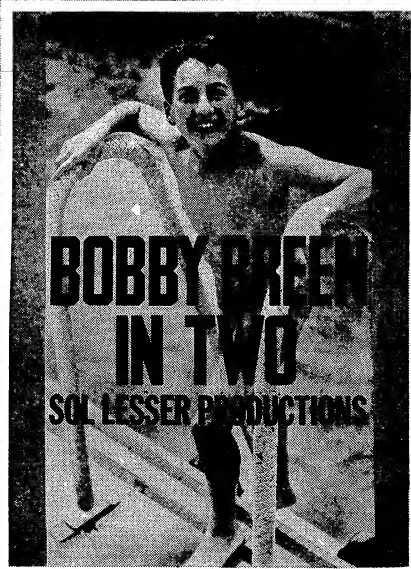
"Peter Holden is, in our book, the greatest juvenile actor of our time. His acting is stirring the admiration of his elders in the craft."

Robert Coleman, N.Y. Daily Mirror

PECK'S BAD BOY WITH THE CIRCUS



with TOMMY KELLY, the "Tom Sawyer" Kid
(by special arrangement with Selznick-Desmetz)
Produced by Sol Lesser, and built for your box office by a man who knows your needs!



THE FIRST OF A NEW SERIES!



**JACK OAKIE
LUCILLE BALL**
in
THE AFFAIRS OF ANNABEL

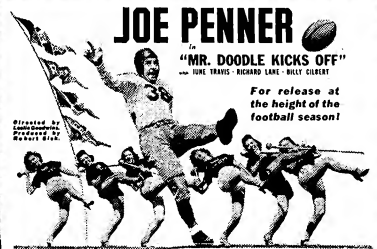
with Ruth Donnelly... Bradley Page... Fritz Feld... Thurston Hall... Elizabeth Risdon

Temperamental movie star and here brained was agent!... What he thinks up, she does; and they start the new laugh season off with Bang!

NEXT OF THE SERIES OF FOUR... "ANNABEL TAKES A TOUR"

JOE PENNER
"MR. DOODLE KICKS OFF"
— THE TANG-KOON LEE... BEST COMEDY

For release at the height of the football season!

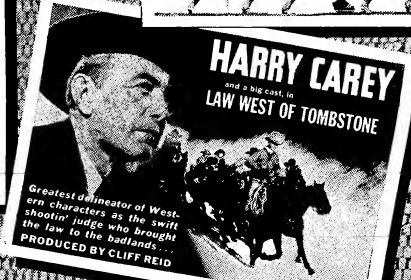


Produced by... Directed by...

HARRY CAREY
and a big cast in
LAW WEST OF TOMBSTONE

Greatest delineator of Western characters as the swift shootin' judge who brought the law to the badlands...

PRODUCED BY CLIFF REID



VICTOR MCLAGLEN

"PACIFIC LINER"

A terror ship aflame with plague!... Gay passengers unaware of tragedy boiling beneath dancing feet!... Blood and battle, romance and laugh, for through fears and tears!



ANNE SHIRLEY "SORORITY HOUSE"

Behind locked doors in a girls' college... Human drama told in heart-beats of budding girls for life!

Produced by... P. Fineman



GEORGE O'BRIEN
IN SIX BIG ACTION SHOWS



SHOWMANSHIP FEATURES

- "THE INSIDE ROOM"
Couple visiting New York get mixed up in gangster murder.
- "WASHINGTON AGENT"
G-Men and Spies in hair-raising thriller!
- "A MAN TO REMEMBER"
Drama of a family doctor.
- "WILDCAT BUS"
The inside dope on the rooster who got ferry passengers against the law.
- "FIVE CAME BACK"
A glider bomber plane crashes in the jungle.
- "AIR PIRATE"
Up in the air for thrills with no outline of the clouds!
- "BEAUTY FOR THE ASKING"
Women saved millions for beauty... Here's the inside story of "Beauty from bottles."
- "WHAT'S YOUR NUMBER?"
Blazing the policy racket wide open!
- "THE MIRACLE RACKET"
SALLY DUFFIN in domestic story of a woman forms a "miracle" evangelist and par.

FUGITIVES FOR A NIGHT

An inside Hollywood story with a laugh and murder angle that make it totally different.

with **FRANK ALBERTSON... ELEANOR LYNN**... Allan Lane, Bradley Page, Adrienne Ames, Jonathan Hale, Russell Hicks, Paul Guilfoyle... Directed by Les Goodwins. Produced by Lou Lusky... Screen play by Dalton Trumbo.

SEPTEMBER RELEASE!

WALT DISNEY

THE BIGGEST NAME IN SHOW BUSINESS TODAY!

For the 1938-39 season
there will be

18 WALT DISNEY

SHORT FEATURES—IN TECHNICOLOR

6 WILL BE SPECIAL ATTRACTIONS

So important is the announcement of these attractions... so comprehensive the exploitation and campaigns for the Walt Disney program, that a special announcement book has been published... giving the titles, release dates, and detailed information of advertising possibilities of each of the eighteen.



As an unusual cartoon series, the book, "AFTER SNOW WHITE... WHAT?", is a real one and a real surprise!

A Box Office Feature
... 13 Times a Year

With each new release, exhibitors are discovering more concentrated interest in the March of Time than in any other screen series... they are finding that the March of Time is not only a new kind of dramatic news reporting—but exciting box office entertainment.

THE MARCH OF TIME

PRODUCED BY
THE EDITORS
OF LIFE AND
TIME

NEW EXCITING ISSUE
EVERY FOUR WEEKS



RKO RADIO SHORT PRODUCTIONS

24 TWO-REEL COMEDIES

Edgar Kennedy, Leon Goral, Ray Blinn and the Singing-Playing Cowboys; Ted Fio Rife, Phil Harris, Charles (Buddy) Hagen and their Bands; and other names of similar aqueous value.

13 NU-ATLAS MUSICALS

Flash acts, specialties, headlines in song and dance... everything that's new and exciting. Produced by Milton Schwarzwald.

13 RKO-PATHE SPORTSCOPES

Covering the world of sports, indoor and out.

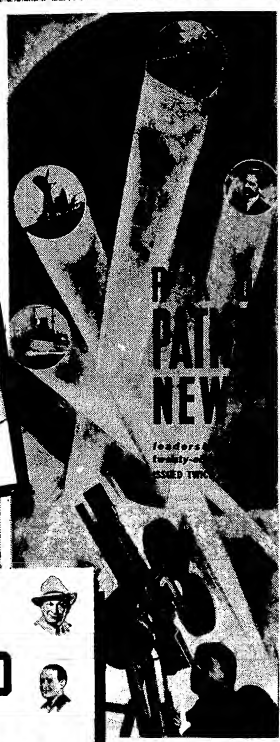
4 SHEILA BARRETT SPECIALTIES

The Queen of New York's smart dining-dancing places, personality and impressions that have made her the talk of two continents.

9 RKO-PATHE SINGLE REEL SUBJECTS

Pictorial feature articles on the screen.

1 TWO-REEL DIONNE QUINTUPLES PRODUCTION



[Note: This announcement subject to changes and additions]

HAPPY DAYS FOR THEATRE MEN

Let Rhythm Ring! Fred and Ginger are back again in their grandest show of all...

"Carefree" .. with words and music by Irving Berlin .. opening Labor Day weekend throughout the Nation

SEE THEM SING AND DANCE

"THE YAM"

Fred and Ginger, Singing and Seinging to Four Grand New songs

"CHANGE PARTNERS"

"I USED TO BE COLOR BLIND"

"THE NIGHT IS FILLED WITH MUSIC"

WITH
RALPH BELLAMY
LUELLA GEAR • JACK CARSON
CLARENCE KOLB • FRANKLIN PANGBORN

A PANDRO S. BERMAN PRODUCTION
DIRECTED BY MARK SANDRICH
Screen Play by Allan Scott and Ernest Pagano Story
and Adaptation by Dudley Nichols and Meger Wilder



together again!

**FRED ASTAIRE
GINGER ROGERS**

"CAREFREE"

Lyrics and music by

IRVING BERLIN





*I'm raising
"H" again!*

UNIVERSAL'S "LETTER OF INTRODUCTION"—IN

EVERY OPENING SPOT... IN BOSTON... IN CHICAGO!

IN WASHINGTON! IN COLUMBUS! IN CLEVELAND!

IN PHILADELPHIA!... IN SYRACUSE!

BOY, OH BOY, OH

Bella and Samuel Spewack's

BOY MEETS GIRL

(Play Produced by George Abbott)

A stage smash in 235 cities! Prize-winning 2-year run on Broadway!

JAMES **CAGNEY**

meets

PAT **O'BRIEN**

on Aug. 27!

with **MARIE WILSON**

RALPH BELLAMY • FRANK McHUGH • DICK FORAN

Directed by LLOYD BACON

Screen Play by Bella and Samuel Spewack • A WARNER BROS. Picture

FILM BOOKING CHART

(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 release is given in VARIETY and the running time of prints are included.)

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WEEK OF RELEASE	TITLE	PRODUCER	DISTRIB.	TIME	REVIEWED		
8/27/38				MIN.	BY VARIETY		
8/27/38	YELLOW JACK	Jack Cummings	MGM	Drama	R. Montgomery-V. Bruce	Geo. Seitz	5/25
	HUNTED MEN	Harold Hurley	Par	Meller	L. Nolan-M. Carlisle	Louis King	5/18
	DESSERT KIDNAPED	A. W. Hackel	Par	Western	W. Steers-W. Neilson	Sam Wood	5/18
	CRIME SCHOOL	K. MacGowan	29th	Rom-Dr	W. Baxter-F. Bartholomew	Al Werker	93
8/27/38	THREE ON A WEEKEND	GB	GP	Rom-Dr	N. Rega	Low Saylor	5/18
	THREE COMRADES	H. Manckiewicz	MGM	Rom-Dr	M. Lockwood-J. Lodge-B. Ray	Carl Reed	76
	A FAREWELL TO ARMS (R)	F. Borzage	GP	Rom-Dr	R. Taylor-Tom-M. Sullivan	Frank Borzage	100
	SIGN OF THE CROSS (R)	C. B. DeMille	Par	Drama	G. Cooper-H. Hayes	C. B. Borzage	124
8/27/38	SAINT IN NEW YORK	Wm. Sistrum	RKO	Musical	F. March-Colbert Laughton	C. B. DeMille	12/6/35
	JOSETTE	Gene Markes	29th	Meller	L. Hayward-K. Sulton	Ben Holmes	71
	WIVES UNDER SUSPICION	Ed Granger	U	Drama	S. Simon-D. Ames-B. Lahr	Alan Dwan	78
	LITTLE MISS THROUGHBRED	Bryan Foy	WB	Com-Dr	W. William-G. Patrick	Jas. Whale	68
8/10/38	HELD FOR RANSOM	GN	GN	Meller	J. Chapman-A. Lidel	John Farrow	59
	THE TOY WIFE	Merian C. Cooper	MGM	Drama	G. Withers-B. McHaffey-J. Mulhall	Clarence Bricker	93
	YOU AND ME	Fritz Lang	Par	Rom-Dr	L. Baiter-M. Juglar-R. Young	Richard Thorpe	90
	KING KONG (R)	M. C. Cooper	RKO	Drama	S. Sidney-G. Rati-H. Carey	Fritz Lang	88
8/10/38	RIDERS OF BLACK HILLS	Wm. Berke	Rep	Western	F. Wray-H. Cabot-Cooper	Shoedart	3/7/33
	LADIES IN DISTRESS	Harry Grey	29th	Meller	A. Mesquiteres	George Sherman	85
	ONE WILD NIGHT	John Stone	29th	Meller	J. Lang-L. Talbot-S. Toler	Geo. Meins	63
	GOLDGIRLS IN FABIS	Sam Buchoff	WB	Musical	R. Vallee-R. Lane	Ray Enright	100
8/17/38	HOLIDAY	Everett Riskin	Col	Drama	K. Hepburn-C. Grant	George Cukor	83
	CRIME OVER LONDON	Edw. Chodorov	GB	Rom-Dr	M. Graham-F. Cavannah	Richard Thorpe	82
	WOMAN AGAINST WOMAN	Wm. Sistrum	RKO	Rom-Com	V. Bruce-H. Marshall	F. Sinclair	80
	BLONDE CHEAT	Wm. Sistrum	RKO	Rom-Com	S. Reed-L. Nolan-J. C. Nash	Louis King	69
8/17/38	THE BLIND MICE	Ray Griffith	29th	Rom-Com	J. Fontaine-D. De Marney	Jos. Santley	70
	BLOCKADE	Walter Wanger	UA	Drama	L. Young-J. McCrea	Wm. Suter	75
	OUTLAW EXPRESS	Trem Carr	U	Western	M. Fonda-M. Carroll	Wm. Dieterle	56
	WHEN WERE YOU BORN	Bryan Foy	WB	Western	Rob Baker-C. Callego	Geo. Waggoner	70
8/24/38	HIGHWAY PATROL	W. MacDonald	Col	Meller	J. Wells-B. Falce	C. Coleman, Jr.	58
	LORD JEFF	Frank Davis	MGM	Rom-Dr	F. Bartholomew-Sondergaard	Sam Wood	76
	ROMANCE OF LUTHERBLOST	Mono	Mono	Rom-Dr	J. Parker-E. Linden	Wm. Nigh	78
	BAR 24 JUSTICE	Harry Sherman	RKO	Western	W. W. Hayes	Leo McCarey	68
8/24/38	BORDER CHANCE	Bert Gilroy	29th	Western	R. Lester-Hudson	David Howard	81
	MR. MOTO TAKES CHANCE	Joe Wurtzel	29th	Nystery	P. Lorre-J. Hudson	Norman Foster	78
	YOUNG FUGITIVES	Barney Sarecky	U	Meller	D. Kent-B. Wilcox	John Rollins	67
	WHITE RAINBOW	Henry Blash	WB	Rom-Dr	R. Kall-R. Cooper	Wm. DeLoach	67
7/1/38	CITY STREETS	W. MacDonald	Col	Meller	Cartilage-R. H. Eddy	Al Rogell	68
	EVERGREEN (R)	V. Saville	GB	Musical	J. Matthews-R. Mackay	Victor Saville	82
	HAVING WONDERFUL TIME	P. S. Berman	RKO	Comedy	G. Rogers-D. Fairbanks, Jr.	Al Santell	78
	ARMY GIRL	Col. Seigel	Rep	Rom-Dr	M. Evans-F. Foster	Al Santell	78
8/15/38	ALWAYS GOODBYE	Ray Griffith	29th	Drama	B. Stanwyck-H. Marshall	Lid Landfield	75
	SOUTH RIDING	Alex Korda	UA	Drama	R. Richman-E. Best	Vic Saville	84
	DANGER ON THE AIR	Ivory Starr	U	Mystery	D. Woods-A. Grey	Sis Garrett	65
	RAGE OF PATRICK	E. G. Delville	U	Rom-Com	D. Dariusz-D. Fairbanks, Jr.	Wm. Koster	86
7/8/38	MEN ARE SUCH FOOLS	David Lewis	WB	Rom-Com	W. Morris-F. Lane	Bob Berkeley	86
	FAST COMPANY	F. Stephani	MGM	Rom-Com	M. Douglas-F. Rice	Eddie Buzzell	75
	MAN'S COUNTRY	Mono	Mono	Western	Jack Randall	Robert Hill	63
	CRIME KING	Cliff Reid	RKO	Western	A. Lester-F. Mercer	Leo McCarey	70
8/15/38	LITTLE WOMEN (R)	K. MacGowan	RKO	Western	Hepburn-J. Bennett-F. Dee	Geo. Cukor	117
	DURANGO VALLEY RAIDERS	A. W. Hackel	29th	Western	Ed. Lester-L. Stanley	Sam Newfield	68
	PANAMINT'S BAD MAN	Sol Lesser	29th	Western	S. Ballew-N. Berry	Ray Taylor	68
	MY LITTLE	John Farrow	WB	Drama	F. Francis-J. Barkley	John Farrow	80
8/15/38	PIONEER TROOP	J. L. Manckiewicz	MGM	Rom-Dr	M. Sullivan-J. Stewart	Joe Levering	85
	SHOWDOWN ANGEL	Harry Sherman	Col	Rom-Dr	G. Aultry-S. Burnette	H. C. Potter	85
	THE WEST OF THE WEST	C. E. Ford	Rep	Western	F. Moore-S. Erwin	Leo McCarey	70
	GOLD MINE IN SPY	C. E. Ford	Rep	Com-Dr	G. Morris-E. Fonda	Jas. Tinsling	74
8/22/38	PASSPORT HUSBAND	Sol Wurtzel	29th	Com-Dr	G. Morris-E. Fonda	Jas. Tinsling	74
	TRISON BEAT	Trem Carr	U	Meller	G. Morris-E. Fonda	Jas. Tinsling	74
	REFORMATORY	Col	Drama	Drama	J. Holt-G. Wythers	Lew D. Collins	61
	LOVE FINDS ANY HARDY	Hal Roach	MGM	Com-Dr	M. Rooney-J. Garland	Theodore Reed	98
8/22/38	TROPIC HOLIDAY	A. Hornblum	Par	Musical	D. Lamour-Burns-Rae	C. E. Elliott	80
	BOO-LOO	C. E. Elliott	Par	Adv-Dr	C. Tapley-S. Asmara-A. Lane	Low Saylor	68
	SPY GLANT	Robert Sisk	29th	Drama	W. Baxter-M. Weaver	Walter Lang	70
	I'LL GIVE A MILLION	K. MacGowan	29th	Rom-Mel	C. Boyer-S. Gurle-H. Lamarr	John Cromwell	85
8/22/38	ALGIERS	Walter Wanger	UA	Rom-Mel	R. Kent-E. Fonda	Wm. Dieterle	85
	LITTLE TIGER GUY	Kee Goldstein	WB	Drama	March Tinsling	Low Saylor	65
	FENROD'S DOUBLE TROUBLE	Bryan Foy	WB	Drama	March Tinsling	Low Saylor	65
	SOUTH OF ARIZONA	Geo. B. Mason	Col	Western	S. Simon-D. Ames-B. Lahr	Alan Dwan	78
8/22/38	STRANGE PARTNERS	Frank Davis	MGM	Com-Dr	T. Walls-R. Saint Cyr	George Mason	75
	THE CHASER	Harold Lloyd	RKO	Comedy	D. O'Keefe-A. Morris-L. Stone	E. L. Marin	75
	PROFESSOR REWARE	Wm. Berke	Rep	Western	R. Lester-F. Foster	Geo. Sherman	85
	HEROES OF THE HILLS	P. S. Berman	29th	Rom-Com	S. Temple-G. Murphy-Danora	Leo McCarey	70
8/6/38	MOTHER CAREY'S CHICKENS	D. Hemmstedt	29th	Rom-Com	E. Robinson-C. Trevor	Irving Cummings	70
	LITTLE MISS BROADWAY	Anatole Litvak	WB	Drama	M. Lockwood-F. Lukas	Anatole Litvak	67
	AMAZING DE CLITTERHOUSE	A. Hitchcock	MGM	Rom-Dr	R. Taylor-M. O'Sullivan	A. Hitchcock	87
	THE LADY VANISHES	Sam Zimbalist	Mono	Drama	J. Moran-M. Jones-B. Morgan	Karl Brown	70
8/22/38	THE CROWD ROYS	E. S. Der	Mono	Mystery	H. Howard-H. Asch-R. B. War	Louis King	68
	BULLDOG DRUNKEN IN AFRICA	Harold Hurley	Rep	Sports	K. Cromwell-M. Hunt	Jas. Cruze	54
	COME ON, LEATHERNECKS	Herman Schlom	Rep	Western	J. Mesquiteres	Geo. Sherman	85
	MAN FROM MURDER	Wm. Berke	Rep	Western	J. Connolly-Kruger	Geo. Sherman	71
8/12/38	FALLS OF THE SADDLE	Wm. Sistrum	RKO	Comedy	D. Ames-A. Whelan-Ratoff	Al Werker	73
	I'M FROM THE CITY	Samuel G. Engel	29th	Rom-Dr	A. Leeds-A. Whelan-Bergen	John Stahl	100
	LETTER OF INTRODUCTION	John Stahl	WB	Rom-Dr	Wm. Clemens	John Stahl	100
	MR. CHUMP	Bryan Foy	WB	Rom-Com	Wm. Clemens	John Stahl	100
8/12/38	THE GLADIATOR	David L. Loew	Col	Comedy	J. E. Brown-J. Travis	Ed Sedgwick	70
	RICH MAN, POOR GIRL	Edw. Chodorov	MGM	Com-Dr	A. Young-R. Hussey	R. Schunzel	70
	THE TEXAN	Charles Hubbard	RKO	Western	J. Sandoz-B. Scott	Jas. Hogan	80
	PAINTED DESERT	Bert Gilroy	RKO	Western	G. O'Brien-L. Johnson	David Howard	85
8/12/38	KEEP SMILING	Sol Wurtzel	29th	Rom-Com	W. Baxter-M. Weaver	Walter Lang	70
	THE MISSING QUEEN	B. Sarecky	U	Mystery	P. Kelly-C. Moore-Lundsgaard	John Rollins	85
	RACKET BUSTERS	Sam Buchoff	WB	Meller	H. Bogart-L. Lasker	Lloyd Bacon	65
	CONVICTS	Col	Comedy	Comedy	R. Hayward-C. Quigley	John Blystone	70
8/10/38	BLOCK-HEADS	Hal Roach	MGM	Comedy	Laurel and Hardy	Leo McCarey	72
	GIVE ME A SAILOR	J. Lanau	RKO	Meller	M. Morris-F. Mercer	Low Landers	80
	SMASHING THE RACKETEERS	B. P. Fineman	RKO	Rom-Dr	R. Novarro-M. Marsh	John H. Auer	70
	A ROMANTIC ROGUE	John H. Auer	Rep	Musical	T. Power-A. Fay-Archie	Edw. Ludwig	61
8/26/38	ALEXANDER'S ROMANTIC HAND	H. J. Brown	29th	Musical	D. Durbin-J. Conner-L. Rich	Edw. Ludwig	100
	THAT CERTAIN AGE	J. Pasternak	MGM	Drama	N. Simms-T. Fowler	S. Van Dyke	71
	MARIE ANTOINETTE	H. Stromberg	Col	Rom-Dr	A. Nage-J. Laue	Henry Hathaway	85
	CIRCS COMES TO TOWN	Im. T. Lasker	Par	Outdoor	G. Rati-H. Fonda-Lamont	Henry Hathaway	85
8/26/38	SPAWN OF THE NORTH	Al Levin	RKO	Rom-Dr	B. Bren-C. Ruggles	Otto Browne	85
	BREAKING THE BARRIERS	Sam Buchoff	WB	Meller	R. Cabot-R. Lauder	Otto Browne	85
	TENTH AVENUE KID	D. O. Selznick	UA	Rom-Dr	J. Gaynor-D. Fairbanks, Jr.	Richard Wallace	85
	SPEED TO RUIN	Jerry Hoffman	UA	Rom-Dr	Flora-Rosemary-Lane	Michael Curtiz	85
8/26/38	THE YOUNG IN HEART	D. O. Selznick	UA	Rom-Dr	Cassey-O'Brien-W. Wilson	Michael Curtiz	85
	WOMEN COURAGEOUS	Ben Glazer	WB	Com-Dr	Cassey-O'Brien-W. Wilson	Michael Curtiz	85
	WOMEN COURAGEOUS	Sam Buchoff	WB	Com-Dr	Cassey-O'Brien-W. Wilson	Michael Curtiz	85
	WOMEN COURAGEOUS	Sam Buchoff	WB	Com-Dr	Cassey-O'Brien-W. Wilson	Michael Curtiz	85
8/26/38	PHANTOM GOLD	Col	Western	Western	J. Lunden-B. Marlon	Joe Levering	70
	I AM THE LAW	Everett Riskin	Col	Meller	E. G. Robinson-W. Barrie	Joe Levering	70
	TOO HOT TO HANDLE	L. Weingarten	Col	Com-Dr	Gable-Loy-Carrillo	Joe Levering	70
	BOY'S TOWN	John Considine	MGM	Drama	S. Tracy-M. Rooney-Hill	N. Turog	70
8/26/38	STARLIGHT OVER TEXAS	Ed Finney	Mono	Western	Tex Ritter-C. LaRoux	Al Herman	70
	SING, YOU SINGERS	Wesley Ruggles	Par	Rom-Com	B. Crosby-F. MacMurray	Wesley Ruggles	70
	CABARET	Pandora Berman	RKO	Musical	F. Astaire-G. Rogers	Mark Sandrich	70
	MY LUCKY STAR	Harry J. Brown	29th	Mus-Rom	H. Menie-R. Greene-Romero	Roy Del Ruth	70
8/26/38	MAN WITH 105 FACES	A. Hitchcock	WB	Drama	L. Palmer-T. Walls	A. Hitchcock	85
	FOUR'S A CROWD	David Lewis	WB	Com-Rom	M. Bus-Rom	Michael Curtiz	85
	THE LADY DIRECTS	Wm. Perlberg	Col	Com-Com	G. Stuart-L. Ross	Eric C. Kenton	70
	STABLEMATES	Harry Rapf	Mono	Western	W. Berry-R. Rooney	Sam Wood	70
8/9/38	MEXICAN KID	Robt. Tamey	Mono	Western	J. Randall-W. Barry	Edw. D. Venturini	70
	IN OLD MEXICO	Harry Sherman	RKO	Comedy	W. Wood-G. Hayes	Ben Stott	70
	AFFAIRS OF ANABEL	Lou Lusa	RKO	Comedy	J. Oakie-L. Hall	Ben Stott	70
	SAFETY IN NUMBERS	John Stone	29th	Comedy	J. Frosty-S. Ryland	Wm. Keighly	70
8/9/38	SECRETS OF AN AVENUE	David Lewis	WB	Rom-Dr	K. Francis-G. Brent	Wm. Keighly	70
	SECRETS OF AN AVENUE	David Lewis	WB	Rom-Dr	K. Francis-G. Brent	Wm. Keighly	70

"There's a fortune in your mitt, Mr. M-G-M Showman!"



—while "The Crowd Roars" and "Love Finds Andy Hardy" continue to blast the heat with happy hold-overs, look what's coming!

PALMY DAYS HEAD!

**NORMA SHEARER
TYRONE POWER**
"MARIE ANTOINETTE"
Direct to your Patrons at Popular Prices while Broadway and Los Angeles pay \$2 to see it!

AUG 26th

SEPT. 2nd

**Janet GAYNOR
Robert MONTGOMERY
Franchot TONE**
"THREE LOVES HAS NANCY"
Hysterical Preview brings forecast of sensational hit!

SEPT. 16th

**CLARK GABLE
MYRNA LOY**
"TOO HOT TO HANDLE"
Still in production and already the talk of Hollywood!

**SPENCER TRACY
MICKEY ROONEY**
"BOYS TOWN"
The Greatest Heart Drama Ever Made!

SEPT. 9th

**Jeanette MacDonald
Nelson EDDY**
VICTOR HERBERT'S
"SWEETHEARTS"
in Technicolor
Beyond your wildest dreams!

OCT. 28th

**"THE GREAT WALTZ"
LUISE RAINER
FERNAND GRAVET
MILIZA KORJUS**
Music on the cash register!

OCT. 14th

Wallace BEERY
Mickey ROONEY
"STABLEMATES"
Box-office honey with tears, thrills, laughter
ALSO IN SEPT. & OCT.
"LISTEN DARLING"
(Freddie Bartholomew, Judy Garland, Mary Astor, Walter Pidgeon)
"VACATION FROM LOVE"
(Florence Rice, Dennis O'Keefe)
"YOUNG DR. KILDARE"

SEPT. 30th

M-G-M

THE FRIENDLY COMPANY

THE BEST JOE E. BROWN EVER MADE!

E E E E E

Critics Toss Praises Right In Your Lap!

"One of the most amusing Joe E. Brown comedies to date."

— *Film Daily*

"Most pleasing comedy this reviewer has seen for a long while."

— *Los Angeles Eve. News*

"A treat awaits Joe E. Brown fans."

— *Los Angeles Examiner*



Imagine Public Funnyman No. 1 as a superman of the gridiron... and the modern Hercules of the wrestling ring! Tearing down the field for a hundred laugh, gain and throwing ferocious Man Mountain Dean for a total loss!



DAVID L. LOEW presents

JOE E. BROWN vs. THE GLADIATOR

SUPPORTING CARD

MAN MOUNTAIN DEAN • JUNE TRAVIS • DICKIE MOORE
LUCIEN LITTLEFIELD • ROBERT KENT

From the novel by Philip Wylie
Screen play by Charlie Meehan and Arthur Sheekman
Directed by Edward Sedgwick

A COLUMBIA PICTURE

Y E E O O W!

JOE'S
A FOOT
BAWL
HERO
NOW!



Counting to you
right smack on
the eve of the
football season!

306 in Fresh Move to Oust Empire Bootmen from N.Y.; Picket 8 in B'klyn

Long stymied in trying to oust Empire operators from the few booths they still control, local 306 Moving Picture Machine Operators of New York, enlisted the aid of musicians and stagehands, and picketed which started with intensive picketing Monday (15) against eight A. H. Schwartz (Crescent circuit) theatres in Brooklyn. The goal of 306 is 100% unionization of Greater New York to the total exclusion of local 306 with which numerous efforts for a merger proved to no avail. Schwartz's eight houses, pounced on Monday (15) by the triple-barreled union offensive are the Cosmo, Avalon, Kingsway circuit, Midwood, Vogue, Bliss and Merriell, all in Brooklyn. They have for years employed Empire bootmen at allegedly lower scales than would be necessary if 306 were installed. There are additional theatres, though not many now, which still use the Empire bootmen.

Among these are nine more Schwartz theatres which are to be added to the picketing list this week. The character of the strike has last stand against the opposition Empire. Emp has confined itself mostly to Brooklyn in its battle with an understanding at one time resulting in 306 and Emp continuing their struggle without trouble. However, after Allied, a much stronger one, was taken in by 306, the latter intent to work in New York and sought an absorption but without success.

Emp's latest attack, 306 has closed the cooperation of Local 802 (musicians) and Local No. 4, Brooklyn stagehands.

EXHIBS QUIZ COPS ON WHY PINBALLS ARE OK

Philadelphia, Aug. 16. Exhibs, whose bingo and banko games have been banned as games of chance, are questioning city officials on their apparent approval of pinball, a machine and other catch-penny games in drug stores, play rooms and amusement centers throughout the city.

Film men claim their games were no more games of chance than those that the ban is discriminatory.

Safecrackers' Missout

Mechanville, N. Y., Aug. 16. Burglars visited the State, North Main street house, Friday night (12) and emptied empty, danded bouncer they were unable to crack the office safe. There was only a small amount of money in it.

Police stated that they believed the burglars to be beginners; they succeeded only in knocking off the safe's combination.

Atlanta, Aug. 16. Cascade (made) theatre's office safe is made of stern stuff. Strong-picked week ready for the door of cracksmen for third time, when yegs were balked after jamming.

First attempt to loot safe took place in December, second three days later. H. Stoker, theatre manager, stated. He said he believed the men hid in house after closing hour.

Tricky 'Topper'

Hollywood, Aug. 16. Complicated trick shots for 'Topper Takes a Trip', which is being shot at the Hal Roach studio, will require the aid of eight-man crew of special technicians in addition to the regular camera outfit.

Scene to the original 'Topper' will have twice as many materializations.

'PASSAGE' WAITS

Hollywood, Aug. 16. Date for the start of shooting on Metro's 'Northwest Passage' was postponed to Aug. 23. Troupe was held off for idleness in the past week but director W. S. Van Dyke is ready to begin with pickup shots for 'Sweetheart'.

Tinter will have Robert Taylor, Spencer Tracy and Wallace Berry in the top roles.

The Climax

Philadelphia, Aug. 16. Life of a busy man: Lewis J. Fiero, prez of United Motion Picture Theatre Owners, next Friday night will open the A. C. theatre, which he recently acquired and will be the following Friday night he'll open the Toga, also recently acquired and rebuilt. The third Friday night he'll open his new Chelton theatre. And the following Friday night he'll get married.

Dave Milgram's Chain Now 16 in Less Than a Year

Philadelphia, Aug. 16. Affiliated Theatre Circuit, Inc., headed by Dave Milgram, jumped 16 houses last week with acquisition of the Frolic. Organized less than a year ago, it now has the largest indie chain in the territory. Circuit will take over operation of the Frolic Sept. 1. It will reopen the Watson, Germantown, Aug. 24, and light up in new Adelphi on Sept. 16. Adelphi, being erected on lot of \$80,000 to relocate against Charles Seidell, chairman of the board of United Motion Picture Theatre Owners, who is putting up a house near Milliken Wallon.

Affiliated opened its Rialto last week when it was closed for extensive alterations.

Joy, Houston, in Second Barrage; Dynamite Now

Houston, Aug. 16. Four sticks of dynamite with a partially burned fuse attached were found by firemen Thursday night (11) on the roof of the Joy, small downtown picture house, second floor. It was in the same store that a stench bomb was thrown, burning several patrons, about six weeks ago.

Percy Wade, manager, said he knew of no reason why the dynamite was placed on the roof or why any one would wish to damage the theatre.

Investigating police said it was impossible to take fingerprints from the dynamite or the tape which bound the sticks together. Police blame labor trouble. The theatre employs CIO men while the other theatres deal with AFL union men.

U Reshuffles Trio

Hollywood, Aug. 16. Another shuffle at Universal puts 'Idiot Delight' in 'Service De Luxe'; Dorothea Kent in 'Adam's Evening'; and Nan Grey back in 'The Sign of the Cross'.

Reason for triple re-shift is that Kent, who was to have gone into 'Storm', was unable to finish 'You Take a Fling' in time. Miss Grey was to have replaced Miss Hodges in 'De Luxe'.

'Idiot' Still Off

Hollywood, Aug. 16. Opening gun on Metro's Clark Gable-Norma Shearer starring, 'Idiot Delight', has been postponed another month, making it 60 days late. Gable is still working in 'Too Hot to Handle', after which he will have two-week vacation period in his contract.

Leonard's Starter

Hollywood, Aug. 16. First chore by Robert Z. Leonard was to have new producer-director pact with Metro in an untitled yard of stage folk, starting Saturday (20). Frankanie MacDonald is in the top role.

Story is by Leonard and Charles Lederer.

H. M. Brooks' Nomination

Albany, Aug. 16. Harry M. Brooks, operator of Prospect, Troy, N. Y., prez of the Troy Operators' Union, was the past 21 years, and the present secretary-treasurer of State Association of nominated American Labor candidate for Congressman from the 29th district.

He was a Third District Republican Assemblyman in 1926.

Woods, Chi, Again in First Run When It Becomes S&S Flagship

Chicago, Aug. 16. With the takeover of the Woods, which has been in the sequel run since the Jones, S&S and Schaefer banner, Essanay is considering returning the house to a first-run theatre as it was when operated by RKO.

Successes threesome, Eddie Silverman, Emil Stern and Sidney Spiegel, have been their eye out for a loop since the same time. Their circuit numbers 30 theatres.

Only the relatively small seating capacity of 1,200 seats will compare against the Woods as an initial spot for flickers, but Essanay believes that this deficiency can be made up in the prestige which would accrue to the circuit, and result in increased trade for all the theatres in the string.

MONO SALES CLIMB; TO PRODUCE ABOARD

Hollywood, Aug. 16. Monogram's sales 'surge' far this week, up 38% over the corresponding figures for 1937, in spite of a b.o. decline throughout the country, according to president W. Ray Johnston.

With over 6,000 outlets in U. S., Monog plans to enter the production field in England. Cost of four productions in London will be shared by Pathe, the company's British release agent. Details will be announced at the next board meeting, Sept. 28.

Mooney's Film Buys Combine for Clev. Indies

Cleveland, Aug. 16. Milt A. Mooney, former chief manager of Paramount has organized four Cleveland theatres, and a line of getting small indie seats terms on film product and other accessories.

Combine so far includes 13 Cleveland houses, while 20 downtown theatres also have contracts permitting him to offer their '38-39 picture. Local names in new line-up include Avalon, Regent, Cliff, Corlett, Estline, Garfield, Jennings, LaSalle, Lorain-Pulton, Lyceum, Madison, New Victory, Parma and Regent.

Song of the Sagebrush

Hollywood, Aug. 16. Jack Vance, recently with Valco-Brown Productions, joined George H. Calhoun of Sovereign Pictures to produce six westerns. Series is called 'The Singing Buckaroos' featuring Ralph W. Liams, Ray Thompson and Clemens.

WB Encoring Trio

Hollywood, Aug. 16. Combination of Jimmy Cagney, Pat O'Brien and Marie Wilson will be used again in Warner's 'Boy Meets Girl', a picture along the lines of 'Boy Meets Girl'. Mark Hellinger was Earl Baldwin wrote the story. John Payne and Priscilla Lane will have the romantic leads and Lloyd Bacon will direct.

Kids Go Flop-Flop

Hollywood, Aug. 16. Ben 'Judd' picked 'The Revolt of Youth' as the next Progressive Pictures production following 'I Want a Divorce'. Picture starts early in October, with Phil Rosen as exec.

CRATES FLY AGAIN

Hollywood, Aug. 16. Two dozen ancient Nicquitos and Pokers are being reconditioned for sequences in Warner's 'David Patrol'. Picture moves to outdoor locations this week.

Analysis of Oklahoma's 400 Houses Shows Them to Be Virtually Indie

The Millennium

Seattle, Aug. 16. Owner of local sign shop, specializing in theatre lobbies, has analyzed the local theatre approach of the millennium. Indie operator advised him that the program was 20 years old, the following day. Sign man stated that the shop was too busy to turn out a lobby, so theatre man postponed opening for a couple of days until signs could be remedied.

Skourases Gather Coast Chiefs For Operations Parley

Los Angeles, Aug. 16.

Second regional convention of operating chiefs of far western sub-district National Theatres, Inc., comprising the Fox West Coast, Evergreen and Principal Theatres, gathered in the Pacific Coast today, under way here yesterday (15) to continue for three days. Spyros Skouras, head of National Theatres, and Charles J. Skouras, 'prexy' of Fox West Coast Theatres, are presiding, with around 15 field and home office executives participating.

Regional fellows a similar confab held last week in Kansas City for the 1938 season and general theatre operating problems. Circuits' participation in the 'Motion Pictures Entertainment' Entertaining magazine will also be mapped out during the three-day parley.

Here from New York with Spyros Skouras are Harry Cox, treasurer of National Theatres; attorney William Powers, J. J. Sullivan, chief film buyer for Fox-West Coast, and John Haeley, exec. to Spyros Skouras. Representing Evergreen Theatres are the Pacific Northwest's Frank Newman, John Hamrick, Al Finklestein, Al Rosenberg, Frank Christie and A. M. Ashford, treasurer of the sub-district.

Northern California division of F.W.C. presided by Arch M. Bowles and includes district managers Dick Spier, Harry Siegel and Nick Turner; chief booker Charles Thall; Phil Phillips, in charge of advertising, publicity, and Elmer Hanks, Northern California retail and maintenance chief.

Southern California is represented by all district managers, head booker, all home office executives, bookers, and one theatre manager from each district, in addition to home office execs.

Time Not A'wastin'

Hollywood, Aug. 16. Trem Carr is rushing production on his series of Bob Baker westerns for Universal. 'Twins of the West' was started in June, and 'The Gun' (untitled) is now under way and will be turned in by the end of the month. Filming is being done on beautiful at Chatsworth.

THE TROU BEGINS

Hollywood, Aug. 16. Abel Taker's 'Toug' got under way yesterday (Monday) at RKO with Jack Oakie and Lucille Ball co-starring. Production is being handled by others in the line of Frances Mercer, Ruth Donnelly, Alice White, Ed Gargan and Lew Kelly.

ONE TO GO

Hollywood, Aug. 16. 'The Last Outlaw', story by Robert Emmett, is the first of eight Jack Randall Westerns to be made by Monogram for the 1938-39 season. Shooting starts Aug. 29 with Robert Tatum producing.

Oklahoma City, Aug. 16.

Oklahoma's 400 theatres will be left practically untouched by the Government's divestment bill if carried out in its present form. Only a few of the state's 130 chain operated houses are connected with the Government or its subsidiaries, with the remaining 270 coming in as full-independent.

Griffith Amus Co., with its subsidiaries, controls the largest single block in the state and has no connections, other than booking with any of the exchanges or producing companies.

Local Theatres, which controls all of the Oklahoma City downtown first-run houses except T. B. Noble, J. J. State, B. A. Cooper-Warner tie-up and presumably would be affected by the divestment bill. Company, however, has not named in the indictment.

Robb & Rowley, most of whose houses are in Texas with a few in southern and central Oklahoma, is understood to have a United Artists money tie, but Robb probably be forced to sever this connection.

Southeastern (Haley & Moran), with approximately the 20 houses in Oklahoma City, Tulsa and smaller towns, is another purely exhib chain. Theaters in Tulsa, Oklahoma City. An additional office maintained by Southwestern in the Oklahoma City.

Ralph Talbot has Tulsa's first-run business fairly well under control. He has a number of downtown spots, in addition Talbot has the Adair Temple, which is equipped for film showing and for special product or road shows and has a seating capacity in Tulsa. Talbot has no exchange or production connections. State also has several independent operators with from two to five houses but none of them could be included in the chain lists.

MANAGER PINCHED ON BANKO, FORD NIGHT

Lynchburg, Aug. 16. Elmore D. Heins, v. p. and general manager of National Theatre Corp., Roanoke, Va., has been booked on lottery charge to test his right to hold bank night and Ford night in American, Roanoke, Park and Rialto theatres. Hearing set for August 18. Heins' attorney, J. L. Lee Carter, presented a petition signed by citizens protesting against alleged lottery.

Freak Ohio Tornado Wrecks Cinema, Circus

Cleveland, Aug. 16. Freak storm disrupted a circus and partly wrecked a nabe theatre here. The circus, which had booked brick chimney of the Commodore, East Side house, scattering bricks and debris, was being set up in auditorium. Several hundred customers were panicked but nobody hurt.

Same wind blew down tent of Newton's Savage Africa Circus in the city. The tent, valued at \$15,000, opened an hour after last show prevented further damages, although \$10,000 by police. A crowd of 1,000 and the only one in tent, suffered shock.

Sues on Oral Pact

Los Angeles, Aug. 16. George Klein Davidson is suing Falcon Pictures for \$15,000, claiming the indie outfit broke an oral contract.

Davidson declared he was hired as location scout, assistant director and cutter, but was discharged May 1 after completing one picture.

MICKEY'S SIDELINE

Hollywood, Aug. 16. Roy Kamen, 40, a Hollywood writer, is suing his ex-wife, Mary Kamen, for \$10,000, claiming she is exclusive representative for the Walt Disney Enterprises, Inc., because of her work with the company.

For six years Kamen has handled all commercial and licensing negotiations for Disney, including the company's, with over 150 manufacturers, chartered to use cartoon characters in, more than 7,000 articles.

DENVER MOVES

WITHIN the four walls of the Roxy Theatre, N. Y. . . . in 11 days . . . "Alexander's Ragtime Band" has packed 300,000 people . . . equivalent to the population of Denver, Colo.! Saturday of the hold-over week drew 4,491 more people than the opening day of "Cock Eyed World" . . . former world's record holder! The second week will top by thousands of dollars the first-week gross of "Thin Ice" . . . former record-holder under present price policy! That week included Labor Day and Jewish Holidays! **AND THAT'S SUMMER BUSINESS!** Same kind of news everywhere! Look:

BOSTON . . . Smash Easter Sunday gross of "In Old Chicago" at Metropolitan topped by \$140 on Sunday (4th day).

LOS ANGELES...Records day-by-day at Chinese and Loew's State following record-breaking opening!

PHILADELPHIA . . . Blowing lid off all highs at Stanley on heels of 5-year record opening!



THE KEYSTONE OF YOUR FUTURE

20TH STARTS ITS GREATEST SEASON WITH THE

D SEVENTH AVE!

PITTSBURGH . . . Set new all-time high for biggest single day in Alvin's history . . after all-time record opening (previous record set on Labor Day)!

PORTLAND (Ore.) More than twice as big as sensational "In Old Chicago" at the Paramount!

CHICAGO . . . Chicago Theatre's 5-year opening-day record blasted! That beats World's Fair business!

ATLANTIC CITY . . . All records at Apollo bowled over by hundreds of dollars!

HOUSTON . . . "In Old Chicago's" terrific first two days at Majestic swamped by \$1752!

CLEVELAND . . . \$1017 bigger than "In Old Chicago's" Easter Sunday opening!

DALLAS . . . Running away from sensational "In Old Chicago" grosses at the Majestic!

Irving Berlin's
ALEXANDER'S
RAGTIME BAND

GREATEST HIT IN THIS INDUSTRY'S HISTORY!

Local Program Registry Set Up at Variety' for Admen Shows Few Orchestral Programs

Preliminary insight culled from listings of programs available for sponsorship sent into Variety indicate that audience participation both day and evening, is numerically the strongest local category. But there are amazingly few newcomers to this class. "Popular music" looks healthiest in that respect.

Average age of audience participation stanzas received so far is 58.5 weeks daytime, and 122 weeks evening. This makes a veteran of the audience—broadcasting, to-the-audience bit, and may indicate that the current batch of programs is ready for a fade. Category itself will probably not falter, but the contents could easily change radically. All ready amateur hours and vox pop stuff—once the most prominent citizens of participation land—are definitely dying or dead in favor of games and semi-whacky entertainment. Latter, however, are being watched to death, and may wilt for that reason.

Although a complete picture cannot be focused from the current size of the sample, it would seem from what data is on hand at the Variety office in New York that audience-participation programs are not particularly cheaper than other stanzas. They draw lots of mail and contest gusto, it's true. But by and large, as taken, it looks as if pop music—especially transcribed swing—can equal anything both in price and in tie-ins for listener reaction. A preliminary estimate would thus put pop music on the pedestal. (This contention is echoed in breakdowns on network commercials in the Variety Radio Directory where pop music is accredited with a tremendous increase in station hours per week.)

Although virtually all of the material received so far comes from web stations in bigger budgets, it is surprising that the union pact with the American Federation of Musicians has not resulted in more house orchestra shows.

Wide Open

Impression gained is that the production field, both web and local, is wide open for new developments.

This is, of course, an impression not reducible at the moment to statistics, but in the realm of judgment. However, the panorama now sizes up like this:

Novelty shows of the past few years (audience participation, etc.) have put a stop to the old radio's natural forte: personal intimacy with the listener. And, second, and more unobserved, a new field for merchandising, tie-ins, and ballyhoo. While the intimacy unvalued by novelty is pretty much in the ham class, it nonetheless is a step in a positive direction, and the step, divorced from its current maligned set-up, might be highly useful. For instance, if carried over it the popular musical domain, it could add plenty of new life to that department. Or any other. It stands to reason that some address is necessary here, just as anywhere else, and that pure boilerplate alone won't do the trick.

WFL NURSING QUAKER WEB

More Pellicani Bias in Sight So Will Try Commercial, Too

Philadelphia, Aug. 16.—Quaker network, of 18 participating stations keyed by WFL, will become an active operating unit on Sept. 1, when permanent phone lines are thrown into use. Web has heretofore been used exclusively for political broadcasts, lines being set up only as needed.

Decision to make a permanent hook-up out of the aggregation was reached at a confab Saturday between Sam Rosenbaum, pres of WFL; Don Wilbycomb, g.m., and Roger W. Clipp, bit manager and co-ordinator of the net. With the current gubernatorial and senatorial elections, it was felt that there would be enough political broadcast to make the permanent line profitable aside from whatever spot commercial bit is picked up.

WFL will provide two to three hours daily as sustaining service on the net. It will be set up similar to Mutual with member stations absorbing line costs and agency commission. WFL will provide bit for the web, taking out commission for itself.

LUCKIES' AUDITION

Ken Dolan-Jimmy Saphier Offer Him Elaborate Band-Chief

Ken Dolan and Jimmy Saphier are still working on a program proposition for Lucky Strike.

Agents have offered a 50-piece orchestra banded by Raymond Paige and an elaborate mixed choir and it's now a question of getting an outstanding Hollywood name to head up the whole thing before submitting an audition to George Washington Hill.

ED WOLF SELLS THIRD RADIO SERIAL

Albert D. Lasker, Jr., of Lord & Thomas signed Tuesday (16), with Ed Wolf for a new daytime serial, 'Her Honor, Nancy James'. Klenken will sponsor over CBS wave a week starting Oct. 1.

Deal was consummated after agency and client considered upwards to 100 submitted scripts. Accounts has been off air over a year. Last bankrolled 'Story of Mary Marlin'. New hook-up of 40 stations is larger than previously.

Basil Loughran formerly with Lord & Thomas in Chicago will come east to direct the serial for Wolf Associates. David Victor and Herbert Little, Jr. are the authors. Deal puts Wolf out front as specialists in daytime serials. They also produce 'The O'Neills' and 'Hilltop House' both ranking serials.

WMCA RAISES ITS RATES

Also Asking \$100 an Hour for Use of Its Main Studio

WMCA, New York, has raised its evening rates from \$550 to \$650 an hour, effective Oct. 1. Daytime hour will go from \$275 to \$325.

Station is offering the use of its main studio, seating 300 persons, on a basis of \$100 an hour. New rate card eliminates the frequency discount on spot announcements on the theory that the station feels that it shouldn't encourage a volume use of this type of business.

Deal with 'Variety' Directly

For the record and in answer to inquiries, VARIETY does not recognize, and will not recognize, so-called 'trade paper counselors' established, or establishing themselves, in New York City.

This publication has its own network of local reporters. In towns where there are no VARIETY representatives, direct communication between the several offices of VARIETY and local radio stations is now, as always in the past, welcomed.

Stations need no intermediary to deal with VARIETY. New York VARIETY offers its present large staff if it accepted mimeographed handouts.

There is no magic involved. Deal directly. All news is welcome and judged solely on its news value.

News controlled by or clearing through 'trade paper counselors'—whatever that's supposed to mean—is not for VARIETY.

Bob Jennings Leaves WLW

Will Establish in New York Location Agency with Crosley Account

GOLD MEDAL TESTING WITH CAROLINE ELLIS

Des Moines, Aug. 16.—'Caroline's Golden Story', original dramatic serial sponsored by General Mills for Gold Medal Kitchen-Tested food, will air on WHIO Monday through Fridays starting Aug. 15, with Mrs. Caroline Ellis coming here from Kansas City for the show. Includes following WHIO talent: Cliff Carr, Sarah Barger, Maxine Gibson, Bill Klimer, Treen Andersen, Sha Morison and Jack Smith. Fran Hayer will direct the shows.

Specific Samples

Herewith are some specimens of data in new VARIETY program-service file.

WEBB, BUFFALO

Title—'Amateur Sports'
Age—Six weeks
Past sponsor—Chocolate drink.
Popularity record—Bottle cap voting drew 115,000 votes.
Slate of cast—One.
Talent cost—\$50 weekly.
Program time—5:45-6 p.m., daily.
Nature—Commentary covers junior, amateur and school sports.
Samples—Script or record.

WGAR, CLEVELAND

Title—'Round and Round Society'
Age—Three years.
Past sponsors—Participation at various times.
Popularity record—Two giveaway announcements brought 2,800 letters.
Slate of cast—One.
Talent cost—\$90 five weeks weekly.
Program time—11:15-11:30 a.m. daily.
Nature—Swing music (recorded) with announcer affecting Southern dialect in in-between announcements.
Samples—Script or record.

KENT-KSO, DES MOINES

Title—'Tall Corn Time'
Age—Three years.
Past sponsors—Chicago mail order house, Des Moines Incubator Co., Henry Field Seed Co., Hu-Lac Yeast-ton, and Sargent Field.
Popularity record—Coupon entitling farmer to 25¢ discount on bags of Sargent feed produced 2,112 requests—free pencil giveaway for name of dealer drew 500 letters per day for six weeks.
Slate of cast—25.
Talent cost—\$125 per program.
Program time—10:15-10:45 a.m. Saturdays.
Nature—Rural story produced against smallest winners background—state hill-billy content winners featured.
Samples—Script or record.

WKY, OKLAHOMA CITY

Title—'Uncle Ben's Funny Paper Hour'
Age—Nine years.
Past sponsors—Long array of sponsors, from food products to insurance companies.
Popularity record—One mail bringing in 3,000 box tops for one sponsor—station's biggest contest mail puller.
Slate of cast—Maximum of six.
Talent cost—\$25 per broadcast.
Program time—8 to 9 a.m., undays.
Nature—Comic sections of local paper re-enacted; variety fare.
Samples—Records available; scripts not used.

Bob Jennings has resigned as v.p. in charge of sales and promotion of WLW, Cincinnati, to go into the advertising agency business. Jennings, who is non-in-law to Powel Crosley, Jr., has had the move under consideration for several months and he is breaking away from station before he has actually consummated the other tieup which will be a New York agency and in which he will have a portion of the stock. He was also v.p. of the Crosley Radio Corp.

Jennings' present plans call for leaving WLW Sept. 1 but the chances are he will leave as soon as the agency deal is closed. It is believed that Jennings will take the Crosley advertising account along with him. This business last year figured over \$1,000,000.

Jennings came into the WLW field two years ago and in time developed quite a reputation as a youngster in the trade as a sales and programming expert.

PHIL SPITALNY RESUMES FOR GEN. ELEC.

Phil Spitalny and his 'Hour of Charm' all-female orchestra return to the radio for General Electric on NBC network—same as last time—only this time the G.E. underwriters will specifically exploit the lamp business. Heretofore, Spitalny's femme jazzists did their kloyocry set on behalf of General Electric's institutional ballyhoo.

Behind the decision of G.E. to again resume on the air was a four-year absence. General Electric's business among Young & Rubicam, B. B. D. & O., Foster & Davies and NBC network agency, Latent, handled handling of G.E. institutional advertising, will also control the Spitalny's lamp-on-radio.

Spitalny again takes to the air in October with a half-hour show. Band opens today (Wednesday) at Broadway Paramount, and is slated for a series of other picture house bookings before resuming on the radio.

HEILMANN ON ROAD

Vox Popping in Various Michigan Network Member Towns

Detroit, Aug. 16.

Harvey Heilmann, proprietor at WXYZ, is taking his 'Fan on the Street' daily program (Pfeffer brought) on a swing around Michigan. Accompanied by John Slagle, splicer. Personal appearances in major cities are being worked out day when they occur. Tigers are on road, since Heilmann handles the play-by-play accounts for Kellogg and White Star over WXYZ and Michigan web. With Tigers out of town, Heilmann's extra-duty content over WXYZ affiliate, in particular town where he's appearing, and still is shipped out to other stations.

An Invitation to Radio Sponsors To Consult Variety Program File

ADVERTISERS seeking programs are referred to the LOCAL PRODUCTION REGISTRY now established at the New York offices of 'Variety.'

THIS data is cross-indexed by Station, Market and Type of Program. It includes Full History, Cost, and Other Pertinent Information.

ANY responsible person may consult this file during business hours daily at

VARIETY
154 West 46th Street

This Service Is Entirely Free—For the Convenience
of Radio Stations and Prospective Buyers

Mabel Love Back on Air

Philadelphia, Aug. 16. Mabel Love, former woman's ed of Philly Daily News, returns to the air next week after a three-year lay-off. She starts a 15-minute daily show on WPEN, with participating sponsors, next week. Show will be held for one hour each month in station's 850-seat auditorium.

Mrs. Love was a pioneer in women's programs, having aired years ago from 1924.

Stations Warned Home-Made Disc Jobs May Involve Them As Infringers of Dwyer Patent

Frank Dwyer, pioneer in recording patents, has retained Joseph W. McKee, former New York lawyer, to bring action against those stations and recording manufacturers, studios and artists who fail to obtain from him licenses for the lateral method of cutting transcriptions. Dwyer has through litigation established his patent rights to any stencilling which provides for more than 3/4 minutes of playing time and 10 inches of space. Ruling extends to phonograph records but applies to transcriptions.

Stations have already been obtained from Dwyer by ERPI, RCA and Decca and Dwyer's counsel is now directing his attention to the makers of station cutting equipment such as Presto and Fairchild. Stations with recording machines have been advised that, unless the required licenses are obtained they will be treated as infringers and the sponsors involved in the disc jobs will be co-named as defendants.

ALL BANKS ON AIR

Mason's Four Repeats All Use Radio Advertising

Macon, Ga., Aug. 16. Radio station WMAZ has lined up the local banks 100%. Four banks now use a variety of spots on the ether.

First National is using daily announcements for its third year. Luther Williams' Son, private bank, uses services for three to six weeks. City Bank & Trust started last month presenting a little-known fact about Macon on four spots each week.

Now Citizens & Southern has signed for two-time signals a day at the end of the month.

Radio Stations to Fight Increased Customs Duty On Imported Platters

Regina, Sask., Aug. 16. Western Broadcasters Association has decided to submit a brief to the Ontario government opposing the duty increase on transcriptions which is scheduled to go into effect next month. Among those who voted in favor of making the protest, was the recent annual meeting of the WBA in Banff, Alta., was M. V. Laidlaw, manager of Regina.

Belief was expressed at the convention that the increased import duty would particularly hurt the small independents.

GERMAN PROGRAMS XEQ, MEXICO POLICY

Mexico City, Aug. 16. XEQ, a new 50,000-watt station, will start operations late this month. Radio Americana is the official broadcaster of the project. The station will specialize in the re-broadcasting of European programs, mostly German.

Ray Lewis Heads Frisco Office of Wax Company

San Francisco, Aug. 16. Recently organized National Transcription Recording Co. has opened its new office here with Ray Lewis as general manager. Lewis was formerly account executive at KPRC for two years and previously with several other stations. Transcribed versions of "I Want a Divorce," drama sponsored by S. W. Fine Food Co., over the coast NBC-Red web, and other commercials are being offered by the new firm.

Radio time placement and program will be handled by an agency to be formed for that purpose, it is planned.

Sam Hagerity of CAGX, Yorkton, Sask., has left to join CTRN, Regina, with the departure from the engineering staff of that station of Claude Hinch, press operator, who has joined Trans Canada Airlines as radio operator.

Wrong Cue

London, Aug. 16. Meredith Willson, NBC musical director at Hollywood, who has, after couldn't figure out the British Government's intention of changing the guards at Buckingham Palace. As the King's finest paraded off, they did so to the strains of music. (1) an American march by Sousa, and (2), it was titled, of all things, "Liberty Bell," which is more or less symbolic of America's rebellion against the British.

BACKLOG REMOTE RATES HIGH

How to get year's best radio variety bill for nothing has been solved by BBC, which is taking listeners for a mile tour of Blackpool, famous northeast coast resort, where all summer series of big-scale broadcasts from the seaside, and although not first mile tour of Blackpool, will be easily the most thorough ever attempted.

Popular names to be heard include Reginald Dixon, Stanley Holloway, George Lacey, Elizabeth Welch, Maxine Stone, Anton Dolin, Jack Hylton's band, Tessie O'Shea, Robert Taylor, Frank Randle, Bertini and his band, Sandy Powell, Norman Evans, Douglas Wakefield, Nat Gonella, Philip Marlow orchestra, Harry Korris, Benny Ross, Jan Hurst orchestra, and Norman Newman band.

To U. K. listeners, a bill of such magnitude represents a dozen regular variety shows rolled into one.

Jewel Sets Up at WJ

Detroit, Aug. 16. James Jewell's first act since becoming WJ's program and production chief is formation of children's theatre of the air, a similar organization which he started several years ago as groundwork for talent at WXYZ. New juve stock company, tagged Jewell Play-House, will comprise kids from 5 to 15 years old, and will present weekly visual show in WJ's radio theatre here.

Will be chosen in private auditions and required to undergo three months of special training. Group of Jewell to qualify. Group expected to include singers, dancers, instrumentalists, actors.

Richard B. Hayes, chief engineer of WJ, is recovering from operation in Nix hospital, recuperating from operation.

Can. Agencies, Brokers Eliminated, Must Go In For Air Production

Montreal, Aug. 16. With independent time selling virtually eliminated by the Canadian Association of Broadcasters, production of radio shows by well-known advertising agencies and independent ad men beginning to increase throughout Canada. Agencies are awakening to the fact that something must be done to fill in the gap left by the time salesmen who previously submitted production ideas.

Canadian advertising agency has retained Lucien Pariseau, former newspaperman, to head a radio pro-

Oboler Script on BBC

London, Aug. 5. BBC has taken Arch Oboler's Money, Money, Money, for performance early September, and will spot it about 10:45 p.m. as first of series of 30-min. chiller under general title of "Light On a Normal Day." Charles Farrell reported in line for the leads.

It isn't Oboler's ex-partner, incidentally, but a purely local Farrell, who's pretty familiar with BBC's money.

Oboler is an American script writer.

RICH DIET OF BBC DRAMA

London, Aug. 5.

Foretaste of BBC program schedule for the fall suggests deliberate move high, but with dramatics on the tab are above 100 plays of all sorts for entire presentation. It's to be a rich diet of drama, with full-length straight novels and short plays equally dividing the time. It isn't Hugo's Les Misérables, which will be done in response to success of recent Count of Monte Cristo—another version.

Another shot at evergreen "Cavalcade" (the third) is on the cards, and the Rain and Barrie's "Mary Rose." Nova Pilbeam is ticked off for title role in last listed. Several will include Hugo's Les Misérables and Tenenice de Marney will star.

NEW RADIO BUILDING PROJECTED BY BBC

London, Aug. 5.

In a matter of weeks, builders will start work which will more than double the size of British Broadcasting Corp. headquarters at Portland place. Schedule is to have whole extensions ready in two years from now, giving greatly increased administrative, studio and engineering department.

Extension is designed as office block above first floor level, with control room on eighth and restaurant on ninth; with a light court occupying entire centre of the structure. Below ground level, studio accommodation will include general purposes studio (40 ft. by 54 ft. by 20 ft.), and a drama studio.

First to be done is pulling down present buildings on site, which, together with the new buildings, will be completed several months, and it is intended complete structure shall be ready for occupation before close of 1940.

Glady's Greenberg Smith, who has been Des Moines merchandising promotion manager for KSO-KRNT, has gone to Fort Collins, Colo., where her husband has established a law practice.

Announcers' Style Sheet

Peeved because of a couple of boners, John Patt, manager of WGAR, Cleveland, jacked up his announcing staff by issuing a bulletin with the following "Don'ts":
Barking announcements should talk softer and with better enunciation.
Don't handle a commercial like a baseball game or a prizefight; advertisers may resent sloppy handling.
Make program plugs more persuasive; aggressive tone not only hurts product mentioned but also burns up listeners.
Voice with a smile or personal touch, although lukewarm, sells more goods than a flat, matter-of-fact voice.
Watch your grammar more closely. Grammatical boners reflect badly on the station's and advertiser's intelligence.

CKAC's Radio Program Week

Waits in Vain for Response from CBS, Goes Ahead on Own Starting Sept. 11

FRED S. HART RESIGNS

Out of KGBM, Honolulu—Living in California

San Francisco, Aug. 16.

Resignation of Fred S. Hart as general manager of the Honolulu Broadcasting Company, Ltd., which operates KGBM, Honolulu, and KIBG, Hilo, becomes effective Sept. 1. Hart, former owner of the company, is at Salinas, Cal., devoting himself to extensive real estate and ranching interests which he shares with Mrs. Hart. No announcement has been made of his plans for future radio or other activities. Hart was at one time the owner and operator of KQW, San Jose, Cal., when he sold to Julius Branton & Sons before going to Honolulu several years ago.

New local offices of the Honolulu Broadcasting Co. are in charge of L. D. West, John Blair & Co. is represented in island stations in Washington, Oregon and California.

Japs' Cheap Sets Open Way for Better Quality Receivers, Says Philco

Philadelphia, Aug. 16.

Japs, in their undeclared war on China, are creating new markets for American radios, Walter D. Barker, Far Eastern sales manager for Philco, said here during a visit this week. Instead of driving American and European goods out through sale of low-priced sets, as the Japs hoped, they are creating new sales. Japs are copying American radios, Barker said, and selling a five-tube set for as little as \$5. These radios are bought by natives who never before owned a set, but who in time get accustomed to radio entertainment and are planning to build receiver because a total loss in a couple of months, the Chinese turn to the American product.

Turns Boy Counsellor

Philadelphia, Aug. 16.

John Burt Langley, formerly in circulation department of Philly Ledger, has become carrier boys, and started weekly series on WFFN titled "Boy Counsellor of the Air."

Holmes was one of the first advertising men in Canada to advise clients on the literal translation of English copy into French.

Parisian purists in Ontario. Holmes battled successfully for copy to be written especially for French-Canadian readers, without regard to English text, and succeeded in convincing advertisers of the value of writing special copy for French language periodicals.

Montreal, Aug. 16.

Plans for promotion of a Radio Program Week are being completed here by Phil Lalonde, director of public relations for the CBC. An air show scheduled to inaugurate week of Sept. 11 in Lafontaine Park before a probable audience of 250,000.

Originally submitted to the Canadian Broadcasting Commission, proposal was to link all major American and Canadian networks and stations during a significant international radio ballyhoo with as many of the important commercial programs as could be lined up to begin during the week of Sept. 11. With no response from CBS to date, station CKAC has decided to go it alone locally.

An enormous stage will be used for the open air show, with special lighting effects and a P.A. system. First broadcast opening Radio Week officially will be from CKAC Sunday, Sept. 11, from 8 to 9 p.m.

It is understood that a special edition, tabloid form, to be printed by La Presse carrying photographs of the week's activities, will be sent to agencies and sponsors throughout the U.S.A. and Canada.

CKAC is lining up as many first line shows as possible for the week. Ford, Lady Lewis's, Clocolates, Young & Rubicam accounts, and others being scheduled for Radio Week.

10 Can Outlets Will Be Hit By Gov't's Stations

Some 10 radio stations in Canada are due to be deprived of network service from the government line during the amount to about 100 stations, east and west, establishment of new government 50,000-watt stations is to sign the end of the link for the Indies.

When the Canadian Broadcasting Commission begins to operate, the Maritime provinces ready around December, these stations will lose their network link. For a time, hours a week of network communication: CHNS, Halifax; CHRS, St. John's; CHNB, Moncton; CFCB, Sydney; CFCN, Fredericton; CFCY, Charlottetown, Prince Edward Island.

In Saskatchewan province, a 50-kw. transmitter due in November, or thereabouts, will unloop CKRM, Regina; CHAB, Moose Jaw; CKBL, Prince Albert; CPQC, Saskatoon. This WIP will during the coming season now doing baseball on the outlet, is probable choice.

WIP will carry three Villanova games, making a total of 12.

Temple Games for WIP

Philadelphia, Aug. 16. WIP has been linked by N. W. Ayer agency to carry all Temple football games during the coming season. For Atlantic Refining, Gabber hasn't been named yet, but Byrum Smith, who did the games in 1937, is now doing baseball on the outlet, is probable choice.

GINGERING THE SABBATH

Felix Green Back from England

Large Increase in Exchange Programs Between Two English-Speaking Countries

British Broadcasting Corp. will air about 100 programs from the U. S. in the next three months, about double the customary number. There will also be an increase in the number of English programs heard in the U. S., although not nearly as many as pumped the other way. Felix Green, North American rep. for B. B. C., returned Monday (18) on the Normandie after two months in England setting the details. Among the shows to be pumped from America to England will be a new series of Raymond Gram Swing programs Saturdays, six talks on Broadway by Alistair Cook, some light instrumental shows by NBC and a continuation of the U. S. dance band series. Few of the programs will be heard in America.

Green's London visit was one of his regular business trips he makes a couple of times a year. He has no further plans to go again for some time, but expects to go to the country late this week for a short rest.

Swedish Sets Data

Washington, Aug. 16. One out of every five persons in Sweden now has a broadcast receiver, the Commerce Department reports. Radio licenses now outstanding in nation number 1,156,781, or 184 per 1,000 inhabitants. Best of country better market than city of Stockholm, report indicates. Its capital ratio is 247.2 receivers per 1,000 population.

Jean Clement, French, Imported to Quebec

Montreal, Aug. 16. Jean Clement, French singer, is scheduled to come back to Canada this fall, under contract to Grothe Tobacco for 26 weeks over a network of French-Canadian stations. Clement will play Grad cigarettes. Under option for 26 weeks, vocalist will probably be held over. Grothe Tobacco Co. will sponsor Laurentian Mountaineers' over CHRC and a French-Canadian network of five stations, beginning in October, for a period of 26 weeks, half-hour weekly. Exact date has not yet been arranged.

Sells Patois Programs

Quebec, Aug. 16. J. A. Hardy, on CHRC sales staff, has left for Toronto, Montreal, Windsor, Detroit and Chicago, contacting advertisers on behalf of French-language radio production ideas.

Visio at \$1.50 Weekly

London, Aug. 16. Television will go on commercial exhibit for sale at the Olympia Radio Exposition here. Sets will be offered at \$150, payable at \$1.50 per weekly installments.

GRAYISH BRITISH TINT ENLIVENED

Looks Like BBC Will Make Drastic Attempt to Make Seventh Day More Entertaining

THEATRE SLANT

London, Aug. 5. Putting all its eggs in one basket is a gag to be worked by British Broadcasting Corp. for a star-studded Sunday program which is likely to start lively controversy before it ever gets to the mike. Broad aim is to give whole day over to tip-top material, but many items planned go well beyond normal bounds of Sunday presentation, with light and carefree material getting a good showing in contrast to sober items. Corp. will stir the mixture well and call it 'Masterpiece Sunday.'

How theatres will react to proposal to include musical comedy or farce, with top liners, played before a studio audience, is one problem corp. hasn't apparently considered, for licensing law sit heavily on legit houses, preventing use of light entertainment on Sundays. Yet BBC, it seems, can get away with it, and means to go the whole hog with plans for filling in other spots on same day with the theatre organ, a series of free and easy orchestra items and a variety bill—except that latter will be carefully weeded. Day's full schedule will include religious services with star preachers;

International Exchange Of Radio Directors Considered Possibility of Present Inquiries

In England

Meridith Wilson, of NBC, never did rust-conduct BBC Variety Orchestra. He was taken sick in Paris and had to call it off.

Benny Goodman is penciled in for Aug. 20 date on current BBC Saturday night series, a relay from U. S. of American dance combinations. Sammy Kaye gets Aug. 13.

Billy Cayhill and Hilda Mundy to resume 'Mr. and Mrs. Neemo's series of broadcasts in September; this shows for BBC, but will return to air six more comedy items.

BBC Symphony Orchestra concert; a Shakespeare or classic straight play; star opera 're-broadcast; organ fest of heavy and light stuff; topical talk by a big public name and a survey of European events; first Sunday Children's Hour; and our old pal the Spelling Bee.

All Broadcasting House departments are working on plans at this time, and it will be close on Christmas before show hits the mike. Aside from controversy likely to start by inclusion of free material, practicability of throwing all the good stuff into a single-day will be questioned by many, and BBC may have to face criticism that, if they can do it one day, they should do it always.

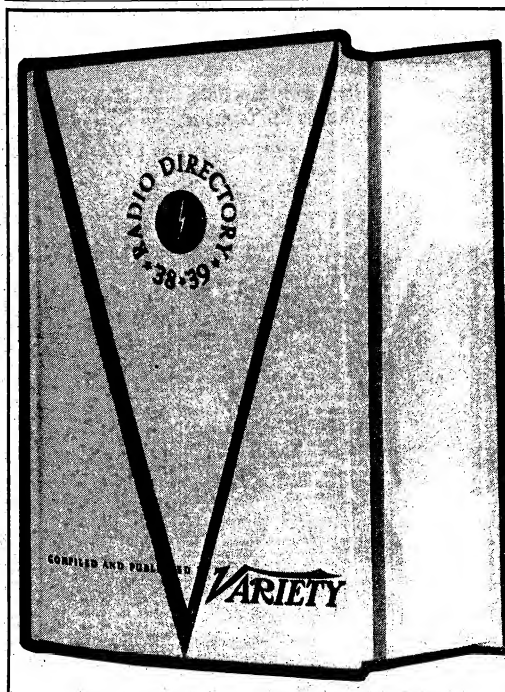
Montreal, Aug. 16. Radio production men from all parts of the British Empire and eventually the United States will be offered opportunities to study Canadian broadcasting methods should plans go through for the extension of the current arrangement for post-graduate training of Canadian producers at the BBC studios, London.

Understanding is that talks are now under way for arranging exchange of producers with other parts of the British Empire, in addition to England, with the possibility that American radio field will next be approached.

Exchange facilities are now in effect only between Great Britain and Canada. Matter is being taken up with Australia. While no information is available concerning possible invitations to French, German and Italian broadcasting officials to come over to Canada, it is believed that during his European sojourn Rooney Pelletier, CBC program director in Montreal, will follow six months observation at BBC with two months in French, Italian and possibly German broadcasting circles.

Reported here that, in exchange for CBC program director Pelletier, the BBC is sending over Lance Sieving, BBC producer.

M. H. Allen serving up to British listeners specimens of current American humor in program titled 'The Hell with It!', which will be his third such effort.



ORDER YOUR VARIETY RADIO DIRECTORY—from

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Address

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"SUPERB"

New York Daily News

"ELECTRIC"

New York Times

"GRATIFYING"

New York Journal

"VERY SWELL INDEED"

New York Post

"STIMULATING"

New York World-Telegram

"DOWNRIGHT TERRIFIC"

Hammond (Ind.) Times



"TOPS"

Akron (Ohio) Press

"CONSUMMATE"

Memphis (Tenn.) Press-Scimitar

"VIVID"

Stockton (Cal.) Record

"NEW HIGH"

Cleveland Plain Dealer

"PERFECT"

Springfield (Mass.) Union

"SUPER-TALENTED"

Knoxville (Tenn.) Sentinel

Singular First Person

At the invitation, and on the facilities of CBS, Orson Welles and his Mercury Theater play for the nation. *And the reigning First Person of Broadway has scored an instantaneous hit!* In the new CBS program called "First Person Singular" America has found its newest radio favorite. Each week Orson Welles adapts, directs, and acts one of the great "first person" stories of literature. Old and new, from "The Tale of Two Cities"

to "The Thirty-Nine Steps"; these classics are taken out, brushed off, and broadcast in all their original excitement and newness. It's *great* radio!

But the Mercury Theater of the Air is only one of *eight* Columbia Network dramatic programs heard each week. The Columbia Playbill has the widest possible variety of dramatic fare, for, beside *FIRST PERSON SINGULAR*, on Mondays, from 9-10 p. m., it includes the experimental *COLUMBIA WORKSHOP* (Saturdays, 7:30-8 p. m.), the *FOUR CORNERS THEATER* (Tuesdays, 8-8:30 p. m.), *MEN AGAINST DEATH*, an epic of science (Thursdays, 8-8:30 p. m.), *AMERICANS AT WORK* (Thursdays, 10:30-11 p. m.), the *BUFFALO PLAYERS* of "stock" fame (Fridays, 3-3:30 p. m.), and, more for the children, *LET'S PRETEND* (Tuesdays and Thursdays, 5:30-6 p. m.). Here is radio's most *active* theater.

COLUMBIA BROADCASTING SYSTEM

World's Largest Radio Network

ON THE NBC RED NETWORK
NATIONAL REPRESENTATIVES
EDWARD PETRY & CO.

WOR, WGN Status as 'Affiliates'

Steering committee of the Independent Radio Network Affiliates, which opened a two-day meeting in Chicago yesterday (Tuesday), did an eleventh hour switch about leaving WOR, Newark. Committee had at first held that WOR wasn't eligible because it didn't constitute an independent affiliate but rather a key station for and stockholder of the Mutual Network. Same attitude had been taken toward WGN, Chicago.

Reason for the committee's change of classification for WOR was not made clear. It is known that NBC and Columbia had pointed out they regarded as WOR's peculiar status to the committee. They couldn't understand why a competitor of theirs, Mutual, should have any say in the IRNA's meetings and deliberations when they themselves (NBC and CBS) were barred.

Another mystery connected with the IRNA get-together was NBC's sudden decision last week to send a delegation of station relations handshakers out to Chicago. It had been understood that NBC and Columbia would stay away from the powwow so that they would clear of embarrassing queries sent the Chicago meet when the Federal Communications Commission launches its hearings on the question of network monopoly. As a result of NBC's action Columbia saw that its own station relations department was represented at the Chicago scene.

Mutual Turned Down So Now Refuses to Carry Miller Talk

Mutual Network won't broadcast the speech that Neville Miller, paid guest of the National Association of Broadcasters, is slated to deliver at Peabody College for Teachers, Nashville, this Friday (18), because it would be duplicating a broadcast that had first been offered to NBC. Latter web is taking the talk over in blue (WZZ) link.

Brent will mark Miller's air debut as becoming the NAB pilot. He's to talk on "Radio in National Life." At the time Miller was introduced to network execs Mutual suggested that Miller go on the air with a speech about his new job and that the webs carry it. Proposal was turned down. Request that it pick up the Peabody spiel was made direct to Mutual.

L. K. Sidney back in Hollywood to get Metro's Good Newser in shape for the resumption.

COUGHLIN MAY POSTPONE

Can't Get Desired Clearance Due to Sunday Professional Football

Detroit, Aug. 18. Switch of this fall's Detroit Lions pro grid game airings to WJR, created by Dick Richards who also owns Lions, has wrought a lot of trouble for Father Charles E. Coughlin's proposed 30-week Sunday afternoon broadcasts, scheduled to start in October over 70-station indie hookup with WJR as originating point.

Since grid airings, under Chrysler Corp.'s banner, will hit the 3-4-5 p.m. bracket Sundays, October through November, it's been necessary to find another time for priest's usual 4-5-6 p.m. series. At first planned to spot Coughlin's talks at 5 p.m., but understood several outlets of proposed webs couldn't find

WMCA's Alphabets

Four Alphabets, co'-ed, now on WMCA, New York. Up from WTAR in Virginia, next they were known as the Norfolk Jazz Quartet.

At WMCA they join fellow-Virginians, Blinkin', Winkin' and Nod.

Dispute on Coverage Of Hockey, All-Vital In Canada, Is Settled

Regina, Sask., Aug. 18. Experience of fans re last winter's hockey broadcasts by Canadian Broadcasting Corp. was the thing which caused Western Rugby Football Union to turn down \$1,300 offer for football broadcasting rights by CBC this fall and take network lined up by James Richardson & Sons, it has been revealed here.

CBC, during hockey series; broadcast only last period of games in most cases, and in at least one case, did not even give home crowd fans a chance to hear game from their own station. This selling point enabled CFCN, Winnipeg; CFCM, Regina; CFCN, Calgary, and CFRN, Edmonton, to grab off role broadcast rights for football series, which opens Sept. 2.

Only burn reported so far is from Regina. Roughriders football club, whose representative voted for CBC to get it. Argument still not between reps of local stations in matter, CKCK, the CBC basic outlet, claiming a 9 to 12 station network was offered with \$1,300, while the accepted net only has four stations.

time, and second problem was that games might run longer than anticipated and thereby gum up priest's talks.

Now being considered is proposal to postpone opening of Coughlin series until early December, when grid contests will be out of the way. This idea probably would entail pruning of scheduled 30-week series to about 25 weeks, since it's unlikely priest would extend talks beyond Easter of next year.

In 'Dixie, Where Spielers 'Love' The Products They Advertise, Arnoux Gestures to Honesty

Not Soothing

Philadelphia, Aug. 18. Swing music before noon was nixed this week by Harold Davis, program director at WDAS. Davis said an investigation has shown that women listening to swing while doing their housework during summer mornings were made nervous. This frays their nerves, he declared, and makes them irritable. As a result, there is a bad reaction to the station's programs, which hurts advertisers.

All morning shows in the future will feature smooth music and semi-classical stuff.

MOSTEST OF BESTEST IS WFBR AMBUSH

Baltimore, Aug. 18. New Radio Center, now under construction here, will house a 1,000-seat film theater in addition to executive offices and studios of WFBR. Theater will be operated as a sub-unit run house by Morris A. Mechanic, promoter of entire project, who owns and operates the downtown New.

WFBR will occupy the entire second floor of the new building, utilizing 18,000 square feet for studios and offices. Layout and specifications have been planned by W. A. Clarke, NBC manager of technical service, and will be constructed under the supervision of O. B. Hanson, chief engineer and v.p. of NBC. Estimated cost of studio construction, \$100,000. Five studios, four with individual control booths, and a master control room will make up the broadcasting layout. Main studio planned to ac-

Campbell Arnoux, general manager of WTAR, Norfolk, Va., has put into effect a rather 'than seem' policy on the blue copy announcers at the studio, who are called upon to spiel. Applies to the personal endorsement type of spots.

Mikemen at WTAR now enter into an agreement with an advertiser on the use of 1' copy, and are not called upon by the station itself to personally rave about a product unless they are willing to. New policy of Arnoux is not to force an announcer to put his personality behind an endorsement save by his own volition. Beer and bread blurbs, which widely use the type of personalized plugging by the pluggers in the South, brought about the new ruling. Arnoux's theory is that the policy will do away with some hypocrisy; believes that it is unfair to have an announcer who, say, dislikes a brand of beer, to have to give a testimonial for it as a part of his job.

Arnoux was in New York last week on a brief trip, during which he piled loose some national spot placements for his broadcaster.

commodate audience of 200. Rest of set-up calls for artists' lounge, offices for executives, sales department, program manager, musical director, production men, writers, engineers and announcers. Entrance will be via street floor level where a show window and corridors will provide display space for advertisers' products and promotion.

Hope Baroll, WFBR executive vice president, supervising new layout-rated most ambitious studio set-up south of New York. WFBR is member of NBC Red network.

John Nicholson east for discussions with General Foods execs, for whom he is radio rep in Hollywood.

LEADS 4 WAYS:

1. Power
2. Listeners
3. Equipment
4. Dealer Influence

WCAU

50,000 WATTS • PHILADELPHIA

For appointments in New York, Chicago or Hollywood, wire
AUL BLAKEMORE, Personal Representative, DES MOINES, IOWA

Background Buzz

WEST

Victi Vola, actress on the NBC San Francisco staff, leaves this week (16) for a fling at New York light and radio, stopping en route in Chicago, and to visit her family in Nevada.

Edna Fischer, staff pianist with NBC in San Francisco, debuted last week as an organist in a Red web sustainer, tagged "Rhythmic Recollections."

Phil Lasky, manager of KSFO, Columbia's San Francisco outlet, left Saturday (13) for a vacation in the Feather River country, Cal.

Gordon Monson, chief accountant at KVA, San Francisco, recovering from a recent appendectomy, is the new director of public relations in charge of special event broadcasts at KVA, San Francisco. Also conducting the "House Not for Sale" programs on the Hearst station.

J. Clarence Myers of KVA, San Francisco, trained Saturday (13) for Seattle, then to Alaska by boat. Engineer F. J. Christian vacationing on a northern California ranch, while Paul Williams, alias of the technical staff, picked the southern part of the state.

Van Fleming, producer of the S&W "Want a Divorce" dramas over the Coast NBC-Red web from San Francisco and other network shows, flew to Mexico last week-end for a three weeks' vacation.

Don Lee network (L. A.) made Jaime del Valle television program director, upping him from wax department.

Lewis Allen Weiss handled his

family into the limousine and made for the Canadian Rockies.

Stanley Resor, producer of J. Walter Thompson, convolved around Hollywood by Danny Danker, coast radio topster.

Mann Holzman digging in for the new season after a long stay back east.

William Waters forgetting his

trunk worries on the beach at Waikiki.

Bill Bacher back from New York, but declining to discuss his fall plans.

William Powell draws the name

spot on the Silver theatre opener, Oct. 2.

Lou Bolton and Jimmy Freedman

looking after radio for the Crawford-Winslow-Curtis agency.

Alice Brady shipped east on wax

by Dolan and Doane.

Ruth Bernard directing traffic

again for Don Lee web after five

months on sidelines from auto in-

jury.

Willett Brown moving into his

Santa Anita ranch.

Brewster Morgan headed his sta-

tion wagon north for a 10-day rest

before taking up the reins on Holly-

wood Hotel.

Jack Runyon back from Denver

and off to New York.

Tom McAvity trying to peddle his

golf clubs after shooting a miserable

74.

KRSC, Seattle, is airing Joe Hernandez, Hearst's Pacific Coast turf

expert, in nightly broadcasts during

the current racing season at Long-

beach.

KG-WKX, Portland, Ore., has

perfected its portable short wave

transmitters, which can be moved

without connecting lines to any point

of program origin. Short wave is

picked up by the station and re-

broadcast. It was first used aboard

a steamship which made the original

passage through the locks at Bonne-

ville Dam.

Jim Murphy, manager KIT, Yak-

ima, has carried license No. 1 for

his auto for several years but he

gave it up in 1936 to the postmaster

at Yakima who said he wanted it for

his machine while traveling in the

east as especially identifying his

home town.

Jim Peterson, KVL, Seattle-Tac-

oma, announcer, spent a three

months' leave cruising to east coast

via Panama canal, driving back over-

land in a new car and a brand new

wife, former Vera Harris of Kansas

City, where the ceremony was per-

formed by C. W. Myers, of KOIN, Portland,

Ore., chesty about growing number

of programs originating from the

CBS. Airings of Thomas Conrad Sawyer

on KGC-Columbia Pacific network

Wednesday, are being prepared in

book.

Josephine Avis, traffic manager at

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Seibert Dalton, no longer are har-

monica players for WKX, Oaxaca

City.

Reddie Gallagher, KTUL, Tulsa,

sports writer will leave for WCCO,

Minneapolis. Lee George, of Spring-

field, KMC-Columbia Pacific network

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of programs originating from the

program has been found for Betty

Barrett, 13-year-old, singing re-

cently discovered by Talent Director

staff. Succeeded Richard Schmitt,

resigned.

New faces at WEW, St. Louis:

Herb McCreedy, formerly with

KMOX, Kansas City, and Bud

chiff, sports gaffer and Margie

Temple, Kipling, former of KFRU,

Columbia, Mo., as special women

commentator.

Richard Sharp, formerly with

Wesley Nash Advertising Co. as

staff. Succeeded Richard Schmitt,

resigned.

KMOX, St. Louis, and Ray Swenson

continuity writer for same station,

have left.

EAST

New additions to announcing staff

of WCCO, Cincinnati, local Scripps-

Howard Station, are Bill Wagoner,

formerly with WRC, Washington and

WAF, Birmingham, and Ed Kelly,

formerly with WSAZ, Portsmouth,

Ohio.

Ray Wilson acting as WLW, Cin-

cinnati, program director while

Owen Vinson is vacationing.

William A. Schubert, Jr. general

manager, Cincinnati, returned from

month's vacation in east

with Wm. J. Williamson sales

manager who sat in for Schubert

hopped to Canada for fortnight hol-

iday.

New weekly sustainer on WKRC

called "Did It Happen Here" dramatizes

historical events in celebration of

Ironies of the Music Biz

Revival value lent the 26 songs in Irving Berlin's smash musical, 'Alexander's Weekly', points up the business done by Irving Berlin, Inc., the last couple of years. The songwriter-prince of the firm bearing his name emphasizes that the Walt Disney score, 'Snow White', selling over 800,000 copies, is the No. 1 picture score—the 'Top Hat' songs—100%. That Astaire-Rogers musical could move only a little over 400,000 copies of the shelves. A glorified hillbilly song, 'Gold Mine in the Sky' has gone over 400,000 copies, this being the tune that set off Nick and Charles Keene as hit songsmiths. And the current 'Alex' score is actually not only performance interest in the Berlin odds, but is retaining selling plenty of old music.

Buy Leaders' Self-Composed Themers For the ASCAP Plug Credits Alone

Some of the publishers are paying substantial advances to band leaders and singers on the networks for the publication and other rights to the self-composed theme songs which these performers are using. Pubs are primarily interested in the performance credits that will accrue to them from these tunes in the American Society of Composers, Authors and Publishers. They have little hope of the songs meaning anything in the way of sheet sellers.

If the batonist is the writer of the melody, there's every assurance it will be used twice over every program. Average advance paid these performers for the themers is \$250.

Consolidated Declares Bestor Ducks Trial, Stalls CRA Bookings

Answering orders to Justice Timothy J. Leary's decision of July 30 in Don Bestor vs. Consolidated Radio Artists suit filed Aug. 12 by both parties. Supreme Court refused injunction sought by Bestor and recommended immediate trial of 'disputed facts' as presented by both sides. In reply order CRA requests immediate trial as originally requested in its briefs, while plaintiff in action is still seeking injunction or postponement of trial until October when regular court sessions are against time.

Court held in its decision on merits that the matter should be taken up immediately. However, it was added, that if the defendants would not agree to such trial (as Bestor) should post sufficient surety bond to cover any possible losses to the defense on possible appeal.

In that case he could have gotten his injunction against future bookings. Bestor sought relief from CRA management-bookings contract.

CRA claims that Bestor is now defaulting on his obligations and has come and are ready and willing to see through. In answer to Bestor's claim that he had been unable to attend, Harry Berman, CRA attorney, states that Bestor is now making at present no effort to be available for suit he started himself. Also that the (Bestor) shutter suit has been brought charges. CRA also claims that they are already losing dates on Bestor because of trial case he is slinging around in forwarding all wires and communications to his attorneys first and thus causing unnecessary delay and eventual losses. They hold him responsible for same when matter is finally brought before court.

Larry Clinton to Make Changes in His Band

Larry Clinton, currently at the Glen Hotel Casino, New York, N. Y., is making arrangements for changes in the personnel of his crew which he expects to complete this month. Shifts will be made before the band starts an eight-week date at the Hotel Lincoln Hotel.

Replacements involve four or five instruments, with Clinton holding conversations with each in other name than his to hop over to his baton.

Unionism in Coin Machine Industry

Chicago, Aug. 16. Automatic phonograph file is agitated hereabouts due to the efforts of the International Brotherhood of Electrical Workers union to obtain jurisdiction over the men servicing the machines for the Automatic Music Operators of Illinois. IBEW has had pickets on nearly all of the stops on the AMOI list, which has been causing considerable unrest among the stop-owners being picketed.

AMOI members claim that there is an attempt to force them to disband their own organization and join the rival organization known as the American Instrument Owners' Association, which has come into this territory from the east.

AMOI has been conducting a series of negotiations with the IBEW and has several times come to the verge of an agreement, but each time new difficulties have cropped up to prevent the final settlement of the rumpus.

MOVE TO GET WEEK'S COPY FOR 6 DAYS

American Federation of Musicians will add to its growing list of new regulations by altering contracts with class A locations to allow for seven days pay for six days work for its musician members. Letter was sent out to bookers and members alike this week.

Heretofore, musicians worked on seven day basis in many spots. There are those who get regular pay, too, but Federation is trying to work a sub system to make its plan work. Discussions are going on now with many spots in effort to arrive at a solution.

Move is National, coming from National body. It would affect theaters, hotels, large nightclubs, etc.

GARBER TO BLACKHAWK

Jan Garber orchestra slated for the Blackhawk here, coming in on Nov. 10. Will follow Bob Crosby orchestra, a click in the case on present term.

Regers' Chi Return

Chicago, Aug. 16. Buddy Rogers orchestra returns to the College Hotel of the Sherman Hotel on Sep. 15, according to present dating. Follows Frankie Masters' orchestra, current.

SUMMER CURES HAVE BEEN OKAY

Joe Weber, AFM President, Reveals That Restoration of Music in Theatre Pits Is on Increase

OPTIMISM

Joseph N. Weber, president of the American Federation of Musicians, declared Monday (15) that employment among dance musicians has been unusually good this summer. Weber based his statement on what he regarded as a fairly accurate yardstick, the amount of money collected by the AFM on its national tax from touring units. In July the revenue from the tour was the largest obtaining for any month since the tax was introduced two years ago.

Weber also stated that the employment of bands in theatres has been decidedly on the upswing in the last months and that he expected many more spots throughout the country from the tour was the largest obtaining for any month since the tax was introduced two years ago.

Band booking organizations agree that the turnover in traveling orchestras is on the upswing. The reference was not only to nationally known name aggregations but to units with regional reputations. Band booking organizations agree that the turnover in traveling orchestras is on the upswing. The reference was not only to nationally known name aggregations but to units with regional reputations.

MPPA CUTS UP 40¢ REAPED FROM E. T.'S

Mechanical rights bureau of the Music Publishers Protective Association will distribute this month about \$40,000 in royalties collected from transcription sources. With this sum include the income in the bureau from radio figures slightly over \$200,000 for the first eight months of 1938. Accumulated income is less than it had been for the same period last year.

Five Bands in Pix

Hollywood, Aug. 16. Paramount signed five bands for studio's short subjects under supervision of the Music Publishers Protective Association. War Dancers, Min Trucker's Edgewater Beach hotel band will make an outdoor tour of the country. Other leaders are Henry Busby, Hal Kemp, Richard Himber and Larry Clinton.

C Rate Discs Flood New York

Walter Douglas Shooks Into Situation—Reported 1,000,000 Pancakes Acquired for 3c Each

Sudden flooding of the New York market with white metal of new record grooves has been under investigation of the Music Publishers Protective Association. Walter Douglas, MPPA chairman, wants to find out whether royalties have been paid on these discs which are selling across the counters for 3c. 10c and 25c. Preliminary inquiries point to two main sources, one of which is coin-machine chills, disposing of used platters, and the other, out-of-town distributors for the phonograph companies, engaging in a complete cleanup of their warehouses.

Douglas' probe disclosed that the operators of New York coin-operated machines had lost about 11 stores and over 1,000,000 records at an average

British Copyright Owners Seek To Retard 'Lambeth Walk' Which Meanwhile's Potential Rank Fad

MORRIS IN ITALY

Due Back Aug. 25—Set Deal with E. Feldman & Co.

Edwin H. (Buddy) Morris, head of the Warner Bros. music publishing company, sailed from Italy Aug. 23, arriving in New York Aug. 29. Morris has already closed with E. Feldman & Co. of London, for the British rights to the Wilmark and Benick catalog and with Chapell & Co. for the rights to the Harms, Inc. catalog for the British Empire and the Continent, excepting Italy.

It was to dispose of these latter Harms rights, which had previously been sold by Chapell, that Morris made his trip to Italy. Morris will have been abroad six weeks.

CRAZINESS IN BAR IN SONG TAG

Shapiro, Bernstein & Co. is not content that the Hawaiian tune that Harry Owens placed with it. Owens tagged the song 'O-Ko-Le-Ma-Lu-Na' and after considerable debate within the publishing firm the title was changed to 'The Drinking Song of Hawaii'.

Gilbert Visits N. Y.

L. Wolfe Gilbert arrived from the Coast early this week for a brief business stay. He will engage the local publishing office, which Benny Edwards continues in charge. For about a year the business here has been quiet. Gilbert's offices but he is opening separate quarters.

Main office continues in Hollywood. Writer-publisher planes back Saturday (20).

Jack Mills, head of Mills Music, Inc., finds himself in embarrassing straits over the decision of the London producers of 'Me and My Girl' musical comedy, to hold up on the American exploitation of the tune, 'Lambeth Walk'. Stanley Lupino Lane & Jack Edgar Productions want the song kept of the American market until they have disposed of its production rights on this side. Meanwhile Mills is being pressed for release of the English hit by band leaders and phonograph record manufacturers. Letter have advised him that they will put out the number without his consent.

Just off word from Cinerphone Music, Ltd., London publisher of the tune, several months ago to go ahead with the planning. Because of the season, Mills held off. Returning vacationists from London have been saving in recent weeks over the rag that 'Lambeth Walk' had become as both a song and a dance step, with the result that Mills is now forced to have been giving it major attention. As the demand started in this country, Mills was informed by Cinerphone that the musical's producers had just referred it to a clause in the publishing contract which barred the release of the number in America until it was okay with them.

Movietone newswire last week called off of Prince Reges Obolinsky and Stanley Lupino Lane, 'Lambeth Walk' at the St. Regis road, and Mills is now arises as to whether the British producers will object to the granting of synchronicity rights to the song. Mills is huddling with his lawyer, S. J. Buzzell, on the problem.

Record Sales Up On Coast, Sheet Music Holds Own

Los Angeles, Aug. 16. Pop sheet music has been about holding its own on the Coast during the current summer, with record sales showing more so than they have been during past five or six seasons. Wholesalers are well stocked with new releases, and are already stocking heavily for improved fall biz.

Record sales in the territory have been about the same, but attributed being increased use of portables on vacation or other outings, and desire of many to get away from radio plugs by playing tunes of their own choice.

California sheet music wholesalers are losing a heavy customer Sept. 1 when S. H. Kress & Co. eliminates sheet music from its stores. Reason ascribed by Kress motions is their intention not to handle any product retelling a success of 25c.

Pop sheet music, currently priced at 35c and 40c, is one of the first commodities to be eliminated. Heavy demand in the sheet field in recent months has been for the several cent music found in stores. This brick trade started with the revival of 'Foolish Heart' and 'The Blue Bird' and is strong for 'A-Tisket, A-Tasket', one of the old nursery rhymes, which has taken the country by storm.

Coming ahead strong is another nursery tune, 'Now We'll All Sing Around the Mulberry Bush'. But for the heavy demand is expected during the remainder of August and throughout September.

Eddie Cheek is doing three copies of 'One A Day in 'Tany Boy' at Republic.

15 Best Sheet Music Sellers

(Week ending Aug. 13, 1938)

Music, Maestro, Please	Berlin
A-Ticket A-Track	Famous
Says My Heart	Berlin
Cathedral in the Pines	Robbins
When They Played the Poet	Mills
I Let a Song Go Out of My Heart	Berlin
Now It Can Be Told	Savoy
I Hadn't Anyone Till You	ABC
I Hadn't a Pocketful of Dreams	Olmstead
Little Lady Make Believe	Olmstead
I'm Gonna Look My Heart	Shapiro
I Married an Angel	Miller
There's Honey on the Moon Tonight	Remick
You Go to My Head	Paramount
Lovellight in the Starlight	Paramount

* Indicates film musical song. † Indicates stage production song. The others are pops.

Disc Reviews

By Abel Green

Mr. Gallagher and Mr. Sheen, as sung by Mr. Crosby and Mr. Mercer, are the highlight waxes of the week. Decca, 1980, as **Big Crosby** and **Johnny Mercer** recapture the latter's special lyrics discarding on swing. It's coupled with "Small Fry," Hoagy Carmichael's sequel to his memorable "Lazy Bones" and part of Crosby's forthcoming "Sing You Sinners" (F) musical score. **Victor** 5548, "Small Fry" is the band is quantity billed, does the accompaniment and "manipulates" the Crosby-Decca showmanship on wax which has made both sides a success. **John Scott Trotter** accompanies Crosby on Decca 1984 in "Don't Let That Moon Get Away" and "Laugh and Call It Love" another couplet out of "Sinners," and still another: "Pocketful of Dreams" (Decca 1983), also with Trotter, although the companion piece, "A Blues Serenade," has **Matty Malneck** doing the baton.

Vocalism has fortified **Todd** Martin with a good dance combo in **Mamie Klein's** Swingin' This, as he gives out "Song of Old Hawaii" and "Sweetheart," both in the grass-roots vein, on No. 4264. However, for straight fox-trot, **Blasdel** J. J. Jones appears on Voc. 4268 with two "My Lucky Star" selections (Columbia and Revel), titled "By a Whishing Wind" and "This May Be My Night." Another firm-rat warbler, **Buddy Clark**, does his stuff vocal, well on Voc. 4191, cutting two Rodgers and Hart tunes out of "I Married an Angel"—the title song and "Spring Is Here."

All bands nowadays strive for style. They realize that some trick is necessary to command attention, and the theory is correct. Furthermore, more often it works out well. **Musie** of Yesterday and **Joe Jones** appears on Voc. 4268 with two "My Lucky Star" selections (Columbia and Revel), titled "By a Whishing Wind" and "This May Be My Night."

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with some yesterday's export. He manifests it with "Garden of the Moon" and "Bambina," **Kasza Carlyle** does the vocal. "Spring Is Here," allegedly done in voodance style, but actually almost of dirge-like tempo. Intended possibly as a lazy fox, in keeping with the lyrical lassitude of the tune, it's too lethargic on Victor 25884. Revival of an old Crosby "Bambina" out of College Humor, isn't bricker. **Claude Thornhill's** orchestra accompaniment, as he, being her mentor, stranger and manager, undoubtedly also did the orchestration. In voodance mood are **Miss Sullivan's** "St. Louis Blues" and "L'Amour, T'oujours" on Victor 25895.

Dick Todd vocalizes "So Help Me" and "Far Away Look in Your Eye" in more than adequate manner on Victor 26004, baritone with full orchestra accompaniment. Todd is "with Larry Clinton's" corps of entertainers at **Olden Island Casino**, N. Y., and his two-part version of "Thanks for the Memory" still remains one of the best waxtunes of that unusual ballad. Back to "Married an Angel" again, this time under aegis of the three **Andrews Sisters**, with their unusual sex intricacies. Counting in "Land of Sky Blue Waters" (Caden), likewise in the ultra 5id street idiom. Decca 1912.

Fletcher Henderson, at the **Turkey Casino**, grossed \$700. There was no advance sale on this band, a straight \$1.50 per couple at the door. **Noble Sissle**, a darker-colored outfit, followed right in (13).

Next white boy is **Dick Jergens** (7). Manager R. H. Pauley laying off for the rest of the month starting in September for the fall and winter season.

Big through the summer has been good.

Turkey Biz Good

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Network Plugs, 8 A.M. to 1 A.M.

Following is a totalization of the combined plugs of current tunes on WEA, WJZ, WABC and WOR computed for the week from Monday through Sunday (Aug. 8-14). Total represents accumulated performances on the two NBC nets, CBS and Mutual from 8 a. m. to 1 a. m. In "Source" column, * denotes film song; † light tunes, and "pop" speaks for itself.

Title	Fullmaker	Source	Gross Total
A-Ticket A-Track	Robbins	Pop	8
Now It Can Be Told	Berlin	Pop	6
You Go to My Head	Remick	Pop	59
I'm Gonna Look My Heart	ABC	Pop	51
I Hadn't Anyone Till You	ABC	Pop	44
There's Honey on the Moon Tonight	Remick	Pop	41
I've Got a Pocketful of Dreams	Savoy-Joy	Pop	40
When Mother Nature Sings Her Lullaby	Savoy-Joy	Pop	39
I Let a Song Go Out of My Heart	Remick	Pop	37
Music, Maestro, Please	Berlin	Pop	36
I Married an Angel	Miller	Pop	35
Where in the World	Feist	Pop	34
What Goes on Here in My Heart	Paramount	Pop	33
Stop Beating Around the Mulberry Bush	Green Bros	Pop	30
Flat Foot Floogie	Green Bros	Pop	29
I Married an Angel	Miller	Pop	28
Says My Heart	Famous	Pop	28
To-Lit Tulip Time	Chappell	Pop	28
Lullaby Rhythm	Circle	Pop	28
My Walking Stick	Berlin	Pop	28
Don't Cross Your Fingers	Remick	Pop	28
So Help Me	Remick	Pop	28
I've Been Saving Myself for You	Feist	Pop	28
Let's Remember Tonight, Tomorrow	Feist	Pop	28
Little Lady Make Believe	Famous	Pop	28
There's a Faraway Look in Your Eyes	Lincoln	Pop	28
My Little Dream	Lincoln	Pop	28
Spring Is Here	Lincoln	Pop	28
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My Little Dream	Lincoln	Pop	28
Spring Is Here	Lincoln	Pop	28
Isn't It Wonderful, Isn't It Sweet	Lincoln	Pop	28
On the Bumpy Road to Love	Lincoln	Pop	28
Garden of the Moon	Lincoln	Pop	28
There's a Faraway Look in Your Eyes	Lincoln	Pop	28
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Isn't It Wonderful, Isn't It Sweet	Lincoln	Pop	28
On the Bumpy Road to Love	Lincoln	Pop	28
Garden of the Moon	Lincoln	Pop	28

Profit by Tobani Example

Walter Douglas, chairman of the Music Publishers Protective Association, has urged the members to take immediately all necessary legal precautions in reinforcing the renewal rights to works which were written for hire. It is his suggestion that the pubs follow out the lines of procedure indicated in the recent Tobani case decision and have the composers of such works to their heirs' signature assignment of these rights to the publisher and thereby avoid any opening for litigation.

Douglas' proposal is that the publishers go through their old catalogs and pick out such employee-for-hire numbers that they want to preserve under the copyright law and through payment of a consideration make doubly sure that there will be no legal dispute when the renewal periods become due. In the Tobani case a U. S. circuit court held that the composer's heirs were not entitled to the copyright renewal of works created while under hire to Carl Fischer but refused to order that the heirs be paid the sums they are assigned to the publisher. This latter action puts the works in question in the public domain.

Inside Stuff—Music

Synchronization fees collected on "American Patrol" are being held up by the Music Publishers Protective Association pending the settlement of a dispute over the money between the Joe Morris Music Co. and Fischer, Inc. Latter publishing firm bases its claim on the fact that pictures involved used the Fischer band arrangement of "Patrol," while Morris contends that he owns the copyright completely and the latter the only right ever conveyed Fischer concerned the printing and selling of orchestra and band copies.

Morris granted Fischer the band and orchestra rights 20 years ago. If Fischer had taken out any copyrights on the number, he has done so without proper authority, states Morris. Julian T. Abeles has been retained by Morris to collect the \$1,000 now held by the MPPA and to recover any amounts paid in the past to Fischer on the same score.

A stunt which Mike Nidorf of Rockwell-O'Keefe designed for Larry Clinton's orchestra at Glen Island Casino, N. Y., looks to pay dividends for the Victor recording band when it hits the one-nighters. It's a plan of "saluting" the lesser towns, such as Johnstown, Pa.; Akron, O., and kindred lesser burgs which are good dance centers, and the result is that after adhering to the requests of this or that locale, the youngsters are charged up, and when the band next plays that stand it's sort of a record trailer, in short, for the one-nighters.

Full hour anniversary broadcast of Big Benjerdine recordings last Monday night (8) by Martin Block, director of WNEW's Make Believe Ballroom airings, brought such a deluge of requests for more of the ace trumpeter's waxings that they were repeated Saturday morning (13).

WHAS, L'VILLE, SINGS PROMOTE AMPHI NEEDS

Louisville, Aug. 16. WHAS, the Courier-Journal and Times station, is promoting musical events to utilize the Iroquois Amphitheatre, erected early this year, and which recently housed a four-week season of summer operettas, presented by Fortune Gallo in association with the Shuberts. First event was a folk-song and hymn-singing festival, under the direction of Homer Bodewhagen, former Billy Sunday song leader. Some 500 voices from local choirs participated, and proceeds were to be toward buying necessary equipment for the amphitheatre. First two scheduled sings were rained out, which leaves two

more Thursday nights for the mass wailing.

Sunday nights are taken care of by the Louisville Civic Orchestra, with local vocal and instrumental soloists. Admision is 15-25c, and proceeds over expenses are to go to musicians. In addition to the vocal and instrumental concerts, WHAS is promoting a radio jubilee for Aug. 27, using station talent and Bob Hulse's orchestra.

26 Okla. City Concerts

Oklahoma City, Aug. 16. Because of excellent attendance at the Oklahoma federal symphony's summer programs, 26 programs for the coming winter will be scheduled. A new attendance record of 6,000 was set for a one-night concert last week.

DON MARIO EXONERATED

Was Charged With Contract Discrepancy—Unison Accepts Him

Breach of contract charges, filed with the National Executive Board of the American Fed. of Musicians against Don Mario, orchestra leader and singer, have been dismissed and Mario returned to the goos' strutting. Charges were preferred by Dolph Duerr, an orchestra pilot who sought \$494.66 damages. Duerr, originally included Paul Wimbin, now with the Paul Whiteman office by that time booking bands on his own, and Ed Hurt in the accusation.

Difficulties grew out of a date booked for Mario by Wimbin at the Showboat, Pittsburgh last year. Mario claimed he wanted to get away from leading devote all his time to perfecting invention of an attachment for coin record machines and had left his own outfit at the Embassy Club, Atlanta at the start of a 14-week date. Said that although aware that he was without a crew Wimbin went ahead and booked him for four weeks with options at the Showboat.

Duerr was playing in Cleveland at the time and his crew was brought into Pittsburgh to take to baton. Following a rehearsal Mario refused to lead the outfit and explained the situation to the Showboat manager. Club folded for the summer four days later. Duerr then ran up big charges, and demand for damages.

Mario is currently gathering a new outfit and will book through CRA.

RAISED TARIFF SLOWS SWING B.O.

Manhattan Beach, N. Y., summer stand for name crews, opened its adishish prices at the start of Benny Goodman's stay there last week, but the tariff in Goodman swing at \$110 forced tariffs' return to normal.

Goodman opened Aug. 7. Set to supply dansapation for evening hops as well as afternoon jive. First night with a smitish boosted crew drew 150 payees. Rest of week, at 55c, was near sellout.

Honeymoon on a Roof

Mr. and Mrs. Jack Shirra, otherwise Judy Starr, are honeymooning atop the Hotel Alvario roof, New York, with Hal Kemp's orchestra during their current engagement. Miss Starr is featured singer with the band and Shirra plays string bass. Couple were quietly married last week at City Hall, and are planning their honeymoon when layoffs permit.

Music Notes

Dr. Richard Hageman, composer, from Holland, completed score for Paramount's "I Was King," first music he has written for the films.

Einar Nilson, conductor, signed by Max Reinhardt for "Faust" at Pilgrimage theatre, L. A.

Paul Marquardt wrote a special arrangement of Oscar Strauss music for added scenes in Metro's "The Great Waltz."

Max Steiner writing an original score for Warners' Angels with Dirty Faces.

Jack Scholl and Moe Jerome wrote "Song of the Mounted Police" for Warners' "Heart of the North."

W. Frank E. Hartling and Gerard Cymborine tucked in title song and score for "Men with Wings" at Paramount.

Martin Conroy, L. A. songwriter, clefted a new aviation ditty, "It's a Corrigan."

Dr. Arthur Gottmann finished conducting "The Great Waltz" at Metro and is working out the musical detail for "Ice Follies."

Gene Johnson is opening a co-op music publishing outfit in Hollywood Sept. 1.

On the Upbeat

Howard Woods to Tybee Beach, Savannah, Ga., July 13, until Sept. 5, when season closes. Follows George Hall.

Blue Barron and Jan Savitt to make transcription series for NBC. Paul Kupp set.

Gray Gordon opens Waco Pavilion, Syracuse, Ind., Aug. 22. One nites from Enna Jettick Park, Auburn, N. Y., where he closed this week.

Fletcher Henderson plays Graystone ballroom, Detroit, Sept. 4 and 5 for CRA.

The Cosmopolitan, strollers, into the Cavaliers Inn, La Crosse, Wis., Aug. 10.

Jan Savitt starts playing Charlie Shribman's New England circuit Aug. 30.

Billy Yates into El Ti voli club, Dallas, Tex., Aug. 10.

Bob Clayman's band, with Ruby Rubinoff (Mrs. Clayman), daughter of Dave Rubinoff, as vocalists, at Joe Becker's Lincoln Terrace, Pittsburgh, for indet stay. Succeeds Royal Worth and will have a KDKA-NBC wire.

Mad Williams at the New Ocean Casino, Virginia Beach, during August.

Wallace Reid, Jr., and his new orchestra opened a 10-week stand at Murphy's in Phoenix, Ariz.

Frank Trambauer orchestra set for one-night stand tour of Pacific Coast when they check out of L. A. Billmore hotel Sept. 14.

Al Jarvis' orchestra replaced Joe Venturi's crew at the Villa in Venice, Cal.

Lawrence Walks leads from current stand at Chippewa, Lake Park, Chippewa Lake, O., to an indet stay at Greyhound club, Louisville, opening Aug. 19. Band will have night swings from the Greyhound via

WHAS. Outfit makes its third visit this year to the Hotel William Penn, Pittsburgh, where it has where orch will have a Mutual wire.

Tommy Darsey released from quarantine in Hollywood after being bedded for 10 days with diphtheria throat.

Frederick Graefly has terminated booking arrangement with Fredrick Bros. office, Cleveland. Biz will be handled by J. D. Teege now from permanent office in Galveston, Ill.

Ira Ray Hutton, vacationing in Saratoga Springs, N. Y., will return to theatres and one-nites in September for CRA.

Carl Deason Moore closes Lake Breese Pier, Buckeye Lake, O., Aug. 28, for one-nite tour.

Strollers, Charlotte Miller, Long Light Inn, Evansville, Ill., Aug. 18. Versatilians, St. Nicholas hotel, Decatur, Ill., 27 and Mark Talent, Evergreen club, Chicago, 20.

Erskine Hawkins to one-nite ball for CRA, starting Sept. 15. Exit Savoy ballroom, N. Y.

Red Norvo and Mildred Bailey into Pennsylvania hotel, N. Y., Aug. 22. Kays, after closing on Oct. 4 to reopen the Pyramids' grillroom.

Ben Bernie theatres it at Earle, Washington, Sept. 16; Earle, Philly, 23 and Stanley, Pittsburgh, 30 for MCA.

Lang Thompson to Bon Air club, Chicago, Sept. 1, after closing at New Terrace club, Virginia Beach, Va.

Lee Shelly is rehearsing a new band to reopen the Hollywood Casino (formerly Hollywood Restaurant), N. Y., Sept. 15. He recently turned his old outfit over to Frank Dailey at the Meadowbrook C. C., Turnpike, N. J.

Leon Mojica renewed at El Patio ballroom, San Francisco, for CRA.

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THIS MAY BE THE NIGHT
COULD YOU PASS IN LOVE
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From the M-G-M Picture, "Love Finds Andy Hardy"

Gordon and Revel's Terrific Success!
**WHERE IN THE WORLD
FROM THE 20th Century-Fox Picture, "Joanna"**

A Fresh Idea in Musical Novelti
ON THE BUMPY ROAD TO LOVE
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From the New Universal Picture, "Youth Takes a Pling"

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HEIGH-NO, THE MERRY-O**

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BERLIN BULLETIN

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THE YAM

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MY WALKING STICK**

Two Irving Berlin hits from New York's record-breaking hit, "ALEXANDER'S RITME BAND"

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HARRY LINK, Gen. Prof. Mgr.

IRVING BERLIN, Inc., 799 Seventh Ave. N. Y.

Pitt Sees Better Sept. Biz After Brutal Summer in Niteries; Penn Shuttles Grill

Pittsburgh, Aug. 16. Downtown night-club bell sees skies ahead next month after most depressing summer season here in years. Boys are already counting on the Pittsburgh Pirates making the World Series, with town plenty baseball mad at prospect of first National League pennant in 11 years, and cafe owners are laying elaborate plans to come through the Pirates' fall to come through, however, coming Sesqui-Centennial celebration of Allegheny County's founding, which will extend through September, is expected to bring town big influx of out-of-towners.

Nitery owners have been weeping on each other's shoulders and need plenty biz September, they say, to pull them out of the red experienced during the warm weather. Roadhouses have been doing fair, although not up to recent years, but trade in the downtown sector has been brutal.

Floor shows have been cut to the bone, in some cases being eliminated entirely, and every spot without exception has cut in every department. Working hours of most (Continued on page 62)

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NOW AT LOEW'S STATE, N. Y.

(Week August 11th)

Lewis Back to Chi

Chicago, Aug. 16. Joe Lewis, who has been on both coasts since leaving Chicago, is due back in town for a date in the near northside Hi-Hat.

Opens Tuesday (23) for a two-week minimum stay.

Russo, After 50 Yrs. in Chi Pits, Quitting Aug. 25

Chicago, Aug. 16. Danny Russo conducts his own swan song from the pit of the Palace theatre Aug. 25. Shy only a few months which would round out a full two-score years since he first wielded a baton at the old Palace, and for 10 years previously at other local Orpheum houses, Russo has played for nearly every act that has ever trod the vaude boards for Keith-Albee-Orpheum.

Opere theatre staff and current stage performers, headed by Al Trahan, have given him a testimonial banquet last night (Mon.). City officials, newspapermen and other celebrities lent the feed, which was held in basement of the Palace.

Russo will go to his ranch home in North Hollywood, Cal., for temporary retirement. Charles Stein will preside over Palace pit crew temporarily.

Charlie Wilson P. A'ing

Chicago, Aug. 16. Charlie Wilson, ether comic regularly on WGN, is out on some vaude dates around the midwest.

Working with Jimmy O'Grady's orch, which is on tour in this territory.

Andre Setaie is sporting "Touch-down, Army" at Paramount, with Irvin Talbot conducting.

Miss. Boats' \$10,000 Race

St. Louis, Aug. 16. Pic and radio companies are watching negotiations between Commodore Edwin C. Koenig, owner of the Steamboat St. Louis, and the Sacramento, Cal. Chamber Commerce for a steamboat race on the Mississippi from St. Louis to New Orleans for a side bet of \$10,000. Several years ago Koenig bought the Ersatz Wells, the City of St. Louis harbor tug, that originally cost \$75,000, for \$4,500, built a new steel hull and converted it into a passenger and freight tugboat, plying between New Orleans and the Louisiana metropolis.

The news of the speed made by the St. Louis, which is the fastest in inland marine circles brought forth a challenge from the Sacramento of C. C. that the Delta King or Delta Queen, both operating near the California burg, would beat the local boat in a river race. A contest of this sort would revive the famous race between the Robert E. Lee and Natchez many years ago and furnish pic and radio companies with gobs of material.

Midnight-Dawn N. Y. Showboat Folds Suddenly

Bobby Sanford's midnight-to-dawn showboat, which debuted Aug. 5, folded suddenly last week after cutting off on only six sails up Hudson. Curtain was drawn following the Wednesday night (10) sail. Tub was equipped for gambling of a sort as a sideline to admit tariff. On an enclosed top deck, a billboard table provided a spot for galloping dominoes. Boat got in only one dice get-together, however, before it folded.

Backed by Meyer Davis, orchestra leader, boat had a heavy nut. Behind the scenes cost \$200 a week, with two orchestras and 28 principals and chorus girls. All performers were paid on a weekly basis, with boats, etc., plus lack of interest, were reasons given for the tub's exit. Schedule called for two sailings nightly, first showing at 11:30 a.m. and second at 3:30 a.m.

CLUB BOOKERS ORG. IN CHI

Chicago, Aug. 16. Booking offices, particularly those handling club dates, have organized locally under the tag of Entertainment Managers Assn. of Chicago. Officers selected for the initial term were David O'Malley, president; George Konchar, v.p.; and Lyman Goss as secretary-treasurer. George Hirsman and James Thompson are in as trustees on the governing board.

Organization marks an effort to straighten out many of the situations and tactics which have been causing plenty of headaches for both agents and acts in the club business.

Club field has been the particular target for chisellers the past few seasons, with the bookers underbidding about the coffee-and-cake payoffs in spots known to be paying pretty good coin to the bookers. In addition, there has been a wave of cut-throating among the bookers themselves, with the bookers underbidding each other on dates and then making up for the low bids by forcing reduced salaries on the acts.

Vaude Unit Troupe In Canada Rail Wreck

Chicago, Aug. 16. Members of the Eric Young International Police' troupe, now playing fair dates, were shaken up and some of them were injured in a train tangle near Winnipeg last week.

Young suffered a head cut. Among others who were bruised and slightly injured were Tony Nuzzo, Billie Garland, Sam Steffen and Tonyy Gleason.

15 YEARS AGO

(From VARIETY and Clipp)

S. S. Leviathan orch back at the Broadway, with rumormongering in Martin Downey tenured with the outfit.

Emma Carus and J. Walter Leopold hogged it at the Brooklyn Orpheum. Both were home town folk.

Two years after the murder of William Desmond Taylor, Mary Miles Minter was named she had been engaged to him. Apparently intended to offset adverse publicity, but it did not help her to a comeback.

Kinema, Los Angeles, to go two shows a day after revocation. Two other houses had the same policy. All went back to grind.

Picture studios in Los slammed a ban on all visitors. Will have blamed by the Chamber of Commerce, which visioned tourists detouring to other spots.

Lionel Atwell in 'The White Face Foot' was heading at the Palace. Chi Audiences liked the turn in spite of its class.

Denver managers cut salaries 25%, but unions had not yet accepted.

Tabulation showed that 135 feature pictures were lined up for the new season to cost \$75,000,000. There were seven in the \$100,000 class. There were 25 costing between \$50,000 and \$100 costing slightly less. Some 800 releases were scheduled in all. Declared to be far too many for the market to absorb.

Keith office did not officially bar many songs for coming season, but stated that it would not help the bookings any to follow the old line. Getting too much alike.

Keith circuit planned to use German 100-mark notes as throwaways for Breitbart, among man. He had used the same stunt in Berlin.

Interstate Circuit paid Mme. Petrova top salary, but she did two acts, a single and a sketch. Four-week booking.

Edison lamp works on the Jersey strands, using a regular vaudeville act to entertain its employer during the lunch hour. Each act booked for four days and to go 15-18 minutes.

Keith office giving first call to comedy acts. Felt that big names and small performance were detrimental. Comedians could pull them in.

Looked like a good season for legit musicals. About a dozen being readied.

Philly Nitery Biz So Bad, New Taxi Strike Can't Hurt Very Much

Philadelphia, Aug. 16. Taxi strike, which began here yesterday (Mon.), has put no noticeable damp in nitery biz as yet. As one hothery operator put it, biz is so bad already, there's nothing could make it any worse.

Lack of transportation, however, if it continues until next weekend, is figured to depress theatre takes, as it has done in the past.

JOHN STEEL BANKRUPT, LISTS \$40,070 DEBTS

John Steel is broke. Tenor, who earned as much as \$5,000 weekly in Ziegfeld shows, filed a petition in bankruptcy in New York, listing liabilities at \$40,070 and assets of \$350. Steel recently played four weeks at Billy Rose's Casa Manana on Broadway. Among the debts he listed was one for \$5,000 banked in bankruptcy in New York, listing liabilities at \$40,070 and assets of \$350. Steel filed against him by Broadway Mills, of the Barbizon Plaza hotel, N. Y., charging breach of contract.

HILDEGARDE

Just Returned From a Triumphant Tour of Europe and Now Appearing at the
MOUNDS CLUB, CLEVELAND, OHIO

American Rep.: JACK BERTELL. European Rep.: HENRY SHERRER

N. Y. STRAND'S FIRST BANDSHOW ALL SET

Opening vaude show at the rambling Warner Bros. Strand, on Broadway, will feature Ben Bernin's band, with Lila Deane, singer; Norman Harris and Sylvia Shore, comedy dancers; Betty Bruce, tapster, and Art Frank, impersonator.

House closes next Wednesday and Thursday (24-25) for redecorating and rehearsals of late show, "Meets Girl" (WB) will add screen. In addition to having signed Ben Bernin, Jan Gacher and Sylvia Shore, New York Strand has a deal on with Horace Heidt's orchestra and has set Harriett Hilliard as a specialty act to come in with Nelson.

Although Heidt was also talking to the Paramount people for a date on Broadway, understood he has made a verbal commitment to Warner to go into the Strand.

King's Jesters Into the Commodore club, Detroit, Sept. 17. Joseph Sudy follows them at the Sir Francis Drake hotel, San Francisco, Sept. 13.

GLORIA GRAFTON ARROWHEAD INN SARATOGA NOW

"Gloria Grafton's version of 'This Time It's Real' at Versailles is grand."
—Walter Winchel.

"Gloria Grafton sells a song well, looks daffy, works with a mile, but doesn't hug it, and is effective on a cafe floor."
—Abel, VARIETY.

"Gloria (Glorious) Grafton's version of 'Week End of a Private Secretary' is as good as a tip to Havana... if the radio scouts don't grab this gal they ought to have their heads examined."
—Danton Walker, N. Y. Daily News.

"Gloria Grafton is closing at the Mounds Sunday. If you haven't seen her you'd better hurry because she's the most exciting thing that's happened to Cleveland this year."
—Winsor French, Cleveland Press.

Generally Held Over

as at
Versailles, New York

and
Mounds, Cleveland

CONTACT
JACK BERTELL

GLORIA GRAFTON

Moss Asks Equity to Concede Pay Exemption for Free Sunday Legit Airings in Offer to Exploit Shows

The Sunday legit question, in some places, at least is expected to crop up in connection with the use for play presentation of New York's municipally owned WNYC through license Commissioner Paul Moss, with the offer of Mayor LaGuardia. WNYC has okayed to exploit Broadway shows each Sunday afternoon, without cost to producers. The form of such programs is yet to be determined but the question of Equity's assent must be settled before show business goes on the air.

Under Equity's Sunday rules actors may work such days if paid double. Association also demands an extra eighth of one cent a day for any radio appearance if the program is part of the show, whether it be broadcast from a stage or goes directly from the stage.

If the WNYC broadcasts are to be made, actors would not be paid. However, it's up to Equity to make the concession. Moss and the manager of the municipal station appear to desire the concession. Yesterday (16) to explain the idea and request that an exception on radio and Sunday pay be made.

It was not indicated whether Equity was hot for the plan. Equity feels it may be objected to by members on the grounds that they might be denied the right to accept work on Sunday or go directly for the grates programs.

Further stated that the actors would be asked to accept such radio activity, but playwrights figure that they would miss extra coin from commercial stations for excerpts of their plays. The actors, apparently, was not considered by Moss, but it seems that assent of the Dramatists Guild would be a requisite before the WNYC programs could start, due approximately early in November.

Managers Favor Idea
Managers are favorable to the Moss idea but are figuring on arriving at a program step different from that suggested. Moss and the station are for a one-hour broadcast, which showmen say is too long. Plan was to broadcast scenes of current plays but few managers would permit so extended an airing of their shows. Accommodation resulted in proposing the broadcast of one scene, program to be filled out from commercial material. Broadway interviews and stunts, which would call for people of each cast, might fill the bill, with the time not exceeding 30 minutes.

Generally conceded, however, that the idea is a fortunate break for the stage and unless Equity kicks over the board by insisting on the right of its members to work off as legit is concerned, the WNYC plan cannot but help develop interest in theatergoers. Equity might work in radio, or any other activity on Sundays, except legit, without the double pay concession so far as New York is concerned.

No one connected with Equity has indicated why New York is not every other type of amusement, in which, although, are okayed by the laws of the State.

Stebbins Considers 'Susanna' or 'Boy'

Rowland Stebbins is considering a production of 'Susanna and the Elders,' Lawrence Sanders and Armina Marshall play recently saw the troupe and can produce with the authors.

Understood deal depends on reviewing, which authors are doing.

Indexed Rogues

Only producing office in New York with a 'rogue's gallery' of players is Eddie Dowling's. It's the idea of Julia Dorn, the producer's secretary. She keeps a card index of all players, with a picture and complete record of their work.

In the belief that the interest indicates they're being considered for jobs, legiters have been warning into the Dowling office daily.

McClintic-Cornell To Do Five Plays In '38-'39 Season

Guthrie McClintic-Katharine Cornell will do at least five plays this season, with a possibility of a sixth. Miss Cornell will play in three, with McClintic staging all. First production, to go into rehearsal tomorrow (Thurs.), is 'Legend,' by Elizabeth B. Ginty. Followed by 'The Sign of the Cross,' by Ethel Waters will be starred, her first heavy dramatic role. It goes into production in November. Both 'Legend' and 'The Sign of the Cross' were negotiated by the Liebling-Wood agency.

First of McClintic's list is 'Clemence Dane's 'Herod and Mariamne,' which begins rehearsals Sept. 19. Florence Reed and Fritz Kordner will be in the cast and Harry Kerner will design the sets. Play will have a limited Broadway run following an out-of-town tour. Then will come the George Davis adaptation, 'Frenchie' Miss Cornell's third play hasn't definitely been decided on. The possible sixth play on the list is just that—possible, nothing more.

Angle of the McClintic-Cornell plans is that Horner and Egon are the only scene designers contracted so far. For the last several seasons McClintic and Cornell have been designed by Jo Mielziner. Another point about the list is that the only scene associated with the Playwrights Producing Co. McClintic might have trouble finding a writer to write his last off occupied. Present production schedule is the heaviest the office has had in years.

Aldrich to Produce Jacques Deval Play

'Lorelei,' reported slated for production by Shuberts, has been arranged and Brock Pemberton at different times, will go into production sometime under the aegis of Richard Aldrich. Sir Cedric Hardwicke, who owns the rights, will direct. Play was written by Jacques Deval, author of 'Tovarich.'

Aldrich and Dennis King, latter now appearing in 'The Sign of the Cross,' are putting up the coin for the controversial drama with a Nati theme. Rose Stangor, who was with the troupe, will return from the coast, will have the female lead. Producers are seeking male lead.

Weakened Condition Among Problems Facing Group Pending Changes in Constitution and Officer Selection—Bond Would Assure Support From Affiliate Unions

NO FEELERS YET

Theatrical Managers, Agents and Treasurers union, while awaiting the report of its constitution and the selection of officers, and its board in the fall, is facing other problems. In particular, TMAAT is in need of affiliate support. That was thought to have been clinched last year when the International Alliance of Theatrical Stage Employees was expected to take in TMAAT. But something went awry and the deal was never consummated.

TMAAT is believed to be considering the possibility of lining up the Associated Actors and Artists of America, a white collar organization, as are its affiliates. No feelers appear to have been thrown out as yet and the question whether the TMAAT's charter is elastic enough to take in such a group as TMAAT is yet to be ruled on.

Four A's could apply to the American Federation of Labor for an expansion of its jurisdiction, just as IATSE sought and received the right to organize ticket-sellers, takers and ushers in picture houses. Alliance of Actors and the Four Senses would support the groups already in. Equity, for instance, has indicated support for the Four Senses. Guild, American Guild of Musical Artists, American Federation of Actors and others.

World Clear AFA Row

If TMAAT does join the Four A's, one of the other contests would be quickly cleared up. AFA claims jurisdiction over circuit ticket-sellers. Venue union claims all departments under the big tip, it's understood, in (Continued on page 58)

Musicians Union-Manager Dispute On Theatre Jobs Nears Settlement

Broodway managers, after several huddles with the stagehands and musicians unions, are reported having made some progress with the latter. However, deadlocks union leaders are still attempting to void seasonal business would come under the 16-man rule. Managers sought to raise the limit to 1,200 acts and managers have been a counter proposal to make the deadline 1,100 under which the 16 man requirement would not apply. At a meeting last week between union officials and the League's labor committee, it was indicated that the musicians would

compromise. Before the season starts, therefore, the rule will likely be changed and the 16-man minimum will apply to theatres of a capacity closer to 1,200 seats.

Incidental to Play
Another issue, concerning mechanical music, generally emanating backstage with discs, was cleared up. The union said when the music is supplied for a straight play, the theatre was required to put on four musicians, whether the music was the pit or not, regulation pay was required regardless. It was agreed that mechanical music was incidental to the play, and no musicians will be required for houses which do not regularly have orchestras for intermission music.

An example of the four-man requirement was the playing of the operetta 'The Merry Widow' at the time 'Mansions' played last week. A mechanical organ in the pit was played by a specialist but the four-man rule was not applied. The payroll: The quartet sat in the back of the orchestra during every performance and the cost for the production was \$245 weekly. That is higher than the scale but during the time 'Mansions' played the Biltmore the excess was paid, it being a penalized theatre, since it didn't have a pit bunch seasonally.

Equity Decides on Pay Concessions For Outdoor Shows Exited by Bad Weather After Pondering '38 Toll

Lobbying?

Two well known Broadway press agents, who are not so hot about the 'share the work' principle of TMAAT, heard that the union was in the red for \$3,000. They agreed that it could be done they'd buy the outfit. Asked what they would then do with the union, cracked: 'Sell it at auction in a Broadway hotel lobby.'

'Life' Air Dates For Vallee Held No Boost to B.O.

Although the legit play 'What a Life' has received three buildings up, Era Stone-Betty Field guest dates on the Rudy Vallee program there has been no noticeable response at the boxoffice. Clifford Goldsmith comedy has been playing at the Biltmore, N.Y., since last spring and has maintained a 'variable' week end of \$6,000 and \$7,500, depending on the weather and other general conditions.

George Abbott office has not been able to observe even a slight boost in grosses as a result of the three air plays. After last Thursday night (11) broadcast, for instance, the receipts at 'Life' were up slightly Friday night (12) over the preceding Friday (5), but so were grosses at other Broadway houses, supposedly on the strength of the clear weather. Similarly there was no apparent boost from another Vallee date several weeks previous.

Some Reasons

Several angles are seen in the failure of the air dates to boost the play's box office. One is that only the initial guest appearance was an actual (Continued on page 58)

It is virtually certain that Equity will establish new pay regulations for outdoor show revivals, such as those staged at Jones Beach, Randall's Island, N. Y. St. Louis and other spots. Latter is the only project still operating, others having been withdrawn for one reason or another. Probable real reasons for curtailment in the metropolitan area were weather handicaps.

After consideration of the rain this summer, Equity's Council appears to be in full agreement that concession be made when performances are forced off by rain. Probably there will be no concession in the event of cold weather. When the Gallo-Shubert operetta went off the playhouse afflicted institution the Council for concessions.

At the time an assn. committee to study the program was in the event of postponement, on account of rain, one-third salaries were to be paid. The stipulation was that the shows resume and play at least three weeks thereafter. Concession, however, was not actually made. The manager has called the season off prior to complaining, J. J. Shubert writing a trade against Equity and later blaming the season's collapse on the other stage unions as well. 'Latter have had a 'variable' pay scale in the event, incident, weather.

Among the replacement attractions at the Biltmore are a three-act Salomé's opera during weekends. Out of the first six performances scheduled, only two were played, the others being rained out. In the impromptu ads last week was a top headline: 'It ain't gonna rain no more.' Past weekend was clear and sunny.

Salomé, formerly on the Met board, has been conducting operas at the Hippodrome, N. Y., weekends during the season. He's known to have had conflicts with the unions.

LEGIT BOOM-TO-BE DRAWS FILM GANDER

Film companies in the east are clearing the way for an expansion of the booming legit season on Broadway this year and next. The World's Fair makes the '38-'40 seasons long exceptionally bullish for the play impresarios.

Hollywood's picture good should come out of it, either in the form of plays or plays, and the legit season will have a very interesting off accordingly.

Sinclair Lewis 'Here' Repeat Big Mass. Biz

Cohasset, Mass., Aug. 16. Over-capacity big for Sinclair Lewis' personal appearance in 'The Great Train Robbery' necessitated running an extra matinee last week by the South Shore Playhouse under Alexander Dean. This was the second week of the production, which had been running for a week during its initial stage, week of July 28.

John Shayne replaced Donald Cook, previously committed to play opposite Corvina Olin Skinner in 'The Great Train Robbery' at the South Shore Playhouse.

Lewis not only revived the play for opening week, but also made changes for the second production week.

Chester Cohasset play will be 'The Great Train Robbery' by James M. Cain, starring Nancy Carroll and Sheila Barrett, week of Aug. 22.

Broadway

Black Stone's 47th birthday last week. Fred Astaire in New York on his annual tour east.

Maureen McGuire, Max Gordon's associate, vacationing.

Robert Montgomery, p. a. back to work at Cae Cae.

Bill Goodwin, summering in Connecticut with the family.

Bill Goodwin, of MCA, back from a tour through the south.

Joe Ciolek, house manager of the "Crocote," home manager of the "Crocote," vacationing in Florida.

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Joe Ciolek, of the "Crocote," vacationing in Florida.

home office in Hollywood. May expect to arrive in New York.

Al Margulies, who has a name for pictures about India and the Far East, is in the company of the American-made westerns, he calls "The Great Train Robbery."

Following a week at the Chicago, Ill., two of the Ritz Brothers, Jimmy and Al, will be in the city.

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London

Eddie Carroll with poisoned arm in a sling.

George Harris out of hospital after motor car smash on the road.

The Jack Harrises vacationing in the south of France.

Charles La Morte's mother-in-law on vacation, her first trip to England.

McKenna of Dea has joined Matt. What life his publicity business.

"Top of Everything" is the title of Charles La Morte's new London unit.

George Gershwin has bought new house in Hampstead and doing his own decorating.

Clinda Ginn, vacationing in the south of France may go into the new Follies Berger stage.

Gladys Tudor Owen, formerly publicity holder for the "Crocote," has launched out on her own.

Walter West End estate agents, is partly owned by Jack Waller.

Sir Oswald Smith, proprietor of his Stoll Film Studio, Cricklewood, has been elected to the board of the British Film Institute.

Teddy Joyce has his own fan club. He is the owner of a new car.

Embassy Club, recently acquired by Martinus Poulsen and Teddy Joyce, has been turned into a bottle club.

Dorothy Seacombe, star of silent, will return to the screen after several years absence, in support of Claude Rains.

Maurice Elvey directing "The Reckless" for the British Lion, which will open at the Gaumont Palace.

Maurice Elvey has just signed new three-year contract as scripter with the British Lion.

German Stein, after two years in the London office of the British Lion, has moved to Hollywood to get a job.

Harriet Harrison taking month's holiday in the south of France.

William Richardson will be in the London office of the British Lion, after two years in the London office of the British Lion.

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Valencia, Jamaica, now at the Willard, Woodhaven, as assistant to George E. Kinn, manager, who returns Monday (22) from a tour of the month at Oakdale, L. I.

Charles La Morte, manager of the RKO Richmond Hill, due in from Chicago vacation, Friday (19), doing so temporarily out of London.

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St. Louis

Marj Chamberlain, Broadway player, returns to New York Sept. 1.

Paul Belman, manager of Municipal Theatre Assn., meets F. W. A. Vesper, chairman of the assn's representative committee, in New York Oct. 1, to discuss plays for next season.

Tom Harris, p. a. at Loew's, back from vacation, Edward Richardson, treasurer, starting on Oct. 1.

Local theatre owners, film exchange heads, etc., will powwow soon on a campaign to publicize films.

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Hollywood

Jack Whitting back.

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Paris

Marie Glory to Rome.

Marie Glory to Rome.

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Marie Glory to Rome.

By Hugo Speck

Marie Glory to Rome.

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Marie Glory to Rome.

Minneapolis

By Les Rees

John Gilgish, of National Screen, out to Maine.

Moe Levy, 20th-Fox district manager, on tour.

Patricia Inland, of Bonnie Berger, father-in-law of Bonnie Berger, interested circuit operator, died.

Harold Kaplan, State manager, v. p. of the Minneapolis Theatre Assn., has been elected to the board.

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Long Island

Gene Fowler selling his home at the Ritz.

Gene Fowler selling his home at the Ritz.

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Gene Fowler selling his home at the Ritz.

Gene Fowler selling his home at the Ritz.

Gene Fowler selling his home at the Ritz.

Gene Fowler selling his home at the Ritz.

Gene Fowler selling his home at the Ritz.

Gene Fowler selling his home at the Ritz.

Stroudsburg

By John J. Bartholomew

Free tickets eve. Thursday night for the new production.

Free tickets eve. Thursday night for the new production.

Free tickets eve. Thursday night for the new production.

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Free tickets eve. Thursday night for the new production.

Free tickets eve. Thursday night for the new production.

New Haven

my sincere
congratulations
Mr. Hathaway.

BARRETT WILLOUGHBY
313 HILLCREST ROAD
SAN CARLOS, CALIFORNIA

Dear Henry Hathaway:

July 27 1938

Just by accident I happened to see the preview of Paramount's version of my book, *Spawn of the North*. Despite the fact that the picture is an adaptation which does not closely follow my Alaska novel you have turned out such a splendid, breath-taking picture of Alaska that even I a jealous author concerned for her brain-child, was completely carried away as I watched. My sincere congratulations, Mr. Hathaway on your masterly job of directing.

The audience was by turns awed, laughing, gasping, admiring, spell-bound and breathless. A girl near me wept profusely over George Raft in his death scene. (I could scarcely keep from embracing her!) After the picture got underway, though, I became so absorbed in it that I forgot all about the audience.

For a couple of days after the preview friends kept phoning me they heard the picture discussed in the stores and garages and other places of business on the Peninsula where they happened to be and nearly everyone was planning to see it again. The men were all wild about the fight at the fish trap. They say it is the best fight ever filmed. The little seal and the pictures of wild life--the salmon run, the bears and the eagles caught the fancy of the children and women, from what I can hear. Many have mentioned the introductory music with enthusiasm.

Personally, I don't think the cast could be improved upon. Tamiroff was so real I wanted to shoot him myself.

Spawn of the North was the first preview I ever saw!

Yours, with sincere admiration

Barrett Willoughby



VARIETY

PRICE

15¢

Published Weekly at 164 West 45th Street, New York, N. Y., by Variety Inc. Annual subscription, 16 Single copies, 15 cents. Entered as second-class matter December 12, 1935 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. 131 No. 11

NEW YORK, WEDNESDAY, AUGUST 24, 1938

56 PAGES

DOZENS ON THE UPBEAT

1938-39 Legit Boom Bringing Back Inactive Producers to Broadway

Broadway is speeding up legit production, expecting a boom 1938-39 season that should top last year's schedule. Managers who have been inactive in past seasons are back in the running. Others who have productions on their 'must' schedules are looking for additional scripts. Indicated, too, that more than the usual amount of outside money is being attracted to Broadway in anticipation that the New York World's Fair will boom show business.

September and October are set to get at least 17 new shows, with the ultimate total possibly approaching the late flush figures of former seasonal starts. Last September seven shows arrived and by the end of October there had been 16 new shows in all. Late in the starting month, one hit had been scored, "The Star Wagon," and in October another came along, "Susan and God," along with two only moderate critics. It was not until November that the season got into stride, that month seeing the arrival of the season's top musical, "To Bachelor Be Right."

Labor Day this year will come and go without any debuts, the first listed being "You Never Know" (Shubert), at the Winter Gardens, Sept. 12. Next night may see "Once Upon a Night" (Continued on page 22)

Il Duce Orders Legit, Films Quit Handshake For the Fascist Salute

Rome, Aug. 13.

When players greet each other on the Italian stage or screen, they will do so hereafter by giving each other the fascist salute. Handshaking has been abolished by order of the Ministry of Popular Culture.

At the same time, 'thou' which has been taken up of late, is being compulsory in films and legit. In place of 'you,' while the Ministry of Culture is regulating to go into effect immediately, films now in the making need not be changed to suit new ruling, with 'thou' not being obligatory for films until October. Then it will be the prescribed form for Italian-made films as well as for foreign ones dubbed in Italian.

Final fascist touch decreed by the Ministry for the Arts is new regulations requiring all orchestra conductors at the outdoor operas and concerts of the summer season to wear the uniform of the Fascist party at their performances.

JAI-ALAI'S S. A. TOUCH

Management of the Hippodrome, N. Y., will lend a little sea, touch to the jai-alai games which start on the Hipp stage in September.

The selected Cuban and Mexican chiquitas, with emphasis on heels rather than ushering ability, to be hired to add extra heat to the world Latin sport.

NBC TO SCREEN-TEST OWN FOR STUDIO SALE

Hollywood, Aug. 23. National Broadcasting Co.'s artists service is planning a department to screen test its clients for sale to picture studios. Would be similar to waxing its people for agencies and sponsors.

Plant on Melrose avenue, soon to be vacated for the new structure at Sunset and Vine, would be utilized for the testing.

Gert Lawrence Plans Memorial To Edwin Booth

San Francisco, Aug. 23. As a tribute to Edwin Booth, who once played the title role in "Hamlet" in a theatre in Angels Camp, a historic mining town in California, Gertrude Lawrence plans to restore the theatre in which the performance was given. The owners of the land on which the theatre once stood have offered it to her gratuitously. The star is now making negotiations for a strip of land leading from the main street to the theatre, which stood until fire destroyed it 10 years ago, on the top of a small hill.

Miss Lawrence has three plans to the \$25,000 which she has just acquired to rebuild and equip the structure with duplicates of the original features.

The first would be by private subscription, the second an all-star benefit with the cooperation of the Players' Club, which Booth founded in the third through a series of special matinees of her star, "Susan and God," during the remainder of its life. Producer John Golden would be the first contributor to the subscription fund should the plan go through. If the plan materializes, Miss Lawrence will return here for the dedication of the theatre, after her London engagement in "Susan" next April.

Glorifying the Groan-Box

Excelsior Accordion Co., subsid of Wuritzer, will underwrite publication and cello distribution of a book to popularize use of the wind-box among swing and jazz bands. Wind-jazz has been too long associated with gypsy and continental ensembles, figure manufacturers.

Tito and Swingette, five-piece combo of three groaners, a bass and guitar will be heavily featured throughout theme on "Hints on Swing for the Accordion."

'ALEX' TOUCHING OFF BIG BIZ RIZ

Outlook, Unlike Last August, Much Brighter—Last Year It Bugged Down After OK Start—This Year the New Season's Later and B.O. Longevity Extended

PRODUCT LINEUPS

Paced by 'Alexander's Ragtime Band' (20th-Fox), early season pre-release of the major film companies, are lifting the nation's boxoffice to the usual seasonal upward trend. Although receipts have not reached the high returns of August, 1937, reports from important key first runs indicate to industry observers that the potentialities for good autumn business are in evidence. Anxiety is being replaced by a healthy optimism that the rising curve in public attendance may continue for some weeks.

Showmen are not unmindful of the effects of a year ago when a record-breaking August was followed by a severe drop at the boxoffice in succeeding months. In that respect the film industry followed the general business trend of the country until late fall found the entertainment field in the grip of depression. Misled by early returns, most of the major companies found themselves in the (Continued on page 19)

KILLER-DOLLERS ON PARK AVE.

Emil Coleman and Benny Goodman will officiate in the Bert and the Empire rooms of the Hotel Waldorf-Astoria, New York, this fall, making it a departure for the snooty Waldorf so far as swing bands are concerned. Coleman shifts to Park avenue from the Hotel St. Regis, where he had been a fixture for some seasons.

The St. Regis, too, is going in for departures, including a colored swing band, Emily Hicks, in the grill to its (Maisonette Russe), vice Cornelius Coudoban's usual tigrane combo. Upstairs, in the lounge room, House last year, who premiered at the helm of his own combo at the Excelsior House last year, will do the honors, in Coleman's place. The St. Regis will also add a little more substance to its floor show, via a miniature ice frolic, a la the Hotel New Yorker's type of show. Heretofore, the fridum was content with the Coleman band principally, and one other specialty.

Where Will the New Talent Come From? Again a Show Biz Headache

EX-GOV. HOFFMAN TO NEWSCAST ON COMM'L

Ex-Governor Harold G. Hoffman, of New Jersey, is being readied for a radio berth on station WOR, New York-New York. He'll go on as a commentator and political analyzer. Contracts are to be signed by local N. J. wine company within 48 hours. Hoffman is already committed to the station.

Roosevelt-MBS Hookup Inspires Much Curiosity

Chicago, Aug. 23.

Since amalgamation of Elliott Roosevelt's Texas State Network with Mutual Broadcasting System, execs of Mutual have been besieged with ticklish questions by magazines, listeners and newspapers. All queries hinge on possible political ramifications or reforms because of this connection.

Wonderment is being expressed as to whether or not MBS would become an unofficial mouthpiece for or possible favorite megaphone of President Roosevelt. Conjecture on political significance, busybodies want info on possible change in attitude of the anti-New Deal Chicago Tribune, which owns station WGN, a main cog of Mutual.

Minor execs and employees are retelling all wires, calls, news. (Continued on page 27)

Whence new talent for pictures, legitimate and radio will come in the next few years is currently developing into a problem in show business. It is becoming increasingly difficult to get proper talent in all three classes of the amusement world, but radio and the legit stage probably won't feel the rub for several years to come.

With the screen it is a pressing, vital matter. So much so that major film company reps are considering regular training school for neophytes, starting almost immediately. Several companies will watch the legit season this year closely and if it fails to show more signs of reviving than displayed in recent seasons, will resort to an intensive school setup.

While films, radio and legit in the past had been accustomed to depending on vaudeville, stock and burlesque for new material, these three sources of supply today are virtually obliterated. There is scattered vaudeville. (Continued on page 22)

St. Louis Station Ready As Wrong-Way Corrigan Is Nearly Wrong Again

St. Louis, Aug. 23.

On a hunch that Douglas Corrigan would do the wrong thing Monday (22) when he visited St. Louis, Gene Kemper, p.m., and Allan Anthony, chief gabber of KWK, made a haul-up at the Parks Air College, south of East St. Louis, and waited for things to happen. About 20 minutes before Corrigan was scheduled to land at the St. Louis municipal airport to start a parade through the city, his plane appeared at Park.

Corrigan circled the field several times almost landed, discovered he was at the wrong place, and sped. (Continued on page 38)

Phil Spitalny's All Girl Singing Orchestra

'The Hour of Charm' NOW Paramount New York

Hold Over For Second Week

SEE FILM %

END THE 'CIVIL WAR'

At the moment when industry self-administration of its problems of distribution and exhibition appear at an impasse, occasioned by the Government's anti-trust suit against major film companies, courageous steps to settlement of Hollywood's internal conflicts have been initiated by Darryl F. Zanuck.

In a stirring and effective statement to fellow producers, Zanuck swept aside all arguments for passive resistance to the claims of the directors' guilds and won from producers the appointment of a committee, consisting of himself, Eddie Mannix and Sam Briskin, with authority to bring about amiable and sensible settlement of employment relations. He deprecated the industry's 'civil war' and its negative reactions outside of Hollywood.

With due regard to the legal complications in which distributors find themselves as a result of the Government suit, it appears that abandonment of the proposed trade conference with exhibitors, awaiting assurance from counsel as to the proprieties of such a meeting, is causing much dissatisfaction in exhibitor circles.

Sincerely a sincere and earnest move in the direction of bettering industry relations cannot be used by the Government to the disadvantage of any distributor defendants in the pending action. Surely, no fair and just court would consider any such constructive moves as admissions of any claims in the anti-trust complaint.

Film business is performing high public service and occupies a position of importance in the scheme of American life, education and popular culture. That its commercial practices have come about of indefinite proportion of the anti-trust suit should not in any respect dull the responsibility of leadership to the ideals which have carried the industry to its commanding place in community and national affairs.

An industry divided against itself is the easy target for its enemies. Unification of effort, re-emphasis of its best principles and active, aggressive steps towards better internal understandings, are needed within the industry in order that it can maintain its rightful position before the public.

By a display of courage and common sense Zanuck is leading the production forces to a program that can result only in progress. He is not content to abide by a policy of watchful waiting while the production structure is being undermined and ravaged by procrastination and stubborn refusal to meet the issues.

Distributor-exhibitor relations may be more confused by the complication of the Government suit, but the need for vigorous, prompt and enlightened handling of problems is present. The time to attack a tough job is immediate; not when delays have drawn the knots tighter.

Public good will can be won over to the industry when it moves courageously to settle its own problems by discussion, compromise and singleness of purpose.

Plans for the trade conferences should be resumed.

Wanger's Wider Prod. Activity Via UA Setup

Hollywood, Aug. 23. Maurice Silverstone, operating head of United Artists and chairman of the executive committee of the firm, became a member of the board of Walter Wanger's production company, an outfit financed by UA and owned jointly by Wanger and United Artists. Silverstone recently Dr. A. H. Clifford.

Douglas Fairbanks and Nip Taylor, who have been members of the board of Wanger's company, step they are to be succeeded by active, operating officials of UA. The board is a five-man setup, and C. F. Erickson, recently named treasurer of Wanger's outfit, will be the fifth member of the board. UA recently put \$1,500,000 in Wanger's call for production purposes.

And another aim, additional to that already mentioned, in the new setup appears to be expansion of production activity by Wanger. He already signed Ann Sothern and Ralph Bellamy for Ty Garnett, who directs "Trade Winds," the new French-Marchand-Louis production. Also, he signed Dudley Nichols for the script on "Stage Coach," from the Ernest Haycox story, "Stage to Lordburg."

Erickson also retains his old post as treasurer of Douglas Fairbanks Productions.

MAYOS VACATIONING
Hollywood, Aug. 23. Archie Mayo and his misanthropic band for eight weeks in Europe.

WB'S BOND SWITCHING

\$9,375,000 So Far Issued—Nearly \$20,000,000 To Be Shifted

With the issuance of \$476,500 additional in certificates of deposit last week for new bonds, plan of Warner Bros. for switching present holders of 8% bonds due this fall was reported progressing nicely. This makes a total of \$9,375,000 worth of bonds that have been issued.

Although nearly \$20,000,000 worth of liens have yet to be switched, stock exchange report on listings indicates that the switchover from old bonds to the new 8% obligations is going ahead nicely compared to the amount of time certificates of deposit have been available.

PAR H. O. ASKING FOR MORE BEEBES

Paramount home-office will urge the studio to make a sequel to "Sing Your Sinners," the current Bing Crosby-Fred MacMurray starrer, utilizing the same Beebe family as the central characters.

Distributors think that (1) the "family" cycle is proving good box office these days, and (2) the Crosby-Beebe team is a terrific draw which really makes for a follow-up.

There It Sounds Again

Hollywood, Aug. 23. Metro is mulling a revival of "The Bugle Sounds," a Foreign Legion story that has kicked around for 10 years and rewritten so often that it has piled up a terrific cost.

George Hill, who has since died, was the first writer assigned to the yarn, back in 1928, and almost every scripter of note has tried it since without luring it to the cameras.

SELZNICK UNITS POINT THE

Minimum Guarantee Against Percentage Was Once Favorably Regarded by President Roosevelt—Agent's % Units in Practical Effect

SEVERAL COS.

Is the minimum compensation against percentage plan to become universal in the business?

What Myron Selznick and Ernst Lubitsch plan to do, Universal is doing also with Lester Cowan and W. C. Fields. Understood also that suggested in any new arrangement with Par, a similar minimum compensation plan against percentage might be discussed.

It wouldn't surprise the trade, since Myron Selznick manages George Raft, presently suspended by Paramount, but in any new arrangement with Par, a similar minimum compensation plan against percentage might be discussed.

Raft has a contract which soon expires and his new option price is something like \$4,500 weekly. However, with Myron Selznick the sponsor of the minimum compensation plan against percentage idea, maybe Par and Raft can get together.

The plan, in its embryo, has been bruited about the trade for several months. It recently was given execution by the aforementioned interests. It is expected that other studios will follow.

The minimum compensation against percentage plan was a formula for improving conditions in the trade, suggested in an official report of the industry to President Franklin D. Roosevelt by Attorney Sol A. Rosenblatt, that time an NRA administrator.

\$18,000,000 Tobacco Crop Cheers Dixie; Plenty of Spending

Atlanta, Aug. 23. With \$18,000,000 bright leaf tobacco money jingling in jeans of south Georgia tobacco growers following auctions that closed last week, attention of show biz centers in King Cotton toward the farm is going to realize from 1938 harvest of fleecy staple. Crop is ripening fast under blazing Dixie sun and first bales are popping in daily. On the whole, yield is reported as satisfactory and depends, of course, on market price.

Tobacco crop was a bumper one and growers are fast putting it into circulation, paying debts, going to films, patronizing amusement places, including carnies, and 'first bales' for good times in the Southland, where the wealth springs from the soil. Harvest time finds amusement biz well represented below Mason & Dixon Line and Mr. and Mrs. John F. Fairbanks are not averse to putting their money on the line for pastimes that appeal to them. Carnies, tent shows, picnics, etc., all always do well.

With tobacco activities virtually closed down still about a month away from the real harvest money stage, crop followers have deserted the Georgia leaf markets and are headed eastward to North Carolina and Virginia, the next scene of tobacco market action.

Janet Gaynor's Hideaway

Philadelphia, Aug. 23. Janet Gaynor reported in mourning for a farm in Bucks County, Pa., scene of the hideaways of Pearl Zerk, and S. Kaufman, is a devoted negotiator with British Empire Films for distribution in Australia.

UA Producers Getting Greater Play, Under Profit-Sharing Idea

'Alex' Ballys Votes

Minneapolis, Aug. 23. John G. Alexander, Republican candidate for Congress in the third district here, used what is believed to be a brand new campaign stunt by tying into the engagement of Alexander's Ragtime Band at the State.

He announced that every Alexander in Minneapolis reporting to his business offices would receive a free admission to the film.

Reisman to Settle RKO Anglo Quota On European Trip

Definite alignment of RKO's British quota pictures will be determined by Phil Reisman, foreign sales chief for RKO, when he visits London within the next couple of months. Reisman sailed from New York Saturday (20) for Paris and two-month visit to Continental key spots.

One of the purposes of his trip will be to preside at a convention of RKO sales managers from the principal countries of Europe, Eng., Dutch, East Indies and India. Reisman will be in Paris, either the first or second week in September.

Although RKO is more or less set on the number of quota features for production in Great Britain during the next year's operation of the new quota law, the exact cost of the larger films still has to be determined. Reisman will help in this and also ascertain the number of feature productions RKO plans to distribute in England during the 1938-39 quota year out of 46 to 48 on its schedule. This would determine the number of quota credit films the company needs.

Reisman only returned about a month ago from a 60-day tour of Central and South American key cities.

Rio de Janeiro, Aug. 23. Latin-American markets and sales staffs from Brazil, Argentina and Chile will meet to discuss 1938-39 program for RKO here for three days starting Aug. 26. Ben Y. Cammack, general manager for Latin-America, is due here from U. S. this week to preside at sessions.

George Kallman, from Chile; Nat Liebeskind, from Argentina, and Charles E. representing British, will be at the meeting.

REPUBLIC TILTS PIX BUDGETS 10 TO 15%

Hollywood, Aug. 23. General budget increase of 10-15% on the Republic lot was indicated by Herbert J. Yates, chairman of the board, as he pulled out for New York after three weeks of huddling with the production heads.

Increase in production is planned to keep up with increased theatre outlets. In the past few months, James R. Grainger, head of Republic's sales forces, has set the company's product in more than 300 houses hitherto untouched, it was announced. Included in the expansion program is a definite negotiation with British Empire Films for distribution in Australia.

United Artists producers are being given a greater play in the company, and the firm's new profit-sharing plan for its producers is now being worked out, under direction of Maurice Silverstone, new operating head. There is no question but whatever formula is finally adopted, it will be one wherein all producers of the company who shall actively contribute productions to the firm's program will share on a pro rata basis that will be fair to all. Under the plan, 50% of the company's net profits is hypothecated for this purpose annually.

In the meantime the UA producers have begun to benefit from the new operating plan in UA. Recently, it has been learned, the producers received a substantial dividend out of their British distribution through UA in the form of a reduction on distribution costs in England.

The cost of course, in accordance with the company's previously publicly announced plan of reducing distribution charges in England to UA producers from 30% to 25%. The 5% reduction was retroactive to the British distribution in 1937. It is estimated that the dividend thus allowed, in this reduced distribution schedule, will probably be \$400,000 or thereabouts, in the aggregate, for all producers.

MARY ASTOR, CARRILLO TRY LEGIT IN SAN DIEGO

Hollywood, Aug. 23. Mary Astor plays the role of Lola Montes in a legit production, "The Red Sign," opening in San Diego in two weeks. Leo Carrillo is cast as Joaquin Muirrita, who it clicks on the Coast.

VARIETY
Trade Paper Published
FOUNDED BY SIMS BLISSMAN
Published Weekly by VARIETY, Inc.
184 West 41st Street, New York City

Subscription Rates:
Annual: \$10.00
Semi-Annual: \$5.00
Single Copies: 15 Cts.

Vol. 131 No. 11

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PICTURES

Nothing Ulterior, Says D.C.

Department of Justice disclaims any political intent in allowing continuance from Aug. 16 to Nov. 1 in time filing and election day.

Fact is, however, with new filing date, Justice will not be jailed in time for trial much before December, and after the November Congressional elections. Earliest date trial could be brought with Nov. 1 filing is Nov. 4, but this is not unlikely. Election Day is Nov. 8. Court will not know officially, under present continuance, or scheme whether industry is willing to concede some of Government charges by consent decrees. At issue are points involving divorcing of exhibition and production; ban on pooling or loaning of players, and other Hollywood workers.

CREATES A NEW LAW FOR FILMS

Paramount, Loew's, RKO, WB and 20th-Fox, with Theatre Affiliations, May Have to Go Beyond That, Because of the Divorce-ment Agitation—North Dakota Appeal Must Be Disposed of First

TRIAL IN '39—MAYBE

Win, lose or draw, major film companies face the prospect of a bill for legal services of not less than \$150,000 in defending the U. S. Government's anti-trust suit filed in the Southern District of New York.

Federal court has granted a routine motion by film companies to extend to Nov. 1 the time for answers to the Department of Justice complaint which named the eight major distributors and 122 individual executives and company directors.

Preparation of legal required by attention is being organized under a committee of counsel. Executive office quarters on the 22d floor of 28 West 44th street are being outfitted for legal staff and examiners who are working in the interests of the defendants. Headquarters are adjacent to the Motion Picture Producers and Distributors of America, Inc. (Hays office).

Cost of legal defense will fall about equally on all of the major companies inasmuch as the anti-trust charges are aimed against all of them. Some additional points will be covered necessarily by the five major groups of counsel: Loew's, Warners and 20th Century-Fox, which are named also as theatre owners.

Some of the defendant companies already have retained outside counsel. Two of the larger concerns, Loew's and Vitaphone (Warners) have not gone outside the legal staff for their own companies for assistance.

Included in the legal talent array which is assembling for the industry are two of the largest counsel firms: Driscoll & Raftery, representing Universal; Schwartz & Froelich, representing Loew's; and Bartlett, Paramount; Dwight, Harris, Kogel & Calkley, 20th-Fox; Donovan, Leistikow, Farmington and RKO; and Irving Trust Co., trustee; Chadbourne, Hunt, Jackson & Brown, Universal; Lewis, Inc., 20th-Fox; and the company are represented at all preliminary discussions by J. Robert Rubin and Robert W. Perkins, respectively.

No one conversant with the multi-million dollar endeavor, and the pending action as sweeping in its allegations as the Government's suit would make any prediction of the time when the issue finally will be heard in court. It has not yet been decided whether any of the defendant companies, whether they will act throughout the proceedings under a plan of non-resistance or whether one or more of the concerns will put in individual defense. Closest guess is that the matter will not get to trial before the autumn of 1939.

First, That of N. D. Appeal With the industry defendants permitted until Nov. 1 to answer Government charges and allegations, make motion or take other action, or whether their legal ramifications hold up again, start there could make any prediction of the suit will get much arising before the U. S. Supreme Court hands down its decision on the North Dakota divorce law. Normally that should be decided by the highest federal court in the fall. This means in the trade that the constitutionality of the N. D. theatre divorce law, on which the anti-trust suit is based, will be decided by the Supreme Court.

(Continued on page 2)

Unprecedented Lineup of Feature Film Production in the East This Year; Bankrolling Seems to Be Easy

Mix Vens Europe

Hollywood, Aug. 23. Tom Mix is slated for a 22-week tour of Europe with his horses as part of the circus with which he has been making personal appearances. It will be in the British variety shows chiefly.

Show is touring the midwest under direction of his daughter, Ruth.

SEE HAYS PRODUCTION CODE BEING LIGHTED

Tightening of the Hays office production code loomed this week as part of the winding issued by Archbishop John T. McNicholas, chairman of the Episcopal committee on motion pictures in the Legion of Decency, against the dissemination of false, atheistic and immoral doctrines. McNicholas made the statement Monday (22) concerning with the industry's drive for greater theatre attendance, taking advantage of the occasion to state that the Legion would challenge any program using the popular theatre screen to exploit "inducible doctrines."

Though the Hays office in New York had no official comment to make, it is well known in that McNicholas stands in high regard with the Motion Picture Producers & Distributors association. McNicholas pointed out the grave responsibility the industry has to the public in presenting pictures of right moral character and at the same time took occasion to save the Hays office for "improvement made in the moral character and tone of its work" during recent years, doubtless referring to the production code.

He claimed that the Legion of Decency viewed with grave apprehension efforts now being made to utilize the cinema for the spread of false antagonistic not only to traditional Christian morality but to all religion. "Presumably referring to so-called propaganda films or ventures which have taken a definite stand on present-day controversial issues," he said.

The Legion of Decency, with every resource at its command, shall challenge any program using the popular theatre screen to exploit "inducible doctrines." Secular affairs are not in themselves the concern of the Legion. When, however, they stray to what is truly American, unchanging principles of morality are asserted and upheld, and the Legion are fostered, the Legion must in pursuit of its single and unvarying goal of a morally sound picture screen, interpret the full weight of Catholic opinion and authority.

Laying for the Limited

Hollywood, Aug. 23. Last section of the "Jesse James" gang, more than 100, pulled out of the P. M. Foxville, Pa., where the 20th-Fox has established a six-weeks location camp to shoot the picture.

Tyrone Power, cast in the title role, and Henry King, director, preceded the gang by plane. On the train were Henry Fonda, Randolph Scott, Brian Donlevy, John Carradine, Walter Brennan and Jane Dussan.

Picture production activity this fall in the east, especially in the Greater New York area, promises to be the greatest since the boom days 10-15 years ago. This is indicated by already outlined features and a vast pickup in short subject film-making. Financing for eastern production has been comparatively easy because investors still rate picture making as a safe business, especially with features representing limited budget and brief shooting time. Figure that they can get their money back in 90 days to four months. Coin advances is readily forthcoming whenever the producer is seen at a major distribution outlet, as has been the instance on several production enterprises.

Eastern Service Studios, Astoria (old Par plant) is the scene of much activity presently. Cost-plus production plan probably prompted many producers to go to this studio, which has been decorated with its several air-conditioned stages. But other studios in N. Y. City and nearby are also engaged in unprecedented production activity plans.

First feature to go before the cameras will be "One Third of a Nation," the WPA play with Harold Orl producing, Sylvia Sydney may be set for the lead. Paramount is also producing "The Sign of the Cross."

William K. Howard with Bernard J. Steele, of N. Y. has formed a new feature production company to produce at Eastern Service. They plan four features, with Paramount backing the first, "The Sign of the Cross," an original play by Howard, from a novel by Howard, now in New York hospital. It will not go before the cameras before late September. "The Sign of the Cross" is in production.

William Rowlan, who will make his Spanish language feature, "La Latin-American market and RKO class," is at work on the first at Paramount, "La Fascinadora" ("Glamour Girl").

At Christie also is scheduled to produce a documentary film, "The Education of a Citizen," presumably for Educational-General National release. He also will make shorts for Educational at the RKO studio as he has for the last five years.

Twentieth-Fox has finished improvements on its 10th avenue studio to handle virtually all its short feature productions in the east.

Flock of Indies Frontier Films will have at least one production which will make this fall. The company has a number of production, re-enacted, with practically all work done on location.

Frontier Pictures, Inc., "atures" will be made at a studio in Union City, N. J. Milton J. Schwarzwald, president, has a documentary film, "The Sign of the Cross," which makes two series this fall, one for RKO and one for Universal.

Brooklyn short feature studio about a year ago tentatively for shorts alone. However, those who have viewed the two new stages and like number of older stages, together with elaborate sets, have concluded that the studios are adequate for feature pictures if the omission should arise.

Paramount has lost a considerable number of band shorts in the east. In recent years Warner Bros. has lost those who have viewed the shorts producing.

Charles Behan and Edward Hochberg have been invited to produce on "Gold's Yankee," a feature based on the life of Charles Goodwin, inventor of the motion picture, to produce at RKO next month. Behan will seek Walter Huston for the lead.

Hollywood, Aug. 23. William K. Howard, now in New York, is directed to produce "The Sign of the Cross," an original play, at the Paramount studio in Astoria, Ore. (Continued on page 10)

Civic-Minded Cleveland Pressures Films and Radio to Plug the City

Cleveland, Aug. 23.

Irrked because other cities under Cleveland's 1,000,000 population figure are copying movie motion picture industry's anti-trust suit, noting that matter is so complicated and important postponement was imperative.

Fact is, however, with new filing date, Justice will not be jailed in time for trial much before December, and after the November Congressional elections. Earliest date trial could be brought with Nov. 1 filing is Nov. 4, but this is not unlikely. Election Day is Nov. 8. Court will not know officially, under present continuance, or scheme whether industry is willing to concede some of Government charges by consent decrees. At issue are points involving divorcing of exhibition and production; ban on pooling or loaning of players, and other Hollywood workers.

Heaviest pressure being laid on business companies covering national air races held here over Labor Day weekend. Before leaving camera space, Clio Henderson, managing director, is trying to get lenders to take aerial shots of downtown East, as well as the race.

Chamber of Commerce also pulling strings with Hollywood studios using air-race pictures in their features, asking them to name Cleveland as locale of stories. Last plug of this order was in "Test Pilot," but it wasn't very complimentary.

Roy Rogers No Sues Republic for 150C; Claims Name Steal

Hollywood, Aug. 23. Charging his name is being capitalized by Republic on another Roy Rogers, veteran vaude actor, and studio for \$150,000 and seeks restraining order to prevent the further use of his name.

Republic's Roy Rogers, center of the controversy, is really Leonard Rye, according to his complaint, and later appeared in westerns at Dick Weston. Plaintiff Rogers has played his in pictures occasionally.

Parites All Over the Map On Business and Vacation

Present legal matters not interfering with Louis Phillips, his chief aide, back from Mexico, Austin K. Kough, v.p. and chief counsel of Republic, left Saturday night and several weeks' rest. Irving Cohn, attached to the Par legal department, also got away. Phillips is en route to Mexico when the anti-trust suit and the North Dakota debut broke, got back to the east last week. Another Par attorney, Arthur Israel, returned also from Cincinnati, where he conferred on renewal of the lease for the Par exchange there.

With Stanton L. Griggs having left ahead of him for Europe, another Par executive, Paul Kaubourne, head of the statistical department and financial adviser to the studio, sailed Wednesday (17) for the other side.

Frank Freeman, who was due back last week from Asheville, N. C., deferred his return until Monday. It is Phillips of his department and in charge of the picture front estate, is a Coss Girardeau, Mo., on his first vacation in years. It's his house, town.

Durante's Protege

Jimmy Durante has pulled an Eddie Cantor and is bankrolling a new musical comedy, "The Duke," through singing school for possible future. Durante has kid under contract to the studio.

Juve was discovered singing in a saloon for nickels.

PIX EXCHANGES AVERT EXCHANGE WAR IN UNIONS

St. Louis, Aug. 23.

A threatened war between the Lead Belt Am. Co., controlled by Mrs. John Karsch, and a chain of houses owned by R. W. Corbin & Co., has been averted and a move of Corbin to combine his house with the larger Frisina Am. Co. of Springfield, Ill., which operates in southern Illinois, Missouri and Iowa, has been ditched.

The trouble started when Lead Belt announced it would invade Desloge by erecting a 500-seater to compete with Corbin's New Grand, 360-seater. When Corbin heard of the proposed invasion he announced he would combine with the Frisina interests and move into a competitive battle with the Lead Belt Co. in Bonny Terre, Farmington and Lead River, Mo., and would build a new \$35,000 house in Farmington, also in Missouri.

The peace pact was signed when Lead Belt Co. took over Corbin's suit and Desloge for an indefinite consideration. Managers of local exchanges were credited with arranging the negotiations and pointing out that such a war would be disastrous to both interests.

'Aid Spain' Group Ties In With 'Blockies' Pic

Ottawa, Aug. 23. An unauthorized tie-in with the presentation of "Blockies" (I.A.) in theatres of Ontario by the "Youth Committee to Aid Spain" is causing some uneasiness to both theatre managers and Government officials. First the Knights of Columbus tried to block the showing of film and point-guards and now this organization has seized upon it as a means to add fuel to the fire.

As they leave a performance, patrons are invited by distributed leaflets to make a contribution to the spot to help the Spanish people because of the murder and suffering brought upon them by the point-guards and now this organization has seized upon it as a means to add fuel to the fire.

(Continued on page 2)

FRENCH FILM VISIO STEAKS IN ENGLAND

Depends on Reaction to Broadcast of 'Student of Prague,' Continental Film—Picture Distributors' Agreement Bans English-Made Pix

London, Aug. 16. Sunday night (14) television broadcast by the British Broadcasting Corp. of a complete feature length Continental film, 'Student of Prague,' is likely to be a wedge for regular airings of pictures by B.B.C. This will give picture folk a bad state of jitters, being one of the menaces they feared when television started as regular service.

It's not the first time B.B.C. has shown a film, but it was the first serious attempt to gauge reaction of viewers to this kind of entertainment. Reception of program is being carefully analyzed at Alexandra Palace, and if favorable more frequent use will be made of films as supplement programs. The broadcasts include newswires and cartoons, but aside from a western, aired as a gag a year ago, B.B.C. has not previously dared to transmit features.

Regular place in the program for films, B.B.C. will concentrate on Continental and specialized pictures, played in original language versions with English subtitles. Radio concern has no alternative. While it can voluntarily agree only to air pictures which do not get general circulation in U.K., it couldn't get the necessary releases for pictures, owing to being imposed by distributors on this side as "must see" pictures, requested by the Cinematograph Exhibitors' Ass'n even attempted to prevent newswires being released for radio.

Distributors' Agreement
Agreement between C.B.A. and Kinematograph Research Society on this side does not include distributors of sub-standard (16 mm.) films, though feature material available in this form is mostly of the same old exhausted it's theatre possibilities. In any event, B.B.C. television airings are not at present intended for playing the sub-standard strips. Present Alexandra Palace equipment is not of the type which can only, coupled direct to a television camera. Playing of 'Student of Prague' was accordingly split into two sections.

Picture folk meanwhile are on their toes, ready to jump in if regular picture policy looks likely to be adopted for radio. They contend radio pix in the future must adversely affect theatres, and that new move to popularize television by drastically cutting air prices would constitute a genuine menace to the b.

To extend its picture activity, B.B.C. has purchased a complete mobile film unit, comprising camera and recording equipment on a sound truck similar to those used by newswires. Function of outfit, however, will be to produce pictures to compete with theatres, but to shoot background and exterior material for matching with interiors for video drama programs.

B.B.C. has been building a library of background pictures since the war, but only with makeshift gear and without any sound. Latter element has been neglected, and the soundings and effects done in the studio.

(The findings of NBC-RCA's research in foreign television is described in this issue on page 16.)

FEMME MISTERY

Dot Page Will Do Series of Eight in 'Sadie'

Hollywood, Aug. 23. Dorothy Page gets the featured spot in a series of eight femme mystery stories to be produced by Columbia Pictures in a national release.

One of the series, 'Tury in the Saddle,' gets under way Aug. 23, with George Hirliman producing. It tells of a girl who, as a bank robber in 'Peck's Bad Boy With the Circus' at Principal Productions. Hirliman is teamed with William Kelly, who plays the title role. Both are on loan from Selznick's national.

Picture rolled today (Tuesday) with Eddie Cline directing.

Can't Be Had

Hollywood, Aug. 23. Samuel Goldwyn has discovered a shortage of Filipino extras for his picture 'The Last Frontier,' but so far the search has been a colossal bust.

He needs several hundred for 'The Last Frontier,' but so far the search has been a colossal bust.

2 Update New York Theatre Properties Are Ordered Under Hammer

Rochester, N. Y., Aug. 23. Auction sales of two theatre properties were ordered by the United States Supreme Court justices. Directing Justices ordered the Rochester-Schneckenbach Properties of the Riviera, Schine house, Justice John Van Vorhis set \$120,000 as the minimum price at which the real estate to be sold, clear of all liens. Referee's report showed \$215,000 principal and \$80,448 interest is owed to the United States National Bank & Trust Co. of Gloversville, as trustee for holders of certificates secured by a mortgage originally for \$250,000. Rochester-Schneckenbach Properties, controlled by John A. May of Gloversville, controller of the Schine Theatre Co. Date of sale is yet to be set.

Sale of the former Victoria theatre property was ordered by Justice William F. Ryan at the courthouse Sept. 1. Action was brought by the East Side Savings Bank of the Riviera, auctioneer, Frederick W. Curt, president. Realty consists of two stores and parking lot. Referee's report showed \$319,418 owing to the bank, including \$19,418 interest on a \$300,000 mortgage secured in 1925. Auditorium Theatre Co. became owner of the premises in 1930 when it came upon a second mortgage against Samuel Tandler and others.

JOE SCHENCK DUMPS 19,200 SHARES OF 20TH

Washington, Aug. 23. Joseph M. Schenck unloaded 19,200 shares of 20th Century-Fox film common stock during June, report to SEC disclosed last week. Transaction left his holdings, June 30, at 149,435 shares.

Largest block disposed of by Schenck was on June 29, on other days between June 24 and June 30 he disposed of blocks ranging from 400 to 2,200 shares.

It's Either a Ruby Shower or Taft Pull for Studios' Pointer-Outers

Hollywood, Aug. 23. The Nonchalant Maharaja, the Whaddya-callit plucked a ring from his finger and handed it to the studio gals. Merely a casual token, but he disposed of blocks ranging from 400 to 2,200 shares.

It's like that among the studio moguls. They never can tell how much a day's work will pan out. Sometimes they come up with nothing, and sometimes with nothing but a big pile of money. Like newspaper reporters, they meet a lot of interesting people—Hindu potentates and dignitaries, and even the diplomats and Kansas schoolmarm, all manner of folks who come to the Coast for an eventful picture-making.

In only one studio—20th-Fox—is tipping banned. Darzyl Zanuck's

AGENT SUES RITZ BROS. FOR \$150,000

The Ritz Bros., otherwise Harry, Al and Jimmy Joachim, are named defendants in a N. Y. supreme court suit for \$150,000, for breach of contract filed yesterday (Tuesday) by Arthur Silber, agent. He claims the brothers appear in court for agreement made two years ago under which he was to handle all picture contracts on the Coast.

No contract is filed, but according to attorneys for the plaintiff, the defendants have been served with summonses in the actions or motion will be made today (Wednesday) by the plaintiff to have the brothers appear in court for examination before trial.

The Ritz Bros' present agent is Lou Irwin.

SAG'S DRIVE ON CHIC COMM'L PIX

Chicago, Aug. 23. With fall production season getting under way in industrial and educational film production field hereabouts, the Curley, Screen Actors Guild rep, is in town signing up the men-shod into the Burton Holm lab, which is a holdout early this year, has signed up, and Chicago Film Lab, major union, is reading program on series of commercial production series of commercial shorts next week. Curley waiting for every job to get under way before he will force the issue. This leaves Atlas as only other unsatisfied member. Curley has not announced any immediate action.

Curley has notified both Atlas and the Guild that any production will be stopped until SAG agreements are signed. Jam Handy, and the Chicago Film Lab, were among first to sign. With Wilding now on the north side, Curley expects to wind up his activities here within a short time. Nearly 95% of eligible performers have been signed or are members of American Federation of Actors Equity, giving Chic a good standing in the respect. Film production hereabouts is limited almost exclusively to industrial and commercial work, running from one-reelers to full-length features.

'Women' for Shearer

Hollywood, Aug. 23. 'The Women' is the next Norma Shearer starring tentatively picked by Metro-Goldwyn-Mayer.

Third picture on Miss Shearer's schedule is 'Pride and Prejudice.'

Par's 'French' Brings Up Extra Problem in N. Y.

As result of demands from members, the Screen Actors' Guild may close its books to new extras in the matter of the extra industry at the final meeting of the eastern advisory council, due early next month.

Members' complaints were made a couple of weeks ago when Paramount filmed some crowd scenes and closed the Guild office in New York City. 'Say It in French.' Although a couple of hundred extras were used, the regular SAG members, who they were not hired, but that new members were taken in. Explained at the Guild office that regular members not hired did not appear for employment until all jobs had been filled. However, the main reason was taken up by the advisory council.

Eastern rolls of the Guild at present are about 800 members, between 25 and 30 new members were taken in during the filming of 'Say It in French.'

Even if the rolls were closed to further registration, however, Actors' Equity members would still be eligible to work on extra work.

The existing working agreement between the two groups. Also thought likely that the existing working agreement rule all members of affiliated groups in the Associated Actors and Artists of America could also work.

How About Albany?

Hollywood, Aug. 23. Paramount signed Eddie Anderson, who answers to the name of Rochester, on Jack Benny's radio show, but studio won't bill him by his nom-de-air, Benny wants the movie-maker exclusive for his radio show.

He'll work with his radio boss in Thanks For the Memory.

N. Y. Loew Expects To Be Examined After Labor Day By Ellis

Although attorney Emil K. Ellis has returned from the Coast and is ready to take testimony of additional officers and directors of Loew's, the additional questioning in the stockholders' suit against Loew will be taken until Labor Day. This will include testimony of Nicholas M. Schenck, J. Robert Rubin, David Brown and others. Attorney Ellis, who represents the plaintiffs, agreed to the delay to close the case against the defendants is away on vacation.

Justice Thomas F. Noonan last week closed the bars to further activity along these lines. The judge said he would follow the course set by Judge Charles Schumacher two weeks previously when another stockholder attempted to intervene, court ruling that present additional testimony, was fully competent to represent the stockholders and their suit against officers and directors of Loew's over the amount of coin paid them in salaries and bonus.

Ellis recently returned from the Coast with 1,000 pages of testimony of company officials stating that the stockholders' suit was not a valid one.

FRANKLIN WINS SPURS AS PRODUCER AT METRO

Hollywood, Aug. 23. Sidney Franklin, Metro director, was handed a new contract as producer and assigned to 'The Yearling' and 'Madame Curie.'

Victor Fleming directs 'Yearling,' Marjorie Rawlings the tale of the Florida woods. Greta Garbo stars in 'Curie.'

Barnett, Rubin Team In 12 Pix For Standard

Hollywood, Aug. 23. Vince Barnett and Benny Rubin signed as a comic team for 12 pictures to be produced by Standard on the Grand National lot.

Six of the films were orally inked by the studio in New York. Deal was washed up by mutual consent. Other six will be a family series.

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PAR'S FOREIGN TELEVISION RESEARCH

Paramount's interest in television has been announced. The service was announced last early this month, was followed last week by the dispatching of Paul Parsons to New York for study, first-hand, latest developments in France, England and Germany. It is expected that he will rise up the practical side of television and possibly offer recommendations as to possible approach to bring theatre and film interests.

Transaction whereby Paramount takes an interest in the United States television activity is the initial out-and-out move by any picture company along those lines. Understood that Par put about \$50,000 into the proposition for first year research and would be in parity with DuMont in any television discoveries or developments. Presently DuMont makes claims for the right to do six other firms in U. S. Thus far, DuMont is not an RCA licensee and has no transmitting station.

Another Newsreel Beef Is Against Those Free Fashion Ads

Philadelphia, Aug. 23. Practice of the newsreels in using up footage by plugging their execs, six and seven times a week, has been frequently noticed by no squawks. Exhibits all agree that despite the fact that these clips are out and plug, they're all of people and important newsreel clips. In these there are frequently interesting, magazines and newsreels, but what is worse, to hat and dress designers, like Lily Nash and Harold Goddard, who are much as the products of these designers are sold in only one or two theatres. The screen is practically a direct ad for those stores. Exhibits think it unfair to other merchants to give the publicity to the caddy bally at their expense.

There is any source of exhibitor complaint concerning newsreels giving up so much important newsreel clips. In these there are frequently interesting, magazines and newsreels, but what is worse, to hat and dress designers, like Lily Nash and Harold Goddard, who are much as the products of these designers are sold in only one or two theatres. The screen is practically a direct ad for those stores. Exhibits think it unfair to other merchants to give the publicity to the caddy bally at their expense.

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Marquee-Hypnoing Moto and Hopalong

Hollywood, Aug. 23. Sol M. Wurtzel is building up the Mr. Moto series at 20th-Fox by casting in the role of the master thief, Peter Lorre. Players signed for 'Mr. Moto Takes a Vacation' and 'Mr. Moto Takes a Trip to Europe.'

Lorre, who is a Joseph Schickelrath and Virginia Film.

Wurtzel, who is taking plenty of time to pick a successor to Warner Oland in the Charlie Chan

'Harry Sherman's new policy for the Hopalong Cassidy series calls for the casting of a new star, who will be a regular principal—William Boyd, George Hayes and Russell Hayden.

Even if the rolls were closed to further registration, however, Actors' Equity members would still be eligible to work on extra work.

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Best Entertainment Drive Brings Pleas for Quicker Clearance From Indies, If Contest Is to Benefit

Desire to get as much new and stronger product earlier in the Movie Quiz contest, a highlight of the great picture year campaign, is being employed as a leverage by independent exhibitors in the Greater New York area to force better clearing out times in question. Such a proposition has been voiced at several meetings in the past week and probably will continue to be aired for some time.

Whether justified or not, certain exhibitors would strive to force usual 15-day clearance to a 10-day period. They have indicated that such essential if there is to be the greatest year's top product in time to cash in on early interest in the drive and more specifically in the quiz campaign.

Some even have intimated that there will be no united front unless they get wholeheartedly back of the campaign, and are using this, either directly or indirectly, as an excuse to push up clearance.

Campaign spokesmen contend that with the worst clearance, say three months, an exhibitor would start getting the August releases in the quiz contest in November. They also claim that in November and December, last two months of contest drive an exhibitor would play vast majority of films listed in contest because this theatre would be able to have the best picture changed weekly or oftener.

One indie circuit operator in New York City, however, voiced his attitude at the Astor hotel session last week by saying, "I for one don't intend to sit around and watch the drive bring business into my competitors' boxoffice while I put out the sidelines." He indicated the drive would bring big cash and that he wanted his circuit to share in it.

Movie Pictures' Greatest Year movie quiz contest, with \$250,000 in prizes, got into full swing last week as movie booklets and picture cards went out to exhibitors throughout U. S. Predicated on the idea that it is a contest of skill and mental alertness, the quiz and matter connected with it has been approved by U. S. Postal authorities. This is an extraordinary feat as in the past movie theatres were to cash in on it in newspaper advertising, plunging certain contest film.

Anticipate Many Ties in the contest. Understood that the 50-word essay portion of the contest is what made possible the mail offices' okay. Already anticipated that there would be approximately 100,000 ties, or that many contestants who guess correctly the answers to 20 questions should as many quiz contest feature films. This means that the essay portion employed in the contest is determining actual winners. Essays also carried out by rules in the contest anticipate that there will be further ties. Old Gold's contest had some 40,000 ties, and the letters are being fairly fast in previous years.

Contest pictures will be released and shown on the theatre screen between 20-25 days after they are out on the quiz are free at theatres participating but exhibitors pay cost fee for the pictures.

Figuring that the average contestant would have to pay the average cost of the pictures, each of 30 pictures out of 94 or more feature films included in quiz, it is estimated that every exhibitor would pay at least \$7.50 for film entertainment in order to share in prize coin. This contest may be trimmed down to two contest films in play on the same program, an unlikely consideration excepting in subsequent quarters obtaining a picture in November. Only other way, without paper ads or so-called tie-ups.

Movie quiz booklet wars against theatre operators or 'services,' which have supplied answers in previous years. Claim that a method has

been found for detecting tipster operations and use of them still is available.

To simplify the industry's drive, New York City's 850 film drive, have been organized into 45 groups. Leaders of these groups who are on the theatre committee met at the office of Oscar A. Doob, at Loew's, yesterday (Tues.). These were George Lambert, Harry Davis (Randorff); Herman Starr; Nottis Korman; John Baker (Skouras); Larry Greth; Harry Mandel; Harry Weiss, Maurice Barker, Louis Goldberg, Solly Schwartz, Ed Sniderman, Herb Jentice (RKO); Edna Dowden, Al Simon, Harold McMahon, Charles Burns, John Judge, Jerry DeLoe, Seymour Mayer, Arthur Herschmann (Loew's).

So, Call's Solid Support

Los Angeles, Aug. 15. Circuit and indie theatre operators of southern California are united solidly behind the 'Best Entertainment Year' contest. The drive, which here last week formulated plans for active participation in the campaign, was the first of its kind in the industry. Locally, producer, press, for the first time, have been joined and indie exhibitors have also joined in the fight. A common enemy—induced losses.

Herman Wobber, general sales manager for 20th-Fox, and W. F. Rodgers, Metro's chief, members of the industry's national committee, were in Los Angeles from New York for a regional convention of National Theatre-Fox West Coast Theatres, western important factors in securing the 100% co-operation pledge from independent of this territory with the F-W-C and Warner Bros. circuits.

Local committee, which will draft the campaign and indie theatre operators, is made up of Charles P. Skouras, president of Fox-West Coast Theatres; Louis Hays, western supervisor for Warner Bros. Theatres; Rodney Pantage, Alex Gore, Harry Rice and others.

Galsdon Biles' Em Up

Organization meeting for southern California developed into a spirited affair, particularly when the more than 100 in attendance misinterpreted a statement of Albert Galsdon, president of the Independent Theatre Owners of Southern California and Arizona, when he announced that he would immediately summon the ITO executive board to secure an endorsement of opinion as to the association's participation. Several other indie exhibitors at Galsdon's address later during the meeting that, as president of the indie organization, he had the authority to call on the ITO other than his own personally. However, to set at rest any ideas that he might be a wholehearted picture man of the campaign, the ITO prexy did a Billy Sunday and called for indie exhibitors to sign up for the campaign pledge cards of their financial cooperation. Every independent in the room signed up for the drive, and the campaign's solid backing in this territory.

Debut of the 'Movie Pictures Are Your Greatest Amusement' campaign were outlined by Wobber and announced by Rodgers as well as in New York, who will be direct charge of contacts in this area. Frank Whitbeck, Metro sales manager, also was present at the studio committee that is producing a two-reel trailer to boost the Greater Film Season, revealed details of this drive. He said, was solely intended to make prospective patrons picture-conscious.

Following the meeting Synnor Skouras, Wobber and Rodgers trained for the drive. The drive was being followed day they conducted a similar

(Continued on page 24)

FAST ACTION FOR SCREEN PLAYWRIGHTS' Club To End Industry's Civil War — Blow Down Harmful Publicity Directors Delay Labor Board Hearing—Deal Direct with Guilds, Ignoring NLRB

SCRIB MERGE SEEN

Hollywood, Aug. 23. Darryl F. Zanuck's plea for peace and harmony in the film industry brought quick results. The Producers Association immediately named him as the head of a committee to retain world-wide respect of the guilds. Less than 48 hours later a deal was in the making with the Screen Directors Guild, having been the National Labor Relations Board had been postponed, and plans were being mapped to negotiate with the Screen Writers Guild.

In a dramatic 45-minute speech before the Association of Motion Picture Producers, Zanuck declared that the civil war in the film industry was the end of the world. He said that the industry was getting bad publicity throughout the world because of the strike within its ranks. He said this publicity was reeking at the box office, and that if the industry ever failed to bring world-wide respect it would have to bring about peace and harmony between the companies and the writers. Particularly those in the creative branches, which have been blamed for producer recalcitrance.

The 20th-Fox production head said that the industry was not in a battle between the directors and the producers, the Screen Playwrights and the Screen Writers Guild, or a battle of all against the producers. But it was matter so very important that it involved the very life of the industry. He said the business was being injured and that necessity demanded amicable agreements be reached immediately.

Goldwyn Back As Backer

It was the biggest meeting of the Association since the studio strike last summer. More than 50 attended, including attorneys for all the major companies. Samuel Goldwyn came back into the fold for the first time since he resigned several years ago, and heartily endorsed Zanuck's plea for harmony.

Will H. Hays also addressed the Association for more than one and a half hours, touching on the U. S. Government's anti-trust suit and the effect the squabbling within the executive board to secure an endorsement of opinion as to the association's participation. Several other indie exhibitors at Galsdon's address later during the meeting that, as president of the indie organization, he had the authority to call on the ITO other than his own personally. However, to set at rest any ideas that he might be a wholehearted picture man of the campaign, the ITO prexy did a Billy Sunday and called for indie exhibitors to sign up for the campaign pledge cards of their financial cooperation. Every independent in the room signed up for the drive, and the campaign's solid backing in this territory.

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(Continued on page 21)

Selling in N. W. OK Despite Holding Out for Better Terms, United Campaign Has Its Angles

Critics Gagged

Hollywood, Aug. 23. Extras must not criticize Central Casting unless they are prepared to prove their charges. Junior Council of Screen Actors Guild has adopted a resolution prohibiting members from criticizing, circulating rumors, etc. about Central unless they have sufficient evidence to warrant an investigation.

Resolution must be approved by the SAG board of directors before it becomes effective.

No GB Film in Quiz, UA-Korda's 'Drums' In, Former Co. Squawks

Gaumont-British officials in New York expressed indignation over the fact that not a single G-B picture is included in the Movie Quiz contest. The 'British-made Drums' (Korda-U. S. dist.) is included, however. "We operate 100% stamps in New York and elsewhere in the United States," said a G-B exec, "and yet we do not get a look-in with our films. I thought this campaign was for theatres and to benefit their box office. Apparently it is a plug for American product or an English film. It is insulting, particularly to the creative branches, which have been blamed for producer recalcitrance."

Campaign headquarters indicated that Gaumont-British did not get into the contest because it was slow in indicating it would participate in the drive. Canadian exhibitors show a much higher percentage of British pic. in relation to American films, than in the U. S. G-B films are distributed in Canada by Empire.

1,025 DRESS EXTRAS IN M-G'S 'SWEETHEARTS'

Hollywood, Aug. 23. On Saturday 1,025 Metro put through the biggest dress extra call on record spotting 1,025 wardrobe owners in 'Sweethearts.' Atmospherics draw \$18.50 daily and get at least two days' work in the theatre scene.

McCall's Quirkie to Y. On U Newsreel Deal

George McCall, the Old Gold speller about Hollywood, flew in and had half hours' touching on the U. S. Government's anti-trust suit and the effect the squabbling within the executive board to secure an endorsement of opinion as to the association's participation. Several other indie exhibitors at Galsdon's address later during the meeting that, as president of the indie organization, he had the authority to call on the ITO other than his own personally. However, to set at rest any ideas that he might be a wholehearted picture man of the campaign, the ITO prexy did a Billy Sunday and called for indie exhibitors to sign up for the campaign pledge cards of their financial cooperation. Every independent in the room signed up for the drive, and the campaign's solid backing in this territory.

Debut of the 'Movie Pictures Are Your Greatest Amusement' campaign were outlined by Wobber and announced by Rodgers as well as in New York, who will be direct charge of contacts in this area. Frank Whitbeck, Metro sales manager, also was present at the studio committee that is producing a two-reel trailer to boost the Greater Film Season, revealed details of this drive. He said, was solely intended to make prospective patrons picture-conscious.

Following the meeting Synnor Skouras, Wobber and Rodgers trained for the drive. The drive was being followed day they conducted a similar

(Continued on page 21)

Following the meeting Synnor Skouras, Wobber and Rodgers trained for the drive. The drive was being followed day they conducted a similar

Minneapolis, Aug. 23. W. A. Steffen, president of Northwest Allied and district chairman of the united industry advertising campaign, is expected to 'investigate' reports drifting here that film salesmen are using the drive to 'force' sales of new-season product.

It's charged that the salesmen are telling exhibitors the latter have to have the new product so that their patrons can participate. Now, the \$250,000 prize contest which will feature the campaign. The exhibitors, thus, virtually are being 'clubbed' into buying the new product in order to get the pictures that figure in the contest, according to the allegations.

Steffen is in the anomalous and ticklish position as chairman to make the campaign a success in this territory, and, at the same time, as Northwest Allied head of advising independent exhibitors not to buy at the percentage and increased rental terms because demanded by the distributors. Still, in order to take part in the campaign, exhibitors have proceeded to buy new-season product so that patrons can compete for the \$250,000 cash prize.

In the territory, as far as can be learned from unbiased sources, new-season product selling has proceeded most satisfactorily, with some of the companies, including Paramount, already having sold well in excess of 100% of the new-season product. The Twin Cities and some of the other larger key spots. For the most part, exhibitors are preparing to do the best they can. Northwest Allied demand for elimination of all percentages and a reduction of at least 25% in rentals due to offset lower grosses and because of claimed low Hollywood production cost slashes, deals have called for percentage boosts and percentages. Paramount has been selling one picture at 50%.

Balky at % It's still a little early yet for Twin City product sales, but indications are that the Minneapolis and St. Paul independents are determined to hold out against any percentages whatsoever. If this proves to be the case, United Artists, with its flexible policy and determined to sell only on percentage, is likely to encounter a plenty of difficulty. There's considerable speculation, too, as to whether M-G will capitulate to the Twin City independents and make flat deals. Last season it was the only company able to sell percentage deals, excepting the St. Paul independents. The latter's picture deals like 'Snow White' and 'Birth of a Baby'.

Following the U. S. Twin City independents starting to do a little 'shopping around' to try to learn the 'lay of the land' are finding that the higher rentals are preparing to do the same in the Pittsburgh area. He will return the first or next week when additional details of the Gaumont-British will be announced.

Arthur Jarrett, lead of Gaumont-British in the territory, who is in Canada, probably will huddle with Arthur Lee, GB general manager, and the two executives reach a deal. The present is on his way to the Coast. The Republic has had in upstate New York is provided for under a major pro-

(Continued on page 10)

Following the meeting Synnor Skouras, Wobber and Rodgers trained for the drive. The drive was being followed day they conducted a similar

'Alex' \$50,000 2d week in Chi After \$60,600 1st; 'Texans' and 'Crowd' Strong H.O.s; Robinson-Carey 18G

Chicago, Aug. 23.—One week from season at the Chicago theaters, more than 130,000 waited in line through seven shows daily to plug \$60,600 in the till to greet Alexander's Ragtime Band. It was the highest high since World's Fair days for straight picture drama; and the second season also looms high above show average of a picture in first week. Shouldn't miss \$50,000, and will remain a third week to set new record for house.

Major holdovers for other loop houses. 'Crowd Roars' hit stride at first six days, and second session holding up splendidly. 'Texans' at holding up splendidly. 'Texans' at holding up splendidly. 'Texans' at holding up splendidly.

Estimates For This Week
 'Andy Hardy' (M-G) (4) week. Heading for another good session for second week. Andy Hardy (M-G) (4) week. Heading for another good session for second week.

Chicago (BAK) (4,000; 35-55-75)
 'Alexander' (20th) stage show. 'Alexander' (20th) stage show. 'Alexander' (20th) stage show.

Pulse (RKO) (2,500; 35-55-75)
 'Mother Carey and Uncle' (M-G) (4) week. 'Mother Carey and Uncle' (M-G) (4) week.

Reverett (B&K) (1,000; 35-55-75)
 'The Racket Buster' (M-G) (4) week. 'The Racket Buster' (M-G) (4) week.

Rich Man Very Poor (4G in Indpls.; 'Alex' 13G)

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Rich Man Very Poor (4G in Indpls.; 'Alex' 13G)

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CLEVELAND AVERAGE

Look to Labor Day Sport—It's 'Chickie' Alex on H.O.

Cleveland, Aug. 23.—Except for 'Alexander's Ragtime Band,' which is leading with a big \$15,000 on the Hippodrome's first week, the picture is an average week. Both out-of-town and local stars holding off until Labor Day's national races, expected bring record holiday crowd here.

Estimates for This Week

'Alpen' (RKO) (2,000; 35-55-75)
 'Keep Smiling' (20th). Pushed in second week. 'Keep Smiling' (20th). Pushed in second week.

'Alhambra' (Frintz) (2,000; 20-30-50)
 'Highway Patrol' (Col) and 'The Prison Break' (L) and 'Leathernecks' (dual) for first \$2,100. Last week, 'When Were You Born?' (WB) and 'Penrod' (WB) (dual), some \$2,000.

'Circle' (Marm) (1,900; 15-35-55)
 'Rascals' (20th) and 'Saint in New Orleans' (20th). Last week, 'When Were You Born?' (WB) and 'Penrod' (WB) (dual), some \$2,000.

'Palace' (RKO) (2,000; 35-55-75)
 'Mother Carey and Uncle' (M-G) (4) week. 'Mother Carey and Uncle' (M-G) (4) week.

'State' (Loews) (2,400; 30-40-55)
 'Texans' (20th). Took a panning from 'Palace' (RKO) (2,000; 35-55-75) and 'Mother Carey and Uncle' (M-G) (4) week.

'Hurtful' (M-G) (2,000; 35-55-75)
 'Fanny' (M-G) (4) week. 'Fanny' (M-G) (4) week.

'Alexander's Ragtime Band' (4G in Indpls.; 'Alex' 13G)

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'Alexander's Ragtime Band' (4G in Indpls.; 'Alex' 13G)

B'way Brisk; '4 Daughters' \$90,000, 'Crosby-Spitally 47G, Alex' 65G 3d, 'Algiers' 27,500, Marie SRO \$15,200

Broadway Grosses

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 Last Week... \$222,600

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'4 Daughters' is Broadway's

'claimed leader. This Music Hall one, which Phil Spitalny and is a cinch holder. The picture is a cinch holder. The picture is a cinch holder.

'Alexander's Ragtime Band' (4G in Indpls.; 'Alex' 13G)

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U. S. Enters 8 Films in Venice Exh To Set Pace Among 77 Other Nations

Rome, Aug. 12. Eighteen countries have entered the Sixth International Film Exhibition at Venice this summer. Of these, the United States is entering the greatest number of pictures.

Biggest American drawing card is expected to be RKO's 'Snow White' Metro is showing 'Marie Antoinette' and 'The Pilot'; United Artists is entering 'Prisoner of Zenda'; Goldwyn 'The Sign of the Cross'; Warner Bros., whose Bette Davis won the prize as best actress at last year's show, is trying with another Davis picture, 'Jezebel'. The U. S. government documentary film, 'The River', is awaited with curiosity.

France, which last year walked off with the Mussolini cup as the most expensive of the Venice competitors, is entering the following: 'Check to the Queen', directed by Jean Deville, starring Francisce Rosay and Conrad Veidt; 'Ranunculus', directed by Rene Barbis, starring Francisce Rosay, Louis Jouvet, Micheline Czerney, and Line Rono; 'De la fin de la Swan', directed by Jean Benoit, Levin and Marie Bonin, starring Lucie Arnoux, Charles Vanel, and 'Abuse of Confidence', directed by Henry Dubois, starring Danielle Darrieux and Charles Vanel.

Germany's most spectacular entry will be the Leni Riefenstahl documentary film of the Olympic games, which has been two years in the making. The Germans are also entering 'Home' based on the novel 'Heimat', by Sudermann; 'On Parade', 'Model Husband', 'Nomads' and 'Tough'.

British Entries
England is showing Alexander Korda's 'The Drummer', which stars Raymond Massey and Valerie Hobson, and 'Pygmalion', directed by Anthony Asquith.

\$1,000,000 Anglo Deal, Italy Distrib Lined Up By Col.'s McConville

Deal for distribution of pictures in Italy and tentative lineup of three quota features in England at a total outlay of about \$1,000,000 were announced by Joseph A. McConville, Columbia Pictures' foreign manager, on his return from an European trip last Wednesday (17). It was the first visit of the Columbia chief to Continental branches since he was named to the foreign post.

In Rome he made arrangements for Consorzio Cinematografico to handle American films in Italy on a long-term pact.

McConville visited England, Ireland, France, Belgium, Czechoslovakia, Scandinavia and the Pines.

20 OF REICH'S 140 PICS TO BE MADE IN VIENNA

Vienna, Aug. 12. Twenty of the planned 140 film productions for 1939 in the German Reich will be shot in Vienna, mainly at the Tobis Sachsa studios.

Tobis studios will have new buildings, a new hall, comprising 10,000 square feet with facilities to shoot several pictures at the same time, a new synchronization hall and a restaurant and living house and it's expected part will be finished this year.

Doyle's Distrib Set

Sydney, Aug. 4. Stuart F. Doyle has finished arrangements to set up a distribution firm known as the Doyle Film. Plans opening offices in four other cities besides Sydney.

Mr. Doyle, formerly with British distribution here, will be in charge.

H IS FOR HORRIFIC

New Classification Bars These Under 16 From Film Shows

London, Aug. 15. London County Council's certificates were originally U (Universal) and A (Adult). With the latter, children under 16 were not admitted unless accompanied by a grown-up. Recently they have added H certificates, to represent 'horrible', to which no one under 16, whether accompanied or not, is admitted.

The horrible embargo now applies to the numerous film revivals, which include: 'The Vampire', 'King Kong', 'Night on the Lonely Mountain', 'Till Eulenspiegel', 'Frankenstein', 'Hells of Orgs', 'Devil Doll', 'Invisible Man', 'Jekyll and Hyde', 'Ninth Guest', 'Dracula's Daughter', 'Murder in Rue Morgue', 'Vampire Bat', 'Son of Kong', 'Werewolf of London', 'House of Doom', 'Mark of the Vampire', 'Man Who Changed His Mind', 'Medium', 'Raven', 'Bride of Frankenstein', 'Walking Dead', 'Ghoul' and 'Wax Museum'.

Pommer-Laughton Picture Deal For The Anzac Market

Sydney, Aug. 4. Understood that deal is nearing completion whereby Atlas, distrib for the U. S., will handle Mayflower product, including the latest Charles Laughton-Rich Pommer films, 'St. Martin's Lane' and 'Vessels of Wrath'. Learned that guarantees to Mayflower will be the picture offered on British distribution in this spot.

Believed, too, that Atlas will distribute all of the Maxwell product, handling Maxwell and British Empire Films contract renewal. Understood that guarantees offered Maxwell by BEP were deal acceptable with Shatto was formerly connected with BEP sales, quitting for quick trip to New York where he hooked with a minor producer to distribute product locally. Gordon Williams is the Maxwell representative here, and whether deal proposed will no doubt go through him from this end.

TOKYO REMAINS MUM ON FOREIGN BAN LIFT

Tokyo, Aug. 4. Finance Ministry continues silent on lifting the import ban on foreign pictures, together with a definite arrangement on the foreign coin system. Plenty of rumors about nothing tangible thus far, though a definite answer has been promised by American Motion Picture.

There's talk about the possibility of American distribution representatives getting out of Japan. Also that if such is done, distributors would be done through Japanese outlets. However, hope continues that means can be found to let in some American pictures.

Police here are tightening up on all forms of amusement and those in the business expect things to become even more drastic if warfare with China continues. Legit houses recently ordered to lay off all foreign style revues and substitute shows designed to stir patriotic spirit.

If this movement continues, it's likely to stir up opposition because Tokyo Symph and other organizations specializing in foreign music have influential followings here.

POOR PRODUCT IN U. S. BUY

Foreign Distribs Culled Best Pictures Months Ago, Along with Americans, but Inferior, Antiquated Material Put Crimp in Deals

GRAVE DANGER

Paris, Aug. 14. Overlay of French pictures in the U. S. mart is now being freely discussed in this country, something that's been coming and feared. There are some in the French trade here who see glutting of the American market by weak features from this country hurting future possibilities for French-made films there.

After 'Page 13' movie established Jean Gabin and 'Club de Femmes' set up Danielle Darrieux, several local distributors literally swamped the market here with inferior product in which the two stars had played.

It did not take either the exhibitors or the public long to discover the difference. And it so disgusted theatre patrons that American distributors, who had been finding it tough competing with strong native pictures, now were having their backs boosted.

Trouble is that regular foreign distributors culled the best French-made features six to eight months ago. There have been a few good big features, finished since then, but haven't found the pickings good. Neither have they picked up features in comparatively large numbers, and these soon will be hitting home in N. Y. How these fare will tell the story.

Imported Negroes Take To Pix, Set Up Colony

London, Aug. 15. This city has a new Negro colony all due to enthusiasm for realism of Zoltan Korda, director-brother of Alexander Korda at Denham.

When London Films shot 'Sanders of the River', Zoltan Korda was unable to find suitable native types for the metropolis, so forayed at distant nearby 500 miles to London.

Taking readily to studio work and ready for further assignments, over 250 stock around, and have been rewarded with extra work in 'Elephant Boy' and 'The Drum'. Most of them are back a fourth time working in 'The Four Feathers'.

New South Wales Seeks to Correct Exigency Created by Quota Failure

Sydney, Aug. 4. New South Wales is trying to figure out some way to meet the present emergency on the quota situation. Old quota was scrapped some time ago and the new one, set up early this year, is winding up the ready to buy quota picture film.

Even inside political circles can't do one.

But one thing is certain—U. S. companies will have nothing to do with producing in this territory. If new legislation is passed, it's understood they will take it to court for final ruling. Distributors, however, are ready to buy quota pictures from home producers.

Recent huddles between the Motion Picture Distributors Assn and the government have produced no favor-

Government-Controlled Film Bank May Be Established in London To Aid Anglo Productions 'Cos Need

Upset Apparent

London, Aug. 14. Herb Wilcox was near set for biggest scoop of his lifetime, but Paul Holt got on to the story, printed it in the Daily Express and kiboshed the whole idea. Idea was for the King and Queen to attend the world premiere of 'Sixty Glorious Years' when the Technicolor empire has its initial presentation at the Empire Exhibition, Glasgow, next month.

There were some in train with Buckingham Palace, but when Holt's squib appeared Court circles took umbrage at premature announcement and called the whole thing off.

Labor Demands Hit U.S. Distribs; May Quit Mexico

Rumblings of additional and much more serious trouble with labor unions in Mexico were being heard in New York yesterday. Although foreign departments of major film companies had no tangible word regarding new wage and hour demands. One report from Mexico City, where best Mexican theatre is in N. Y., was that some of foreign distributors, including representatives of American companies, were threatening to withdraw from the country if demands were not altered.

It's all a revival of the labor parties dominating Mexico. They are said to be seeking unreasonable work schedules from unreasonable foreign employers.

No action is contemplated by picture companies in N. Y. until more definite details on the setup are obtained. American companies have threatened to withdraw from Mexico before. Currently, it is estimated that U. S. distributors secure only 1% of their potential revenue from that country.

Mexico City, Aug. 23. Films continued to be the most popular past entertainment in Mexico last year.

Gross receipts were \$3,500,000.

London, Aug. 23. Reported that a Film Bank will be established here. Step is linked to present tightness of cash for pictures and inability of producers, since the financial crash, to get backing. Would not be first such enterprise. Various attempts to launch banks for purpose of advancing credits to picture companies were heard of during the most recent frenzied financial period, including one rumored German organization.

Current situation is more propitious for such a setup than then. New quota act, so far as can yet be judged, is working smoothly and seems to have promoted better types of production, certainly having firmly put the kibosh on the old quota act. There is a strong feeling of work around the problem by establishing co-operative units, with stars and major personnel taking only their cuts out of the profits, but Board of Trade has more or less strangled this idea by declaring producers would jeopardize their quota tickets by this system, which would be a violation of the labor acts clause in the act.

Insiders suggest the new film bank plan originated from a paternal government, which would be to subsidize the home industry by cash advances, the same way as it has helped out the Canadian film industry.

(Continued on page 14)

PAR-ODEON IN LONDON DEAL UP AGAIN

London, Aug. 23. Local signs point to renewal of the possibility of a theatre alliance between Paramount's chain of dealers here and the Odeon (Oscar Deutsch) circuit. Understood that the matter is under consideration by the proper powers in New York and that a deal might result.

It is believed that any deal which may be made will condition that Par shall continue to secure all equity in the theatres and additionally obtain a long-time picture booking arrangement on the houses.

An additional consideration is that Par obtains a large amount of cash, maybe \$5,000,000 or better.

LACHMAN WILL DIRECT FIRST FRENCH TINTER

Hollywood, Aug. 23. France's first all-color talker will be produced and directed by Harry Lachman, former Columbia and 20th-Fox director, in association with the Paris-based American distribution has been set with Inter-Allied Films.

Lachman, who is visiting here before heading for Paris, is under contract to make two more features for Daven, one starring Charles Boyer.

Lawrence Out in U. S.

Paris, Aug. 23. Ludwig 'Laudy' Lawrence, Meira manager for the Continent and several countries outside Europe, is due to sail for New York the middle of next month.

Lawrence will handle with Arthur Law, head of M-G's foreign department, while in N. Y., as well as with other homelike executives.

FILM BOOKING CHART

(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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[illegible]

CRY A LITTLE..SIGH A LITTLE..THRILL A LITTLE..LAUGH A LOT!

THE NEW BOBBY BREEN SHOW HAS THAT SURE- FIRE BOX-OFFICE SPARK!

The glowing heart drama of a swell
kid with a soul filled with song . . .
and of kindly people who fill your
heart with gladness . . . Bringing you
a great marquee cast, and present-
ing for the first time a SENSATIONAL
NEW STAR ON SKATES—a five-
year-old girl who'll steal your
heart and win your applause
. . . BOX-OFFICE BIGNESS
ALL THE WAY!



BOBBY BREEN
Breaking the Ice

CHARLIE
RUGGLES

DOLORES
COSTELLO

ROBERT BARRAT • DOROTHY PETERSON
BILLY GILBERT • CHARLIE MURRAY
THE WORLD'S YOUNGEST ICE SKATER

IRENE DARE

PRODUCED BY SOL LESSER
DIRECTED BY EDWARD F. CLINE
SCREEN PLAY BY MARY MCCALL JR. MANUEL LEE BERNARD SCHUBERT



This is one of the giant half-page ads used in advance of last week's opening at Radio City.

"I have seen 'Four Daughters'" data-bbox="121 52 853 448"/>



"I have seen 'Four Daughters' It was a privilege to see it. It's all that a motion picture ought to be!"

Dave Chatkin, Monarch Theatres

"I have seen 'Four Daughters' and it is a really wonderful picture. If it's a sample of the new season's product, Warner Bros. can look forward to a great year. It's about the most livable picture I've ever seen, with those new players fitting so perfectly into the parts that they really are the characters they play."

Jack Partington, Fanchon and Marco



"I have seen 'Four Daughters' Here is a splendid piece of entertainment—one that women will undoubtedly go for in the biggest kind of way and men, too. It's an example of perfect casting."

Sam Dembo, Fanchon and Marco



"I have seen 'Four Daughters' and it is an exquisite production."

George Skouras, Skouras Theatres



"I have seen 'Four Daughters' It's a truly great production."

Leon Netter, Paramount

"I have seen 'Four Daughters' and I say it is one of the finest pictures ever produced. A great cast and a great production."

Bob O'Donnell, Interstate Circuit



"I have seen 'Four Daughters' It is entertainment par excellence. RKO gives it 5 bells."

John O'Connor, RKO



Warner Bros., Producers

Boxoffices on the Upbeat

(Continued from page 1)

position of heavy production companies which had to be liquidated in a drooping market. Such is not the case this autumn.

There is added encouragement in the fact that distributors this year have dropped back to Sept. 8, the first listing of the new season's product. Hereofore most of the firms, with the notable exception of the studio to Aug. 15, have started the starting date. Coming months will show stronger releases than during the same period a year ago. Of equal importance is evidence of manufacturing resumption in industries that have disposed of inventories during the past spring and summer.

The Berlin musical has started its career with smashing receipts. Its success is not sectional. Boxoffice takes are being reported in New York, Los Angeles, Philadelphia, Chicago, Pittsburgh, Boston and Cleveland, with other first-run spots

in 'Room Service,' Jack Oakie in 'Affairs of Anabella' is stimulating farce.

Goldwyn Delayed

Walter' Wanger's 'Algierts' starts highly satisfactory returns. 'The Young in Heart' is finished at Seizick International, but for the first time in 10 years Samuel Goldwyn is delayed with his early season's pictures.

His early season Goldwyn was in the lists with 'Dead End' and 'Stella Dallas,' while S-I had two popular pictures in 'Prisoners of Zenda' and 'Tom Sawyer.'

There is a confident air at Universal's distributing headquarters. 'The Rage of Paris,' initial Hollywood starring vehicle, with Danielle Darrieux, has been followed up by 'Letter of Introduction,' Newest Deanna Durbin film, 'That Certain Age' is in early release, maintaining the same star's last fall vehicle, '100 Men and a Girl.'

Columbia is preparing a second of

things virtually sewed up in New York, where the majority of ranking executives are centered. It is not yet known whether the S-I members in other key cities where radio listening assumes major proportions, including Chicago and the Coast. While there has been rumor from time to time of the American Federation of Radio Artists' attempt to force the radio industry to pay it is believed most such cases involve men who are both performers and writers. With its background and facilities for dealing with copyright, author contracts and similar specialized writer problems, the Radio Writers Guild, with its Authors League setup, is manifestly better equipped to deal with the situation. The RWG is already conducting the problems of network and agency writers in New York and is laying plans for dealing with the situation in the fall.

Literary Agents

The recent meetings of literary agents in New York are a time when the whole authorship situation, but they may have vast results. The sessions are believed to have been rather informal, and considerable mystery exists as to what actually took place. However, it is understood that agents are being rather than as representatives of their firms. Believed they agreed to discuss the situation with the Guild may want them to do, then set a follow-up meeting to take place in September. Idea of a trip with the Guild to Hollywood has already been discussed. That in itself would be a significant fact, since playwrights have generally been regarded by the Dramatists Guild to sign its minimum basic agreement.

Most important of the Authors League methods of extending its coverage of the various fields is its drop of affiliated groups. The Guild having virtually a closed shop in the U. S. legit field, any novelist, screen or radio writer who has a play produced in Broadway must come into the Authors League and through that into which-affiliate group which cover his work.

How It Works Out

In that way Louis Bromfield and Errol Flynn have become members of the Dramatists Guild and, through that, of the Authors League. The system has already had never been a member of the Authors Guild. Pearl S. Buck and Errol Flynn have already signed with Guild members, now also belong to the Dramatists Guild. Kenneth Webb, 'Veil' and 'Knives in the Night,' already Dramatists Guild members, have joined the Radio Writers Guild. Elaine Sterne and Lillian Hellman, 'Lillian Hellman' (Beatrice Fairfax) have gone from the Authors Guild to the Radio Writers Guild. Countless number of Dramatists Guild and Screen Writers Guild members are identical.

This affiliate angle may have more far-reaching results, if certain proposals are carried out. Such have already suggested several years ago, were dropped when the film studios stepped on the previous Screen Writers Guild. The Guild revived now that the present Guild has emerged victorious, however.

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The most difficult field for the Authors League to organize, of course, is the book and magazine writers. There are many reasons for this, but chief among them are the facts that the field is so diverse and that there are many more fiction writers than only one book or at least only one important

Inside Stuff—Pictures

They're still talking in London film circles of Harry Brond's trick on Bob Goldstein, the latter a radio agent and producer. Brond went over to London to see Harry Brond, who had just returned from New York. On sudden notice, Goldstein had had Brond his set of tails. Later discovered, of course, that they were tight, had 'em hastily ripped open and extended, and then casually returned them to the radio man. On the other hand, Goldstein, who is presently in London (in association), he found the formal one considerably overzealous, but finally recalled his loan to the American film go.

The foreword that now goes on pictures as a protective measure, 'the events and characters in this photograph are fictitious, and any similarity to actual persons, living or dead, is purely coincidental,' creates a curious impression when used for such a picture as 'Marie Antoinette.' All of the cast names in it are not fictitious, nor are the characters wholly depicted. Nuisance suits formerly caused company attorneys to get together for agreement on inclusion of the footnote now used by all producers.

Television engineering course was added to the curriculum at RCA Institutes, a member of the Radio City Institute. The reason for this fall simply because the school wished to have students take advantage of its already available facilities and equipment. Numerous radio schools have been offering television courses and RCA Institutes set up its school, first term of which opens Sept. 8, merely with the idea of a cash in on present resources. Initial course takes two years in day school and five years at night school for those who have had no radio engineering training.

Presence of Arthur Jarrat, head of all bookings for the Gaumont-British theatrical circuit of England, in Canada, and the contemplated coming of the Gaumont-British picture 'The Sign of the Cross' to Hollywood pictures in U. S., is reported in New York to be the prelude step towards establishment of a Broadway showcase in which Gaumont-British product may be displayed.

Picture famine is causing exhibitors to adopt strange tactics to get new pictures. One of the midwesterners last week booked 'Universal film' and it was in the cutting room and started on ad campaign in the local dailies before the print left Hollywood by plane. To protect itself the studio mark against the agency's agreement to handle the picture in case a plane accident prevented the picture from arriving on time.

Paramount is mulling a new title for 'I'm From Mizouri' because newspapers refuse to spell the state's name that way. Production does not get under way until Sept. 6, but the picture, starring Bob Burns, has been widely publicized in the Midwest. Most publications using the advance info spelled it 'Missouri.'

Most major companies, still operating in Austria, have advised all foreign department executives to address correspondence intended for Vienna to 'Vienna, Germany.' Understood that identification of mail under the old name resulted in some delays and had resulted in Germany, because Hitler rejected Austria as a part of the Third Reich.

Charles Coburn, co-founder and director of the Mohawk Drama Festival in Schenectady, N. Y., refused to fly to Hollywood, on alternate weeks when the schedule did not call for his appearance in Festival plays, to hasten production on 'Idiot's Delight,' Metro picture in which he has been cast.

James Gleason has a four-way contract with Republic as producer, director, writer and actor, but 'The Hight Family' says that his production credit is missing. Sol C. Siegel is billed in his place, although Gleason carried most of the production load in addition to his other chores.

Transparency footage, shot inside the Waldorf-Astoria hotel, is being used for the first time in Paramount's 'Say It In French.' Players will be widely publicized in the transparency. The transparency is a long and guest lists. Last week saves the expense of costly sets on the sound stage.

New word in safety for lensers is the camera truck designed by director James Tilling as a prop for the new 'Camera Daredaville' series at 20th-Fox. It has an armored body topped by a bullet-proof turret. Camera-men claim to use the idea in war plays and other dangerous jobs.

Metro makes a record for the shortest location trip, made by Wallace Berry and Mickey Rooney in 'Submarines.' Pair drove to a gas station, walked across the street, a rehearsal and repeated for the cameras. Time, 17 minutes.

How to handle the flood of political biggies during American Legion convention next month is worrying major studio heads. Tentative list of visitors includes 15 officials from Washington, 20 governors and a dozen mayors, among them La Guardia of New York and Kelly of Chicago.

John McClain, former ship news reporter in New York, who went out on definite terms for contract with Metro, has been signed to film production business under Sam Goldwyn, who recently signed him.

The Winsor McKay cartoon strip, 'Little Nemo,' is being offered picture companies, with partial bidding for the rights.

scattered all over the world, since an author may live on a farm and write stories about New York, or live in New York and write about the Arctic. In even greater degree, this is true of motion picture writers (textbook writers, except for the physical graphics, etc.). However, the field might be controlled through the publication of writers and agencies, which must depend for their business careers on the output of the established writers. On the other hand, it is notable that in the last couple of years the number of non-fiction writers has increased, and among them, themselves. (c) Joining the Authors League has greatly increased.

With practical commercial television still in the uncertain future, the Authors' League has made no definite plans for organizing its members. Much will depend on which medium (whether radio, films, legit, etc.) will be the most important in the future. Regardless of that aspect, it seems probable that with its hold on the literary and dramatic fields, the League will have little difficulty against the Screen Playwrights.

Downtown Grosses Up

One of the most heartening boxoffice signs in the past week or so has been the fact that the downtown local theatres are getting the edge at the exchange, the nabes. That all right, considering the price differential in scales, and indicates to theatre executives that the public wants the choicer films quick and is willing to pay more. The price ranges, rather than wait around until they reach the nabes. In recent weeks the masterminding theatre showmen were wondering that maybe the nabes were getting most of the biz, and the downtown de luxe theatres were getting the business. The nabes, however, both the parking, wants to save the difference in price, etc.

The current crop of strong product is shifting the edge completely around again.

Following rapidly as the general release gets underway.

Product Lineups

Twentieth Century-Fox has a formidable lineup of new coming weeks. Sonja Henie's newest picture, 'My Lucky Star,' is completed and ready for September release. Studio will ship to exchanges soon prints on 'Straight, Place and Show,' starring the new 'Sue' starring Loreta Young and Tyrone Power, and 'Submarine Patrol,' a John Ford production, with a strong cast.

Warners are swinging into the new season with 'Four Sons of a Gun,' a substantial winner which is on the heels of the same company's 'White Banners,' 'The Amazing Dr. Clitterhouse' and 'Racket Busters,' timely in view of the front-page 'numbers game' in New York. 'Clitterhouse' release also are 'Boy Meets Girl,' with James Cagney and Pat O'Brien; 'Four's a Crowd' and 'Valley of the Gossamer,' in technical. Hearst Warners led off their season with 'Life of Emile Zola,' 'San Quentin,' 'Hardy Shaw' and 'That Certain Woman.'

Although there is revision of critical comment on 'Marie Antoinette,' first roadshow engagements of the film in Los Angeles and New York and a generous listing of the film in the historical picture is set for general theatre release at popular prices. Metro sales and promotion, related over the returns from 'Love Finds Andy Hardy' and 'The Crowd' and the latest Robert Montgomery picture, both of which have been hitting well at the box-office. For next month Metro has 'Two Girls in a Harem,' co-starring Clark Gable and Myrna Loy, to be followed soon by 'The Sign of the Cross,' one of the costlier films of the fall season.

Par and RKO

Paramount leads its new releases with 'Sing You Sinners,' starring Bing Crosby feature. 'The Texans' is a good action western, now in first run. Other bigger films from Paramount, set for early release, are 'Spawns of the North,' with George Raft and Henry Fonda, and 'Wings,' elaborate aviation feature. 'Artists and Models Abroad,' with William Joan Simmer, is a light and formidable names from radio and musical comedy, and 'The Sign of the Cross,' starring Ronald Colman, with King, Paramount led off its season with 'Easy Street,' 'Artists and Models,' 'At Sea' and 'High Wind, Handsome.'

Par's lineups strengthened over a year ago is RKO-Radio, which closed off the 1937-38 season with 'Having Fun with Henry,' starring Henry Carey's 'Chicken' and 'Mother Goose' and 'The Sign of the Cross' are announced for the new season. 'Artists and Models,' 'At Sea' and 'High Wind, Handsome,' 'Cafeteria,' and the Marx Bros.

Frank Capra's first production in two years, 'You Can't Take It With You,' with George S. Kaufman-Moss Hart play.

Congressional elections are not likely to affect the boxoffice this fall. To the degree of former years, theatre men predict. Most of the political battling is centering around the midwestern primaries, which will be the middle of September. Most midwestern primaries were held during the early weeks of August.

Ad Matier a Keynote

Minneapolis, Aug. 23. The unusually strong product now being released in the territory of theatre owners in the territory worked up to a high key of enthusiasm and working hard on exploitation than at any time in recent years, according to Joe Podofol. Podofol, Fox branch manager, said: 'Podofol says demand for ad matter is so great that it has been necessary for Ben Clasen, his ad salesman, to be on the road most of the time during recent weeks and the company is getting the biggest ad campaign business in its history. In two days last week, he says, more ad matter was sold than ever before and he expects to have new pep, according to Podofol.'

Podofol says that in the territory's key spots also are getting the limit in advertising and exploitation for the season, but he is perking up considerably all along the line.

Columbus' Hypo

Columbus, O., Aug. 23. Local amusement trend looking to Victor Kautz, Foreign Legion convention here this week and next weeks Ohio State Fair to provide both sides after a pretty brisk summer.

Opinion is divided on just how much business the summer movie showmen, in spite of several hundred thousand visitors drawn to the Columbus for the agricultural exhibit.

Amec in 'Kentucky'

Hollywood, Aug. 23. Don Amec, who is just back from Europe minus his appendix, is set to co-star with Loreta Young in 'Kentucky,' Amec's new movie. Technical picture is slated to roll Sept. 6.

PIDGEON'S CROONING

Hollywood, Aug. 23. Walter Pidgeon, currently in studios of 'Lillian Hellman,' signed a new contract permitting Metro to use him in contract spots other than musicals. Pidgeon will make his first picture, a musical, 'Cafeteria,' and the Marx Bros.

ACTUALS AND PROSPECTS

No Rush for Coast Names

Expected rush to sponsorship of half-hour dramatic programs with new names has failed to materialize. Last spring there were indications that commercials would take advantage of the click results of the Edward G. Robinson-Big Town combination by acquiring shows based on the same policy, but with the opening of the new broadcast season but a few weeks away not a single stanza of this type has been sold.

All three major major networks, Texaco-Max Reinhardt, Old Gold-Robert Benchley and Quaker Oats-Tommy Riggs, are variety shows. With an agency execs agreeing at the time that the Robinson-Big Town formula could stand loads of duplication, the names with definite script serials that were being offered around in April and May included Walter Huston ("Mr. Tutt"), Marlene Dietrich ("Mata Hari"), Richard Dix ("Wagon Wheels"), and Edward Arnold ("a crime detecting idea").

Later addition was Charles Boyer in an adaptation of "Arsene Lupin."

R&R's Producer Assignments

Only Larson Not Set for Fall, but He'll Probably Handle Quaker Oats Show

Ruthrauff & Ryan has worked out its new schedule of program producer assignments for the fall. Only one name is not set for fall, but indications are that he will be brought on from Hollywood to handle the Quaker Oats-Tommy Riggs show. Larson had the Al Jolson-Lifeway stanza last season.

R & R producers and their programs this fall are as follows:

Clark Andrews: "Big Town" (Ruso). CBS.

Edward Mendel: Al Jolson. CBS.

Herbert Williams: "Big Sister" (Ruso). CBS.

Nate Tuttle: Vox Pop (Penn To-NBC).

John Loveton: "Aunt Jenny's Spies" (Sprey). CBS.

John Loveton: "Giant Jenny's Spies" (Sprey). CBS.

George Gordon: "The Shadow" (Blue Owl).

John Gordon will continue as an aid to Major Bowes; Charles Christoph will supervise the daytime shows, while Pete Barnum will act as contact between the New York and Hollywood offices.

DODGE MAY SET SPOT CAMPAIGN

With Chrysler set to preview its new auto models the end of this month, there is a possibility of a spot campaign on Dodge coming out of Ruthrauff & Ryan, the early part of September. Meanwhile, the agency's spot activities will be confined to the Spy, Ironized Fizz and Blue Owl accounts.

With Spay (Lever Bros.) it will be a case of continuing on the 75 spots that have been used for this product's on-minute announcement campaign, while five-minute transactions will again be used for the states not covered by Mutual's releases of "Good Will Court" (Macfadden) as well as Canada.

Disc versions of "The Shadow" (Blue Owl) will supplement the Mutual output.

WCAU Drafts Another Spierler from Stix

Philadelphia, Aug. 23. WCAU, which last week had acquired a "farm system" for prospective gabbers, this week reaped another staff announcement in the mix. He is Wally Sheldon, of WCAU, Allentown, who replaces Bob "Farm system," similar to that used in big-league baseball, was started by Stan Lee last season as director, to season likely spierlers making sufficient experience to make WCAU's grade. The deal is an agreement with various small stations to employ the youngsters until ready for WCAU.

SEEKS GENERAL AGREEMENT ON PRELIMINARY DISCUSSIONS

Society Counters NBC's Approach for Separate Contract with Statement It Wants to Meet with Entire Industry — Present Licensing Does Not Expire Till Dec. 31, 1940

ASCAP'S OWN PROBLEM

American Society of Composers, Authors and Publishers will not enter into negotiations with NBC or Columbia for a new licensing agreement unless it has gone over the subject first with representatives of the broadcasting industry as a whole. Disclosure of this policy was made after A. L. Ashby, NBC v. p. and general counsel, had approached the Society about starting preliminary discussions for a separate contract with the networks.

Fresh licensing contract between ASCAP and the broadcasting industry does not expire until Dec. 31, 1940, and the Society has been performing rights combine will join in serious talk with any faction in radio about starting preliminary discussions for a separate contract with the networks. The licensing contract between ASCAP and the broadcasting industry does not expire until Dec. 31, 1940, and the Society has been performing rights combine will join in serious talk with any faction in radio about starting preliminary discussions for a separate contract with the networks. The licensing contract between ASCAP and the broadcasting industry does not expire until Dec. 31, 1940, and the Society has been performing rights combine will join in serious talk with any faction in radio about starting preliminary discussions for a separate contract with the networks.

One Rub What is expected to prove a moot point when the two camps finally get around to talking terms is the affiliate stations' demand that the commercial fee on network commercial programs be placed at the source. Networks are expected to fight any such move bitterly, well as any attempt to collect the performing license money direct from sponsors, as is being now advocated within the Society.

Before it can work out any deal with the networks, ASCAP is expected to solve a major problem within its own organization and that has to do with licensing contract renewals from writer and publisher membership. Present contract has until the end of 1940 to go. Gene Busby, ASCAP prez, was advised by the board to send out these renewal applications in the form of 10 year contracts ago, but for some reason he has deferred action.

Menjou, Chas. Ruggles, Una Merkel, Froman Set for Texaco Show

Talent lineup on Texaco show includes: Adolphe Menjou as emcee, Charles Ruggles, Una Merkel, Jane Froman, Kenny Baker, Dave Broderman, 30-piece instrumental crew and mixed choir of 20. Film names will be as guests in the Menjou-Merkel Workshop week-end broadcast. Harry Kronman and three comedy writers are to turn out the sketches.

Jimmy Wallinger considered for announcer spot.

Friedman East

Zach Friedman, CBS producer, planned into New York Monday (22) from Los Angeles. Friedman had come east for h. o. confabs.

NBC Seeks to Shatter Don Lee's Coast Monopoly on Kid Shows; Gives Blue Clients Time Guarantee

Love Rules Philly

Philadelphia, Aug. 23. With newspapers and every other section of the country dropping radio columns and even less interest of the Philly sheets in the etherizers, paradoxically, recently has been growing. Amicable relations are in order all along the line and the outlets are getting better breaks in the local press than ever before.

High point in the brotherly feeling was recently reached with publication of two special radio editions, one by the Philly Record and the other by the Inquirer. Record put out a 2-page special on the opening of WFL's new studio, while the Inq issued a 4-pager for KYW.

Good News, Holy Hotel Poised for Season Tee Offs

Hollywood, Aug. 23. Two of the Coast's hour shows, Metro's Good News and Hollywood Hotel, have set their final programs for the fall resumption. Good News, bankrolled by General Foods (Maxwell House), shows off Sept. 1 with Spencer Tracy & Mickey Rooney doing a dramatic sequence from "Born Yesterday." Louis II. Mayer makes a brief address and augmenting last season's regulars will be Alice Faye and Robert Young as m. c.

Campbell souper, with everything and everyone new except Frances Langford, starts Sept. 5. Herbert Marshall m. c.'s first six weeks and the regulars double in the finale spot with Margaret Sullivan. "Dark Angel" will be the vehicle.

In the new setup, Victor Young conducts the music; Jean Sabin shares the vocal honors with Miss Langford, and John McClean, former ship news reporter, does the scripts. Missing will be Luella Platter and picture previews.

NEW BOND BREAD B'D MAY STYMIE AIR SHOW

Bond Bread may be without any representation on the air this fall for the first time since 1928. There's a new board of directors in control of the company and it may take a little time to simulate the necessary interest in radio. B.B.D. & O. is the agency.

Guy Lombardo's run with the account expired a couple weeks ago. Band members allied with Lady Esther comies this fall.

Renew Morton Gould

Morton Gould, classic conductor and modern composer, has renewed his contract with WOR, N.Y., was renewed this week for another year. On Sept. 27, Gould, 40, will conduct his anniversary on station with 10 consecutive programs on sustaining band.

Gould, in addition to mastering 30 men, is arranging specialist, working for Paul Whiteman, Fred Waring, Artie Shaw, Duke Ellington and Harry Saltzer orchs.

Practical monopoly which the Don Lee Network has maintained with regard to kid shows on the Coast will likely change this fall, when NBC introduces a new sales policy on its Pacific blue link. NBC proposes to guarantee blue Coast accounts that also have basic booklets against having to move for a client who has put in a territorial contract order.

As a result of this assured protection, NBC is slated to obtain two five-times-a-week programs, "Jack Armstrong" and "Orphan Annie," for the Pacific blue. These same series have previously depended on the Don Lee and spot placements for west-coast coverage. Both shows clear through Blackett-Sample-Mummet, Inc., of Chicago, which has recommended the switch to General Mills.

Two other NBC kid commercials, "Dick Tracy" (Quaker Oats) and "Howdy Wingo" (General Foods) are ready arranged to get their west-coast clearance through the Don Lee Network, plus some McClaughy stations. This fall. The new policy puts the NBC blue link on the Coast into direct and intensive competition with Don Lee for this strictly Coast business.

Not Holding Time NBC has apparently decided to abandon the idea of preserving the Pacific blue for any transcontinental accounts that happen along and to accept whatever billings are available. Same network some months ago advised the trade that the Pacific red and blue links would be open to cross-country accounts unless the basic red and blue links, thereby eliminating the old policy of forcing a blue basic customer to accept the Pacific blue, even though it preferred the stronger Pacific red.

This interchanging of the Pacific red and blue was the first step toward keeping important transcontinental advertisers from passing up the blue network for Columbia.

NBC is now prepared to cut in on the Pacific blue and means of the guaranteed time device.

RE-ELECT MUTL OFFICERS, BOARD

Chicago, Aug. 23. Stockholders re-elected all officers and directors at the annual meeting of Mutual Broadcasting System, held in the Chicago offices last Wednesday (17).

Directors re-elected were: Alfred J. McCosker, T. C. Streiber, Jack I. Straus, W. E. MacFarlane, E. M. W. Wood, Jr. and Fred Weber. Officers set for another term are: president, W. E. MacFarlane; chairman of board, Alfred J. McCosker; general manager, Fred Weber; first v.p., T. C. Streiber; executive secretary, W. E. MacFarlane; and treasurer, E. M. W. Wood.

Stock of MBS continues to be held by WGN, Inc. and the trustees of Broadcasting System.

General manager Fred Weber reported that MBS had secured a commercial program for first six months of 1938 was 10% ahead of the period a year ago.

Virginia Verrill Set For Haley Program

Continental Baking Co. has signed Virginia Verrill for its variety show "Heat of the Night" on J. Lee. Verrill, a 39-week contract this week. Program is a CBS web starting Oct. 1.

IN A COMMITTEE NEEDS WITH NETS N. Y., BUT STILL STRICKE ON T.

Laying Groundwork for Joint Procedure in Gov't's
Monopoly Investigation—Affiliates Working Out
Problem of Financing

Advisory committee of the Independent Radio Network Affiliates met with NBC and Columbia officials Monday (22), but nothing of a tangible nature was arrived at during the several hours of discussion. Gathering was called at the St. Regis hotel, N. Y., to lay the groundwork for a point agenda of policy and procedure with regard to the forthcoming monopoly investigation by the Federal Communications Commission. No date was set for the next meeting of the committee and the network reps.

Preliminary jockeying going on in the two camps has made all concerned superstitious about commenting on the motives and ultimate objectives of the entire cordial. It is realized all around that in proceeding toward the preparation of a joint case, much care must be exercised to avoid any incrimination of network direction or domination. As the matter now stands, the two leading networks are in the happier position of having their affiliates headed on the same side of the fence with them, and ready to co-operate in fending any antagonistic maneuvers in Washington. Also of having any possibility of the IRNA lending itself to a collective bargaining movement when it came to the relations between the nets and their affiliates.

Committee of seven, which was appointed at last week's meeting of the IRNA in Chicago, is under instructions also to work out the question of financing the monopoly probe.

Stetley Interest

Chicago, Dec. 23.—Final day of session was revived Independent Radio Network Affiliates, composed of stations affiliated with NBC and Columbia, devoted to a series of informal discussions. Some of the 100-letters presented advanced the thought that the insufficiency of educational programs might prove a major point in the FCC's monopoly "guzzling." It was suggested that the stations make a concerted demand that the nets feed them an hour or two daily of mutual appreciation programs, adult discussion stunts and similar features.

Friday get-togethers was marked by lots of backslapping from NBC and CBS execs, who were registered at the convention hotel, but not admitted to the IRNA meeting. Also by the smooth lobby maneuvering of Fred Weber, Mutual gen. mgr.

**Radio Receptor Names
GM, Bendix in Anti-Trust
Action; Asks \$725,000**

In a complaint filed Aug. 16 in N. Y. Federal Court, the Radio Receptor Co., Inc., and other defendants Cor. Bendix Radio Corp. and Bendix Aviation Corp., with consent to abolish the radio receiver radio equipment industry through taking over several corporations dealing in the production and sale of radio equipment, have filed suit for \$725,000 damages and brings the action under the Sherman anti-trust law.

Plaintiff company specialized in radio equipment, including transmitters for ship to land and shore to shore airplane radio guidance apparatus. It is charged that General Motors controls the Bendix corporations.

**OFFERING BETTE DAVIS,
JEFFREY LYNN TEAM**

Bette Davis and Jeffrey Lynn are being offered around as a dramatic team in a commercial series. Indications are that Miss Davis will receive a release from Warner Bros. for broadcasting on her own, and that no objection will be made by the same producer in the case of Lynn.

Hotel Service

Wilmington, Aug. 23.—New Castle County Workhouse now has a radio in every room. County has just installed 400 hotel-type instruments with earphones instead of loudspeakers. Prisoners have a choice of four programs.

All sets owned by individual prisoners have been ordered removed. They made too much of cable and disturbed others.

NETS ON HUNT FOR SERIES SPONSOR

Both NBC and Columbia's sales departments last week started giving thought to landing a sponsor for the forthcoming World Series. No approach was made to Judge K. M. Landis about a price for the commercial rights. It was said at CBS sales department Monday (22) that there has been at least a nibble from some advertiser.

Last year the World Series obtained no sponsor and was thrown into the hands of WSAI, NBC, Columbia and Mutual. Ford did the underwriting of the prior two series.

KENNETT JOINS WHAS AS PROGRAM DIRECTOR

Louisville, Aug. 23.—Bob Kennett, formerly program director for WLW and WSAI, Cincinnati, joined WHAS yesterday (Monday) as program director. Joe Eaton, who held that title, was transferred to the sales department by W. Lee Coulson, executive manager.

Audition Newspaperman As an Eatery Guide

Dave Charney, feature writer and Broadway reporter on the N. Y. Daily Mirror, was auditioned by McCann-Erickson agency Monday (22) for program for Green Watch Co. It would air over WABC, N. Y., interested and restaurant.

Program would be a guide to New York and restaurants, with Charney sleuthing the highway estimates. It would air at 11 p.m. five times weekly for 15 minutes.

EVEN STEPHEN

CBS Lores Show to NBC, But Sign-off Squares All

Hollywood, Aug. 23.—Telephone company engineer threw the wrong switch last Friday night and the resulting mix-up left a standstill with NBC's blue out. KECA, latter station that the CBS now, but gave out with a CBS sign-off before the NBC'er could blot it out.

When show failed to clear through KNX, station figured it a misout and with a transcription. Later developed that quarter-hour musical program was routed over KECA.

There were no other show, so didn't make any inquiries.

Mur'l Sales Staff Peak

With addition of Ed Bauer in Chicago, Mutual Broadcasting reaches a new high in sales staff. Gives them four in New York and three in Wincy City. Newcomer comes over from Russell M. Seeds, Chl advertising agency, starting Aug. 29.

Al Goodman Back

For Lucky Strike
Al Goodman returns to Lucky Strike's Hit Parade on CBS Sept. 7. He succeeds Carl Hoff.

DUNVILLE ROBT. JENNINGS

Cincinnati, Aug. 23.—

Robert E. Dunville, who has been gen. sales mgr. of WSAI since last December, is now sales head of WLW as well as the smaller-watter. He succeeds Robert G. Jennings, who resigned last week.

Jennings will head an advertising agency in Chicago Sept. 6. He has not disclosed which one it will be, although two, Slack-Cobb and H. W. Kastor & Sons, have been named in speculation. Jennings said that it was not Ruthless & Ryan, Inc., that the connection will be announced in Chicago Thursday (25). Jennings will leave Cincinnati (Wednesday) by auto for vacation with Mrs. Jennings in Virginia Beach, Va., by way of New York.

WLW-WSAI staff presented him with a watch when he took his official departure Saturday (20).

Suit Over 'Men Only'

Title Filed vs. Vitalis
By Beth Brown, Author

Beth Brown, novelist, has brought suit in the N. Y. supreme court to enjoin Vitalis from continuing to use the title "For Men Only" on its Wednesday night program over NBC. Miss Brown claims that the title is a trademark and that she is entitled to the same by way of a novel of the same name which she had published in 1931. Defendants named in the action are Bristol-Myers, Pelear & Ryan, and the Credley Radio Corp. (WLW, Cincinnati), from which the sponsor obtained the radio rights to the title. Hearing on the injunction plea is slated for Sept. 31.

Miss Brown was the author of the title involved in the latter part of 1935. Similar titles on programs have been used by KFWB, Los Angeles, and WJAZ, Cleveland.

Miss Brown's novel deals with a Orleans sporting house of the 80's. Bristol-Myers hasn't decided where it's going to move "For Men Only" (Vitalis) when Fred Allen returns to the NBC-net (WEAF) this fall. Account counts as premature the report that the Allen stanza will be cut down from the hour and the hour and a half facing it is finding a safe niche for the Vitalis program. Allen will have his new show on the radio, with his own opposition for the second half of his hour.

Regular Sal Hepatica-Ipana period was clipped to a half-hour after Allen retired for the summer and "For Men Only" was moved into the adjoining 30-minute segment. Vitalis has been offered the 8:30 to 9 niche on the red Tuesday night, but Bristol-Myers is like because it would be bucking the Jolson-Lifeguard show on CBS.

Sal Hepatica and Ipana are handled by Young & Rubicam, while Pelear & Ryan has the Vitalis business.

HUNT EVE. SPOT FOR KELLOGG VIA HOLLYWOOD

J. Walter Thompson is scouting around in behalf of Kellogg for a half-evening show. Kellogg has expressed interest in a Hollywood program release has not been set.

Eanes New MOB Mgr.

C. L. Eanes has been appointed manager of KOL-Albuquerque, N. M. He comes from the newspaper advertising field.

Clifton Fadiman, whose "Information Please" was considered by Billy Rose for the Casa Manana, N. Y., show, only to have the deal nixed by John S. Royal, NBC vice-pres., didn't even know he'd been offered until he read about it in last week's VARIETY. He immediately paid his first visit to the theatre-cabaret.

Fadiman would like to go into the Casa show, but can't do it with the "Information" show under Royal, since the rights to the program and title. He is open to any outside offers not involving "Information," however. He also went into the Magic Key program last Sunday (21), as m.c. and teamed in a skit with Franklin P. Adams, "Post" columnist.

An acuter sufferer from wet weather, the New Yorker book reviewer has taken an air-conditioned suite at the Gotham hotel, N. Y., for the summer. Works and lives there.

Series of 15-minute waxed shows, "Fireside Chatter," with Harry Hirschfeld doing commentary on current topics, has been produced by Continental Productions, Inc. Seeking a sponsor. Continental is headed by Saul Colin, with Seymour Mann in charge of radio, and Alice Reinhardt directing.

Second show, a live one, tabbed "Here Comes the Coast Guard" and based on records of the Miami Coast Guard station, is being scripted by Aubrey Wisbey. Another one by the same author, "The Jolly Wagon" and starring Bert Lytell, has been waxed and is being offered to agencies and sponsors. Outfit has also lined up a live series with Al Roth and Phil Brito.

Suit of Barney's, clothing store, against owners and operators of WNEW, N. Y., radio station, for approximately \$50,000 damages for alleged failure to pay royalties on past broadcasts, is being continued in court. Two recent shifts in counsel for the plaintiffs. An order substituting Martin Katz for Judge Jonah Goldstein was signed first, when the latter was dropped out. Subsequently, an order directing the substitution of Samuel R. Wetz was signed.

Radio station is represented by Emil K. Ellis, who filed counterclaim for the same amount at the direction of defendants. Ellis alleges unauthorized use of recordings claimed to be the station's exclusive property.

WWV, New Orleans, scored a beat on its local rivals Wednesday (17) when civic and business leaders turned out to honor Mayor Robert S. Maestri and his second anniversary in office. Program was under the auspices of the Young Men's Business club whose luncheon broadcasts are handled by WDSU. Because of WDSU's exclusive tie-up and being unable to get inside the luncheon hall for the ceremonies, Henry Dupre, WWL special events director, set up a mike at the entrance of the hall and interviewed the state and city dignitaries. He got them to say the things they were saying on the radio, thereby scooping WDSU by fully a half hour.

Jack O'Toole, brother of Walter O'Keefe, the comic, has changed his moniker back to Jack O'Keefe. While on the Coast the latter, at the suggestion of a broadcaster friend, had assumed the name of Jack O'Toole. When he applied for work on a program, Jack would be asked whether Walter was his brother. Following an affirmative answer, the inquirer would then to know why his brother didn't give him a job. It was his few interviews that O'Toole decided to shed and break away from the family signature and try his luck with the O'Keefes.

Paramount led all other studios last year in contributing talent to radio. From the studio list appearances on the air were recorded 887 times by Ruby Cowan, radio director at the plant. Studio's policy on radio, Cowan said, was to make the most of the talent in force. The policy for an increased representation this season. Package buy of plant's talent, similar to Metro's deal with General Foods, has been taboored by the front office on the grounds that its effects on theatre attendance would be harmful.

Showmanship doesn't always pay, WDAS, Philly, learned Thursday (18). As a result of the long heat wave, the station decided to do a man-on-the-street on the weather. Question was: "Is it hot for you and why?" As an added touch, gabber on the show, Gene Edwards, was dressed in pith helmet and shorts. The station was hit by a crowd police for a crowd police radio car shortly arrived and broke it up, forcing show to shutter after only 10 minutes of the skidded quarter-hour.

Columbus (O.) Citizen has resumed a radio column in Saturday editions only. Move does not mean daily column will be resumed.

Saturday column was replaced by a feature in the Saturday edition in enlarged tabloid magazine section, which is regular Saturday feature of The Citizen. George Hage, music editor, who took over work on log after column by Lehman Ottis was dropped several months ago, is writing the Saturday stuff.

Harry Duncan, one of the four Radio Rubes, is brokering a Stradivarius deal. Asking price is \$10,000. Instrument, however, is in Italy at present in possession of an Austrian refugee, who got it out of his native country on the run.

Duncan has been propositioning muskies around NBC's stations in Radio City in between his broadcasts.

Batten, Burton, Distine & Osborn agency is not making any of its summer program tests on hinterland stations this season. Last summer the agency promoted tests on the radio stations of the agency and areas and placed transcriptions of new shows of the broadcasters. Stations took the programming to fill in for slack season, and the agency has surveys on listener reaction.

Marschalk & Pratt agency is looking for a program for Enna Jetlick show. The account which was secured by Enna Jetlick, who has been handling the footwear account, with the transfer of M & P set for this fall.

Net network program sponsored by Enna Jetlick was five years ago when the late Mine Schumann-Heineck was starred.

"How to Speak the King's English" is virtually the title of a handbook which has been published by the Canadian Broadcasting Corp. Author is W. H. Brodie, coach of the CBC announcers.

The CBC office is afraid to have any screen dialog and the pronunciation of words by some announcers and radio commentators, hence this guide for the use of what he calls "educated English."

KVOO's Tulsa chiefs, which ring out the hour atop the Philworth building in which the studio is housed, came in for a kick and caress last week when a downtown hotel resident called up Mayor T. A. Penney and wanted to know what could be done to shut it down.

Mayor, an old hand at knowing you can't please all the people all the time, said he told the man "I thought they were delirious."

CBS Sunday (21) carried music festival at Silvermine, Conn., because it was the only one on N. Y. radio. The festival was given by RCA, was head of Silvermine-Symphony. John Vassos, designer of the festival, was the only one on N. Y. radio.

Whack at advertisers who employ the general plug that Hollywood celebs use their products was taken by the Federal Trade Commission in (Continued on page 36)

Hearst's KY A, Frisco, Reported Sold For \$150,000; \$350,000 Bid for KOMO

San Francisco, Aug. 23. Sale of KY A for \$150,000 to Fred S. Hart, former owner of KFI, Los Angeles, and of KQW, San Jose, Cal., is reported here. KY A, owned by Hearst Radio Inc., was purchased from NBC several years ago, may have J. D. West, local representative of the Honolulu radio program manager.

Confirmation of the KY A sale is being withheld pending approval of the Federal Communications Commission.

Hart only recently announced his resignation as general manager of the Honolulu Broadcasting Co., which becomes effective Sept. 1. He has been at Salinas, Cal., working his real estate and ranching interests.

\$350,000 Bid for KOMO

Oklahoma City, Aug. 23. Group of independent Oklahoma oil men, represented by Harrison Smith, city investment broker, are reported to be negotiating for purchase of KOMA. Price to be paid by radio, Inc., of Portland, Ore., \$350,000. Neal Barrett, KOMA manager and Hearst chain v.p., could not be reached for comment.

In the meantime, Barrett has thrown in with the new Elliott the Don Texas chain, which is vice-president. He will transfer his residence to Fort Worth Sept. 1, but will keep his position as Hearst, an assistant handling KOMA.

Roosevelt and MBS

(Continued from page 1)

papers, etc., to big shots rather than leave themselves out on a limb.

Probable that Elliott Roosevelt, radio exec and son of the President, will turn m.c. to handle descriptive sale to new alignment of Mutual Broadcasting System. Show comes off Sept. 1 and will run for weeks with all regional branches of Mutual participating. Marks day of merger and Mutual's fourth birthday at night.

Starting at 8 p.m., chain will offer the Don Lee Coast to coast show. From 8:30 until 9:30, KTAT and KPZZ, Ft. Worth, will carry with Elliott in from his home in Casa Manana. At 9:30 WOR, N. Y., will carry the lead for an hour offering Morton Gould, Alfred Wallenstein, Jane Froman and possibly William Gaxton. WGN, Chicago, will take up 10:30 for the hour with Henry Weber orchestra while WLW, Cincinnati, salutes with Joe Fiedler orchestra from 10:30 until midnight. From then until 1 a.m. assorted dance music will fill the air. Weber, pres. of Mutual, will be sole speaker on the hookup with exception of Roosevelt and announcements.

AFRA DEAL UPS NBC, MBS FRISCO PAYROLLS

San Francisco, Aug. 23. Payroll of the local NBC studios for artists and readers has been AFRA approximately \$250 a week as a result of the American Federation of Radio Artists' pact with the union, which went into effect last week.

AFRA contract with the Mutual Broadcasting System has also included the payroll of the local Mutual outlet. Deal between KSCO, Columbia outlet, with which AFRA chapter is not affiliated, and KSCO, with no action expected until the return of manager Philip G. Leach, of KSCO from his vacanc next week.

KSCO comes under the indie station classification until its sale to Columbia is okayed by the Federal Communications Commission. In spite of its indie status, AFRA will include members to participate in auditions without payment of a fee comparable to the \$750 offered by KBC. Otherwise, it is felt, KSCO will have an unfair advantage over KPO and KGO, NBC outlets, and KPC.

Roosevelt Quitting?

Report persists in New York broadcast circles that Elliott Roosevelt is determined to resign from Hearst's radio interests by Oct. 1. He would like to be free to devote all his time to his Texas newspaper. Latter stated he will be affiliated with Mutual.

E. M. Storer, controller for Radio Radio, Inc., of which Roosevelt is president, declared last week that operations of the Texas network would have no effect upon Roosevelt's continuation with the Hearst connection. Storer is currently in Ft. Worth conferring with Roosevelt.

Catering to the Important, WDAS, Philly, Switches Sports to Night Hrs.

Philadelphia, Aug. 23. Sports programs on WDAS will be confined strictly to the evening hours hereafter. Pat Stanton, g.m., declared this week. He said that a survey showed most sports fans worked during the day and were unable to listen to afternoon shows, so the outlet will try to cater to them in the future in their off hours.

Coincidentally with Stanton's decree, Lance McCurley, sports ed. of the show, WDAS is planning to drop WPTN to resume on WDAS. He was on WDAS for three years until he was switched to WPTN. With McCurley goes sole rights to airing of boxing and wrestling shows at the Arthur F. Hayes sports center, through his close personal relationship with the promoters.

As a build-up for its evening sports program, WDAS is planning a roller-skating carnival for listeners. It is planning to take over one of the local shows for Sept. 5-d to 6, and will have listeners from a different section of the city each night.

Pay Up, Hrs. Down

Philadelphia, Aug. 23. Pay increases and cut in hours for all engineers was included in contract drawn up with WDAS Friday (19) by Broadcast Division of the American Communications Association. CIO. Termer, which runs until next year, grants new minimum, including a \$7 starting wage in place of the old \$30 initial fee. Hours were cut from 48 to 40. The panelmen each guaranteed four hours overtime a week at time and one-half.

Sam Sabaroff, WCAU engineer and ACA pres. and Saul Waldbaum, ACA pres. and WCAU engineer, Alex Dannenbaum, Sr. prez. and Pat Stanton, g.m., rep. the station.

Confab began this week for contracts with WPG, Atlantic City, and WIAF. Philly part-time radio water.

Bartering Via Radio

Radio exchange mart was started on WNEW, N. Y., yesterday (Tues.). John Jaeger debuted his 'White Elephant' program. It's scheduled for two weeks on WNEW, Tuesday and Thursday, at 4:45 to 5 p.m.

Gag is have listeners use the time and money for junk they don't want, swapping 'em for articles valuable to others.

Michael to WLW

Cincinnati, Aug. 23. Raymond Michael, formerly with WABC, Farmington, W. Va., joined the WLW-WSAI announcing staff yesterday (Monday). Michael was a former singer, who also with WMMN, a member of Hugh Cross' Radio Pals on WLW and WSAI.

B-S-H to Conduct Radio Tests for Penny Stores

Blackett - Sample - Hummert, Inc., contemplates doing some radio testing for the J. C. Penny Stores. The firm recently acquired the chain account.

WIL, MUSICIANS IN AGREEMENT

St. Louis, Aug. 23. WIL, St. Louis, and the local musicians union last week got together on settlement of their differences and the station became a party to the employment plan negotiated between the American Federation of Musicians and the committee representing the country non-network affiliated outlets.

Controversy between WIL and the St. Louis local, involving the employment of a turntable man, has been dragging on for months when a strike was called four weeks ago. Conditions of the agreement are the same as those accepted by the other indie stations coming within the AFM employment plan.

CLEVE. EDUC. STATION TO FEED 149 SCHOOLS

Cleveland, Aug. 23. WBOE, a new short-wave radio for Cleveland public schools, will be in operation Sept. 26, when all semester school started. D. W. Van der Kolk, who taught for a program of streamlined education via radio for two years, formerly having three broadcasting studios installed on sixth floor of board of education building. Special receivers have been built in 118 elementary and 31 junior and senior schools. By piping through a radio system, each receiver will handle 30 classrooms.

Schedule of programs worked out for elementary schools consisted of many subjects for adolescent students, but also for parents' and teachers' groups. Adult lectures to be fed into school auditoriums, along with concerts and talks by outsiders.

Annual Educ' Confab Set for Lexington, Ky.

Louisville, Aug. 23. Annual confab of the National Assn. of Educational Broadcasters starts Sept. 5-d at the University of Kentucky, Lexington. Association is composed of directors of educational radio service in colleges and universities throughout the country. Approximately 50 members are expected to attend the confab.

Carl Menzer, director of radio at the University of Iowa, is president of the organization.

Pinex for Early Birds

Pinex has been signed to sponsor N. Y. WOR's earliest commercial broadcast program starting at 5:30. It's a repeat on last year, but will be preceded by a new high in early morning programming. The new news program starting at 6:35 a.m. WOR switched to extra five minutes of news to get ahead of WJZ, NBC stations, which went to 6:30 this summer to beat WOR's 6:30 a.m. news. WOR will have time with each change of competing stations.

MOFFET LANDS

Philadelphia, Aug. 23. Lynn White, 10, who had been on WJZ for a year, was given a program of her own at WIP this week. She'll be singing for a quarter-hour Thursday morning, chipping pop tunes.

White's a junior at Southern High School.

Radio Singer's Concerts

Philadelphia, Aug. 23. Catherine Smith, warbler on WIP, leaves the outlet Labor Day for a tour of the Northeast, including Connecticut. She returns Oct. 15. She was the lead soprano in Earl Carroll's Florida.

Mack Agcy. Buys Entire Time of WCAM, Camden, Unprecedented Deal Involves 300 Hrs., 20G Yearly

Get That Plug

St. Louis, Aug. 23. Jim All, who conducts the "Grandstand Mariners" program for KMOX, immediately after the last games of Sportsman's Park here, into a very big person last week. Fan was up to every angle of the game, and took up all of All's program. At the conclusion, All asked his subject his name. "Oh! I forgot to mention it. I'm Jerry Burns, the new Sportsman's Park announcer. Star-Times station that is being reserved for opening about Sept. 29."

Tough Tests For Short Wave in Cleveland Also Hard on Announcers

Cleveland, Aug. 23. Portable short-wave outfits are being given tough tests by WILK in two spots. First, a unique angle. Richardson yacht trophy race, which has never been aired, will give station a chance to try out a broadcast with 10-watt set on a sailboat for the first time this week. Second, a test of endurance. Neil Collins, studio's best sailors, were recruited to handle a preview of a sailing race on the first day. On the third day they will shift their portable to one of the off-duty yachts. Since big problem is how to keep the set from getting wet, they are strapping it to the mast and praying it won't storm.

WILK is also facing seven of its announcers to take leave of a young school in preparation for Labor Day's national air races at Cleveland airport. Through live coverage of the Airlines, radionen will be tossed into a transport plane Aug. 29 with Capt. Jack Knight as commander. Ship will fly over the Thompson trophy course of 300 miles, allowing announcers to try the lay of the land and descriptive data. Knight will give lectures on technical terms and facts of speed, race, and what will be aired by short-waver for a preview. Advance training idea came from John Vorpe, program director, who wants announcers to avoid worn-out adjectives and hackneyed approaches in describing air races.

Baldwin Co-Ordinating 3 WFIL Departments

Philadelphia, Aug. 23. WFIL is co-ordinating production, program sales and advertising by addition to the staff of E. J. Baldwin in newly-created post of program coordinator.

Baldwin comes from Niagara Falls, where he was an associate in the advertising agency of Baldwin, Urquhart Co. for five years prior to that he was with the Addition Vars agency in Buffalo.

KNX Sounds Off

Hollywood, Aug. 23. Columbia's new 50-kilowatt transmitter in nearby Torrance flashes its KNX call letters Sept. 1, the first time. Special half hour show from the site will be aired along with the Coast.

Three engineers, John Morris, H. Hicks and J. R. O'Reilly, are being transferred here from the east.

Friendly Gesture

Atlanta, Aug. 23. WSB, South's oldest commercial station, last week took time out for friendly beau geste in honor of WFLA, which is about to celebrate its own 16th anniversary. WSB was 16 years old March 15, this year. Local mill sidetracked its night-half-hour promotional "Welcome WFLA" program to extend a cordial welcome to WFLA.

Philadelphia, Aug. 23.

WCAM, Camden, N. J., in an entirely new deal, has bought all of its time for the next 10 years to a single advertising agency. Outlet is owned by the agency.

Deal, which involves \$200,000, was actually consummated in May. It had been previously reported as a lease agreement. That it wasn't a lease, but actually a deal for sale of time, was corroborated last night (Monday) by Aaron Heine, Camden attorney, who is one of the execs of the ad agency which made the purchase. Time will be resold.

Agency is the Mack Radio Sales Company. It was recently formed by L. M. Maxwell, ad exec, who is directing head of the enterprise; and Fred Mack, who is handling the Camden attorney. They have contracted for 1,300 hours a year of time on the station, but they are to pay \$20,000 a year in monthly installments.

WCAM operates 29 hours a week or 1,508 hours a year. The Mack agency holds first option on the remaining 2,000 hours, but for which it has not contracted. This may be sold by the city if Mack declines the option, but it has such there is no other sales for these hours are contemplated as usual timing time.

Outlet, airing at 500 watts on 1.28 kilocycles, shares time with WTNN, Trenton, and WCAU, Camden. City of Camden, as its part of the deal, agrees to keep the station's time on the station, but it will supply all technical help and other personnel needed for maintenance. Frederick S. Caperton will continue as station manager, while Bob Horn formerly publicly man, become program manager. Horn is now sole by a city employee, while Horn's salary is shared by the city and Mack.

KIRO SETS BAIT FOR POLITICS

Seattle, Aug. 23. Station KIRO (CBS) steps out ahead of the pack in a new bait for the politicians by offering each of those filing for office, county, state and national, letters outlining the basic political outlook time for their campaigns.

To some, without a penny to spend, it was manna from heaven, while others, in the money, instructed managers to put the station on the list for time-buying.

Loren B. Stone, assistant to "Stubby" Quilliam, gen. mgr. of the station, signed the letter.

Slagle Fies Chance On 'Lone Ranger'

Detroit, Aug. 23. John Slagle replaces Al Chance as commercial speaker on "Lone Ranger" program, which is being broadcast by Chance, chief announcer at WXYZ for past few years, goes to WBBM, Chicago.

KELLOGG CONTINUES Baseball Contest As Is, Although Spot Spots Cancelled

Chicago, Aug. 23. Even though it has cancelled the spot announcement campaign connected with the stunt, Kellogg is continuing the baseball popularity contest for the nine weeks originally scheduled. J. Walter Thompson, Kellogg's ad agency, explains a two-week cancellation clause had been inserted in all the spot contracts for the contest.

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WITH MEN WHO KNOW SHOW

CLAIM OF SERVICE
This is a full-rate Telegram or Cablegram, unless its contents are to be placed in a column shown on preceding page of this publication.

WESTERN UNION

SIGNS
DL - Day Letter
NL - Night Letter
DL - Day Letter
NL - Night Letter
DL - Day Letter
NL - Night Letter
DL - Day Letter
NL - Night Letter
DL - Day Letter
NL - Night Letter

NEIL F. AGNEW,
PARAMOUNT PICTURES, PARAMOUNT BLDG., NEWYORKCITY
FRIDAYS OPENING BUSINESS ON "SPAWN" IS LARGEST
OPENING DAY AND GROSS IN THREE YEARS. REGARDS.
FRANK NEWMAN

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SIGNS
DL - Day Letter
NL - Night Letter
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DL - Day Letter
NL - Night Letter
DL - Day Letter
NL - Night Letter
DL - Day Letter
NL - Night Letter

NEIL F. AGNEW,
PARAMOUNT PICTURES, PARAMOUNT BLDG., NEWYORKCITY
OUR TERRITORY NO EXCEPTION "SPAWN OF THE NORTH" SHOULD BREAK
BOX OFFICE RECORDS ALL OVER THE WORLD. CONGRATULATIONS.
CHARLES GRIEME, GRIEME AND FASKEN THEATRES

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WESTERN UNION

NEIL F. AGNEW,
PARAMOUNT PICTURES, PARAMOUNT BLDG., NEWYORKCITY
BELIEVE "SPAWN OF THE NORTH" WILL BE TERRIFIC FOR OUR SUBSEQUENT
RUNS. CONGRATULATIONS TO PARAMOUNT ON SUCH A BOX OFFICE PICTURE
JOHN DANZ, PRESIDENT
STERLING THEATRES

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WESTERN UNION

NEIL F. AGNEW,
PARAMOUNT PICTURES, PARAMOUNT BLDG., NEWYORKCITY
"SPAWN" WILL GET US A LOT OF BUSINESS. SENSATIONAL CLIMAX
THEM OUT OF THEIR SEATS. THANKS FOR THE MONEY GETTER
J. VON HERBERG, PRESIDENT
JENSEN VON HERBERG, CHAIR



Agencies-Sponsors

WGY, Schenectady new biz: conditioning trailers Corp., Youngstown, O., 13 quarter-hours of NBC Theatrical music, Sundays, through National Classified Advertising Service, Youngstown.

Kellogg Corn Flakes, 5 min., three evenings weekly, until Sept. 18, through Blackett-Sample-Hummert, Chicago.

P. Lorillard Co. (cigarettes), "Don't You Believe It" two evenings weekly, 15 minutes, Aug. 3-Oct. 28, Lennon & Mitchell, New York.

General Mills, 15 min., transcriptions of "The Happy Gilman," five mornings weekly, one year, through Blackett-Sample-Hummert.

General Baking Co., participation in WGY Household Chats, once weekly, until Oct. 5, through BBDO.

Firestone Tire & Rubber Co., "Voice of the Farm," quarter-hours at noon Saturdays and Sundays, Aug. 20 to Nov. 13, through Sweeney & James, Cleveland.

N. Y. State Bureau of Milk Pathology, 1 min. announcements, three times weekly, until Aug. 25, through J. M. Mathes, New York.

New York State Fair, 1 min. announcements, six days weekly, until Aug. 28, J. M. Mathes.

Aikay Diesel Institute, 1 min. announcements, to Sept. 27, through DeRouville, Albany.

John E. Cole (Mayonnaise and salad spreads), participations in Market Basket, four times weekly, to Oct. 8, through Chambers & Wiswell, Boston, Mass.

P. L. & W. Coal, 30 min. transcriptions of "The Shadow," Sunday afternoons, from Oct. 2 to March 28, 1939, through Ruthrauff & Ryan.

Albany Business College, announcements, to Sept. 20, through Leighton & Nelson, Schenectady.

Railway Express Co., 1 min. announcements, to Aug. 22, through The Caples Co., New York.

Uplate Personal Loan, participations in Market Basket, once weekly, to Aug. 9, through De Rouville.

KTW, Philly, new business: Philadelphia Dairy Products Co., Inc., airing temperature and weather

reports three times daily. Commercial plus Dolly Madison and Aristocrat Ice Cream. Placed through Scheek Agency, Newark.

"Keweenaw Automobile Club" of Philly will start 15-minute sports show on Thursdays, beginning Oct. 6, Barnes & Aaron agency, Philly, handling.

Philly Rapid Transit Co. using on-air spots during August. Placed by Barnes & Aaron.

John N. Dunham agency, Chicago, has placed one-minute spots for Williamson Candy Co., Mondays through Fridays, beginning Aug. 15.

Nalde Bakery, Norfolk, Va., taking 13 weeks of E. T. serial, "Johnny Lawless," Over WTAR.

WCAE, Pittsburgh, new biz: Pittsburgh Brewing Co., newcast 10 minutes five times weekly for 28 weeks beginning Sept. 15. Placed direct.

Dr. F. Phillips Co., daily participation in "Poly Entertainers" for two months. Placed direct.

Brent Cleaners, Inc., five-times weekly participation in Morning Express for one year. Placed direct.

Bear Bros. Baking Co., disc announcements twice daily six times a week for three months. Placed direct.

Gardner Nursery Co., renewal of five-minute morning spots daily for 13 weeks. Placed direct.

Wilson & Co., spot announcements twice daily six times a week to Aug. 7, 1939.

Florida Citrus Commission, daily station break seven days weekly for one month.

Key Preparations Co., a New York cosmetic firm, is form-letter positioning small radio stations around the country on directly peddling its lotions. Instead of being paid for the broadcast time, Key is asking the stations to take a percentage out on sales. Neither a new nor novel proposition, but one which has some interest.

Letter stations in part. "Here is our proposition. We will pay you (the station) 5c. on every 10c. trial size

Crooning Janitor

Philadelphia, Aug. 23. John Baldwin was busy polishing up the mike as part of his regular janitorial duties at KTW just week. And as he polished, he sang. Meantime, Jim Begley, program director, had gone into the control room and switched on the mike, just by chance. So Baldwin this week starts a 15-minute show of his own.

Still hanging on to his janitor job, though.

bottle you receive... 20% on every \$1 size bottle... 30% on all orders and reorders received direct."

Key is apparently leaving it up to stations to blurb the stuff in whatever way they care to. In the solicitation, however, stations are sent proofs of ads the firm has carried in the two New York tabloids, Mirror and News.

Duart Sales Co., Ltd. (face cream), through Howard Williams, has inaugurated a twice-weekly series of transcribed variety shows over KFRG, San Francisco. Contract for 13 weeks.

H. C. Capwell Co. (department store) of Oakland, Ca., through Tomtschke-Elliott, is spotting a series of announcements over a six-week period on KFRG, San Francisco.

Selma Products Co. (Ri-Muv) of Los Angeles, through Raymond R. Morgan, is sponsoring Charles W. Hamp, songs and piano, in five programs a week for 13 weeks over KSFQ, San Francisco. Hamp has been making personal appearances at local beauty salons to ballyhoo the series.

Florida Citrus Association (citrus fruits), through Ruthrauff & Ryan, New York, is using daily announcements for six weeks on KSFQ, San Francisco.

S. A. Sherer Co. (auto loans), through Smith & Bull, Los Angeles, signed with KFRG, San Francisco, for six daytime and three night announcements daily for one year, starting Sept. 1.

Industrial Training Corp., through James R. Lunke & Associates, Chicago, has placed its five-minute transcriptions, "The Camera Speaks,"

on KFRG, San Francisco, four mornings weekly through June 18, 1939.

Philip Morris & Co. (Paul Jones cigarettes), through the Biow Co., New York, is sponsoring John R. Hughes in "News and Views" twice weekly on KFRG, San Francisco, and KERN, Bureka, KQW, San Jose, and KDON, Monterey, Cal. Commentary is aired from KFRG at 7:15 p.m. Mondays and Fridays. Contract through BBDO, 1938.

Chalybeate Co. (antiseptic), through Rufus Rhoades & Co., is plugging its wares in 44 broadcasts over KFRG, San Francisco, through Nov. 25. Program is "Over the Teacups," presented by Almie Adams.

Peep Paul, Inc. (Mounds candy and Ten Crown gum), will sponsor Bob Garred in a daily five-minute commentary, "Oddities in the News," beginning Aug. 29 on KSFQ, San Francisco. Account is handled by Emil Brincher & Staff.

Sell-Off Manufacturing Co. (cleansers), through Hillman-Shane, will begin a Thursday quarter-hour program on KSFQ, San Francisco, Sept. 8, conducted by Fletcher Wiley of the Housewives' Protective League, Los Angeles.

Firestone Tire & Rubber Co., through Sweeney & James, is placing a transcribed program, "Voice of the Farm," on KFRG, San Francisco, once weekly Aug. 18 through Dec. 10.

Reebec is reworking a test for its new product in St. Louis for the fall. Lennen & Mitchell is the agency.

Sensation cigarette (Lorillard) has renewed for the "Don't You Believe It" stanza on Dee Lee and the McClatchy stations, effective Aug. 16.

Gearlite has taken series of daily spots for six-week period over WIND, Chicago, through Schwimmet & Scott agency.

Bovey's, Inc. (Dair-Rich) has taken "Terry and the Pirates" for first three days of week for 31 weeks, effective Oct. 10, over WGN. Arranged by Stack-Goble agency.

Royal Baking Co. of Raleigh, N.C., has purchased series of 12 recent programs of "Adventures of Ace Williams." Will start airing Sept. 3 over WFTZ. Sponsor also has chased Observer's club feature to

be used with commercials of "Ace Williams" program starting Sept. 12.

P. Lorillard Co. (Old Gold) will sponsor exclusively Chi Blackhawks pro hockey home games over WGN. Station has broadcast hockey games for past six years, but this is first time they have been sponsored. Bob Elson will narrate.

John Morrell & Co., Chicago, has bought "Bob Becker" for 13 Sundays, effective Sept. 11, over WGN. Arranged by Henri-Hurst & McDonald agency, Chicago.

Feltman & Curme Shoe Stores, Chicago, is buying recorded music from WMAQ, with Norman Ross handling commentaries and commercials. Has okayed Mondays through Saturdays from Aug. 29 until Sept. 24, and then switches on Mondays through Thursdays and Saturdays and Sundays. Account handled by McJunkin agency, Chicago.

"Music As You Desire It" has been renewed by RCA-Victor through Nov. 4, over WMAQ, Chicago.

Rudolph Werltzke Co. has signed for a Wednesday, Friday and Sunday 15-minute musical period over WMAQ, Chicago.

Communally Motors, Chicago, a 30-minute Sunday musical, Oct. 2, over WMAQ.

RCA-Victor has renewed for 13 weeks early morning "Musical Knock" show on KTW, Philly. Hour program written and produced by Tom Stone, formerly of WMCA, and gabbed by Lefroy Miller.

N. W. Ayer agency starting a fall campaign Sept. 13 for Lightolier, lighting fixture and lamp manufacturing concern in magazines and New York papers.

Mac Parker, commentator, has been renewed by Sylvan Seal Milk for 13 weeks on WCAU, Philly. He has been on for 13 weeks. Placed by Al Paul Lafont agency, where Parker is an account exec.

Bill Dyer, baseball player, linked to do nightly sports talk for George Washington Tobacco, on WCAU, Philly.

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NBC's Own Radio News

Lack of Publicity Outlets in Frisco Prompts Self-Plugging Programs

San Francisco, Aug. 23. — With radio columns still missing from local dailies, NBC's two outlets began airing daily quarter-hour programs of radio news this week. Led station, KFO, started its hour-long program (Monday) with a program labeled "On the Air" and scheduled at 12:30 p.m., six days a week. Similar series will be booked on KGO, Blue outlet, as soon as a desirable six-day-a-week spot can be picked. Both broadcasts will be written by Ira Blue, NBC commentator, who will prepare his copy with the assistance of the KGO-KFO press staff.

Extensive distribution of display frames of station personalities and names in a variety of sizes is being undertaken by Milton Samuel, NBC publicity head who last week arranged with Leo J. Meyberg Co., RCA distributors, to place KFO and KGO frames in 100 to 150 bookstores, Bakerfield, Cal., and the Oregon-California border. Displays are also being circulated among department and radio stores in San Francisco, Oakland and other bay district cities. Demand for the displays is heavy, but costs are being kept at a minimum, the KFO-KGO trailers doing their own art work in most cases. Only other local station to go in for such displays is KSFO, CBS outlet, but on a smaller scale thus far.

Johnson Quits WSAY For WOKO-WABY, Albany

Rochester, Aug. 22. Kenneth Johnson, commercial manager of WSAY since organization two years ago, quits to become sales manager for WOKO and WABY, Albany.

General Manager Gordon Brown takes over the WSAY commercial post and promotes Mort Nusbbaum, program manager, to general manager. Announcer Bob Webster becomes production manager. Nusbbaum will continue some of his program spots.

Another Bounces Radio

Bridgeport, Conn., Aug. 23. Stamford Advocate is the latest daily in Fairfield county to drop its radio column. Leonard S. Massell, editor, will devote time to other duties. South Norwalk Sentinel pulled radio pillar some months ago.

Gross' Law Serial

Philadelphia, Aug. 23. Joseph Gross, Philly attorney and radio speaker, is airing a new series on WFIL tabbed "The Human Side of the Law." With 30 years of courtroom practice behind him, he'll discuss actual cases and interpret them. Gross shot to radio prominence during the Hauptmann trial, when he was on three times daily to describe proceedings.

Want More Music

Philadelphia, Aug. 23. WFEN was forced by flood of phone calls and letters to return afternoon recorded band session to two and one-half hours after dropping it to one and one-half hours for three weeks. Show is run by Sandy Dwyer and tabbed "920 Club." Station several months ago tried interspersing discs with live talent. Clicked strong for a short time, but requests poured in for return to straight wax.

NBC INKS BEAUTY

St. Louis Aug. 23. Tommy Birch, beauty contest winner of Missouri, Kansas and Arkansas in 1934, and who entered radio as a blues singer at KWKH, has inked a five-year contract with NBC in Chicago. Several weeks ago Miss Birch tabbed for Annette King on the Breakfast Club and Club Matinee programs. She clicked and was tendered the contract after four days.

Carrie Lee and her Happy Valley Cowboys, from vaude, now doing nightly stint at WIP, Philly, John Paul Weber, of station staff, replacing.

Plenty Busy Now

New Orleans, Aug. 23. Ray McNamara, WVO-organist, broke his arm Aug. 17, but it did not keep him from going to work. After spending a day in the hospital, he showed up at the studio ready to perform his chores.

McNamara, now with only one hand and two feet, broadcasts three quarter-hour programs daily over the station.

Atlantic to Air Villanova Grid Games, Plus 6 Others

Philadelphia, Aug. 23. Atlantic Refining will again broadcast Villanova home football games on KYW this year. But inasmuch as there are only four Villanova contests, six outsiders will be aired by Atlantic on the outlet. They include four Cornell games, Georgia Tech-Notre Dame and Yale-Dartmouth.

Quota Confabs On Between Philly Stations and AFM; Nix WPEN Plea

Philadelphia, Aug. 23. Request by WPEN to American Federation of Musicians for a cut in the quota it was assigned for music was turned down last week. Under terms of the national agreement with AFM, all unaffiliated stations are required to spend 5 1/2% of their gross with a \$15,000 exemption allowed. This brings WPEN's quota to about \$30,000, or \$10,000 less than it was spending for music last year. Confabs between the stations and execs of the Musicians' Local will continue this week.

Negotiations have practically been completed at WDAS, which was able to win a reduction from the AFM. It will be required to spend \$7,000, also considerably less than last year. Musicians are demanding, in return for the exemption, a five-and-one-half-week period off in the summer. Conferences are also under way on contract for WIP, which is required to spend \$17,000 for music.

Difficultly there is in stations' demands for an extension of the current time. It wants to keep the musicians until 1 a.m. instead of allowing them to leave at 6 p.m., as at present. Inasmuch as station is spending less than other stations of its size in town, union has nixed the plea.

Confabs with WIBG, Philly, and WCAM, Camden, will start next week. Each will be required to spend only about \$800 a year, which will give them orchestras for half an hour twice a month.

Another 13 for 'Name?'

Phillip Morris cigaret has renewed for the "What's My Name?" quiz on Mutual, effective Sept. 19, for another 13 weeks, through the Biow Agency. Makes total of 39 weeks.

...DOTS ON A MAP...

distributors? • dealers? • warehouses? • markets?

To a radio advertiser they generally represent radio stations. Every radio advertiser would like to have more "dots" on his radio station map . . . but the limitations of his appropriation often restrict him.

If your program does not necessarily require Broadway and Hollywood big name talent, we believe you will find that, by using the talent and production facilities of WLW, you can add more stations . . . dots on your map without sacrificing caliber or quality.

If you haven't definitely decided on your program for fall, may we show you the savings in talent and production afforded by using a "listener tested" program produced by

WLW—THE NATION'S STATION

CINCINNATI

3d Annual CBC Program Conference Sets Cultural Uplift for Canada

Toronto, Aug. 23. — More radio time devoted to comment on current affairs, extension of symphony orchestra broadcasts, and the presentation of the musical and cultural backgrounds of various expatriated groups whose members are in the process of becoming "Canadianized," are three items that were set during the third annual national conference of the Canadian Broadcasting Corp.

With Gladstone Murray as chairman, conference attendees included regional directors from coast to coast, program supervisors, and directors of line departments. Toronto headquarters. Straight inside organization discussion included the submission of ideas by regional directors and suggested changes. These have not yet been analyzed.

Program schedules for the forthcoming fall season were constructed in skeleton during the conference. Important listings include a more extended symphony series and "Ventures in Citizenship," which will originate in Winnipeg and deal with the more savory odors emanating from the Prairies' frontier. The order to give full expression to conflicting points of view on matters of national and international importance, CBC will continue to sponsor a Sunday night "National Forum" series on current Canadian affairs in addition to the weekly presentation of an international roundtable discussion on world affairs. This will be an extension of the "Whither Democracy" series of last season. Among those attending the conference were Major Gladstone Murray, g.m.; Dr. Augustin Frigon, asst. to the g.m.; E. L. Bushnell, general program supervisor; George Taggart, asst. to Bushnell; Regional directors were: Frank Willis, Halifax, for the Maritimes; Rooney Pelletier, Montreal, for Quebec; Peter Aylen, Toronto, for Ontario and the Great Lakes region; Dick Claringbull, Winnipeg, for the Prairies; J. R. Bradford, Vancouver, for west of the Rockies.

Norman Cordon Set. — Hesse & McCaffrey have booked Norman Cordon, Met op baritone for the Lucky Strike stanza on CBC Sept. 3. Also Colonel Stoppagne for the RCA matinee on NBC Sunday (28).

It will be Stoppagne's second stand in this spot within four weeks.

Psychic

Regina, Sask., Aug. 23. — Don "Duckling" Dawson is in the doghouse around CKCK currently.

He made the prize announcement of the year when broadcasting the horse races. "And here, ladies and gentlemen, are the results of the next race."

Free Shows Will Draw More, Hurt More in Canada

Montreal, Aug. 23. — French-language radio shows again figure to cut into picture house grosses to an even greater extent than last year. With applications for admission growing rapidly, station CKAC figures to produce 15 studio shows this year, with calls for 15,000 free tickets weekly.

Estimates for last year show 500,000 attended French-language radio shows in Montreal, with thousands of requests refused due to lack of space. Additional studio space being arranged for now will allow for an attendance of 750,000 this year. Canadian Broadcasting Corp. is also expanding its studios, with possibilities that more audience shows will be produced this year.

63 HRS. IN 6 WKS.

Biggest time buy in short period for CJRM, Regina, was signed last week by reps of Rev. Oscar Lowry, evangelist disciple of Moody Bible School.

Calls for evangelistic campaign by radio Aug. 28-Sept. 2 and includes 43 hours in six-week period, mornings and evenings.

Alan Keith to do series of six broadcasts for British Broadcasting Corp. under title of "International Gala."

Canadian Expo's Spots

Toronto, Aug. 23. — Using a combination of transcribed dramas and spot news daily happenings, Canadian National Exhibition is using 10 five-minute spots, evening time, over WCAR, Cleveland; WHAM, Rochester; and WGR Buffalo. Tied off last night (Mon.). Placed through Cockfield-Brown Agency, Toronto.

AUSSIE TABUS PIX AIRCASTS

Sydney, Aug. 11. — Understood that Australian Broadcasting Commission will not air any more pic premieres. Majority of airings were featured on Sabbath and became fairly popular with the fans. However, districts burned up when their product didn't secure representation, and, finally, the A.B.C. decided to cut the pic stuff altogether. Has also been hinted that some exhibitors were not keen about pic going on the air prior to regular theatre premiere, figuring it's said, that some airings were decidedly harmful to the b. o.

Baudet May Become CBC's Music Director

Montreal, Aug. 23. — A change in the musical setup of Canadian Broadcasting Corp. is reported under consideration and may be effective before long. Musical activities are currently directed regionally. Understanding is that a general musical director to govern production for the whole of Canada is to be appointed.

Leading possibility for the position is Jean Marie Baudet, musical director for CBC in the province of Quebec. He is now in Europe closing deals for exchange programs with foreign governments.

Extending Quiz in Can.

Montreal, Aug. 23. — J. Walter Thompson agency is planning "True or False" transcriptions on eight more stations, mostly in western Canada.

Live show was formerly piped directly to CFCF by Mutual. Will now be fed to CFCF through NBC Blue.

Swing for Igloos

Ottawa, Aug. 23. — Even the Eskimos and the Indians of Northern Canada can't get away from it, namely radio. Dominion Department of Mines and Resources, Ottawa, has established a station, operating on shortwave at a fixed frequency of 4,324 kilocycles, at the government residence station near the Mackenzie River Delta in the Arctic Circle. Equipment will get its power from a windmill charger.

Not only will the natives be able to obtain regular programs but the unit is intended as a means of communication. Especially during the annual periods of break-up and freeze-up, when travel by land or air over extended distances is not possible in the Northwest Territories.

BBC Experiments With Ultra-Short Waves For Greater Sound Accuracy

London, Aug. 16. — Due to exceptional reproduction obtainable that way, B.B.C. has been to adopt ultra-short waves for permanent broadcasting, especially of serious music items and on which sound accuracy is vital. Start has been made by putting symphony concerts on sound waves of television transmissions, and results have been so outstanding it is thought system should be used more regularly.

Idea was first adopted as compromise for radio fans, so that in between picture broadcasts they could tune in on big classical music programs, which were being sent over normal B.B.C. radio wave lengths. Example was six Toscanini recordings earlier this year and now sections of B.B.C. regular series of pop "Promenade" concerts, conducted by Sir Henry J. Wood, are being plugged into the short wave band between eight and nine each night.

Snag to unlimited extension of proposal is international agreement on frequency organization. B.B.C. restricts short waves to television. Same other band, however, is allocated to radio amateurs who must be driven completely off the air if regular broadcasting overlapped too frequently. For previous experiments, B.B.C. has easily obtained permission to try short waves, but there would be opposition if B.B.C. wanted regular use of them.

Aussie Gab

Sydney, Aug. 13. — Dr. Malcolm Sargent has arrived to conduct a series of orchestra concerts for the Australian Broadcasting Commission.

Understood that all commercial units are pressing government to extend licenses from one year to five years. Officials are mulling the proposition.

One of the most popular weekly features handed by 2UW, Sydney, covers wrestling from a local stadium with Yankee grapplers. Andy Angley and Johnny Wheeler handle the mike stuff.

Six stations are going in for more news, having from local concerns handling Yankee transcriptions. Find it cheaper to run wax than to engage live talent.

RCA's Toehold

Montreal, Aug. 23. — RCA is cutting into the radio equipment field in Canada, formerly dominated completely by Canadian manufacturers. Hookup of Canadian Broadcasting Corp. with NBC has provided an opening wedge for sale of station equipment to CBC and other radio stations by RCA-Victor of Canada.

While the bulk of servicing of radio stations is still held by Canadian manufacturers, RCA is reported to have made considerable headway in the past year.

Harry Conn will dish up the gags for Jack Haley on his new Wonder Bread series.

BULL MARKET IN SASKATWAN

Regina, Sask. Aug. 23. — With harvesting in full swing and prospects for first heavy crop in eight years, advertisers are fighting for time on Saskatchewan stations. Programs aimed at farmers are particularly sought, with calls mainly for "homey" stuff.

Lack of time available is proving biggest problem. Market hasn't been so bullish in years, despite heavy grasshoppers, hail and low wheat price.

BBC and CBC Work Out Personnel Interchange

London, Aug. 16. — Lance Sieveking, act producer at B.B.C., is to take a spell of six months duty with Canadian Broadcasting Commission starting in October. BBC and CBC have worked out plan whereby personnel may be interchanged.

More Discs

Montreal, Aug. 23. — "Light Up and Listen Club" program, series of transcriptions made at NBC studios in N. Y. by American radio performers, sponsored in Canada by the Imperial Tobacco Co. has taken so strongly that an additional 25 transcriptions are being lined up. Vic George has been in N. Y. lining up talent for the production program. It is to be continued indefinitely over a network of 37 selected stations.

In England

Walter Rummel, American pianist, appearing in Promenade Concert series for first time since 1923.

Dennis Van Thal elected to organize orchestra for television transmission from Hollywood, B.B.C. Television orch. being on vacation.

How the Mounties always get their man will be basis of dramatic program Howard Ross is to air on home and Empire programs Sept. 8.

NEW G.A. STATION

Jackson, Miss., Aug. 23. — Crew of workmen are busy erecting a 175-foot antenna to be used by a Standard Life Insurance Co.'s new station here, WSL.

Studios of the station, which will broadcast on a frequency of 1420 kilocycles, using a power of 250 watts in the daytime and 100 watts at night, will be situated in the Standard Life building.

HOCKEY, 'NEWS' SET

Regina, Sask., Aug. 23. — Imperial Oil's hockey broadcasts are due to hit Canadian network about Nov. 1, according to advance bookings. They'll run full every Saturday night 28 weeks. CBC will also start up Maxwell's show, "Good News of 1928," from Hollywood starting Sept. 29.

Paul Rickenbacker back in production harness to handle Chas. & Sanford show while Cal Kuhl loaf.

as popular as KLLZ
in the homes of the Denver-
in the Mountain Region and
Rocky Mountain Region and
No. 1 in your field
KLLZ • DENVER

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VISION PROGRESSES ABROAD

TELEVISION SETS AT \$150, NEW LOW

London, Aug. 16.
First fruit of intensive drive by radio manufacturers to popularize vision is appearance of a cheap television receiver, priced \$150.
Limitation of first cheap set is its picture size, now very little above half that of present standard tele receivers. Actual dimension is seven and one half inches by six inches, slightly larger than a picture postcard. Whole installation, though incorporating same internal gear as standard equipments, is of a more homey size, being about half that of an average console model radio.
Same manufacturer is also offering superior type with all-wave reception at \$225, also below price of cheapest standard vision receivers.

National Broadcasting Co.-Radio Corp. of America resumed its series of experimental television broadcasts yesterday (Tuesday) and will continue for the next four weeks. Schedule calls for televised programs lasting 40 minutes every Tuesday and Friday.

Since these television programs were halted a couple of months ago, engineering staffs of the two companies have made progress in improving the television image. It is reported. Image is no larger but more satisfactory to watch.

Stapleton, who clicked at the Dorchester hotel, are to televise for BBC. Oper at Palladium Aug. 29.

Canada Unit Sales Up In June, but Behind '37

Washington, Aug. 23.
Radio sales by U. S. makers to dealers in Canada during June numbered 10,385 units valued at \$763,812, compared with only 6,374 units valued at \$494,638 in May, Commerce Department attache reported.
Total sales for first half this year, however, set at \$4,356,453, under corresponding period of 1937, when total was \$5,275,658.

DAN-SYLVIA' TO AIR FOR FLOUR IN CANADA

Toronto, Aug. 23.
Canadian rights to 'Dan and Sylvia' family serial, have been bought by Maple Leaf Milling Co. Transcriptions total 78 episodes, with schedule, commencing Sept. 12, calling for three a week, mid-morning time, over 21 Canadian stations for the playing of Maple Leaf Flour and Monarch Flour. Promotion and merchandising by Cockfield-Brown, Toronto.

Line-up includes CFXY, Charlotte; CHNS, Halifax; CIBC, Sydney; CFB, Fredericton; CHSJ, St. John; CFBC, Kingston; CBO, Ottawa; CKSO, Sudbury; CFB, Toronto; CKLW, Windsor; CFAR, Pin Point; CKY, Winnipeg; CKCK, Regina; CFQC, Saskatoon; CFAC, Calgary; CJO, Lethbridge; CJA, Edmonton; CFCF, Grande Prairie; CKOV, Kelowna; CJAT, Trail; CBR, Vancouver.

Sydney Vivian and Harry Howard celebrate their 21st birthday in BBC's Sing Song program Aug. 27, when they do their 21st broadcast.

FRANCE, GERMANY SHOW SUCCESS

Hutchinson, NBC-RCA Program Director, Says European Progress Is Ahead of U. S. Television Experiments — Fee System Makes It Possible

4 TO 6 CAMERAS

Returning to U. S. last week after six weeks in Europe, T. H. Hutchinson, television program director for NBC-Radio Corp. of America, expressed frank amazement at strides already taken in television by both France and Germany. Although such progress acknowledged is possible at present time only in countries having a fee per radio set system, nevertheless, the RCA-NBC program official confessed that both Germany and France had gone ahead farther than he even dreamed.

Hutchinson, who was sent by his company to see what was being done in television, especially along program lines, in England, France, Germany and Holland, indicated that European nations had to locate a vast source of coin supply to carry on television tests, or experiment with any degree of success. Germany, England and France have a system whereby the owner of each radio

(Continued on page 35)

Imp. Tobacco Shelving 'Canada 1938' Program

Montreal, Aug. 23.
Reported here that the 'Canada 1938' program has been definitely shelved by the Imperial Tobacco Co. and that no major radio production will be on the air this fall under the tobacco sponsor. Understanding is that a new Imperial Tobacco production will be lined up for winter and spring planning.

Plans at present are for a different type of production, although a large orchestra will still be used. Will also have a new tag.

2 MORE CBC EXECS GETTING EDUCATION

Toronto, Aug. 23.
In accordance with new policy of Canadian Broadcasting Corp. two important staff transfers, effective October 1, will see Peter Aylen, station manager of CBL, Toronto, and J. R. Bradford, manager of CBR, Vancouver, switching posts on that date.
Idea is to broaden CBC execs on national outlook.

Mont't's Barn Dance

Montreal, Aug. 23.
'Red Devils' hill-billy musical sustainer on CKAC for the past four months, has been booked into an extended dancehall by the station. Program will be broadcast from the hall. Public is charged admission to dance.
CKAC plans to send the show out as a unit to tour the provinces.

COMMONWEALTH IN AUSSIE ADDS 2 STATIONS

Sydney, Aug. 11.
Commonwealth Broadcasting Network, Albert-Doyle combo, increased its chain to 22 by taking in stations in Perth, western Australia, and Hobart, Tasmania. Ace station is 2UW, Sydney. Understood following huddles, that other stations will be added from time to time. Frank Marden is managing the chain under Frank Albert, music publisher, and Stuart Doyle, formerly boss of Greater Union Theatres.

Albert-Doyle also control Fidelity Radio, a unit distributing mostly American transcriptions. Has been hinted that try may be made with own productions in the near future with home talent and an imported producer. But for the time being waxes from the U. S. are main source of revenue. Laurie Nunn is in charge of Fidelity.

Mex Biz Peak in '37

Mexico City, Aug. 23.
Radio business was at its best in Mexico last year, when \$2,500,000 of apparatus was imported, 85% from the United States and the rest from Germany, Holland and Belgium.
This trade represented a 65 per cent increase over that of 1936.

BBC to broadcast John dos Passos' 'The Garbage Man' in October or November.

KING GEORGE IS IN WASHINGTON, TOO



THERE are nearly three-quarters of a million people in Metropolitan Washington. And Washington has the greatest average purchasing power of any city in the world. But that's only part of the WJSV market. The other 1/3 is outside the city—farmers and workers, business and professional men...buyers of things to eat and wear and use in such thriving towns as King George, Virginia... in the busy centers of fourteen counties of

three states and the District of Columbia. Either of the major Washington network stations covers the city (two-thirds of the market). Only WJSV covers all the market. WJSV provides 67% MORE coverage in the outside area of the Washington market than the next ranking Washington station! All Washington is a top-flight market now. And WJSV provides the only one-station coverage of all the rich Washington market.

WJSV 10,000 WATTS • WASHINGTON, D. C. • A CBS STATION
Owned and operated by the Columbia Broadcasting System. Represented by Radio Sales:
New York, Chicago, Detroit, Milwaukee, Birmingham, Los Angeles and San Francisco

Visio Progress Abroad

(Continued from page 33)

net pays a fixed amount monthly, or weekly, to the government.

In Germany, he found television approaching a pictorially perfect stage, even with sets using image tubes 20 to 26-inches in diameter. This was possible because of enormous research done to develop a glass capable of withstanding the terrific pressure. Hutchinson said visible in the room housing the giant tube apparently felt safe from any danger of its exploding.

Projection tubes developed in the country produced an image on a 12-by-14 foot screen comparable to that used in small theatres. While this is not perfect, it gives a satisfactory impression, comparable to 16-millimeter projection, after on the screen about 50 seconds because of action in televised picture. All televised programs he saw in Germany were in black and white. This has been made possible because German industry has spent millions working in cooperation with four great materials. Hutchinson said that there were 10 to 12 different types of tube models on display when he was there.

France on Par With Reich

Although France has just standardized its television system, it is running neck and neck with Germany's as far as perfection in televised pictures is concerned. Hutchinson found an independent company most actively engaged in developing sight-and-sound broadcasting and operating through an interchange of patents with EMI System (through RCA patents) and Telefunken, German patents. Scene taken outdoors while a heavy rain was in progress amazed Hutchinson in the facility of both sound and light reproduction. Best screen image was about 9 by 12 feet in size, being comparable to 16-mm. film projection.

The indie firm hopes to expand to such an extent that it will be able to sell out to the government. It possesses a radio transmitter, with an EMI camera in use, but needs to improve studio facilities, and to fade in and out on different scenes. He witnessed a 100-minute presentation of "Julius Caesar" done in modern dress.

2 Hours Daily

Programs are broadcast two hours daily, excepting Saturday, when televised broadcasts run three hours, and on Sundays, when they operate one and one-half hours.

In Germany, he found that under a new setup, six cameras would be used in the television studios. Country employs the standard cell-line system. Germany expects to have three transmitters operating that fall, one in Berlin, another in Leipzig and a third in another key city. These will be hooked up by optical cable. Much of the money collected from radio set fees is being put into television in that country, he found, because of the great potentialities for Federal propaganda.

France has a program out of Paris for two and one-half hours daily now, programs being part studio shows and partially made up of films.

Only independent commercial company interested in television in England is the Phillips Co., also active in radio. Although the firm admittedly would like to do something with television, it sees no possible way of making money with it now. As a consequence, all the Phillips Co. has done is to place sight-sound broadcast outlets on trucks and send them around to country fairs. It uses only small, but highly efficient tubes and makes no

effort to maintain program service. Only way television in U. S. will be a paying proposition, he is limited, will be via some sort of Government grant, or fee system, not unlike that in vogue in Europe.

BBC's Second Stage

London, Aug. 16. With BBC speeding up on television and due to have a second stage in operation at Alexandra Palace by early October, rate of progress is still not fast enough for those who want everything at once. Certainly BBC is working to a steady expansion plan, but without any clearly designed course, preferring to take its line from insistence of immediate demands and from recommendation of the governmental Television Advisory Committee. Latter body appears to be content to wait proof of public demand without anticipating it, and another fact seemingly is government anxiety to fully test potentialities of the London service before extending transmissions to the sticks.

Current visio extensions include

OFFERS RADIO STUDIO FOR AFRA CONVENTION

St. Louis, Aug. 23. Al S. Foster, general manager of WEW, has tendered the use of the station's 1,200 seat auditorium, the largest of any radio station in the burg, to AFRA for its use during the first national convention to be held here starting Nov. 14. In his offer to Don Phillips, president of the St. Louis chapter, Foster said delegates to the convention might use the auditorium either as a convention hall, headquarters, or for any other purpose.

Phillips accepted the invitation with the reservation that the Arrangements Committee may decide to hold its meetings at one of the downtown hotels. He is awaiting word from national headquarters in New York.

opening up the second stage at A.P. elaborating a cable network throughout London for picking up outside events; provision of a second mobile unit for same purpose; and purchase of a sound truck for obtaining film material for background and mixing.

Paine Warns Pubs ASCAP Will Not Clear Unfiled Songs for Broadcasting

American Society of Composers, Authors & Publishers will not clear any musical work for broadcasting unless a complete record of the composition has been filed with the performance rights combine by the publisher involved. John G. Paine, ASCAP gen. mgr., advised the publisher membership along these lines last week by circular letter.

Paine explained that it was necessary for the Society to take this stand in order to protect station licenses from any possibility of an infringement suit. Publishers have made it a practice of giving performers permission to broadcast a work that they (the publishers) intended publishing, but without filing data on the number with ASCAP. Since this habit has increased to major proportions, Paine figured that there was every chance of running into a serious legal snag. Most broadcasters check with the Society

when their program departments are faced with a new musical number and once ASCAP okays its use that organization faces all responsibilities in case of a suit. Paine pointed out in his letter that personnel at ASCAP have in the past tried to co-operate in clearing such unfiled works, but the mounting frequency of the requests has made it impossible for the organization to continue safely along this line.

Ryan Tries for Record

F. B. (Barry) Ryan, Jr., who had his appendix removed last Tuesday (16), is expected back at his desk at Ruthrauff & Ryan in N. Y. next week. It'll be a record recuperation, if he makes it.

Operation was performed in the Orange Memorial hospital, East Orange, N. J.

304.7% MORE

During the week of August 14, WSAI actually carried 304.7% more national and local spot quarter hour units than the OTHER TWO LOCAL NETWORK STATIONS COMBINED! We believe this is significant because it indicates that local advertisers, when unrestricted by network affiliations, have developed a tremendous preference for WSAI. WSAI continues its lead. Of the local and national spot quarter hour units carried on the three local network stations in the past four months:

IN MAY ... WSAI carried 57.8% more than station A and 136.8% more than station B

IN JUNE ... WSAI carried 106.2% more than station A, 661.5% more than station B and 62.2% more than stations A and B combined

IN JULY ... WSAI carried 320.0% more than station A, 281.8% more than station B and 100.0% more than stations A and B combined

AUGUST ... WSAI carried 962.4% more than station A, 553.8% more than station B and 304.7% MORE THAN STATIONS A AND B COMBINED

All the above tabulations are the result of one checked week in each month. The question may be raised that WSAI's wide margin is gained only because of the Wheaties and Socony Vacuum baseball games. Again for the purpose of clarifying this situation, here are the figures with baseball games excluded ... WSAI carried 362.5% more local and national spot quarter hour units than station A, 184.6% more than station B and 76.1% more than stations A and B COMBINED!

WSAI CINCINNATI

NATIONAL SPOT REPRESENTATIVE TRANSAMERICAN
NEW YORK CHICAGO HOLLYWOOD

In Baltimore, it's
ON THE NBC RED NETWORK
NATIONAL REPRESENTATIVES
EDWARD PETRY & CO.

Background Buzz

EAST

Noia Luxford, Coast radio producer and former fashion technician for films, arrived in N. Y. last Friday (19).

Tod Swan, recently with United Press, back at station WNEB, N. Y., on gab brigade. Covering Jimmy Riner's trial.

"Singing Lady" dropped from Kellogg sponsorship, or NBC-WEAF, Aug. 11. Kellogg's "Don Winslow of the Navy" moved into 5:30 p.m. daily (except Sat. and Sun.), spot formerly occupied by "Lady." Latter goes on sustaining basis when she returns from vacash next spring.

Rita Lorenz, torchy chirper, linked up with WFEH, Philly, for two 15-minute spots a week. Works with duet, consisting of Rose Gross, organ, and Tommy Smith, piano.

Stanley Moderski, sports gabber, and Dick Shipps, panelist, at WFEH, Philly, retiring in Wildwood, Pa. WATR, Waterbury, Conn., feeding 10 hours, total of 45 shows, weekly to Connecticut Broadcasting System affiliates. WELI, New Haven, and WNBC, New Britain.

"Stories in Song," with Fred Wade, Bernard Mullins and Harold Koh,

resumed at WTIC, Hartford, for Mablette Iron Fittings Co.

Luttrell Roland and wife, Hope Decatur, heads of drama department at Skidmore college, authoring a new play, "The Career of Given Baker," serial based on the theatre.

J. G. Gude, station relations department executive with CBS, back from Martha's Vineyard.

Elise Carol, director of the "Woman of the Year" show, back at WCAU, Philly. Resumes daily airings this week after extended vacation in the west.

Sottball team at WCAU, Philly, co-captained by Alan Scott, commentator, and Bill Dyer, baseball player, heads for Reading Friday (26) to meet the Carpenter Steel Co. aggregation. Both teams undefeated.

George Thomas, gabber on WCAU, Philly, returns to mike this week after four-week rest due to emergency appendectomy. He was stricken at the studio.

Dorothy Rosenberg, one of Three Sophisticated Ladies, on WCAE, Pittsburgh, and Phillip Latimer married Sunday (21).

Grand Slam Revue is title of new NBC variety program, which KDKA, Pittsburgh, will feed to NBC-Blue every Tuesday afternoon.

Announced 28 Schaughency in charge as m.c. and will also supervise casting, scripting and production.

Ches Slater, barehoused pianist, added to talent staff at WFEH, Philly. Buddy Nugent and Harriet Versall, chirpers, also new to outlet's "Evening Varieties."

Robert F. Shield, Pittsburgh boy and recent graduate of Ohio State school of journalism, has been added to announcing staff at KDKA.

He takes over the vacancy made when Bill Seal was elevated to continuity department, replacing Robert Saudik, who goes to New York as assistant to A. B. Nelson, sales chief for the NBC Blue network.

Ralph della Selva has moved his "Connecticut Hall of Fame" celeb guest show, from WREX, New Haven, to WTIC, Hartford.

Doris Peck, songstress, back at WNBC, New Britain, after recovering from auto accident hurts.

Paul Shepard has been set for a 15-minute series over WHN, New York, Tuesdays through Fridays, with Irving Aaronson's orch. She was formerly on the Broadway Melody Hour over the same station.

Hal Chase, Jr., has left station

WGC, New York, to join sales staff of E. V. Brincherhoff & Co., transcriptioners.

Pat Rossi, formerly vocalist with Phil Napoleon's band, given Tuesday and Thursday a.m. sustaining spots on station WJMA, N. Y. Fern Scull is accomp. organist.

Victor Poulson is writing and acting as N. Y. sales agent for George Miller Productions of Detroit. Miller is former vaudeville, but now a comedian.

Joe Tucker, sports announcer at WJLA, Pittsburgh, has been named a deputy boxing commissioner for the state of Pennsylvania.

John Finke, solo pianist and accompanist at WGY since 1931, has been assigned to freelance in New York.

Joseph Kanna, formerly of WELI, New Haven, Conn., and Elliott Coe, formerly of WNBC, Auburn, N. Y., are new additions to the announcing staff at WOKO-WABY, Albany.

WEST

Martin B. Kiebert, left last week for WCC in Seattle, left last week for Washington, where he has been assigned to the broadcasting division there.

Tom Symons, owner of KKL, Portland, some time in Seattle, bringing back a new show.

Way Hurley, continuity head of KOMO-KR, Seattle, is having his fourth book published, "The Radio Patrol."

Bob Ackery, publicity man for KOMO-KR, Seattle, left last week, Sept. 1.

Sam Runyon, residing up in the high Sierras for the rest of the summer.

Felix Mills does double duty for Silver Theatre ops. He composes original scores and conducts.

Virginia Verrill landed the vocal spot on Jack Haley's Wonder Bread show.

Bob Ernst moved up as production chief at KMTV (Hollywood).

Gogo Delys and Frank Hodek's orch doing a new quarter-hour turn, "Who Sang It?" on Coast NBC link.

Tom Revere ducked ast after checking upon Benton & Bowles Coast organizations this fall.

Howard Smart east to shake up some interest in revival of the new lyrics, an old Coast fave.

Syd Dixon, NBC's mighty nimbler, bagged two bucks, one weighing 28 pounds dressed.

Eddie Cantor has to take a rest from his European vacation.

John Conte will handle commercials for Burns and Allen when they tee off for Chesterfield.

Jimmy Saphier making his headquarters in L. A. for a few months.

Kenneth Tinkham, KMTV (Hollywood) manager, petitioned court for a washup of his debts.

Dorothy Lamour asked labor commission to arbitrate her difficulties with NBC artistic service.

Denise Danks finally got away on his vacation, delayed since June because of steady influx of fan letters from the east.

Don E. Gilliss, vice-president in charge of NBC's Western Division, spent several days in San Francisco last week on his way to his executive assistant Lew Frost due there this week from Hollywood.

Manager Wilbur Eickelberg of KPRC, San Francisco, planned east last week for confabs with Mutual execs in New York and Chicago.

Lloyd Voyer, manager of KGO, San Francisco, moved to his residence today to Belvedere, where he and his wife Yoder have purchased a home.

Lucille Kirtley, soprano, is auditioning for Betty Kelly on NBC's "Woman" Magazine of the Air shows from San Francisco while Miss Kelly vacabes.

Hal Burdick, author of "Dr. Katz" serial sponsored by Sperry Flour Co.

Inside Stuff—Radio

(Continued from page 26)

announcing stipulation with Norelne Corp., Los Angeles, to stop using this ballyhoo for its product called "Tuy-Ban." Respondent also agrees to stop claiming product will reduce fat without diet or exercise, or that it will add beauty to body, skin or eyes.

Telegraph companies got only crumbs from broadcasters' table during 1937 according to analysis of financial reports compiled by the Federal Communications Commission. In contrast to the six-figure income of the telephone trust from charges on land-lines, Western Union took in mere \$15,000 through leasing wires to link transmitters and Postal, the rest of the small carriers, got nothing.

Because radio editors in Frisco are now almost as scarce as the red dirt, Bill MacBride, of the Pasadena Independent, was treated to a royal reception by local facks when he arrived there last week for a week's vacash after a nine-year absence from the city. Radio p.a.s, to whom entertaining newspaper scribbles is becoming a novelty, really went to town on MacBride.

Lou Little, Columbia U's football coach, is being offered to sponsor his bid in a program package with a \$500 tag on it. Offered along with Little is John T. Casey, who handles him for the ozone and works with him on it, plus a weekly guest spot on a football background. Last season Little did eight weeks on Mutual for American Chicle.

Jack Berch Got-Together on Columbia was cut last night (Tues.) from a half hour variety show to 15 mins. of songs and pop tunes to allow spotting of a speech by James A. Fay, former chief resident in New York City. S. J. Intemann, radio p.a., answered questions made by Representative John O'Connor against President Roosevelt.

Roland Bradley, former eastern radio announcer and director, shipped as a deckhand on an oil tanker bound for San Luis Obispo, Cal. From the interper headed for Seattle where he is to join the University of Washington faculty in the music department.

Ed. Lasker to Coast

Edward Lasker, radio head of Lord & Thomas, leaves Monday (26) for a six weeks stay in Hollywood. This period will take in the debut of the Peapod show starring Bob Hope.

Skinny Ennis has been set as the show's maestro, with Connie Boswell under negotiation for the chief vocal assignment. There will also be guest artists.

MIDWEST

Harris Owen has been named musical director of KADZ, Little Rock. Jerry Hoekstra, director of Public Affairs Dept. KMOX, St. Louis, grabbed Earl Robertson, who is in hand in building ship flown across Atlantic by "Wrong Way" Corrie, for an interview and followed up on two programs at airport when Corrie reached here to be launched by natives.

KMOX, St. Louis, has started a new children's program, with Joe Karnes, singer and pianist, as "The Music Man," and Emory Kosser, of dramatic staff, as "The Me in a Story Lady." Program, a 15-min. container, hits air on Tuesdays and Thursdays at 6 p.m. and Saturday at 11 a.m.

Executives Club of St. Louis had Arthur Chase, production manager, KMOX, St. Louis, as guest on Station WGVA, Indianapolis, has taken on Ed. McGaughlin, former of WHK-WCLE, Cleveland, as general sales manager. New studios will be formally opened during September.

Ross Mulholland, John Reynolds and Don Pauey added as gabbers to station WTKR, Charleston, S. C., affiliate.

Miss Olivia Kelley doing weekly broadcasts on Kindness to a special broadcast on WHKC and WOST, Columbus.

Evelyn Porter, of the WLV-WSAI executive office, Cincinnati, has announced her engagement to a radio. Wedding date not yet set.

WENDELL HALL

Radi's Originator
TWO VOICES SAM AND HENRY
THEY ARE THE ONLY
BRAIN NO MORE YESTER
VARIETY HOUR
COMMUNITY NEWS

Address: 4321 N. Pauline St., Chicago



Mgt.: LOU CLAYTON

LUCKY STRIKE
HIT PARADE
Saturday 10 P.M. EDT
CBS Network
FIFTH SERIES
CARL HOFF
and
Starting in October
with
AL PEARCE
and
GRAPE NUTS
Mgt. MCA

THE O'KELLS
By JUNE WEST
NOW READY IN FIRST EDITION
FAMILY GINGER YOU WANT
AUTHOR: JUNE WEST • ILLUSTRATIONS: JUNE WEST
Presented by Ivory Soap 99% fat pure

LISTEN TWICE DAILY
NBC Red Network, 12:15 to 12:30 P.M. DST
CBS - WABC -
IN COAST TO COAST
MGT. DR. COLFORD-ADVERTISING AGENCY
INC. WOLFE-RING BLDG. NEW YORK CITY

THE SMOKING MANS
BABS • CHARLIE • LITTLE
Beginning 3rd Year of Starring in
TUMS "Vocal Varieties"
WLW and NBC Coast-to-Coast
Thanks to
WLW AND THE H. W. KASTOR & SONS ADVC. CO.
Starting New E. T. Series for TUMS August 25
Also Starring in the New
"Musical Steeplechase" Show on
WLW AND MUTUAL BROADCASTING SYSTEM
Wednesdays 8:00 P.M. DST

All Adds Up to Minus

Several talent agents, while waiting around in the anteroom of an advertising agency last week, got to discussing the negotiating technique of John U. Reber, v.p. in charge of radio for J. Walter Thompson, and in time agreed that he used the same approach in all dealings. Reber prides himself on being a close buyer, and the only time he feels hurt is when somebody suggests that a certain act could have been bought for less.

According to the agents, Reber's technique for haggling resolves itself down to the following three points:

1. The performer, or the act, is either (a) lousy or (b) not so hot.
2. The performer, or act, doesn't mean anything and will never get any place in radio.

3. Offers half of what has been the performer's regular salary, or the price quoted by the agent.

From that point on the question of who packs the greater bargaining stamina, the agent or Reber. In one recent instance, an agent asked for \$750 and was told before he went in to see Reber that he would be offered \$450. Before long, this agent found himself vigorously arguing for the \$450 that he knew Reber was going to quote him.

Kids' Procter Memorial

Cincinnati, Aug. 23.

For the second time within a month, WKRC will originate a half-hour show in the Children's hospital Thursday (28). Talent from the station's roster will give patients cheering on nursery and pop tunes. Encore program is by suggestion of the widow of William Cooper Procter, late president of the Procter & Gamble Co., in memory of his birthday anniversary.

KSD APPEALS FCC DECISION

St. Louis, Aug. 23.

KSD, owned and operated by the St. Louis Post-Dispatch, p.m. rag, has filed an appeal to the United States District Court from the decision of the Federal Communications Commission, which denied the station full time on the air. Station is seeking to secure for itself the time now allocated to KFUP, operated by the Concordia Seminary. Both stations have divided time on the 550 k. frequency since 1924, with KFUP broadcasting at intervals during the day.

In its notice of appeal, KSD charges the evidence in the record is legally insufficient to support FCC's decision in denying the station's application for full time. Publishing company also contends that the findings and conclusions of the commission are insufficient to cover and decide the issues herein, and insufficient to support the decision rendered, and do not fairly report or represent the evidence in the record, from which the ultimate facts are to be deduced, and are arbitrary and capricious.

KSD further alleges KFUP is a purely religious station, serving, and intended and financed to serve only the interest of the Evangelical Lutheran Synod of Missouri, Ohio and other states.

14 outlets of the blue network. On Oct. 1, six more will be added on electrical transcription basis.

Stations on Temporary Extensions Kept Squirming by New 30-Day OK

Blushing Pink

Victor Ratner, KBC sales promotion mgr., last week paid out a bet with a pair of pink shorts. Recipient was E. P. H. James, who holds a like title at NBC.

Incident that led up to the pink shorts took place several months ago. James had made the statement that NBC's method for determining station coverage was more conservative than the one used by Columbia. Victor challenged the assertion and said that he would give James a suit of clothes if he could prove it. James in due time gathered data to support his point, but Ratner held that the proof wasn't complete, and compromised on the pink shorts.

Washington, Aug. 23.

Flock of radio broadcast stations still operating on temporary permits from FCC, on anxious seat for months, were kept right there last week when commission gave KFOX, Long Beach, Cal., another 30 days extension, also on temporary basis.

KFOX treatment apparently is continuance of commission's policy of temporizing with internal feuding over handling listener complaints. Back in May, two commissioners, Craven and Sykes, thought KFOX was entitled to a regular renewal.

Granted license renewals for regular period last week were: KARK, Little Rock; LPDY, Brookings, S. D.; KQHL, Billings, Montana; KOMO, Seattle; KSAC, Manhattan, Kansas; WDBO, Orlando, Fla.; WILL, Urbana, Ill.; WIS, Columbia, S. C.; WJAB, Providence; WFRS, San Francisco; KGKO, Fort Worth; KGW, Portland; KLNK, Oakland; KJMJ, Fresno; KTSB, San Antonio; WBAE, West Lafayette, Ind.; WBBN, Buffalo; WCAO, Baltimore; WDEV, Waterbury, Vt.; WEEI, Boston; WIOD - WMBF, Miami; WKBN, Youngstown, Ohio; WKRC, Cincinnati; WOSU, Columbus, Ohio; WSPA, Spartanburg, S. C.; WSVN, St. Petersburg; WTAD, Quincy, Ill.; WWSU, Iowa City; WTAG, Worcester, Mass.

Jansen Quits KVI For Honolulu Post

Seattle, Aug. 23.

Edward Jansen, commercial manager for KVI, Tacoma CBS outlet, has resigned effective Sept. 1, when he will sail for Honolulu with his wife and daughter to join KGU (NBC) as com. mgr., national ad mgr. and program director.

Jansen started in radio with KVI in 1928 as combination engineer and announcer.

WLW FOLLOWS CBS ON HERBS

Cincinnati, Aug. 23.

WLW is shutting down all laxative and medicinal accounts. New policy, as voiced by James Shouse, the station's general mgr., calls for the unloading of all such commercials as their present contracts expire.

Shouse stated that WLW's attitude toward medicinals would be as strict as that set forth in the CBS policy on advertising.

JEAN SHAW RECOVERS

Philadelphia, Aug. 23.

Jean Shaw, singer with Bob Gold's band, house crew at WCAU, back after week layoff due to throat infection. Stricken while working at the President hotel, Atlantic City.

Dale Wimbrow, who was forced by a throat condition to give up his ching sessions on WCAU, Philly, and WLW, Cincinnati, is recuperating on his Maryland farm after two major operations to clear up the throat trouble.

FCC Examiner Okays New Denver Station; Also 2 For Full Time

Denver, Aug. 23.

If examiners' recommendations are OK, then Denver will have not only another radio station, but two half-time stations will go on full time soon. Examiner has recommended that F. W. Meyer, now manager of KLLZ, be allowed to establish a 100-watt night and 250-watt day station, and that KPFL and KVOD, now splitting time, be given full time. Additional hearings are scheduled for September on the applications of the two latter stations.

Meyer said that if and when he receives favorable final action on his application he will locate station in downtown Denver.

'Jane Arden' Goes Web

'Jane Arden', on WJZ, New York, local program, will expand to network Sept. 26, decided at meeting yesterday (Tues.) at NBC. Time schedule has been changed also, from 9:45 to 10:15 a.m. Frequency schedule of five times weekly, Monday through Friday, remains unaltered.

Quarter-hour session will be fed to

... "51.2% of all"
The Cincinnati Retail Grocers Association asked its members what radio station they preferred.* They report, "WKRC received 51.2% of all votes cast for all local network stations."

*April, 1938

COLUMBIA'S STATION FOR CINCINNATI
550 KC - REPRESENTED BY RADIO SALES

THESE DAYS

Fisher Vs. Douglas

Fred Fisher, who is both writer and publisher, last week challenged the advice given by Walter G. Douglas, chairman of the Music Publishers Protective Association, about members checking up to see whether they had the proper renewal assignments from writers who come within the employ for hire provisions of the copyright law. Fisher held that Douglas went out of line by citing the Tobani vs. (Car) Fisher decision as the motive for his action.

Fisher reminded Douglas that the Tobani case involved arrangements of public domain works and not original compositions, and that there is a big legal difference between an arranger who works for a regular salary and a writer who accepts a weekly advance or drawing account from a publisher. Fisher claims that quite a number of the major publishers are basing their alleged confiscation of renewal rights on such drawing accounts, and not what is meant by employment-for-hire in the copyright law. If the pubs owned these original copyrights, why, asks Fisher, have they for years paid royalties to the same writers on these works?

Fisher cites his own controversy with Shapiro, Bernstein & Co. over the renewal rights to 'Come, Josephine, in My Flying Machine' as a case in point. If S-B, as it claims, obtained the tune while he was an employee, why did it, he wants to know, make subsequent royalty settlements with him.

Olaf Bands, Out-Heating Colored Swngsters, Cutting in on 'Em at B.O.

Bookers and managers of Negro bands are becoming increasingly worried about evaporating time, in the lack of theatre dates—their most important item—plus slow diminution of road stands and dance dates has further militated against them. But the biggest slap came with the advent of white bands going into torrid Negro music—long ignored. Result finds white bands out-heating the originators of swing, and getting preference.

One of the bookers are easing out of the picture, although not sacrificing what is left. Irving Mills, long specializing in Negro talent, is swinging to whites. Mills is tapering off on the former end and acquiring more on the latter. His rejuvenated booking office, Joe Glaser, manager of Louis Armstrong, and imitant in Negro fields, has also stated that he will graduate to other things shortly. Music Corp. of America has virtually ignored a Negro band department, and has confined itself to outside booking of only a couple of bands, notably Count Basie.

Pennsylvania, country's prime dance location, has all but turned thumbs down on Negro bands. This season has been most notable with hardly any such bookings. Ohio is reacting similarly, although mine any such regulation.

Competition from the Dorsey, Benny Goodman, Ray Charles, Bunny Berigan, Artie Shaw, Gene Krupa, et al., has played havoc in the one that sells. South America and Europe are going to Negro bands, and regard this as the epitome of American jazz. S. A. particularly is opening up. The dough is light and travel is becoming high. Recordings have been promoters on these two continents.

B-V-C and S-B FEUD OVER NEW SONG TITLE

Bregman, Vocco & Conn, new publishing firm, and Shapiro, Bernstein & Co. are feuding over the title, 'Why Doesn't Somebody Tell Me I'm a Fool?' a slogan that Fred Allen has freely used on his Ipana-Salita Republica program (ABC). Shapiro has notified B-V-C that if the latter puts the tune in, he is resorting to the courts for an injunction.

Shapiro-Bernstein claims that it was the first to register the title with the Music Publishers Protective Association, publish the tune and get it plugged. The tune was written by Terry Shaw and Jerry Zaton. The B-V-C song was turned out by Walter Dreyer. The firm holds that it has, as much right to the title as Shapiro-Bernstein, and that there is no logical or legal reason why it should yield its rights.

Same Philly Scale

Philadelphia, Aug. 23. New price list with music by Musicians Local for night club and hotel engagements. There were no changes in the scale, which, only demands being for a few improvements in working conditions. Top card price remains at \$39 for six-night night in Class A spots, with \$5 a week reduction for 25-week contracts.

Lopez's Revised National Anthem On Comm'l Basis

Vincent Lopez's revised version of the 'Star Spangled Banner' will be published by Exclusive Publications both Lomax company for the new Warm Springs (Ga.) Paralysis Foundation and the American Legion. Lopez says he has already endorsed the altered anthem.

Song will come up for 'official' recognition in Washington next Congressional session (Rep. Emanuel Celler (N. Y.) will bring it before the body of the House during last gabfest, but lost in the melee.

Melody remains unchanged, but Lopez has changed the lyrics of the song in order to make its range possible to average voice.

Santly-Joy-Select Dissolves 3 Corps.

Santly-Joy-Select, Inc. last week went through the legal formalities of dissolving three of its former corporations. Santly Bros.-Joy, Inc., Select Music Publications, Inc. and the latter's subsidiary, the Drury Lane Enterprises, Inc. The notices of dissolution were sent to the secretary of state in Albany. Lester Santly and George Joy bought out the interests of Rockwell O'Brien, who owns the firms and brought a brother of the three remaining stockholder, Bing Crosby. O'Brien's firm and name were officers has Santly as pres. Larry Crosby, v.p., Bernard L. Miller, secretary, and Joy, treasurer.

Kelton With Mills

Frank Kelton, who left Shapiro-Bernstein to go to Hollywood in the agency biz, has returned to join Irving Mills as general manager of Exclusive Publications.

He succeeds Solly Cohn, resigned.

MPPA TO DINING 'EM UP PROCT.

Setting of Royalty Fees Awaits Study of Statistics on Number of Machines in Operation and Amount of Records Used—NAPA Also Taking Steps Towards Same End

WHOLL PAY?

With the phonograph record companies sympathetically disposed toward the legal stand taken on the issue by the music industry, indications are that the Music Publishers Protective Assn. will by Oct. 1 move to bring coin-operated disc machines under the licensing control of copyright owners. The royalty fee that is to apply to records manufactured for coin-machine purposes will be set as soon as the necessary statistical data on the number of machines in operation, and the number of records used per month, has been collected and analyzed.

While the mechanical rights divisors of the MPPA is pressing towards its entry into the coin-machine field, the National Association of Performing Artists continues to lay its own network of district representatives for the licensing of the same group of record users. The publishers in the MPPA have taken the position that if there are any rights to be paid to the coin machines they will do the exercising of the rights. The MPPA, on the other hand, claims the copyright law the rights to license for manufacture or performance as strictly to the copyright owner. The interpretive artist cannot claim a property right in his interpretation without implying on a grant from the copyright owner, the right to make a special arrangement of the latter's work.

MPPA's Strategy

It is on this special arrangement angle that the MPPA has devised its strategy in bringing the record users into the coin-machine under the copyright owner's control. According to the copyright law, permission for the making of special arrangements must be obtained from the artist.

(Continued on page 55)

PHONO-UNION DIFF EASES UP

Chicago, Aug. 23. Agitation in the local automatic phonograph field here is being stirred up when State's Attorney Courtney said that he would stop what he termed as a racket in the coin-operated music machine industry. He asserted that a joint agreement between the Phonograph Manufacturers' Union and an association of electrical phonograph operators to keep the public from making machine the union may have.

Majority of manufacturers claimed the union would service only machines operated by members of the International Association of Automatic Music Machine Operators. Manufacturers also claimed that this was a one-man organization.

State's Attorney investigation followed complaints by many of the owners of taverns, which claimed their places had been picketed because of the presence of a park in a one-night stand here Sunday (21). Gross sales well over \$700 at \$1 a stamp admission.

Lopez was first name band at the nearby dance resort, which is handicapped by small floor. His success, however, may lead to importation of other name outfits.

Par's Release of Tune Embarrasses Famous in Tenderfoot Tiff with WB

Will It Click?

The maestros from Broadway are making private bets concerning the clickability of 'Lambeth Walk' as a new U. S. dance craze, for the masses, or will it be restricted to the class joints, such as the St. Regis room (N. Y.), where Joe Hines first batted it and Prince Serge Choblenky, of the hotel management, with Gertrude Lawrence, first hoisted it.

Consensus is that the smart spots will continue to show off the 'Lambeth' as something they brought back from London and Paris, on recent voyages. But for the masses it may be something else again.

METRO-ROBBINS AFTER MORE TITLES

Metro-Robbins combination is negotiating for the purchase of the Villy Moret catalog, which, while not highly active, is packed with valuable copyrights. Julian T. Abeles, counsel for the music combine, has been closing the dealing with the current stay on the west coast.

Villy Moret, which started some 10 years ago as a stock promotion, is being run by F. L. Owens, San Francisco, minority stockholder, and Sally Simpson. The E. B. Marks Music Co. has been serving as the sales agent.

Among the tunes owned by Villy Moret are 'Moonlight and Roses,' 'Springtime in the Rockies,' 'Thanks for the Buggy Ride,' 'Chloe,' 'Ready for the River,' 'The Cowboy's Lament,' 'An Old Guitar,' and 'Old Refrain.' 'Just a Little Drink,' 'There Ain't No Maybe in My Baby's Eyes' and 'Hallelujah, I'm a Bum.'

Original head of the firm was Charlie Daniels, who wrote under the name of Neil Moret. This was the first company that engaged in the stock ownership angle among band leaders and performers.

San Francisco, August 23. J. T. Abeles, Metro-Robbins attorney, is driving east by way of here, and leaves for New York tomorrow. Abeles is on his way to his family preceded him east by train from Hollywood.

Lombardo to Decca, Leaving RCA Victor

When its Victor Record contract expires in December this year, Guy Lombardo and his orchestra will leave the Decca label. Deal ties the Lombardo name to the 35c platter for five years.

Lombardo is said to have been dissatisfied with his Victor affiliation since the addition of Sammy Kaye's orchestra to the latter's roster of recording artists. Both crews are sweet-swing exponents, which meant conflict and squabbles over selections for cutting.

Lopez' Syracuse Click

Syracuse, Aug. 23. Coming in with, only meagre billing and scant advance publicity, Vincent Lopez packed a house of 1,000 in a one-night stand here Sunday (21). Gross sales well over \$700 at \$1 a stamp admission.

Lopez was first name band at the nearby dance resort, which is handicapped by small floor. His success, however, may lead to importation of other name outfits.

Controversy between Famous Music Corp. and the Warner Bros. music combine over the rights to 'Ride, Tenderfoot, Ride' reached a ticklish point Monday (22) when it was disclosed Famous' parent corporation, Paramount Pictures, had in 1928 given the late Richard Whiting a release on the melody upon which 'Tenderfoot' had been based. Lou Diamond, head of Paramount's music interests, had previously advised that the melody of 'Tenderfoot' was an infringement on 'Rhythm on the Range,' which Famous published two years ago.

Melody of both songs had been composed by Whiting. Through Johnny Warner, 'Trixie of Tenderfoot,' which was included in WB's 'Brooklyn Cowboy,' Warner learned that Famous had been using 'Tenderfoot' and 'Rhythm' as practically the same note.

Case of the patent company turning back a number and the subsidiary publishing house publishing it unknown, is without precedent in the publishing business. WB has been furnished with a photostatic copy of the release from Whiting and it is now up to Diamond to decide whether to forget about the whole case, or to insist that WB work out some solution for control of the melodies involved.

MILLS FINALLY GETS OK ON 'LAMBETH WALK'

Mills Music, Inc., last Thursday (18) got permission to go ahead with its legal action against the writers of 'Lambeth Walk,' tune and dance step which is currently responsible for the release of Whiting and it is now up to Diamond to decide whether to forget about the whole case, or to insist that WB work out some solution for control of the melodies involved.

Mills exercised much pressure on the British music publishing companies, which had advised Mills that they were getting these tunes on the market with or without the required mechanical license. Also, after a couple of newsmen companies took clips of local versions of the 'Walk' and sought synchronization approval from MGM.

Arthur Murray is forming teams of 'Lambeth Walk' dancers, to follow the lead of the Big Band, Duke Ellington and Limbo hoppers. New dance craze is an importation from the London show, and Mr. Murray.

It was first introduced by Joe Rines at the St. Regis hotel, New York. The tune was first recorded by Joe Rines (Victor), Duke Ellington (Brunswick), and the Vocalion (Vocalion), the Bluebird label of RCA Victor is releasing in America a British-style waxing by Duke Ellington and his orchestra. 'Me and My Girl' is the companion piece of Mills' couple, both being taken from the Lupino Lane musical of that name, running almost a year in London.

New Music Scale For Discs Effective Sept. 10

Los Angeles, Aug. 23. New regulations and goals governing employment of union musicians will be effective Sept. 10. Affected are firms pressing platters for distribution, and commercial purveyors.

Henry Patrick, who chairs on W.P. Philly, under tag, Romantic 'Tenderfoot,' has sold an original 'Tenderfoot' must for publication in October.

Lunceford's Harlem B.O.
Jimmy Lunceford attracted 3,300 admissions to Savoy ballroom, Harlem, Sunday night (21). Alternated with Erskine Hawkins' orch.
Moe Gale, operator, reports that gross of \$2,200 was one of biggest summer Sunday nights in history of Negro dance spot.

Detroit Cafes Envision Biz Increase By Oct. With Pickup in Auto Plants

Kirkland's 3 Plays

Jack Kirkland has three original plays in preparation, each within a month of completion. He expects to decide shortly which one he will finish for production during the present season.

Playwright is in New York for a few days from his Springtown, Pa., farm helping ready road companies of 'Tobacco Road,' which he adapted from Erskine Caldwell's novel.

regularly the singer, who is typecast in regular radio commercials in the firm, but it all depends on whether something can be worked in with his touring dates. Several film offers have been made for the baritone in the last couple of seasons, but his solid bookings have made him unable to accept them.

ASTAIRE ROGERS BERLIN



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 "MY NIGHT WAS FILLED WITH MUSIC"
 and that Red Hot Rhythm Dance
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Published Weekly at 164 West 46th Street, New York, N. Y., by Variety, Inc. Annual subscription, \$6. Single copies, 15 cents. Entered as second-class matter December 22, 1925, at the Post Office at New York, N. Y., under the act of March 2, 1879. COPYRIGHT, 1938, BY VARIETY, INC. ALL RIGHTS RESERVED.

Vol. 131 No. 12

NEW YORK, WEDNESDAY, AUGUST 31, 1938

64 PAGES

FILM WILL BATTLE U.S.

More Strawhats but Fewer Winter Lids; Only 12 of 140 Plays Picked

Precedent-setting year among the picture impresarios augurs little for Broadway and meant almost nothing financially to barns themselves. Number of houses hit on all time high (180) as did number of actors employed (Equity count of 1,000) and number of stands under Equity supervision.

Amount of plays tried out was another barometer-buster, but comparatively those taken or rating too hot for commercial production hit new low ebb. Of the 140-odd tried from coast to coast, only 12 are set to have a nod. The Theatre Guild is plunging deepest with three. Last year 18 were favored out of 72 biopic productions. Similarly, talent scouts found little of promise.

Business was generally off and in many cases downright bad. Few expect to make any money, of course. However, what looked like a promising season floundered for most into brief runs in the red and deeper losses for those which stuck it out. Actual employment of actors, semipro and otherwise, was nearer 1,200, since Equity records only 11 spots as compared to its 55 last season. Cold weather at first, then rain and finally excessive heat hit its mark all over the ledgers from unusual early opening of season in April. Looks to run late July, possibly into September or October in some spots.

Unusual number of tryouts made possible by fact that producers were busy last season and held up production, not wanting to plunge into new shows on boards of some kind. Evidence is that many plays (Continued on page 58)

Theme Song

Fort Worth, Aug. 30. Bill McCumber, inmate and singing announcer of 30 Minutes Behind the Walls, which WBAF, produces weekly at Texas State Prison, was told he sounded like Vallee. "Well, if I sound like Rudy Vallee, I'm going to open the next broadcast with 'My Time Is Your Time' and dedicate it to the State of Texas."

AFL PLEDGE TO KEEP CIRCUS ALIVE IN U.S.

Atlantic City, Aug. 30. William Green, president of the American Federation of Labor, last week pledged his support to a committee representing the Circus Fairs Assn. of America, in the latter's drive to maintain the circus.

J. A. Wagner, general manager of the Des Moines Union Railway, and Karl Kae Knecht, cartoonist and director of the Evansville, Ind., Courier, were the CFA committee. Knecht is also Variety mugg-in Evansville. The CFA's national chairman, Melvin Hildreth, was unable to be present, having sailed for Europe.

Green expressed a desire to maintain the circus after the reps had told him of the stumbling blocks the circus had been forced to hurdle during the past year, namely, labor trouble and inclement weather, which had forced many circuses to close. Committee was a result of the 13th annual convention of the CFA in Madison, Wis., earlier in the month.

Green suggested to the committee, too, that it meet with Ralph Whitehead, executive secretary of the American Federation of Actors, who is organizing the circus folk, excepting musicians and jugglers, into the Associated Federation of Actors, including also the transient workers who the CFA feels should not be included with performers.

Joe Weber, president of the American Federation of Musicians, was also present at the CFA's com. litte meeting with Green.

INDUSTRY CHILLY TO ANY 'CONSENT'

Picture Companies Not To Capitulate—'Consent Decree' Invitation From Washington Given the Brushoff—Trade Argues That Would Be Construed a Confession of Guilt

BANKERS BACK IT UP

Proffers for settlement, by consent decree, of the Government's antitrust suit against major film companies and numerous individual executives and directors are getting the icy shoulder. There is crystallizing within the trade a determined resistance to capitulation. Top executives and counsel are pushing aside all suggestions for compromise and are bending every effort towards a final scrap with the Department of Justice.

Divorcement of theatre chains from producer-distributor ownership and the Government's avowed interference with the processes of production, by restricting free interchange of film personalities between studios, are points of such major importance to the further progress of the industry as to preclude any possibility of voluntary limitations.

Film banking interests have been consulted as to the stand which com-

(Continued on page 2)

World's Jitters and Jitterbug Music Have Some Significance to Showmen

Politico Jive

Seattle, Aug. 30. Eating comes first with Vic Myers, musical Lieut.-Governor of Washington State. Maestro, politician is back with his 15-piece band at the Trianon ballroom. Official salary of \$1,200 is not enough to fill the feedbag.

America's dance maestro, who are not given to seeing whys or wherefores in mass psychology so long as they turn out an masse, especially at the S. O., are being forced into a new trend of thought these days, particularly as they come back to Broadway from the one-night and hinterland tours. To begin with, the jitterbug thing is at the bottom of all this wonderment.

There are certain locales—paradoxically, the proverbial Quaker city, Philadelphia, is the No. 1 spot—where the youngsters manifest a frank 'refers' addition. This refers to the marijuana cigaret habit. Since present-day swingology and the refer habit among the adolescents seem so intertwined, the veteran maestros, who have gone through several cycles of damnation—from the Hickman-Whiteman-esque symphonic syndicate to the ultra-advanced 52d street git-off style of jambo—are beginning to hook up the two with a very grave perspective.

Most vividly is it brought to the (Continued on page 34)

NO VAUDEVILLE 'REVIVAL' IF PIX HOLD UP

Rumblings of a vaudeville revival have been heard all summer. In actuality, some of these rumblings will materialize in certain keys this season, but the same thing applies in v as in recent seasons—if the film product holds up, the operators will be disinclined to add or to the over-head.

The bandshow and vaudeband idea seems to be favored, working the acts on a rising pit, and thus dodging union commitments for stagehands, etc. These policies have come into existence in certain specific situations, depending principally on availability of product or the competition.

Florodora Belles Due To Have Romances Staged

Hollywood, Aug. 30. New play, based on the romances of the six original Florodora girls, is due to hit the Broadway stage this fall.

Leyla Georgie, who has written the piece, leaves for New York this week to huddle with Jack Kirkland, producer.

'FLOOGIE' VS. 'TISKET,' AND SKY-PILOT LOSSES

Greenville, S. C., Aug. 30. Happy Goodman's 'Pines,' local madhouse, employs all-gal swing band, which plays in open bandstand each night to the delight of local jitterbugs. But last week they had pretty much. A roaming evangelist set up a round-truck near the 'sin den and his amplifiers soon rent the air with 'Tisket-A-Tasket,' brimstone and damnation. Goodman turned his back to the hilt and the battle of good and evil was on. The sky-pilot held out until Goodman's 'Flat Foot Floogie,' then turned off his sound and slipped away.

HINES 'INSIDE' HAS N.Y. RADIO GROGGY

Radio stations in New York are knocking themselves out with Sherlocking on Jimmy Hines, trying to uncover special dirt or inside for air news scoops.

Stations WOR and WJMA are hitting it the hottest with announcing and special events staffs following up every crank letter and soto voce phone call. Figure one of the leads' may work into a big exclusive.

Held Over for Third Week

Paramount

New York

Phil Spitalny's

All Girl Singing Orchestra

'The Hour of Charm'

United Artists PROVES that Motion Pictures are your best Entertainment with . . . ALL BIG ONES

"Algiers" "Drums" "There Goes My Heart" "The Cowboy and the Lady" "The Young in Heart"

Current

See Pages 36-37

Oct. 14th

Oct. 25th

Oct. 7th

WORLD OF THEATRE

U. S. Opposes Theatre Expansion

Washington, Aug. 30. Maintenance of the status quo in the theatre ownership field has been suggested pointedly to five major film companies named in the Government's anti-trust suit. With this that steps will be taken to apply heat if the executives do not cooperate.

While waiting for the assistant attorney-general to assemble for negotiations about a consent decree, the Justice Department this week was authorized to be seeking promises that Loew's, Warners, Paramount, RKO and 20th-Fox will not acquire more houses over an indefinite period while the plea for permanent injunction is hanging fire. No direct response to the feeler, which went out from Prof. Hurman Arnold, assistant U. S. attorney-general, a week after the motion was filed.

Under a desire to duck the cost and effort of a prolonged trial, the Justice Department is giving the majors a chance to play ball and simplify the proceeding, but at the same time it was evident to watchers that the Government men will get tough unless the industry agrees to help out. Consequently, the month-old, proposition about theatre ownership may become a cause celebre in its own right.

Thought was that negotiations will be simplified and economic injury averted if the five concerns will sign a stipulation not to expand their realty holdings until the trial is over or a consent decree promulgated. Since the Government is dead set upon forcing divestment between production and exhibition, this point assumes great significance.

How strongly the D. S. feels was intimated unofficially by persons with close connections who remarked this week they would not be surprised if the Government request a preliminary and temporary injunction covering this phase of the case in the event a voluntary agreement cannot be reached.

The department's desire was made known to Gabriel L. Hess, Hays attorney counsel, at the end of July, shortly after the papers were docketed.

TRADE BASTARDS INDIES' SUITS

Independents Reported Taking Advantage of U. S. Suit and Rushing Into New Theatre Construction—Then Find Film Product Unavailable

RESULT: MORE SUITS

Reported efforts of independent exhibitors, encouraged by the government's anti-trust suit, to expand via new theatre building and enlargement of present circuits, is developing a peculiar situation in the industry. Haphazard expansion, without regard to possibilities on product, has been one of big problems the trade has had to contend with in recent years, and it is this expansion which has brought numerous anti-trust suits by exhibitors for alleged grievances. Some of these squawks doubtlessly found their way into the subject-matter of the government's civil action.

Numbers of cases continue, from aggrieved independent exhibitors, over inability to get the strong product they desire. Many squawks are from the indie who recently entered the field as theatre operators.

Producers, films from the fact that many of these new houses are not built by exhibitors but by local capitalists, who are realists who know anybody who thinks he knows how to operate a theatre. It is this setup which has resulted in the lack of over clearance and inability to get suitable product. It is the evil, ever increasing, where producers, in litigation in the trade and sometimes reaches ears in Washington that an injustice is being done to the independent.

Finds Out Too Late

There have been instances of property owners deciding to build a theatre as the easy way to make a go of it. He sets an architect to work and spends from \$200,000 to \$500,000 in the deal before he discovers he can't get suitable product. Then, when the strong product is sought, he is not forthcoming, he seeks a law firm and tries to learn why he can't. The law firm indicates are being laid out and shortly the distributors face a damage suit, generally an anti-trust suit.

Recent instance occurred in a city on the Atlantic seaboard in a situation already boasting four neighborhood houses. From motor and construction man, who had been successful in putting up filling stations and then farms, indications are he had decided to blossom out in the theatre biz. Even before the building was well under way friends suggested it might be feasible to line up product. Instead, he finished the building, and then learned from distributors he could get all the pictures he required but he would receive them fifth run. Now indications are he is either hire an attorney or go to the Department of Justice for relief.

Some of the more experienced contend that the experience in N. Y. and other large cities has shown that new houses on greater scale than available houses. As one vet exhibitor remarked: "Anybody can build a theatre, but it's hard to make one pay. You gotta have two things: first, a show [pictures with draw], and second, money management."

Despite all of these experiences, there always is somebody with a yen to learn the theatre operating business. This does not prevent the flood of complaints directed against distributors.

125 Big and Small Indies to Have Their Anti-B&K Suit Ready by Tues.

Selznick-UA Look All Set But Not Sealed

David O. Selznick and Jock Whitney are in no hurry to negotiate a new all-program releasing arrangement. From expressions by the Selznick-Whitney side they will most likely consider hooking up with United Artists, following the expiration of the present arrangement between the firms.

That Metro deal with Selznick on "Gone With the Wind" is solely on that picture, and the fact that Metro not only partners in the cost of the production, but, additionally, lends such a name as Clark Gable to Selznick for the picture, had much to do with the making of the Metro-Selznick deal.

Chicago, Aug. 30. Final editing of rewriting of the bill of complaints on the part of the Allied exhibitors in Chicago against the bill of Selznick and UA, which system locally is now under way, and the bill is scheduled to be officially filed in the Federal courts here on next Tuesday (31).

Plaintiffs number around 125, running from the smallest indie exhibitor member of Allied to such a large circuit as Essaness, which operates 29 theatres both in the loop and neighborhoods. It will be one big suit, with the 125 exhibitors all named as plaintiffs. Named as defendants in the pending bill are Balaban & Katz circuit, the eight major distributors, several associated commanding and individual heads of the defendant organizations.

Restraint, Etc.

Suit will be based on the standard charges of restraint of trade and resultant monopoly due to the alleged control of pictures by the circuit. Suit will particularly seek the readjustment of the clearance system in the nabes in an endeavor to get pictures into the smaller indie theatres in quicker time than at present. Indie exhibitors are squawking that B. & K. has the clearance system arranged in such a manner that the pictures are milked of most of their box office power by the time they reach the first wave of general release houses at 25c, which include most of the indie theatres.

Indies also want double features eliminated. But don't think they'll get a legal yelp against the twin bills. However, they insist that double features, when coupled with the present releasing setup, work to the disadvantage of the small theatres in the subsequent double bills.

Indies and B. & K. held a short meeting on the doublet situation, but came to no conclusion. But B. & K. offered a "limited" doublet, all houses with the exception of the A-peak of pre-release if all the theatres quit twin bills also. But the indie exhibitors refused these conditions on the basis that such an arrangement would give B. & K. the monopoly on double bills.

LEVINE'S 8-10 M-G FILMS AT 200G EACH

Hollywood, Aug. 30.

Nat Levine is back at Metro at the head of his own production unit. He'll make 16 pictures, each costing around \$200,000, for the current season.

For the time being Levine maintains headquarters at Selznick-International to prepare the initial group pictures they'll make. He will have own production and writer's battery. It's likely his agreement with M-G will permit him to make pictures on the Selznick lot, to enable him to whittle down overhead and get both quality and quantity into films.

Levine voluntarily left Metro six months ago after reading two stories for production and last week was induced by Al Lichtman to return to the fold.

Joe Schenck Returns Sept. 12; Trade Awaits His Opinion on Suit

Joe Schenck is due back from his European holiday Sept. 12 and heads to the Coast with Joe Moskowitz, his New York rep in the 20th-Fox office, shortly thereafter.

Schenck's opinion on any "consent decree" talk among the Government's suit is being awaited by the picture trade. He was the one picture man huddled with President Roosevelt; a session thereafter with F. D. R. including the heads of the eight major picture companies.

Raft Cools His Heels

George Raft, who recently walked out on St. Louis Louis, reported at the Paramount studio and was placed under suspension for six weeks.

By that time the studio figures to have a suitable story for him.

Wurtzel Into Hospital

So! Wurtzel was rushed to the hospital Saturday (27) from the picture house at 20th-Fox, while leaving rushes.

He's under observation, avoid an operation.

Court Approves Sale of CN Assets To Educ I; Capteurs Creditor Scored

Hollywood, Aug. 30.

Sale of assets of Grand National Pictures, Inc., and its subsidiary, Grand National Studio, Inc., to Educational Pictures, Inc., was approved here Saturday (27) by Federal Judge William C. Clegg. In his decision, which was to plan was raised, that of Jule Goldstone, creditor in the \$1,150,000 bankruptcy case, court's okay on ground proposed merger of CN and Educational was feasible and offered no guarantee that creditors would get best settlement possible of their claims.

Goldstone asserted that approximately \$275,000 working capital of New Grand National Films, Inc., was insufficient to carry the concern in face of heavy obligations. He also pointed out that it was reasonable to assume high salaries for top executives would be general, in face of the \$100 weekly salary to be paid Edward L. Alperson as vice-president of the board of directors and general manager of distribution. Goldstone contended that with the undercapitalization and heavy obligations, New GN would be in a better position to assume payment to creditors than an existing corporation.

Judge James Sharpley recommended Goldstone, taking attitude that any further delay to settlement of GN's affairs would likely result in the court ordering liquidation, on grounds that present creditors more than make up for continuance of GN in 7th would only add more creditors to the detriment of those who already claim to be paid. He warned that he was going to take the matter, later officially signaturizing order, but allowed Goldstone to finish out his arguments.

Sketch Financial Condition
One of two witnesses were called to the stand. Lloyd Wright, co-trustee of GN with Edward L. Alperson, and James J. Neary, assistant-treasurer of company. Neary outlined financial condition of GN, both before it was reorganized under 7th and after the trustees were appointed to handle its affairs. In operations from profits and loss from operations from March 30, 1934, to April 30, 1937, Neary stated company dropped \$200,000 during that period, and between April, 1937, and February, 1938, when trustees took over, lost \$187,000, or a total of \$387,000. From February to August this year, in under trustees' operation was lost \$25,466, according to Neary. Smallness of this figure is explained by heavy manipulation of operation, changes in exchange, and office and studio, manpower being trimmed

(Continued on page 38)

Hays Wests 'Til Sept. 9

Hollywood, Aug. 30.

Will Hays is sticking around until Sept. 9 before hiking east to remain until this time in California.

He returned yesterday (Monday) from his New York conference where he passed 10 days with A. D. Lasker.

LIONEL KECNE TO BUILD HIS OWN CHAIN

Memphis, Aug. 30.

Lionel Kecne, for many years Loew's district manager, resigned to organize his own circuit in the south. His taken over Georgia theatre, Atlanta, a house in Moon and is now dickering for the Orleans, Memphis and one in Louisville.

Ed Finney, formerly Loew's district manager for full season, Cullins has taken over the southern district. Mike Cullen has succeeded Finney in Columbus.

Booking for Memphis

Chalmers Cullin, operating the Orpheum, Memphis, is in town lining up talent for full season. Cullins reports that house may pass over to Mike Kecne circuit. If so, Cullins will continue to book the 700-seat house for colored audiences now under construction in Memphis. He also is booking for the theatre about ready for construction.

While in Chi, he has lined up Mills Bros. Horace Hedt's Cullins, Duke Ellington among others for the Orpheum.

U. S. Sleuths' Return Squint at Fox-W.C.

Los Angeles, Aug. 30.

Federal probes seeking private anti-trust law violations in the picture business, moved back into the Fox-West Coast theatre yesterday (Mon.). For another squint at the booking records.

Investigators, headed by James Findley, finished their scrutiny of Warners exchange last week.

VARIETY

Trade Mark Registered
PUBLISHED BY STEVEN VARIETY, INC.
Established Weekly by VARIETY, Inc.
300 Silverman, President
124 West 44th Street, New York City

SUBSCRIPTION
Annual, \$5.00
Single Copies, 15¢
Vol. 131 No. 12

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Exhibits Protest Par's Radio Ducats

Los Angeles, Aug. 30. Strong protest was lodged by the Independent Theatre Owners of Southern California against Paramount's radio tieup with the Fitch company for a series of Sunday evening broadcasts, starting Sept. 3, over the NBC network.

Indies contend that the hookup, with a weekly giveaway of 1,000 free admissions to theatres where Par pictures are being shown, will tend to keep prospective theatre patrons at home.

Contention is that many thousands of potential theatregoers stay away from the film houses on Sunday nights in the hope of winning one of the 1,000 passes.

Philly Exhibits Indifferent

Philadelphia, Aug. 30. Exhibits here took no cognizance, official or otherwise, of the Paramount tieup with the Fitch Co. on a radio series in which 1,000 free admissions will be passed out weekly. Inasmuch as they may subtract from their film rental a full admision for each person admitted, exhibs didn't see that they had a kick coming, as did the Independent Theatre Owners of Southern California.

As for the ITO argument that the show will keep people at home listening to the radio instead of going to the theatres, one exhib here summed it up, 'What's the difference? If they don't stay home to listen to the Fitch program, they stay home to listen to something else. At least we get an admision out of this way.'

Par's 1,000 Free Ducats Weekly, On Radio Tieup with Ad Sponsor, Doped to Hypo Biz, Exhibs No Like

National Ass'n of Broadcasters in Unsubtle Warning Over the Sizable Press Campaign to Lure Film Patronage

'FAST CO-OPERATION'

Washington, Aug. 30. Veiled threat to shut off free access to the microphone was handed the film industry today (Tuesday) by the National Association of Broadcasters. Unsubtle warning was conveyed in a letter to Howard Dietz of Metro, heading the film industry's 'greater movie season' promotion committee.

Threat was in reply to the announcement that the producers will intensify their newspaper campaign to lure film patronage. Although denouncing the desire to divert the appropriation from the press, Ed Kirby, NAB's director of public relations, strongly implied that airings will end unless pictures change their attitude toward radio.

Failure of distributors to appreciate radio's effectiveness in arousing public interest was stressed by Kirby. He added that the studios have been more alert, than broadcasters to the possibilities of exploiting new factors. Pointing out the effort to obtain plugs for stars, stories and songs over stations as evidence that Hollywood recognizes the ether as an effective way of attracting box-office customers.

'In the light of past co-operation, the statement of your committee is most disappointing,' Kirby told the Metro exec. Plain notice that NAB is conducting a survey of co-operative connections between the two industries.

Results of the study will provide the foundation for 'sounder and more equitable relationship which will insure at least that the private right (radio) has extended will not be abused or ignored,' the spokesman cautioned.

Rep's Mustangers Being Ordered For Radio Show

Hollywood, Aug. 30. Republic studio has tossed its 10-gallon skimmer into the radio ring with a new outdoor show. The lot's sagebrush talent, with which it abounds. Package is being offered for sponsorship at \$7,500 a week. Top coin will go to Gene Autry.

Being, being framed by Bev Barnett, of studio publicity department, will be aimed at devotees of the radio. The show's stars are tied in for plugging in the dramatic episodes. Waddies chanting praise ditties will dominate the show, although the entire roster of the plant will be available. These include Gene Gleason, 'Breakdown', Gloria Rich and Lynn Brown. Adding Autry will be Roy Rogers, Ralph Byrd, Robert Livingston and Max Terhune.

Owen Crump, swung over from KFWB to produce, Herbert Varty studio head, has okayed the deal, with instructions to strike a bargain whereby time company would 'break even' and take its compensation in the publicity accruing to the trademark and the picture, it decalates.

Van Dyke's 'Stand Up'

Hollywood, Aug. 30. W. S. Van Dyke gets the pilot's job on 'Stand Up and Fight,' a yarn of pioneering days, due to start next week, with Robert Taylor and Wallace Berry in the top roles.

Most of the shooting will be done in Northern California. Originally slated for black and white, the picture will probably be made in Technicolor.

H'WOOD FUN: A NAZI-NUDIST RIB

Hollywood, Aug. 30. Latest rib on film folk is to invite them to sit at meetings in the valley. The chump is told it's dangerous for outsiders to attend but it's all right if he gets a mysterious phone number to call. This done, he makes tracks for the designated spot. He gets a mysterious phone number to call. This done, he makes tracks for the designated spot. He gets a mysterious phone number to call. This done, he makes tracks for the designated spot.

Rogers' Cavalcade Film Idea: Based On Life of Gus Edwards

Hollywood, Aug. 30. First of the cavalcades to follow on the heels of 'Alexander's Ragtime Band' is Charles R. Rogers' proposed film with Gus Edwards as the central character in 'The Star Maker.' It's to be independently produced by Rogers, who's after Bing Crosby to play the role of the songwriter-actor.

Songs to be used include 'School Days,' 'Sunbonnet Sue,' 'In My Merry Oldsmobile' and 'By the Light of the Silvery Moon.' Edwards, who will collaborate with writers on the picture, discovered Ed C. Cassidy, George Jessel, the Duncan sisters, Mac Murray, Lila Lee, Walter Winchell, George Price, and others, will figure in the screen script.

NBC Wants Commish Ruled Out in Lamour's Pact Tiff

Los Angeles, Aug. 30. Charging that Labor Commission has no jurisdiction in the contract controversy between Dorothy Lamour and National Broadcasting, the network's legal attorney, Frederick Leuchner, has filed a motion of dismissal.

Pictures and radio across alleges NBC failed to represent her properly and seeks to have the contract terminated. Hearing is set for Sept. 1.

Big Shot's Fall

Hollywood, Aug. 30. Making use of the publicity surrounding the trial of James J. Hines in New York, Warner Bros. is being rushed by Hank Donahue, former N.Y. reporter.

Would Bar H'wood Studio Visitors And Radio Slurs to Preserve Pix B.O.

Denver, Aug. 30.

Excluding visitors from Hollywood and other picture studios was demanded by members of the Rocky Mountain Theatre Owners and exhibitors in their annual convention here. Exhibitors declared such visits remove much of the glamour from the industry and injure the boxoffice. The members insist that such ban be especially enforced on radio and educational institutions into the exhibition field. Copies of this resolution are to be sent to all advertisers who sponsor any program over the air that might fall in this category.

Other resolutions were against the entrance of church and educational institutions into the exhibition field for revenue. Use of films for visual education was okayed. The members also asked that exchange managers be given greater latitude in dealing with exhibitors, especially in the making of contracts and adjusting differences.

The association voted to participate to the fullest extent in the greater movie season advertising campaign. Exhibitors in the Denver area feel this is the biggest effort ever devised to aid the industry at the proper spot—the boxoffice. President A. F. Archer and Rick Ricketts in short talks urged those present to do all in their power to make the campaign a success.

President Emmett Thurman warned exhibitors to keep an eye on the legislators. He warned that there will be all the states in the Denver area meeting this winter there will be numerous laws affecting the theatre, and that most of these will deal with taxation.

L. J. Finske, general manager of the Cooper theatres, told his exhibitors in using films for visual education, to be sure to include certain films, on passes furnished with the films, arranged to be shown at the theatres. At the end of the meeting, every pass was cashed by the school board as well as the college for 10c each. Through this trip both groups were kept out of the exhibition field.

At the close of the one-day convention the following were elected officers: Chas. R. Gilmer, president; A. F. Archer, Mickey Gross and Ed G. Edwards, vice presidents; A. Briggs, secretary, and E. P. Briggs, treasurer.

Nancy Turner to N. Y. Baltimore, Aug. 30.

Nancy Turner, femme stylist and costume designer of the 'Hush' picture, was being rushed by Hank Donahue, former N.Y. reporter.

It's In the Air at WB

Hollywood, Aug. 30. William Gargan plays opposite Kay Francis in 'Women in the Wind,' rolling today (Tuesday) at Warner's John Farrow directing.

'Women' is the final starter for Miss Francis in Warner's and the third air picture in production. Others before the lenses are 'Wings of the Navy' and 'Dawn Patrol.'

8 WORKING AT PAR; US'6 IN WORK

Hollywood, Aug. 30.

With 'The Arkansas Traveler' in the cutting room, Paramount started two more pictures, bringing the total number of films to eight. New productions are 'Say It in French' and 'Disbarred.'

Others before the lenses are 'Zaza,' 'Escape From Paris,' 'St. Louis Blues,' 'Illegal Traffic,' 'Thanks for the Memory' and 'Scottland Yard vs. Building Drummond.'

Production reaches its 1938 peak at Universal this week, with six pictures rolling. Among the top budget class, 'Service de Luxe,' one of the high budgeters, started today (Tue.). The Strada meeting this winter there will be numerous laws affecting the theatre, and that most of these will deal with taxation.

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Okie Off RKO Lot, Need 'Annabel' Lead

Hollywood, Aug. 30. With Jack Oakie checking out the RKO lot at the completion of his current role, the studio is seeking replacement to co-star with Lucille Ball in the Annabel series.

Oakie is currently working in 'Annabel Takes a Tour.' Next of the series, 'Annabel and Her Press Agent,' gets the gun about Sept. 10.

CARROLL IN 'SOCIETY'

Hollywood, Aug. 30. Madeline Carroll joins Fred McMurtry and Shirley Ross to head the cast in Paramount's 'Cafe Society,' due to roll Oct. 1.

Edward H. Griffith will direct from a screenplay by Virginia Van Upp.

Taking the attitude that radio programs go on the air regardless, with other reasons also advanced in behalf of the showmanship value of it, Paramount goes on the Fitch (sham-poon) Sunday night NBC program Sept. 4, with proffer of 1,000 passes weekly as bait for listeners. The passes will be good to theatres playing Paramount product at any time during the six months' duration of the broadcasts. Paramount's own theatres and those of its varied partnership are tied into the stunt.

Answering complaints of theatre, associations or operators who see in the free pass plan an even greater incentive to keep people in their homes Sunday nights to listen to the Fitch program, Par takes the position that the passes are not characterized by the interest stirred in its product, by the value of the plugging of talent and songs on that hour, and by the likelihood that each single pass issued will bring additional business to the theatres.

Each pass will be good for one admission during the six months' period during which the passes will mean 1,000 individual pass admissions weekly, good any day of the week, and the passes will be issued singly. Par believes, with reason, that winners will steer at least one additional person to the theatre with them.

Not unexpected are complaints from theatres not playing the Par product, since the Par customer under the plan stands to benefit from his opposition in every situation in the country where the pictures are bought. Par regards its tieup with Fitch as a ticket-selling idea, in a direct sense as well as an indirect manner, with its accounts standing to lose nothing and gain much.

Par has no right to be awarded for the best letters written on listener's favorite bands, a feature of the Fitch program itself. The plug to Par, under the bait value of the free ducats, will come toward the end of the Fitch program, in the special copy, prepared by Par, is broadcast. Outdoors of the copy and the passes Par has nothing else to do with the program.

Its only expense involves the promotion work, records on the passes and the purchase of the passes, since under the arrangement Par will pay for the 1,000 Annabel Oaksley weekly. Theatre to which issued will bear no expense at all.

Every pass honored will be redeemed for a free return. The price prevailing at theatres where used for the performance attendance will be figured in the return to Par will run around \$500 weekly. All the theatres getting these passes will come to be better than the Paramount exchange with which it does business. The exchange will deduct from the figure of the passes offered from the film rental of the picture on which they were used, the balance of the return to Par, after later to return a self-addressed postcard to the h.o. agreeing to the exchange of the passes and business will be kept to determine in what spots the picture will be shown.

Each Sunday program will be devoted to national air-publicizing of the picture, in the hope of securing a lease. 'Spawns of the North' will be concerned in the initial broadcast. Since it is to be the first in the program will also be utilized for the introduction and playing of music from the picture. The program will also be utilized for the introduction and playing of music from the picture. The program will also be utilized for the introduction and playing of music from the picture.

The shampon company is on the air at 7:30 p. m. Sunday nights. EDSB, Inc. is to be added later.

"I believe 'Four Daughters' is the best picture of my career"

J. L. Warner

VICE-PRESIDENT IN CHARGE OF PRODUCTION
FOR WARNER BROS.

"'Four Daughters' is one of the best pictures of anyone's career"

The New York Times

F*our Daughters'*
is the triumphant
beginning of a
glorious career for all
these brilliant
personalities

These Are



ROSEMARY LANE

plays *Kay*

Rosemary Lane is perfect!

N. Y. Daily News

Rosemary Lane turns in an excellent performance!

Union Daily

Rosemary Lane is tops!

N. Y. Herald

LOLA LANE
plays *Thea*

Lola Lane is practically perfection!

N. Y. Herald Tribune

Lola Lane excels anything she's done!

Hollywood Reporter

Lola Lane plays her stirring role unusually well!

N. Y. World Telegram



he Four Daughters



PRISCILLA LANE

plays *Ann*

Priscilla Lane's stardom is assured!

N. Y. Daily News

Priscilla Lane is a certain bet for stardom!

Los Angeles Times

Priscilla Lane is on the road to stardom!

Los Angeles Times



GALE PAGE

plays *Emma*

Gale Page is a brilliant actress!

Brooklyn Daily Eagle

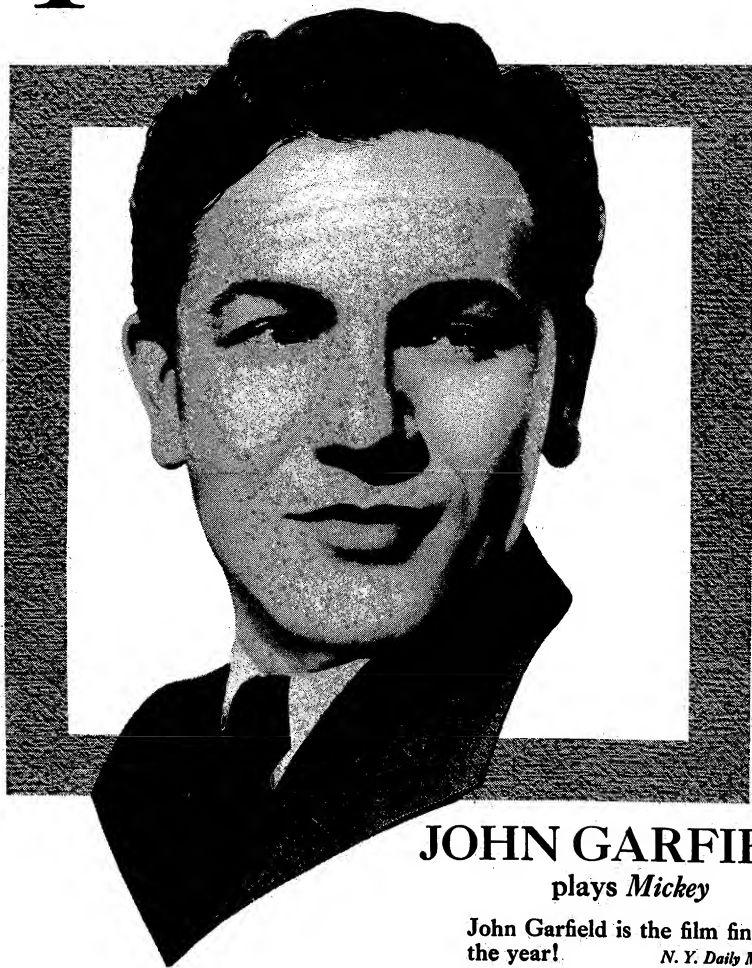
Gale Page turns in an excellent performance!

Various Daily

Gale Page is marked for cinema greatness!

Hollywood Reporter

These Are The Two



JOHN GARFIELD

plays *Mickey*

John Garfield is the film find of the year!

N. Y. Daily Mirror

John Garfield is sensational!

M. P. Herald

John Garfield gives a performance seldom equalled!

N. Y. World-Telegram

Surprise Personalities



JEFFREY LYNN plays *Felix*

Jeffrey Lynn clicks decisively!

N. Y. Journal American

Jeffrey Lynn triumphs! *N. Y. Times*

Jeffrey Lynn is outstanding!

Showmen's Trade Review

Walter Winchell:

"The rave of the city, to read the critics, is 'FOUR DAUGHTERS' at the Music Hall. It gives your emotions a workout . . . Pictures like 'FOUR DAUGHTERS' will put Bank Night out of business."



'FOUR DAUGHTERS,' a Radio City holdover, is representative of the exceptional program made available to the Industry Drive by

WARNER BROS.

Motion Pictures Are Y

Cooperation of Theatre Men Is Advance Guarantee of Success For the Industry Drive



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JOHN BALABAN
JOSEPH BERNHARD
GEORGE E. BROWNE
JOHN DANZ
J. J. FITZGIBBONS
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R. E. GRIFFITH
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M. A. LIGHTMAN
CHARLES MOSKOWITZ
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HAROLD B. FRANKLIN
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PAUL GULICK
Campaign Co-ordinator
JAMES CLARK
Physical Distribution
AGNES MENDEL
Chairman
Purchasing Committee



As Chairman of "Motion Pictures' Greatest Year Drive," I feel that it is appropriate not to let another day go by before offering the thanks of the entire industry to the theatre men of America and Canada for their marvelous, whole-hearted co-operation in planning and getting under way the biggest concerted undertaking that the motion picture business, in all its branches, has ever participated in.

The independent theatre owners, the circuit operators and exhibitors in the smallest situations have already earned—and hereby receive—the grateful appreciation of the General Committee which is now in a position to foresee positively the sweeping success, which we all hoped for from the first conception of the idea behind the Drive.

In all my years in picture business I have never known anything like the enthusiasm, the hard work and the prompt financial support with which the theatre men of the country rallied as one to aid the Drive and what it stands for.

To my way of thinking, one of its most remarkable aspects is the fact that all this has been accomplished in the incredibly short period of thirty days... which in itself shows what can be achieved when concentrated force is put behind industry activity.

Theatre owners have been and always will be the backbone of our business and there can be no serious or lasting crisis in an industry, which can so speedily and effectively throw its resources and energies behind a plan for mutual help.

"Motion Pictures' Greatest Year" is an enterprise not only important to the film industry but is a move which the whole structure of American business must watch with a vigorous interest. I believe that when the Drive is over, the actual box-office benefits will be so marked and the goodwill built, so widespread that the entire business world will see in it a new record for co-operation in any industry.

It is the theatre men alone who have made this possible. For on them rests the duty of putting the Drive over. And thus far, no work has been too hard, no demands too great.

The General Committee looks forward to the next four months with utmost confidence, knowing that the hardest task... that of building and sustaining public interest... is in the capable hands of the theatre operator.

We have tried to give him every help. The producers have expedited their finest product for early release. We have launched an energetic publicity and advertising campaign to the public. We have given the theatre operator, we believe, sound exploitation facilities in the pressbook which has already been mailed countrywide. We are confident that he will keep his own efforts at maximum acceleration up to the day the Movie Quiz Contest closes.

We expect that box-office business will very definitely be on a noticeable upbeat long before the contest's closing date. The year 1939 will begin with the keenest public interest our industry has ever enjoyed. Because of the drive; motion pictures will indeed be more vital to the average man than at any other time.

And the thanks of everyone whose lives touch motion pictures... from the studio personnel who makes them, to the public who sees them... will be grateful to those who have really made the Drive a success... the theatre owners of America.

George J. Schaefer

National Headquarters Motion Pictures

1540 BROADWAY

Our Best Entertainment

Contact Your Regional Chairman for Authentic Information



CITY	REGIONAL CHAIRMAN	ACCESSORY EXCHANGE
Albany	SI FABIAN, Palace Theatre Albany, N. Y.	Columbia Pictures Exchange 1050 Broadway
Atlanta	W. K. JENKINS, 512 Walton Bldg. Atlanta, Ga.	20th Century-Fox Exchange 127 Walton St., N. W.
Boston	MAX LEVENSON, 294 Washington St. Boston, Mass.	20th Century-Fox Exchange 105 Broadway
Buffalo	VINCENT McFAUL, 646 Main St. Buffalo, N. Y.	20th Century-Fox Exchange 290 Franklin St.
Charlotte	H. F. KICEY, 154 Walton St., N. W. Atlanta, Ga.	RKO Radio Pictures Exchange 215 W. Fourth St.
Chicago	EDWIN SILVERMAN, 549 N. Michigan Ave. Chicago, Ill.	Metro-Goldwyn-Mayer Exchange 1327 So. Wabash Ave.
Cincinnati	MAURICE WHITE, Keith Theatre Bldg. Cincinnati, Ohio	Paramount Pictures Exchange 1214 Central Parkway
Cleveland	MOE HOBWITZ, 2108 Payne Ave. Cleveland, Ohio	Metro-Goldwyn-Mayer Exchange 2240 Payne Ave.
Dallas	R. E. GRIFFITH, Tower Petroleum Bldg. Dallas, Texas	20th Century-Fox Exchange 1891 Wood St.
	RICK RICKETON, 1631 Glenarm St. Denver, Colo.	United Artists Exchange 2085 Broadway
Des Moines	RALPH BRANTON, Capitol Theatre Bldg. Des Moines, Iowa	Columbia Pictures Exchange 1603 High St.
Detroit	H. M. RICHEY, 1491 Fox Theatre Bldg. Detroit, Mich.	RKO Radio Pictures Exchange 2318 Cass Ave.
Jacksonville	B. B. GARNER, Box 1017 Lakeville, Fla.	Paramount Pictures Exchange 110 N. Lee St.
Kansas City	ELMER RHODEN, Fox Midwest Theatre Agency Corp. Kansas City, Mo.	Warner Bros. Pictures Exchange 1701 Wyandotte St.
Los Angeles	CHARLES P. SKOURAS, Fox West Coast Theatres Los Angeles, Calif.	Paramount Pictures Exchange 1613 W. 20th St.
Louisville	S. J. SWITOW, Kentucky Theatre Bldg. Louisville, Ky.	20th Century-Fox Exchange 326 N. Illinois St., Indianapolis, Ind.
Memphis	M. A. LIGHTMAN, 138 So. Main St. Memphis, Tenn.	Warner Bros. Pictures Exchange 384 S. Second St.
Milwaukee	H. J. FITZGERALD, Fox Midwest Theatres Milwaukee, Wisc.	Metro-Goldwyn-Mayer Exchange 736 W. State St.
Minneapolis	W. A. STEFFES, World Theatre Bldg. Minneapolis, Minn.	20th Century-Fox Exchange 1015 Currie Ave., North
Nashville	TONY SUDEKUM, Crescent Amusement Co. Nashville, Tenn.	Warner Bros. Picture Exchange 384 S. Second St., Memphis, Tenn.
New Haven	JACK FISHMAN, 134 Meadow St. New Haven, Conn.	Universal Film Exchange, Inc. 125 Meadow St.
New Orleans	N. L. CARTER, Tudor Theatre Bldg. New Orleans, La.	Metro-Goldwyn-Mayer Exchange 150 S. Liberty St.
New York	JOSEPH M. SEIDER, 1501 Broadway New York City	Paramount Pictures Exchange 331-317 W. 44th St.
Oklahoma City	R. E. GRIFFITH, Tower Petroleum Bldg. Dallas, Texas	Warner Bros. Pictures Exchange 639 W. Grand Ave.
Omaha	RALPH BRANTON, Capitol Theatre Bldg. Des Moines, Iowa	United Artists Exchange 1508 Davenport St.
Philadelphia	LEWEN FIZOR, Philadelphia Savings Fund Bldg. Philadelphia, Pa.	RKO Radio Pictures Exchange 302-10 N. 13th St.
Pittsburgh	JOHN HARRIS, 711 Clark Bldg. Pittsburgh, Pa.	Metro-Goldwyn-Mayer Exchange 1631 Boulevard of the Allies
Portland	TED GAMBLE, Broadway Theatre Portland, Ore.	RKO Radio Pictures Exchange 915 N. W. 10th Ave.
St. Louis	FRED WEHRENBURG, 2735 Cherokee St. St. Louis, Mo.	Universal Film Exchange 3220 Olive St.
Salt Lake City	HARRY DAVID, Intermountain Theatre Circuit Salt Lake City, Utah	United Artists Exchange 214 E. First South St.
San Francisco	R. A. McNEIL, MORGAN WALSH, San Francisco, Calif.	Warner Bros. Pictures Exchange 215 Golden Gate Ave.
Seattle	JOHN DANZ, 206 Palomar Bldg. Seattle, Wash.	Warner Bros. Pictures Exchange 2405 Second Ave.
Springfield, Mass.	NATE S. GOLDSTEIN, Broadway Theatre Bldg. Springfield, Mass.	20th Century-Fox Exchange 105 Broadway, Boston, Mass.
Washington, D. C.	R. SMELTZER, 901 North Jersey Ave., N. W. Washington, D. C.	RKO Radio Pictures Exchange 203 Eye St., N. W.
Canada	J. J. FITZGIBBONS, Toronto, Canada	Paramount Pictures Exchange 111 Bond St.

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Special Campaign Trailers Distributed by
NATIONAL SCREEN SERVICE,
INC.

Throughout U. S. A.
ASSOCIATED SCREEN NEWS
MONTREAL, CANADA,
Canadian Distributor



n Pictures Greatest Year, Inc.
NEW YORK CITY

IT WAS THE MAGIC TOUCH OF SHOWMANSHIP

THAT GAVE YOU

LITTLE

TOUGH

GUY

THE

RAGE

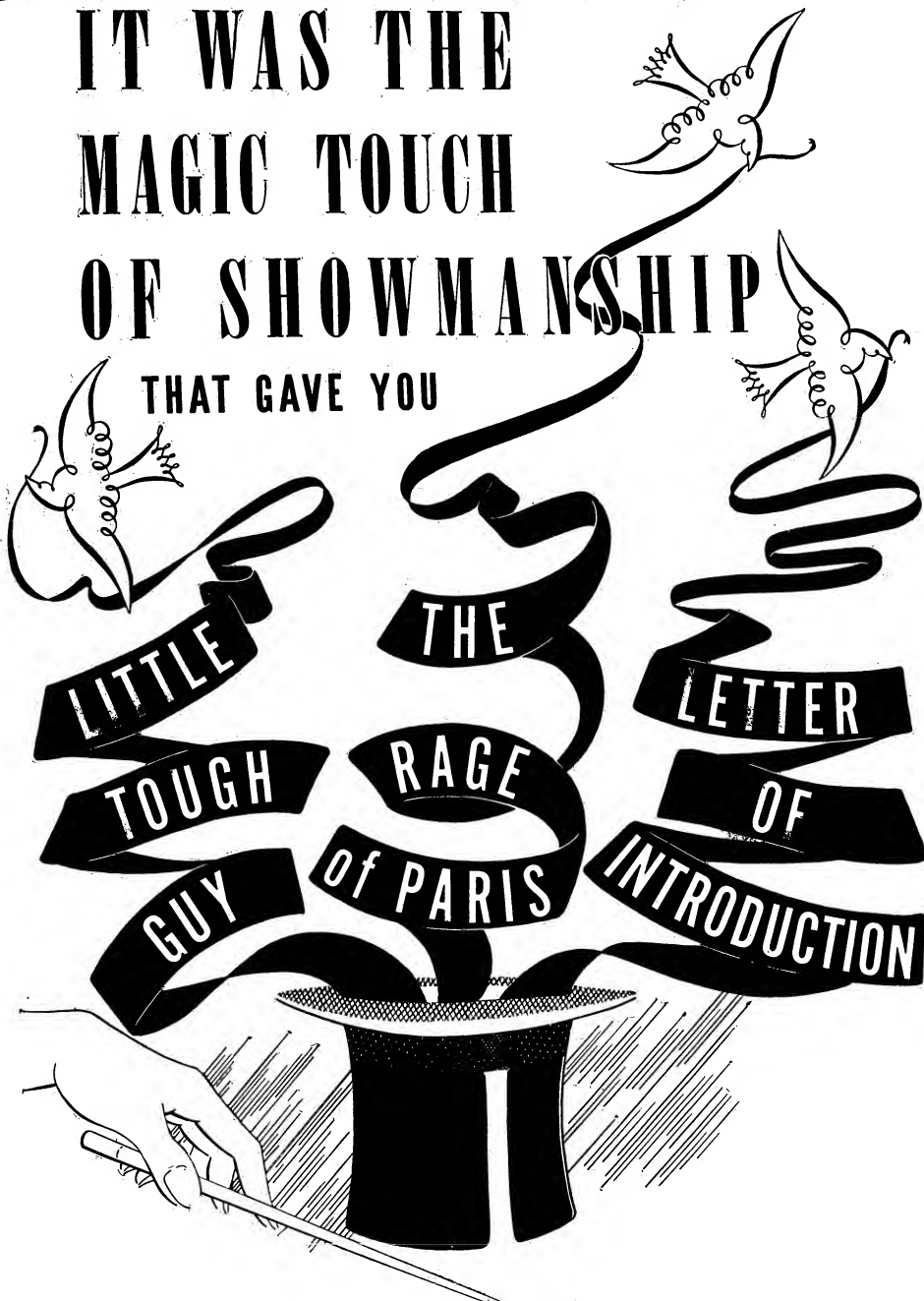
of PARIS

LETTER

OF

INTRODUCTION

and that NOW Presents . . .





PRESTO!

(Meaning appearing
September 16th—for
national release!)



Girl finds boy with
eyes for love—but no
mind for marriage!

JOEL McCREA and ANDREA LEEDS In "YOUTH TAKES A FLING"

DOROTHEA KENT • FRANK JENKS • VIRGINIA GREY
GRANT MITCHELL • ISABEL JEANS • MARION MARTIN

Screenplay by Myles Connolly and Tom Reed

Original story by Phil Epstein

Directed by
ARCHIE MAYO

A JOE PASTERNAK
Production



ABRACADABRA!

(Meaning "Road to Reno"
is yours September 23rd
—and "Service De Luxe,"
October 14th!)



Constance BENNETT, in "SERVICE de LUXE" with VINCENT PRICE

Charlie RUGGLES Helen BRODERICK

Mischa JOY
AUER • HODGES

Produced by
EDMUND GRAINGER

Directed by
ROWLAND V LEE



And then—September 23rd! RANDOLPH SCOTT in "THE ROAD TO RENO"

co-starring
HOPE
HAMPTON

with Helen Broderick Alan Marshal Glenda Farrell
Samuel S. Hinds David Oliver

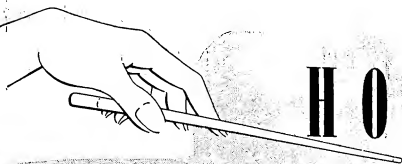
Screenplay by Roy Chanselor and Adele Comandini
Story by Charles Kenyon and F. Hugh Herbert Based
on the novel "The Road to Reno" by T. A. R. Wythe

Directed by
S. SYLVAN SIMON

Produced by
EDMUND GRAINGER



UNIVERSAL has the magic



HOOPLA!

(Meaning look what we have here for September 30th release!)

The Rainbow Girl of Music and Loveliness!

Deanna

DURBIN in
"THAT CERTAIN AGE" with

MELVYN DOUGLAS

JACKIE COOPER

IRENE RICH

NANCY CARROLL

JOHN HALLIDAY

Screenplay by Bruce Manning

From an original story by F. Hugh Herbert

Music by Jimmy McHugh & Harold Adamson

Directed by

EDWARD LUDWIG

A JOE PASTERNAK

PRODUCTION

Jackie Searl

Juanita Quigley

Peggy Stewart

Charles Coleman



KAZAAM!

(Meaning this pounding, thrill-charged, exploitation powerhouse comes to you October 28th!)

THE STORM

with

CHARLES

BARTON

PRESTON

BICKFORD · MacLANE · FOSTER

TOM BROWN · NAN GREY

ANDY DEVINE · FRANK JENKS

SAMUEL S. HINDS

Produced by KEN GOLDSMITH

Directed by HAROLD YOUNG



touch of BOX OFFICE!

\$250,000 in Nat'l Ads to Be Spent in Next 2 Weeks, First Gun in Film Biz's 'Greatest Entertainment' Drive

The \$250,000 in display newspaper advertising space to be spent within the next two weeks is the initial step in the blast of the Motion Pictures Are Your Greatest Entertainment campaign. First copy in the coast to coast barrage will be released today.

Within the short period of five weeks, plans for the drive for new picture business have been conceived, perfected and put into operation by the general executive committee, headed by George J. Schaefer is chairman, and the executive promotion committee, headed by Robert M. Gilman and Charles E. McCarthy. More than 100 showmen, in addition, have participated actively in the preparatory work, leading up to the exploitation drive.

Industry's co-ordinated exploitation push will continue until Dec. 31, the date set for the end of the national movie quiz contest, for which \$250,000 has been appropriated in prize money. Budget for the entire campaign is set at \$1,000,000, of which \$500,000 is pledged by the distributors to the affiliated theatre circuits, and \$500,000 by independent theatre owners. Complete financial underwriting is assured. Pledges from independent theatre owners, at a rate of 10¢ per seat have reached \$320,000, according to information from national headquarters, New York. Balance is anticipated within the next few days.

Mutual congratulations and a general air of gratification upon the success of the campaign have marked its inaugural stages, has been succeeded along Broadway by the success of the campaign. The exploitation bang is reviving showmanship within the film trade in a manner unparalleled in the history of the office results during the next few months. Orders have been placed for 100,000, 14 cent, 10 cent, 5 cent, 2 cent, 1 cent, 1/2 cent, 1/4 cent, 1/8 cent, 1/16 cent, 1/32 cent, 1/64 cent, 1/128 cent, 1/256 cent, 1/512 cent, 1/1024 cent, 1/2048 cent, 1/4096 cent, 1/8192 cent, 1/16384 cent, 1/32768 cent, 1/65536 cent, 1/131072 cent, 1/262144 cent, 1/524288 cent, 1/1048576 cent, 1/2097152 cent, 1/4194304 cent, 1/8388608 cent, 1/16777216 cent, 1/33554432 cent, 1/67108864 cent, 1/134217728 cent, 1/268435456 cent, 1/536870912 cent, 1/1073741824 cent, 1/2147483648 cent, 1/4294967296 cent, 1/8589934592 cent, 1/17179869184 cent, 1/34359738368 cent, 1/68719476736 cent, 1/137438953472 cent, 1/274877906944 cent, 1/549755813888 cent, 1/1099511627776 cent, 1/2199023255552 cent, 1/4398046511104 cent, 1/8796093022208 cent, 1/17592186044416 cent, 1/35184372088832 cent, 1/70368744177664 cent, 1/140737488355328 cent, 1/281474976710656 cent, 1/562949953421312 cent, 1/1125899906842624 cent, 1/2251799813685248 cent, 1/4503599627370496 cent, 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RKO
RADIO'S
BIGGEST
SHOWS
ARE YOURS
DURING
THE
MOVIE QUIZ
CONTEST
PERIOD



... now opening to peak
business everywhere!

Fred ASTAIRE *ginger* **ROGERS**

LYRICS AND MUSIC BY
Irving **BERLIN**



"CAREFREE"

WITH
RALPH BELLAMY
LUELLA BEAR
JACK CARSON
CARLENCE KOLB
FRANKLIN PANGBORN

PHOTOGRAPH BY MARY STODOLSKA
DIRECTED BY ALICE COOTE AND ERNEST
SCREENPLAY BY ALICE COOTE AND ERNEST
STORY AND ADAPTATION BY MARY
STODOLSKA AND MARY STODOLSKA

--sure-fire box-office...
with a new skating star
--5-year-old Irene Dare--
who'll make 'em cheer!

Bobby BREEN



BREAKING THE ICE

WITH
CHARLIE RUGGLES
DOLORES COSTELLO
ROBERT HANAT - CHARLIE MURRAY
DONOTHY PETERSON - BILLY GILBERT
AND
the World's Youngest Ice Skater
IRENE DARE

Produced by SOL LESSER
Directed by Edward F. Cline
Screen Play by Mary McCall, Jr.
Music by Mabel Self & Bernard Schubert



..and... COMING
SOON!..

MARX

BROS

"ROOM
SERVICE"

..FIRST OF A NEW SERIES
--and a whale of a
box-office show!

WITH LUCILLE BALL
ANN MILLER
FRANK ALBERTSON
PANDRO S. BERMAN
IN CHARGE OF PRODUCTION

Directed by
William A. Seiter
Screen Play by
Morrie Ryskind

JACK OAKIE
LUCILLE BALL
The
"AFFAIRS OF
ANNABEL"

WITH
RUTH DONNELLY
BRADLEY PAGE
FRITZ FELD
THURSTON HALL
ELISABETH RISDON
Directed by Ben Stollott
Screen Play by Bert Grant
and Paul Yanitz

All RKO RADIO Pictures included in the
Movie Quiz, listed according to release

"MOTHER CAREY'S CHICKENS"

with ANNE SHIRLEY • RUBY KEELER • JAMES ELLISON • FAY Bainter
WALTER BRENNAN • FRANK ALBERTSON • ALMA KRUEGER

JOE PENNER in "I'M FROM THE CITY"

with RICHARD LANE • LORRAINE KRUEGER • PAUL GUILFOYLE • MAY SUTTON

GEORGE O'BRIEN in "PAINTED DESERT"

with LARAINE JOHNSON • RAY WHITLEY

"SMASHING THE RACKETEERS"

with CHESTER MORRIS • FRANCES MERGER • RITA JOHNSON
BRUCE CABOT

BOBBY BREEN in "BREAKING THE ICE"

with CHARLIE RUGGLES • DOLORES COSTELLO • ROBERT BARRAT
DOROTHY PETERSON • BILLY GILBERT • CHARLIE MURRAY • IRENE DARE

FRED ASTAIRE • GINGER ROGERS in "CAREFREE"

with RALPH BELLAMY • LUELLA GEAR • JACK CARSON • CLARENCE KOLB
FRANKLIN PANBOURN • Lyrics and music by IRVING BERLIN

JACK OAKIE • LUCILLE BALL in "THE AFFAIRS OF ANNABEL"

with RUTH DONNELLY • BRADLEY PAGE • FRITZ FELD • THURSTON HALL
ELISABETH RISDON

GEORGE O'BRIEN in "RENEGADE RANGER"

(Listed in Movie Quiz Book as "Ranger Code")
with RITA HAYWORTH • TIM HOLT • RAY WHITLEY

"FUGITIVES FOR A NIGHT"

with FRANK ALBERTSON • ELEANOR LYNN • ALLAN LANE • BRADLEY PAGE
ADRIENNE AMES • JONATHAN HALE • RUSSELL HICKS • PAUL GUILFOYLE

THE MARK BROTHERS in "ROOM SERVICE"

with LUCILLE BALL • ANN MILLER • FRANK ALBERTSON

JOE PENNER in "MR. DOODLE KICKS OFF"

with JUNE TRAVIS • RICHARD LANE • BEN ALEXANDER • BILLY GILBERT
JACK CARSON • ALAN BRUCE

"THE MAD MISS MANTON" (Tentative Title)

starring
BARBARA STANWYCK • HENRY FONDA

HOW SOON THIS PREDICTION HAS COME TRUE!*

*(The statement below introduced the 20th Century-Fox product announcement for the First Quarter of 1938-39! We urge you to read it again!)

Through the murk of doubt which has hung over this industry, we now see the dawn of a new season.

The circulation of vast government funds, stronger business activity, greater optimism—all these general conditions indicate that the next three months, August, September and October, will be the most important period in the history of the motion picture theatre.

Never before has it been so imperative that your theatre display the strongest possible attractions. This is the tide which "taken at its flood leads on to fortune."

Since early last spring Twentieth Century-Fox has been preparing for this hour. At that time our studio launched a program of the greatest productions this company has ever undertaken. Practically all of the pictures which Twentieth Century-Fox will release in the first quarter have already been completed. Thus our accounts are in a position to benefit immediately from a continuous flow of great attractions.

You owe it to yourself to compare these pictures—week for week—with the pictures of all other producers.

THE FIRST
OF 20TH'S BIG
NEW-SEASON HITS
BLAZES THE PATH TO A
NEW AND GREATER
BOXOFFICE ERA!

(Items below are all from
ONE issue of Variety)

VARIETY

Duminy Puts Letter on Top, In Brisk L.A. Week
Busters \$19,500, August's Sell

COMING MY LUCKY STAR

ALEX TERRIFIC \$8,500 IN K. C.'S NEW ESQUIRE

COMING HOLD THAT CO-ED

RECORD \$18,000 FOR ALEX IN LOUISVILLE

COMING SUBMARINE

ROARS NICE \$10,500 IN DENVER ALEX BIG

ALEX 20G, BIG IN BUFF

Smash \$14,000, 'Chatter'

Heat Dents P...

Pin the Cure-All in...

BOXOFFICES ON THE UPBEAT

'Alex' \$50,000 2d Week in Chi After \$60,500 1st; 'Terror' and 'Crow' Strong H.O.s; Robinson-Carey

'ALEX' TOUCHING OFF BIG PIX BIZ

'Algers' \$21,000

Broadway Grosses

Estimated Total Gross This Week: \$1,100,000 (Based on 14 theatres)

Total Grosses to Date: \$1,100,000 (Based on 14 theatres)

ALEX PARADES DETROIT TO BANNER 40C

STRICTLY 'ALEX' IN BALTO AT \$10,000

COMING STRAIGHT, PLACE AND SHOW

'Alex' High 2G, But Cincy B.O.s Otherwise Blah

PORT. GROSSES ZOOM; 'LETTER' NICE \$5,000

COMING

'Alex' Record \$19,000, Top Omaha Compish

PATROL

'Alex' Soaks \$10,000 As All Month B.O.s Sports

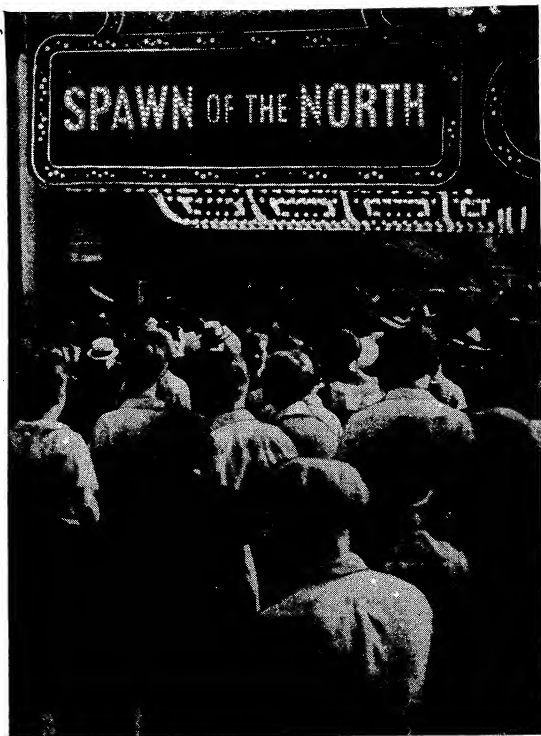
SUEZ

'Alex' Now \$36,000 in Frisco, 'Letter' \$10,000 in Toledo



THE KEYSTONE OF YOUR FUTURE

MOVIE QUIZ \$500,000 CONTEST PICTURES



BOX AVERAGE

SEATTLE, WASHINGTON

"SPAWN OF THE NORTH" does best week's business in the last six months at the Paramount. Breaks three-year house opening day record. Held over for second week.

PORTLAND, MAINE

"SPAWN OF THE NORTH" did a tremendous week's business in three days.

NEW LONDON, CONN.

"SPAWN OF THE NORTH" business terrific . . . within few dollars of house record.

NEW BEDFORD

"SPAWN OF THE NORTH" did week's business in three days. Action tremendous.

SPAWN OF THE NORTH



SPAWN OF THE NORTH

CONN.

"SPAWN OF THE NORTH"

audience re-

OMAHA, NEBRASKA

At the Omaha Theatre, "SPAWN OF THE NORTH" opens to smash business turning in best opening day's gross of entire year, beating "Wells Fargo."

WHEELING, WEST VA.

At the Rex Theatre, "SPAWN OF THE NORTH" opened to biggest day's business in whole year, topping "Buccaneer," "Bluebeard."

LITTLE ROCK, ARK.

Pulaski Theatre, "SPAWN OF THE NORTH" outgrossing such big money-makers as "Buccaneer," "Souls At Sea," "Artists and Models."

NORTH

"SPAWN OF THE NORTH"

Starring **GEORGE RAFT**
HENRY FONDA • **DOROTHY LAMOUR**
 with Akim Tamiroff John Barrymore
 Louise Platt Lynne Overman
 Directed by Henry Hathaway
 Screen Play by Jules Furthman and Talbot Jennings : Based on
 Barrett Willoughby
 A Paramount Picture

IF THEY CAN
READ
THEY WILL KNOW THAT

"DRUM"

NEITHER effort nor money will be spared to give this picture, one of the greatest box-office pictures United Artists has ever distributed, the biggest send-off enjoyed by any attraction released by any company in the last few years!

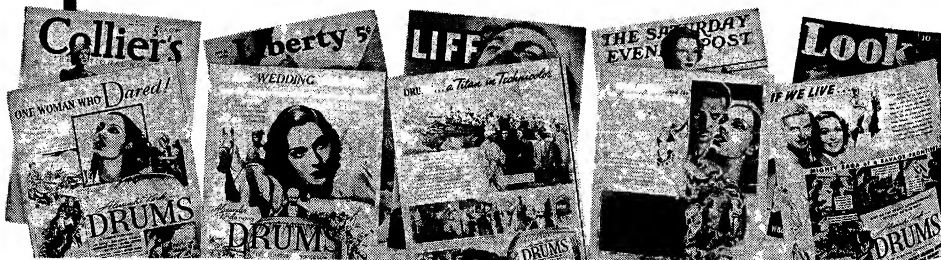
60,000,000 PEOPLE

will be bombarded with the news that you can't beat "Drums" for entertainment!

NATIONAL ADVERTISING SCHEDULE

Publication	Circulation	• Publication	Circulation *
AMERICAN WEEKLY.....	6,855,634	MODERN MAGAZINES	1,309,666
LIFE	2,000,000	Modern Screen	
LOOK	1,873,127	Modern Romances	
SAT. EVENING POST	3,037,562	MOVIE MIRROR	467,275
LIBERTY	2,389,606	SCREENLAND UNIT	632,099
COLLIER'S	2,626,739	Screenland	
SCHOLASTIC	204,350	Silver Screen	
JUNIOR SCHOLASTIC	100,000	DELL SCREEN GROUP.....	263,912
PARENTS' MAGAZINE	454,088	Film Fun	
		Screen Romances	
		PICTURE PLAY	162,846

Plus A NEWSPAPER BARRAGE OF HARD-HITTING, SURE-SELLING, LARGE SPACE ADS IN 59 KEY CITIES!



"S" IS THE PICTURE OF THE YEAR!

Alexander Korda PRESENTS DRUMS

THE MIGHTY EPIC OF
FRONTIER ADVENTURE

Brave men and the brave women who follow them... is their story. Fighting, living perilously, loving dangerously... to the throb of a savage drum... in a stirring epic of India's wild frontier. Heroic in its sweep, mighty in its conflict, a thrilling and spectacular cavalcade of conquest! It shows you, in the new glory of Technicolor...

THE SAVAGE HEART OF THE EAST
and the inner heart of the West in bitter
struggle... the only love of pure blood in
the brutal heart of a busy province...



THE LOVE OF A WOMAN for a brave
man... as she follows him into the land-
ing Himalayas, sharing the perils of a won-
derful journey.



THIS AD IN FULL COLOR WILL APPEAR IN
THE AMERICAN WEEKLY
THE GREATEST MASS-
MEDIUM IN AMERICA!

in Glorious Technicolor

with **SABU**
RAYMOND MASSEY
DESMOND TESTER
ROGER LIVESEY
VALERIE HOBSON

AND A CAST OF 3,000
DIRECTED BY ZOLTAN KORDA
FROM A STORY BY J. H. M. HARRIS
RELEASED BY PICTURES



You'll be CLIPPING COUPONS



When you play "MARIE ANTOINETTE"

Starting off at a terrific clip! "Sweet Marie" is your new sweetie!

DETROIT—Zooms far beyond "Test Pilot," "Great Ziegfeld," "Maytime" and all the box-office darlings!
Extra! As we go to press! Detroit is first Hold-Over. Watch for more!

PITTSBURGH—Way ahead of terrific "Test Pilot," "Good Earth," "Maytime," "Saratoga," "Great Ziegfeld," etc.

DENVER—Clipping bigger coupons than "San Francisco," "Great Ziegfeld," and other Biggies.

CHICAGO—Imagine! It beats "Rosalie's" great Christmas biz!

HOUSTON—Hot on the heels of torrid "San Francisco" and in Houston's hottest August.

ATLANTA—Good-bye to that "Great Ziegfeld" record!

SAN FRANCISCO—Good-bye to that "Good Earth" record!

Just a few early engagements in **HOT AUGUST**, but breaking records anyhow. Watch it **GROW!**

CRITICS PREDICTED

"'Marie Antoinette' superb. One of the year's treats."—*Buñuel, World-Tel.*
"Most sumptuous spectacle of the year."—*Barnes, Herald Trib.*
"Deserves one of the top places on list of pictures to be seen."—*Cretchen, Sun*
"Norma Shearer's fans hail her triumphant return with rousing cheers."—*Johannsen, Mirror*
"Royal reception. Stirring production."—*Cameron, News*
"Stirring action. Impressive achievement."—*Miskin, Telegraph*

THIS BIG ASTOR HIT!

NORMA SHEARER · TYRONE POWER
"MARIE ANTOINETTE"

Metro-Goldwyn-Mayer's Triumph

ASTOR
AIR-COOLED
4450 St.

3 SHOWS TODAY—3-5 P. M. All Seats Reserved. Daily 2:30, 8:45. Midweek Show Sat. Mats. (except Sat., Sun. & Hol.), Sun. & Hol. 6 P. M. Shows, 5:00, 7:30, 11:30, 1:15, 3:15, 5:15 (plus tax).

A \$2 SMASH! A POP PRICE SENSATION!

EXPLOITATION

Warners Click Ads

Prior to the opening of "Four Daughters" at the Radio City Music Hall, Warners ran a 200-foot campaign in the N. Y. papers, headed by "Have Seen 'Four Daughters,'" and signed by Jack Warner. This was followed after the opening by a second, of similar size, carrying the top line "You Have Seen 'Four Daughters,'" and signed by the same week and attracted considerable comment, not only because of the unusual type of typographic, purely from that it attracted attention to the picture, but also because of the printers ink, Editor and Publisher, Advertising Agent, not to mention the N. Y. Times, which alluded to the fact in reviewing the screening at the M. H. Both ads were notable for modesty and economy of wordage as well as the typographic. The first advertisement is credited with having very materially contributed to the quick take-off of the picture and its sustained gross in its hold-over.

Now Warners plan to spend between \$80,000 and \$90,000 on a campaign in 33 key cities, using only the first of the two ads. This will run in the morning papers the day before the premiere at the local house, and in the morning papers the day of the opening. The company will assume the entire cost and not require the local theatre to contribute.

It is a highly practical contribution to the current national campaign, though not regarded as a part of the "better motion picture" picture simply, forcefully and directly that will sell other W.B. product. It is not just an advertisement for "Daughters," though it is a powerful one. It is a contribution to the fact that W.B. is importantly among those present when it comes to the current season's product.

This is not the first time W.B. has done a big job of selling with typography instead of through cuts, as witness "Midsummer Night's Dream" and "The Sign of the Cross," and in the morning papers the day of the opening. The company will assume the entire cost and not require the local theatre to contribute.

Loew-Poll's Cakefest
Saratoga Springs
Loew-Poll's gesture to the "eater" show season was a "cut yourself a slice" cake, with nice-size edibles mailed to the press, etc. The trip for the Loew-Poll New England theatres.

By Epos W. Sargent

'Lex' Steals St. Louis

Getting the Midtown Business Club, organization of 350 merchants in the vicinity of Fanchon & Marco's 5,000-seater Fox, started up for reopening, after 13 weeks of darkness, the subtle suggestion of Les Kaufman, p.m. This was the prelude to a stock campaign for "Alexander's Ragtime Band" (Columbia), the picture. The Business Club not only got the reopening, but also saw that every daily rag carried extra yams. This was accomplished, Kaufman obtained two full-page 20-sp ad spots in the "Star-Times" for "Alexander," with the picture breaking all records during a one-week stand. For the first time in years FAM went to work with 24 1/2, using 125 of 'em all worded for hours. A preview of the pic was held for every nitery entertainer in town, and each was given a piano copy of the songs used in the pic. The Star-Times, p.m. rag, used a preview review of the screen copy, a very unusual procedure, two weeks in advance of opening. After buying several spot announcements over WMWX, Kaufman obtained a floor more gratis. Every music store in town posted window signs for "Alexander's Ragtime Band," and every music store was decorated with "Alexander's Ragtime Band" signs. This was used for sending special cards, and the pic got no cost to the theatre.

The Melbourne hotel, near the theatre, permitted Kaufman to imprint its menu cards with "Alexander" copy and also show special notices under the glass tops of dressing bureau in each of the 4 rooms. After its one-week stand at the Fox, "Alexander" moved over to the Missouri for a further week.

Met-Goldwyn's started a traveling marionette auto truck across the country ballyhoing Marjorie Antonette and Paramount's Mule is starting from the Coast well in advance of Bob Hope's film in that city that maximum number of cities may be contacted before film is generally released.

critin's Double Fort

William E. Benton's Congress had an advertised world premiere of the Fred Astaire and Ginger Rogers picture "Carefree," at midnight Wednesday, at the Fox. The picture is a racing season, Walter Read's Com-

munity unveiling "Sing, You Sinners" at a Saturday midnight show. Incidentally, last week was a big week on advertising and publicity for Irving Berlin. He received billing for the start for the picture, "Sing, You Sinners," and had top featuring in "Alexander's Ragtime Band," playing the Community the first half.

Covered It Up

As a letter of introduction to Sabu, the Korda East Indian boy star, who arrived in New York last week, was issued in book form the story of Sabu, somewhat similar to that recently given out to editors in mimeographed form, with a striking cover picture, with a full page out on every right-hand page.

Printed by the Oxford University Press carrying the price tag of one dollar. To many persons the picture alone will be worth the price.

The text, done by Frances Flaherty, is very different from the mimeo copy.

Theatres-Exchanges

Uptown, 2,000-seater, first new house here in a good many years, here to stay in the fall. The picture is owned by Kalamazoo Michigan, and the RCA-Victor trading list was used for sending special cards, and the pic got no cost to the theatre.

Butterfield Michigan circuit opened first new Uptown theatre here last week.

Hamilton, O.
Oxford, new 1,000-seater house in nearby Oxford, college town of 10,000, scheduled for opening in mid-September. Being built for S. Jossey, of Cleveland.

Los Angeles.
New Century theatre opening at 2, House was built jointly by Fox-West Coast and Loia Adams Inc.

Fox-West Coast is dickering for 1900 lease on Garden theatre, Burlington, Cal., closed several years.

Albert A. Gaston is remodeling a store building on Whittier, pop. 15,000. House will be ready for opening Oct. 15.

Oklahoma City.
Ritz, Muskogee, undergoing repairs with \$15,000 going out for new seats and complete redecoration.

Crescen's new 400-seater at Bufala will open around Oct. 1. Crescen operates the Palace there at present.

L. E. Brewer completely modernizing his Royal, Pals Valley, new, modernization, new carpets, modern glass front and remodeled interior. Brewer recently completed installation of a Siroco air conditioning system at his Polly, same town.

M. R. Parks, Tonkawa theatre opened with his new house in Disney, Okla. around Sept. 5. Parks' company manages the house and Walker SS screen, and is a 400-seat job.

Following managerial changes announced by Griffith Amus, Co.: Taylor, branch manager at Muskogee, Okla., to manager of Cleburne, Tex.; George Limerick from Muskogee, Okla., to manager of Muskogee, Okla.; George Limerick from Muskogee, Okla., to manager of Muskogee, Okla.

City manager, and Carl Benefield, from city manager at Earl to same town in the Pampa, Tex.

A. G. Smith, after 12 years as branch manager, has been transferred to the Supply branch, will shift into his new sales staff. Smith was formerly manager of the theatre in Missouri and Arkansas.

Rochester, N. Y.
Gerald Fowler, manager of Geneva theatre, Geneva, N.Y., transferred to Lockport, in charge of Palace, Rialto and Hi-Rat, succeeded by Francis M. Gers, who went to Norwich. Fowler started as a promoter 11 years ago at the Regent, Geneva.

New York.
Irving Ludwig has resigned as assistant manager of the Rialto, N.Y. to assume operation of the Playhouse for Radio & Broadway, Ludwig was at the Rialto 11 many years. No successor yet appointed at the Rialto.

B. F. (Dinty) Moore, who has been in charge of the N. Y. and Brooklyn Strand theatres for Warners, has been named general manager, to be replaced by Warner Bros. associate, Moore goes to Oklahoma City where he has been general manager of the Standart. Theatres Corp. Zep Rep.

Moore has been acting manager of the Strand.

Film Reviews

TENTH AVENUE KID

(Continued from page 18)

and plays sleuth in "Tenth Avenue Kid" as the subject for a musical reform, with 12-year-old Tommy Power as the subject for a musical reform. It's just another dueler.

Young Tommy Ryan stars as the hero, and "The Beverly Hills Cop," who, more recently of Warner Bros. as the subject for a musical reform, and finally Cabot, all incidental.

The youngster lends a plaintive singing voice when his character is in the mood to sing, and it's all to the good. Voice is on the Bobby Breen level.

"Cabot is a tough kid, Jim Silk Loomis, who came by the nickname through his smooth sartorial manner. But the kid, who even bids fair to eclipse his old man as a criminal when he gets out of short pants, is the thorn in his side. Mopett had seen Cabot kill his father, when the young tracked spot to a room after he had been in on a bank-robbing job, with resultant anonymity.

After that it's all about Cabot's attempt to get the youngster to reveal the hidden cache. Ultimately the two become pals after a hectic gun battle, among others, in which Cabot is the hidden cache.

Horace MacMahon, a pup-of-Cabot, is a picture, playing the role. Cabot is okay and so is Miss MacMahon, who is just a cutie little Tommy Ryan dwarfing them.

Direction by Bernard Vorhaus is good in most spots.

Bulldog Drummond in Bulldog Africa

Paramount release of Harold Hurst production, "Bulldog Drummond in Bulldog Africa," directed by John King. Based on the novel by H. C. Witton, written by: Walter Connolly, edited by: John King. Running time, 75 min.

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the box window. Although it is peopled with familiar western clichés, film looks like it was tossed together by a bunch of men on a budget feature. Production, scripting, directing, editing, and acting are all on the quickie school, and net result is not up to that description.

"The Beverly Hills Cop" is a film that he appeared and warbled on the radio. "The Beverly Hills Cop" is a film that he appeared and warbled on the radio.

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MOVIES *like these —* ARE YOUR PROFIT PICTURES

Monograms 4 Contest Hits



Boris
KARLOFF
in
"MR. WONG
Detective"

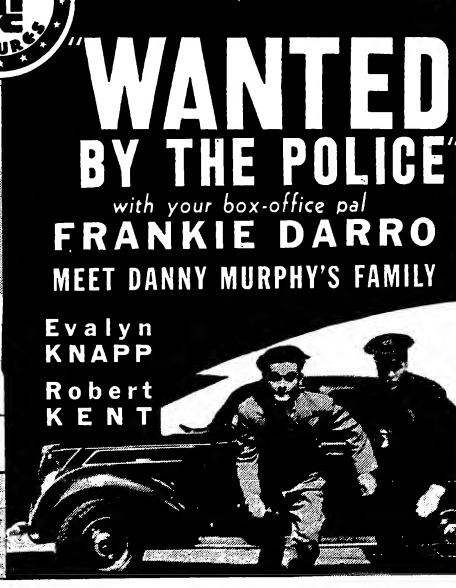
KARLOFF creates a brand new character—James Lee Wong—based on Hugh Wiley's famous Collier's Magazine stories.




"BAREFOOT BOY"
WITH JACKIE MORAN · JONES
MARCIA MAE
RALPH MORGAN · CLAUDE WINSTON
MATTY FAIN
"Enjoyable family entertainment. Story has human appeal, comedy, plentiful excitement."
—Harrison's Reports



"UNDER THE BIG TOP"
WITH MARJORIE MAIN
ANNE NAGEL
JACK LA RUE
GRANT RICHARDS



"WANTED BY THE POLICE"
with your box-office pal
FRANKIE DARRO
MEET DANNY MURPHY'S FAMILY
Evalyn KNAPP
Robert KENT

NBC's About-Face

Despite the scarcity of unsold programs on the NBC red (WEAF) and the network's recent reorganizational sales maneuvers to develop the business on the blue (WJZ) radio, NBC last week came up with a three-station hookup on the red with Nestle's chocolate and cereals (Lamont Corbin & Co.). It's the \$30 to ten cents Wednesday night. The Mutual Network was the unsuccessful competitor for the NBC business.

What gives this three-station sale a particularly curious angle is its long contrast with the policy announced for the red network July 5, namely, that night-time stations on the red would be required to take a minimum of 50 stations.

Quite by Accident is the program's tag and the series will start Oct. 5. Script show will deal with the strange quirks that have skyrocketed certain persons to success, or caused them to drop suddenly from fame into the limbo of forgotten men. Jack Meakin, who used to be CBS' musical director in San Francisco, heads up the cast. Joe Banks and William Gonzales did the scripting for Music Corp. of America, which sold the series. The stations in the hookup are WEAF, N. Y.; WJZ, Newark, N. J.; and WMAQ, Chicago. Cecil, Warwick & Leger is

WLW's Farm Campaign Starts Rolling; Lining Up Programs to Start Oct. 1

Incinnati, Aug. 30. New director of WLW's new agricultural department, J. W. Meredith, started Monday (29) to round up farm organizations and consult with extension services in the midwest for co-operation in a series of service programs to be inaugurated Oct. 1. Broadcasts will be made with the Crosby super's Top of the Morning's station, 6 to 8:15 a.m., early next Sunday.

Meredith was graduated from Ohio State College in 1932 with a degree in agricultural economics and was employed with farmers' organizations as a representative of Swift & Co., and also of Sears Roebuck & Co. His radio chores for WLW will be to do with the eradication of weeds and blights, particularly in the Indiana, Illinois, Kentucky and West Virginia, and discussion of bulwarks from the U. S. Department of Agriculture.

For its second season, the Voice of the Farm series of broadcasts by David Mitchell has been resumed. WLW Programs, heard Saturdays at 1:30 p.m., and Sundays at 2 p.m., feature interviews with prominent farmers, agricultural leaders and authorities on topics dealing with rural farming and stock raising. Vocal and instrumental music is blended with the chatter.

Ohio Fair's Coverage Columbus, Aug. 30. With WLW joining local stations for daily broadcasts, Ohio State Fair last week got greatest radio coverage in history. Cincinnati station came on Saturday night, broadcast out of Reatro Valley Barn Dance group, which played a one-nighter at "outdoor grounds" for the fair's opening day (20). Record crowd paid its way into the coliseum to hear all sorts of animal and human acts all night long and half before the show started. In line with the current WLW program, mobile car conveyed on the four daily 15-minute broadcasts. The first, midweek, new WLW director, John Conrad handled the program on this end.

For former years, WHCK, WBNS and WOST set up home headquarters in the fairgrounds and originated near-by live light day shows from the exposition.

THOMPSON'S AMBITIOUS PLANS FOR KELLOGG

J. Walter Thompson has big plans for the Kellogg account as a network presentation. The Kellogg show which the agency has mapped out would run an hour, starting on the NBC (WJZ) and later, when the time becomes available, shifting to the NBC red (WEAF).

Thompson would like to use a male and build a show for the Kellogg (Kellogg) for the m.c. of the Chase & Sanborn Coffee

Venuta Going Legit

Benay Venuta will have a straight dramatic role in the forthcoming Brooks Pemberton production, "The Boys Goodbye." On radio she is currently m.c'ing her own full-hour program on WOR Saturdays at 4 p.m.

Pemberton show went into rehearsal early last week and is set for an opening in Washington about mid-September. Plot is a takeoff on the casting of "Gone With the Wind."

RADIO HARVEST POLITICAL COIN IN GEORGIA

With political hustling streaming into home stretch, local radio stations are reaping harvest brought on by tightly contested races for U. S. Senatorial jobs, now worn by Walter S. George, and gubernatorial job.

With George's post sought by Federal District Attorney Lawrence S. Camp, who got blessings of President Roosevelt when latter personally put solon on spot this month as part of his "purge" program, candidates have been resorting more and more to radio. Camp does not lack for financial backing and he's purchasing time right along with George. Ex-Governor Lyttell has been the target of Georgia politics, third outstanding man in four-cornered race, has also been reaching his constituents via radio.

WSB, Atlanta, due to its 50 kw power, has been garnering lion's share of campaign sheets, with its little (1 kw) brother, WAGA, sharing, and WGST, with 5 kw, coming along for its portion. Smaller stations throughout state have gotten time, but not much.

WSB and WAGA are planning elaborate election setup for election coverage Sept. 14, date of first primary. More coin is in offering for stations between that date and Oct. 5, when runoff between two leading candidates in each race will take place to set up whose name will carry ticket in November general election.

Daley Back to NBC

Arthur J. Daley rejoined NBC as production director in the network's Washington studios.

Before quitting to handle the production of the Pontiac Variety shows, Daley directed NBC programs for nine years.

IN NEW NOSTRUMS' DAY

Nix on Night Recordings Another Move by Station to Make Itself No. 1 Indie—Waxed Daytime Commercial Will Also Go Off, If Commitments Permit

LICENSE ANGLE

More drastic than its decision to shake off its medicinal and laxative accounts is the new policy which WLW, Cincinnati superstation, has adopted toward transcriptions. In its drive to establish the highest standard of any independent station in the country, WLW proposes to clear its Placid-like schedule of all recorded programs. Another designated move is the elimination of all versions of network commercials during the day.

WLW admits that this radical reeling of its program policy stems from its developed during the recent hearing of the station's application for a renewal of its 500,000-watt permit before the Federal Communications Commission. The WLW management's campaign to revise its standards includes the establishment of a farm program department and a general stepping up of its local production.

Legar's Job George Biggar has been hired away from WLW, Chicago, to head up everything involving rural audience appeal at WLW. Biggar will not only supervise the new content of an early a.m. new program directed at farmers, but concern himself with all types of rural programs and the operations of WLS's artists bureau.

As explained by James Shouse, WLW gen. mgr. last Friday (26) while on a business visit to New York, the station will do all it can to speed up the new policy of eliminating transcriptions and medicinal accounts, but without violating any of its present advertising contracts. What would be WLW's attitude toward the inclusion of San Helena plugs in Fred Hunter, Shouse said that any show which is acceptable to NBC would be acceptable to WLW. He is doubtful whether the FCC would object to any show which the station carried for NBC.

Shouse declared that, though WLW would try to cut down the number of commercial transcriptions to a minimum, it would not alter its schedule, the station had no intention of penalizing important national accounts whose daytime transcribed programs are of a high quality and would be appreciated in the area covered by WLW. The station's general staff is re-examining the station's NBC schedule, it found that by shifting off shows in an exchange for transcribed versions of NBC programs, and instead broadcast direct from an NBC hookup.

Two cases in point cited were Mustertele and Dari-Rich. Understood that WLW's next move would be to cut down on the number of script shows.

LYTTELL'S 'LONE WOLF' SET; TUMS SPONSORS

Bert Lyttell in the "Lone Wolf" series will take over Tums' two-quarter-hour schedule on WEAF, New York, either Sept. 27 or Oct. 4. Account, Lewis-Howe Co., is currently using a musical stanza in these programs and Thursday nights (7:15-7:30 p.m.).

Wax takeoffs of the Lyttell broadcast will be placed with stations in three or four other cities. If the show clicks during the initial 13-week cycle, it may be given an expanded radio and general publicity office sold the program to the H. B. Kantor agency.

N.W. Station Owner Charged With Bias in Hot Political Campaign; FCC Prober Reported in District

Plus God

Detroit, Aug. 30. John Stinson, on standby duty at WJR during the Household Finance Corp. program last week, noted the Aurora Borealis putting on a big show over Detroit. "Sponsor or listener?" mused Stinson, who decided to carry water on both shoulders and tune into program with:

"Ladies and gentlemen, I think you'd like to know that the Aurora Borealis is putting on a great show right now and I advise you to go outside and see it. Please remember that the show is on the heavens, as well as the show on the air, comes to you through the courtesy of the Household Finance Corp."

Radio jumped into the political arena here with both feet last week when, at a political meeting held in Eoumian, nearby burg, sponsored by the Scandinavian-American Federation, Oscar Asplund, of Seattle, made the case for the owner of a chain of radio stations. Asplund charged that Cass's campaign is being financed by Louis Wassmer, owner of KIQG and KGA, in Spokane, and one of the owners of the Northwest Mutual set-up.

Asplund also alleged that an attorney, representing Wassmer, offered the federal radio time and "all the money it needed" if it would "undermine Bone."

Cass, who has been active in state politics for several years, when asked here about the charge, emphatically denied it was tied up with Wassmer or his radio station.

No Love for Bone Asplund's activity in the state picture has been around numerous times in this section, but this is the first time anyone has publicly condemned him with any concrete. It is known Wassmer has no love for the senior senator, and only recently KIQG, of which he is part owner, started a suit for \$250,000 against Hull and Senator Bone.

Main topic around here since the blast by Asplund is Wassmer and Senator Bone, and how far the radio exchange will go in the hands of a lawyer. There have been many brickbats flying from the political fronts, but this is the first time one has bounced off in front of the public. The Tacoma Times played up the story.

It's reported that the FCC now has an investigator in this district probing the political setup of the radio stations as well as other activities of the outlets.

DIABLETS COME BACK IN DET.

First business coming out of the automobile industry since last fall is the one-minute announcement campaign which Plymouth, that of the Chrysler group, starts tomorrow (1). Stirling Getchell did the placing through its Detroit office.

Scheduled falls for three announcements a day for 11 consecutive days.

Weaver's Y. & R. Post To Remain Unfilled

Young & Rubicam doesn't plan to fill the vacancy made by the resignation of Pat Weaver, who managed the production details of the agency's New York radio department. Weaver's choice of successor spread out among the other executives in the department.

After three years with Y & R, Weaver becomes an assistant to G. W. Hill, Jr., v.p. in charge of American Tobacco advertising.

Long to Ayer in N. Y.

Donald H. Long has been shifted from N. W. Ayer's London office to New York and general publicity in the agency's New York division.

He went to London from Ayer's Detroit branch in 1936.

Robert Collins has joined the radio staff of N. W. Ayer in New York. He was formerly a v.p. with the Geo. H. Hartman Co., and a copywriter for J. Walter Thompson.

Foreign-language programs dominant for many months on local indie stations, are showing signs of reversal as figure in auto production at various plants here.

Auto plants are showing signs of reversal as figure in auto production at various plants here. The Detroit workers first of this year, chiefly affecting Detroit's foreign pop. sponsors of foreign-language programs pulled out in a way. Now they're beginning to trek back, with knowledge foreign population will be a big figure in the auto industry.

Fortunately for indie stations here, loss in foreign-language sponsors was made up in part by influx of "radio in Italian" was lured by cheaper rates, at smaller outlets as contrasted with bigger stations.

FREE & PETERS NOW REPPING WFIL, PHILLY

Philadelphia, Aug. 30. Appointment of Free & Peters, Inc., as national agency for WFIL, was announced this week by Don Withycomb, m.c. of WFIL. Station partly owned by Walter P. Co. in June in a spin-off over outlet's action in opening its own sales office in the New York and later in Chicago.

Withycomb said the Free & Peters staff of N. W. Ayer in New York was the status of WFIL's N. Y. office, headed by national sales manager Jack Stewart.

A PAGE FROM THE HOBBY LOBBY SCRAP BOOK

A Few Excerpts of the Radio Critics of the Day . .

Dialing with Doyle

By "Dinty" Doyle

MILTON FEINBERG OF Philadelphia builds rock gardens in watch

esses, Charles Sanders of New York collects cigar store Indians and T. M. Kincaid, an airplane mechanic of Cleveland, hoards a collection of sparkplugs from every plane he has serviced, including the Curtiss plane, the Lindbergh plane and Howard Hughes' "Wreck" Fair 1939.

These people, with unusual interests, are the "Hobby Lobby" which seems to be the lone Summer program to keep its head above water.

Mr. Elman, who is on the verge of writing a book and making shorts and planning a newspaper strip, says that currently he has about half a million hobbies listed in his files.

In a most difficult spot, taking Jack Benny's place, he has won high regard in all the listening surveys.

COLLECT SOILS.

The collector of soils from various parts of the world and then hardens a into a topographical map of the country from which it came, John O'Reilly of St. Louis.

The school teacher of Huntsville, Ala., Mrs. J. B. Clopton, who has painted pictures on cobwebs, has grown sons in college and has been painting cobwebs for years just for fun. All her neighbors save their cobwebs for her.

C. C. Meier of Hagerstown, Md., breeds the only frogs in the world which have pink eyes and white skin.

Graham Dale of New York paints pictures on eggshells. William Bayne, of Hackensack, N. J., collects pieces of wedding cakes.

Delphine Singer, of New York, has a collection of 40,000 wishbones.

Office employee J. Connelly of New York has a Department of Agriculture and left people taught them to light and stop.



NICK KENNY

Spider Is Excited! Hobby Lobbyist Paints on Cobwebs!

Hello there, Uncle Nick, this is your old friend, the Spider and I'm all excited because somebody stole my favorite cobweb! I got in touch with the spider police and they located the web in Dave Elman's Hobby Lobby.

This fellow Elman is really un- Mrs. J. B. B. webs at My, my?

covering some interesting novel- ties. Last Sunday he produced a dog that really talks and I cer-

tainly would like to listen to that conversation. What's the name of the dog? Dave Elman has a hobby interest in the physicians, professors and

I'm crazy about the musical background Harry Salter has been giving his music.

That lad knows his music.

"Hobby Lobby" on Radio

Collectors with Original and Curious Castes Will Be Interviewed.

By CHARLES M. KIRKVEY (Tuning in for Alton Cook.)

There's no limit or extreme to which radio won't go add variety to the loud speaker's constant pouring. "Hobby Lobby," on WEAF every Sunday night, is an example. "Dave Elman searches far and deep to find people who have fun in their spare time. And with some of the odd way to pass their leisure time. And with some of the odd way to pass their leisure time. And with some of the odd way to pass their leisure time.

Sunday night Elman will interview for his unseen. Once a man who raises five-pound gold fish. This really also we can see someone pulling out his, as the expression goes? No, it's fish! Is someone pulling out his, as the expression goes? No, it's fish! Is someone pulling out his, as the expression goes? No, it's fish!

Also on the program will be another hobbyist who collects checks of celebrated people.

Unfunny Jokes Also a Hobby.

Look, for instance, the kinds of hobbies so far uncovered by the program. Lou Fabian goes in for unfunny jokes. Frank Bell, of Alton, has a collection of black and white photographs of famous people. Charles Brown, of Jersey, has a collection of black and white photographs of famous people. Charles Brown, of Jersey, has a collection of black and white photographs of famous people. Charles Brown, of Jersey, has a collection of black and white photographs of famous people.

The attitude of these New York columnists is reflected across the nation. Among them, Dinty Doyle, of the New York Journal-American; Alton Cook, New York World-Telegram; Nick Kenny, New York Daily Mirror; Ben Gross, New York Daily News, whose reactions we have taken the liberty of reprinting.

Our thanks to each and every one, and to General Foods for giving us the opportunity of taking over the Jello program for the summer—and to Young & Rubicam, whose splendid co-operation is deeply appreciated.

In the accepted nation-wide surveys Hobby Lobby is tenth among all half hour programs.



Ben Gross
There was a time when radio was so identified with the stars that they were advertising. But now, in 1938, the stars are so identified with the radio that they are advertising. But now, in 1938, the stars are so identified with the radio that they are advertising. But now, in 1938, the stars are so identified with the radio that they are advertising.

RADIO'S SHOT-GUN DIVORCE

AFFILIATES WILL FIGURE IN PROBE

NBC Will Be Hardest it Among Nets If FCC Monopoly Investigation Forces Divorcement of Affiliates—Hinges on Definition of What Constitutes Overlapping Coverage.

Of deep concern to NBC in connection with the forthcoming monopoly investigation by the Federal Communications Commission is the part that the question of overlapping coverage will play. While CBS will be faced with defending the same situation, NBC has a tougher nut to crack, since it controls, or is affiliated with, a far greater number of high-powered stations.

One sideline speculation is that, unless NBC presents a redoubtable case, it may be forced to eliminate a substantial number of affiliates from its list. Feeling within NBC is that the problem is far too complex for the entertainment of any such possibility. Before the FCC can even suggest any drastic moves in that direction, it must first determine what constitutes overlapping coverage. It is this definition of overlapping coverage that will prove the crux of the whole problem.

FCCY Problem

As industry observers figure it, the FCC will have to decide whether overlapping coverage is to be measured by (1) its own standards of signal strength, a strictly technical yardstick, or (2) by a station's zone of influence, deriving primarily from the consistent popularity of its programs.

Like NBC, the Joint Committee of Radio Research has amassed evidence showing that farflung communities have got into the habit of tuning in on the high-powered stations for their network entertainment, even though closer-to-hand outlets transmit the same programs. It is the overall high quality of a station's schedule that garners the faithful audience, apparently and not the intermittently popular network show. This theory has made itself particularly noticeable among polls taken of rural set-owners. Latter have become addicts of the long distance clear-channel outlets, and this tendency reveals itself strongly when such outlets interlard their fare with an occasional program directed primarily at the hinterland element.

A pertinent angle that the FCC hearings may bring to the surface is that many a local station became a member of the NBC or CBS list as the result of political backing exerted by an important senator or congressman in Washington.

Barrett, WOR Chi Chief, Seriously Ill After Op.

Chicago, Aug. 30. R. J. Barrett, Jr., chief of the local WOR office, is seriously ill at Michael Reese hospital.

Had been operated on and took a turn for the worse. Today (Tuesday) doctors are considering blood transfusions to strengthen him.

In Baltimore, it's
WFFH
ON THE NBC RED NETWORK
NATIONAL REPRESENTATIVES
EDWARD PETRY & CO.

Lee Grant Steps Into WMCA's Top Musical Spot

Lee Grant has been appointed musical director of station WMCA, N. Y., by president Donald Flamm. He started with station as studio violinist nine years ago, and graduated up the line, handling his own shows, etc., until being named boss.

Foster Undergoes Op

Hartford, Aug. 30. Cedric Foster, station manager of WTHI, was operated on for a jaw infection at the Hartford hospital Tuesday (23). Forced to cancel his Mutual program, "Day You Were Born," Saturday (27).

Recovering at his summer home at Watch Hill, R. I., he returns to his duties this week.

RICHFIELD OIL STILL UP IN AIR ON RADIO

Richfield Oil's radio activities for the fall are still hanging fire. Board of directors has yet to approve a budget for this phase of advertising.

Sherman K. Ellis, Inc., is the agency. In past seasons the account has confined itself to transcribed kid shows.

'Ranger' Rides in Balto

Baltimore, Aug. 30. "Lone Ranger" participating commercial sponsored by Mutual, will get a local tie-in via WBAL for 7 P. M. drink, beginning Sept. 26.

Set-up, thrice weekly airing, calls for one of biggest local radio expenditures in months.

CBS Gets Rid of Fades on Coast As New Transmitter Goes to Work

Hollywood, Aug. 30. Columbia's new 50,000-watt transmitter for KNX in nearby Torrance was put in operation last week on regular schedule and engineers are elated over the results. Fade area to the south, which long had been a thorn in the side of CBS, is now getting a clear, strong signal, according to CBS technicians. San Diego reports KNX programs

through with 10 times the intensity of its former reception.

Old antenna at Sherman Oaks will either be sold or dismantled. Engineers declare that better signal to the south has not affected other areas.

John Wiggin, who resigned from the production staff of Pedlar & Ryan agency to devote himself to writing, has sold his first short story, "Murder on the Upbeat," to Collier's.



FRANK STRIKER—Chief of staff for the last five years.



HARRY SUTTON, JR.—the last four years supervisor of dramatic script and production.



RUSSELL NEFF—For seven years WXYZ program director.



RICHARD E. OSGOOD—chief writer for the last three years.




CHAS. E. LIVINGSTONE—for the last five years producer of WXYZ features; lately named dramatic director.



TOM DOUGAL—WXYZ's last writer and assistant director for the last four years.

WXYZ's Dramatic Script Writers



WXYZ ANNOUNCES
JAMES JEWELL
The Appointment of
as Manager of Programs and production
Mr. Jewell's productions, "The Lone Ranger," "The Green Hornet" and the Children's feature of the air, heard over another important station, will be heard on radio listeners. Mr. Jewell joined the WJZ August 1.

OWNED AND OPERATED BY
The George P. Huntington Company
General Managers
The Paul H. Raymer Co., Inc.
The advertisement reproduced from the August 24, 1938 issue of Variety

NEW HALF HOUR SHOW
The advertisement reproduced from the August 24, 1938 issue of Variety

NEW QUARTER HOUR SHOW
The advertisement reproduced from the August 24, 1938 issue of Variety

We Take A Bow!

King-Trendle Broadcasting Corporation, creators, originators and sole owners of "The Lone Ranger"—"The Green Hornet"—"Funtinder"—and many others, appreciate the compliment by another Detroit radio station.

WXYZ is proud of its ability to be written, actors, and technicians; in producing famous radio entertainment it originates such as "The Lone Ranger"—"The Green Hornet"—"Children's Theatre of the Air." These shows are exclusive King-Trendle creations and are currently broadcast on a regular schedule over WXYZ.

WXYZ's domestic department is a systematic, harmonious working organization, carefully guided and directed by executive leadership that draws upon a quarter century of experience in outstanding showmanship.

Over 165 radio stations in the Unit (affiliated with regional and a state or networks; plus independent stations) are licensed by WXYZ to broadcast "THE LONE RANGER" and "THE GREEN HORNET" features.

KING-TRENDEL BROADCASTING CORPORATION
KEY STATION
Blue NBC Network WXYZ-DETROIT Michigan Radio Network
The Paul H. Raymer Co., Representative

Inside Stuff—Radio

WHN, New York, will co-broadcast the Old Gold show with WABC when that series starts on CBS Nov. 20. This will give WHN two big programs broadcast locally by networks. Other is Lucky Strike's Kay Kapp session (NBC), which clears Wednesday nights at the same time over the red key WEAF.

Last season WHN had the Maxwell House Coffee shows on the like basis. Lord & Thomas, agency on the money account, explained that it added WHN because it had heard that reception of the program via WEAF was not so forte in certain parts of Manhattan, Brooklyn and New Jersey.

KSL, 50,000-watt Columbia affiliate in Salt Lake City, Saturday (27) based in other spotlight for its extensive coverage of the Captain George E. T. Eyston auto speed race, in which the Englishman established a new world's speed mark of 345.48 m.p.h. Station employed facilities of the engineer's transmitter, KNEF, 250-watts at Shreveport, Salt Lake City, of the race against time. Three gabbers, Wally Sandack, Richard Evans and Glenn Shaw, described the race from various spots. Sinton ran for an hour over CBS network.

Harry Kerr, J. Walter Thompson's head radio man in the east, left Thursday (28) for his annual round of newspaper contacting in behalf of the Lux Radio Theatre. For the first time he won't visit Detroit, due to the shutdown on radio chatter recently imposed by all the local dailies. Kerr expects to be back in New York Sept. 12.

His tour will cover all key points in the east and mid-im as far west as Minneapolis.

Robot gain-rider was installed by WFIL, Philly, last week. Chief engineer Frank V. Becker, after preliminary survey, estimated 38% increase in signal at some outlying points. Limiting amplifier is also seting to eliminate overmodulation and distortion, he said. Auxiliary transmitters was also completed at the outlet last week. So designed that switch on the engineer's control desk shifts station from one transmitter to the other with no loss of air time.

Though it has already moved into its new quarters on 46th street, between Sixth and Seventh avenues, WEVD, N. Y., won't hold its dedicatory exercises until the middle of October, when it expects to get an okay on the purchase of WFAB, Brooklyn, from the Federal Communications Commission, N. Y. Daily Forward, Yiddish daily, put up the \$45,000 for the WFAB buy, and the \$100,000 necessary to equip, furnish and decorate the new studios.

For the first time in nine years of broadcasting, the character of Mrs. Bloom in the Goldbergs' family serial on WFAP-NBC will speak on tomorrow's (Thurs.) airing. Part will be taken by one of the other actors on the program. Character is the neighbor to whom Mrs. Goldbergs, played by Gertrude Berg, always calls across the court, but does a monologue on the conversation.

Annual Gold Cup regatta in Detroit Sept. 3-5 will be aired over WWJ and WSKW and piped late in the afternoon Labor Day to NBC red.

Four WWJ spikers, 11 Mishler, Bob Stanton, Franklin Ferguson and Bob Thoms, will describe the race from four different vantage points. So will be contact with two rescue boats at either end of the course.

Poll of Italian retail food stores made by General Mills in New York, in connection with its Wheaties show on WOV, disclosed that one out of every two stores visited had a radio in it.

DOUBLEHEADERS CRIMP STATIONS' SCHEDULES

Philadelphia, Aug. 30. Six double-headers in a row played by the Athletics last week—unprecedented in local baseball history—three stations which air the games way off schedules. They are: WFIL and WIP, Philly; WHP, Harrisburg; WEEU, Reading; WSAN, Allentown; WEST, Easton; WDEL, Wilmington; WCAL, Lancaster. WORK, York, and WPG, Atlantic City. WIP pumps to the out-of-town outlets.

All of the games started at 1:15 p.m. Two of them ran past 6:30 and one past 7. Required considerable juggling of commercials and the cancelling of some, which will have to be rebroadcast. WFIL was forced off by commitments at 6 each night.

Byrum Sam was the marlin babbler on the WIP hook-up with Stan Lomax was on WFIL.

Fair Exclusive Providence, Aug. 30. WPBO has cornered exclusive rights to broadcasting privileges at the Rhode Island State Fair, which opens tomorrow (Wednesday) and continues to Labor Day. Daily stunts are planned.

5000 Any 1000 Night

WJIC

Columbus

ALL YOU NEED IN CENTRAL OHIO

John Blair, Mgr.

Wheatena on 11 Mut'l Stations Via WFIL, Philly

Philadelphia, Aug. 30. New show for Wheatena, scheduled to start Sept. 16, will originate in Philly and be pumped by WFIL to 11 stations on the Mutual web. Quar r-hour stint will employ Fred Bush, vet performer who originated WLS Barn Dance, his son and "Tinkle Toy Band."

Although the program will be aired in different parts of the country at different times, WFIL will pump only once, outlets making discs of it for later use.

WGAR, CLEVELAND, STARTS CHI SALES CAMPAIGN

Chicago, Aug. 30. WGAR, Cleveland, has invaded the Chi market with an intensive selling campaign, marked by a luncheon for local agencies and advertisers last week. Eugene Carr, assistant manager of WGAR, presided.

Luncheon drew a strong turnout, of 40 representative time buyers and executives from agencies in attendance.

WTIC, Hartford, Drops Yankee for Transradio

Hartford, Aug. 30. New Transradio news setup for WTIC goes into effect Thursday (1), with four broadcasts scheduled daily. Dropping Yankee News at the time, station will have its own news bureau under the direction of Transradio. Temporary crew of two will operate bureau until permanent local staff appointments are made sometime in October.

Station WTIC has taken up the Yankee News option, augmenting its local news broadcasts with AP news, which it secures because it is owned by the Hartford Times, AP member.

Bob Steel will handle a.m. news-casts for WTIC and Harry Clark the p.m. assignments. George Bowe and Bruce Kern will alternate the Sunday morning and evening shift.

MCA Sets 4 Bands On Fall Radio Shows

Hollywood, Aug. 30. Four bands were set last week by Music Corp. of America for fall radio shows. Laid Gluskin returns to Al Jolson's Lifebuoy program; Skinny Bones leads it over the music section on Bob Hope's new Peppermint party; and Ben Bernie will have his crew on the Half-and-Half broadcast. Carl Hoff is due here Sept. 1 for the Al Pearce Grape Nuts tee-off.

For the fourth year in succession, Carter's Little Liver Pills received Sunday afternoon time on Radio Normandy.

Bowen, Spot Pioneer, Sells Out His Lone Remaining WIBX, Utica


Scott Howe Bowen, one-time dominant figure in the station representation field, has sold WIBX, Utica, his sole station holding, to a partnership consisting of J. Curtis Wilson and Emile J. Gough, formerly operating v. p. of Hearst Radio, Inc. Pending approval of the sale by the Federal Communications Commission, Wilson will associate himself with Bowen in the operation of the station.

Wilson was on Gough's sales staff at Hearst, and prior to that he was New York manager of John Blair & Co.

WIBX is on 1,200 k.c. and operates at 250 watts days and 100 watts nights. It is affiliated with Columbia.

Kenneth Johnson, formerly of WSAY, Rochester, has become sales manager of WOKO, Albany.

ANNOUNCING THE NEW TEXAS STATE NETWORK



TSN
TEXAS STATE NETWORK

23 STATIONS

For Complete Coverage of The Prosperous Texas Market

Affiliation . . . With Mutual Broadcasting System

Class A Lines

—Very Flexible Network

Exceptional Production Facilities

Affiliated Stations

KFJZ and KTAT, Fort Worth	KMCC, Beaumont
WRR, Dallas	KRG, Longview
KRTZ, Houston	KRGY, Tyler
KABC, San Antonio	KANG, Corsicana
KSGC, Amarillo	WACO, Waco
KFTD, Lubbock	KTEM, Temple
KRT, El Paso	KNOV, Austin
KGKL, San Angelo	KRC, Beaumont
KMC, Abilene	KRG, Corpus Christi
KPLT, Paris	KRGY, Wadsworth
KRRY, Sherman-Den	(Rio Grande Valley)

On September 15 the Texas State Network, with key stations in Dallas and Fort Worth, will inaugurate service to 23 stations located in 22 major cities, furnishing 17 hours per day of live talent over Class A AT&T lines. This new network makes possible, for the first time, complete coverage of the rich and responsive Texas market.

High caliber programs produced on our Texas studios, augmented by the best the nation affords through affiliation with the Mutual Broadcasting System, will enhance the high degree of local preference already enjoyed by the affiliated stations of the Texas State Network.

For complete, effective and economical coverage of the prosperous Texas market, use the Texas State Network . . . the largest and most complete local network in America!

WRITE, WI

Texas State Network, Inc.

ELLIOTT ROOSEVELT, Pres.
NEAL BARRETT, Executive Vice.

GENERAL OFFICES: 1119 West Lancaster, FORT WORTH
 Detroit, Chi KFJZ or KTAT, Ft Worth, and WRR, Dallas

On the Upbeat

Ily Moset and his band started east for a series of one-nighters.

Larry Clinton and Artie Shaw and their orchs are working their way westward for hotel and nitery engagements on the Coast.

Gus Arnheim and his new band being booked for a string of one night stands in California.

Achie Loveland and his band, now in 18th month at Olympic hotel, Seattle, again signed up for coming and possible record for this spot.

Glen Miller, after Wildwood, N. J., this week, one-nights it and may get the State ballroom, Boston, via Charlie Shubman this fall. State was Art Shaw's jump-off spot.

John Scott Trotter and band signed for Pasadena, Cal. Community dances, Sept. 17.

Ben Pellock and orch touring Texas.

Byron Wallis' orch waxed 10 numbers for Decca's Old Time Album.

Beanie Maroff and his Musical Madmen held over for an extra week at Topsy's in L.A.

Glen Gray and the Casa Loma band open Sept. 16 for three weeks at Los Angeles County Fair, Exits Palomar, Los Angeles, Sept. 19, to make room for Kenny Baker. Ted Weems will succeed latter Sept. 23.

Ted Weems goes into the Palomar, L.A., Sept. 20.

Charles Strong's crew into the Queens Theatre, Long Island nitery, Sept. 8 for indet run. Set by Gene Gaudette.

Penn Wayne and 13-piece combo opening Sept. 6 at the Cafe Loyalte, N. Y., is an early bid for next year's Fair biz. Wayne, formerly arranger for Don Bestor, makes his initial Gotham appearance.

Merle Kay and orch will play five night engagements in Wichita, Kansas, during Fall Harvest Festival, which opens Sept. 27.

Jimmy Lunceford orch, goes into the Kit Kat Club, N. Y., for 10 weeks Oct. 30. Follows the Savoy Sultans.

Bill Coker's orch, after a stay at Chicago's Triton, scheduled for one-

niter at Milwaukee's odernistic ballroom Sept. 4. Returns to Chicago late in October.

Johnny Lewistich's orch, with Kay Keever, booked into Edgewood Inn, East Greenwich, N. Y.

Sammy Kaye, Xavier Cugat and Ozzie Nelson-Barrett Hilliard are being considered for the opening of the winter policy at the Arcadia International Restaurant, Philly.

Little Jack Little goes into International Casino, N. Y., tomorrow (Thursday), with three shots a week over Mutual.

Teddy Hill into Surfside Beach Club, Long Beach, L. I., N. Y., Aug. 23. Succeeded Don Bestor.

Hal Kemp exits Astor hotel, N. Y., Sept. 7 to one-night through south. Nat Brandwynne follows.

Jose Baral returns to Pily hotel, N. Y., Sept. 6.

King's Jesters open at Clover Club, Hollywood, Sept. 15 after closing at San Francisco Drake hotel, San Francisco. Joseph Sudy goes into Rio date for CRA.

Paul Sablin remains at Syracuse hotel, Syracuse, N. Y., until mid-October on renewal.

Chick Webb gets honors for 'farthest ahead' booking on date for Essex Country Club, West Orange, N. J., Dec. 27.

Tony Martin plays Stanley, Pittsburgh, Pa., week of Sept. 2 and Palace, Milwaukee, Sept. 8.

Clasde Headland into Statler hotel, Cleveland, Sept. 18 to be succeeded by Dick Barrie for MCA on Sept. 18.

Paul Kala opens at Rainbow Grill, N. Y., Sept. 18.

Orin Tucker orch closes at the Edgewater Beach, Chicago, Sept. 8, and one-night tours to the Coast, where it opens at the Mark Hopkins hotel, Frisco, Nov. 1.

Rhythm Boys and Eddy Brandt set for Neil House, Columbus, O., Sept. 15.

Will Osborne follows Larry Clinton into Glen Island Casino, Larchmont, N. Y., Jan. 1, '39, via Rockwell O'Keefe.

Freddy Fischer's Schnickelfritz

band theatre tour hits Stanley, Pittsburgh; Lyric, Indianapolis; Riverside, Milwaukee, and Loew's State, N. Y., starting Sept. 9.

Mal Halsett and Claude Hopkins play for Westchester Parkway Police at County Center, White Plains, Sept. 21, for R-O-K.

Kay Kyser into Earle, Philadelphia, Sept. 16, and Stanley, Pittsburgh, Sept. 23. Into Pennsylvania hotel, N. Y., Oct. 4.

Mike Riley musics for Pallades Park, Englewood, N. J., Sept. 10-11.

Rudy Bundy plays American Legion dance, Portsmouth, O., Sept. 10 for CRA.

Three Sophisticates, strollers, preem at The Tavern, Steubenville, O., Sept. 5.

Carl Deacon Moore begins a mid-west tour Sept. 1.

Emil Velasco booked for Henry Grady hotel, Atlanta, Ga., in October.

Gray Gordon's first record series for Victor to be out presses Sept. 5.

Leighon Noble goes into Statler hotel, Boston, Oct. 19.

Jan Garber plays Strand theatre, N. Y., Sept. 23. Horace Heidt ditto Oct. 14 for week's session.

Erskine Hawkins slated for some new discs for Bluebird.

Don Deland and hand replace Eugene Jenek's outfit in Hotel Utah Empire room, Salt Lake City, Sept. 7. Jenek heads east for fall dates.

Bernie Whitman's orch. continues engagements at Bonard's Mt. Pocono Grill, at the Forks, Mt. Pocono, Pa.

Tommy Callen's Swingsters will remain at Glenwood hotel, Baltimore Water Gap, Pa., until resort closes in the fall.

Eddie Camden booked for Lantz's Merry-Go-Round, Dayton, O., starting Sept. 8.

Little Jack Little's crew set for International Casino, N. Y., for three weeks starting Sept. 1.

Dave Barnsede booked for Ainsley hotel, Atlanta, Ga., for two weeks starting Sept. 12.

Saver Sultans go into the Kit Kat, N. Y., after Labor Day.

15 Best Sheet Music Sellers

(Week ending Aug. 27, 1938)

A-Ticket, A-Ticket	Robbins
Music Maestro, Please	Berlin
*Now It Can Be Told	Berlin
When Mother Nature Sings Her Lullaby	Santly-Joy
Alexander's Ragtime Band	ABC
You Got to My Head	Renick
I'm Gonna Lock My Heart	Shapiro
*I've Got a Pocketful of Dreams	Santly-Joy
Says My Heart	Famous
Little Lady Make Believe	Oman
I Let a Song Go Out of My Heart	Berlin
*What Goes on Here in My Heart	Paramount
There's a Faraway Look in Your Eyes	Tennery
I Let a Song Go Out of My Heart	Berlin
*Small Fry	Famous

* Indicates film musical song. † Indicates stage production song. The others are pops.

Inside Stuff—Music

Controversy over the rights to the title, 'Why Doesn't Somebody Tell Me These Things?', has been settled, with Bregman, Vocco & Conn agreeing to let Shapiro, Bernstein & Co. use it exclusively. Latter firm claimed that it registered the title first with the Music Publishers' Protective Association and threatened to bring a restraining action against B-V-C if it went through with its intention to put out its own version of the Fred Allen song.

B-V-C's song was written by Walter Donaldson, while the B-S tune was co-authored by Jimmy Eaton and Terry Sand.

Heard of the plaidie song brought by Murray B. Tannenbaum against Shapiro, Bernstein & Co. on the tune, 'So Many Memories,' is slated to be held in the Federal Court, N. Y., Sept. 20. Tannenbaum charges that the latter number had much in common with a song, 'Memories of You,' which he submitted some time before the publication of 'So Many Memories.'

Wreckage left in the wake of an automobile driven by Ben Cutler, orchestra leader at the Rainbow Room, N. Y., was the subject of a clash between Park Commissioner Moses and Magistrate Michael A. Ford last week when Cutler was brought before the court to answer charges of dangerous driving. Car wound up in the East river after slipping through an iron park railing, two feet over a couple of concrete benches. Cutler claimed he fell asleep at the wheel.

Park Dept. billed Cutler for \$241 to repair the damage and Commissioner Moses dropped Magistrate Ford's note saying that he would be notified if the bill had been paid and if not the Dept. expected the magistrate to see that justice took its course. Magistrate disqualified himself from hearing evidence on the case and invited Commissioner Moses for suggesting he use the dangerous driving charge as a threat to force restitution to the city.

Arthur Schwartz, whose 'Virginis' score was published by Robbins, is committed to that publisher, whereas Dorothy Fields, his collaborator on a new Dwight Deere Wiman musical, favors Max Dreyfus (Chappell). Wiman's current 'I Married An Angel' is also published by Robbins, but that's due to a previous commitment for the film rights to Metro. Latter firm, of course, controls Robbins.

Incidentally a commentary on how production music sells—or doesn't—may be seen from the title song of 'Angel' which, making 40,000 copies, and 'Spin Is Here,' ballad excerpt, only 10,000 copies.

Mills Music has been notified by attorneys of Douglas Corrigan that they no like his photo on front cover of 'Gone Again Corrigan.' Tune was recently published by Exclusive, Mills subuid.

Mills bought a picture of flyer from International News and planted it on sheet. Lawyers want it removed—or, else, take no objection to song title. Just state that they are not contemporary artists, or, pictures, of pilot.

AFM Gets 'Music Box' Title Dispute Between Messner, Hamilton Orks

Argument over priority on the title 'Music Box' orchestra between Johnnie Messner's band, playing at the McAlpin hotel, New York, and the George Hamilton band, at William Penn hotel, Pittsburgh, has been brought to the attention of Fred W. Birnbaum, national secretary of the American Federation of Musicians in Newark. Hamilton preferred charges against Messner, claiming he introduced 'Music Box' music in Chicago early in 1937, employing an imported music box. He is seeking to halt Messner from using his music box.

Messner has made formal reply, denying any violation. He contends in his answer that the use of a music box as an instrument does not belong to anyone exclusively, any more than a piano or saxophone. Cited that music box effects in dance arrangements have been known since the inception of dance music. Stock arrangements of a decade ago incorporated such effects, he claims.

Back to Beach

Al Donahue orch returns to Manhattan Beach, N. Y., Sept. 17-18 for a post-season repeat. Marks the first time a name outfit has been booked for a return once the curtain was drawn on the season, which normally ends Labor Day weekend. Beach will use obscure crews from then until cold weather folds everything.

Donahue closed there Saturday (27) afternoon. Kay Kyser orchestra, currently on tap, exits Sunday (5).

Howard Woods quits Tybce Beach, Southampton, Cal., to play Rulph, N. C. Auto Show, Sept. 6-8. Then goes to Manhattan Bay Yacht Club, Manhattan, L. I., N. Y.

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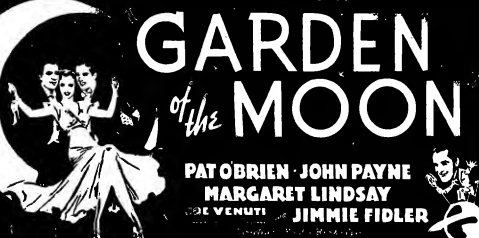
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No Jive, No B.O. at 1st Randall's Isle Concert for Blind Musicians

By BERNIE WOODS

First of the four scheduled concerts at Randall's Island stadium, N. Y., for the benefit of blind musicians didn't come off as well as expected, either at t. b.o. or on stage. Although advertised as a bandfest, not a swing concert, the payees expected hot locks and were plenty disappointed.

Instead of the intended setup of borrowing a roomy bandstand from Madison Square Garden and building a tower in the center of it to carry amplifiers to enable the use of the entire stadium, the usual 7,800-seat capacity was maintained. That opera was exclusive of couple hundred tabl in front of the stage. Promoters were disappointed, forewarned by advance ticket sale that there would not be a sellout of the 21,500-seat horseshoe. Actual draw was about 4,000.

Crowd only occasionally became enthusiastic enough to sound off with the favorite alligator style of letting off steam generated by jamming. Rhythm palm blistering, cheering and whistling was reserved for Larry Clinton, Jo Marsala, Al Donahue and a few of the various small-scale aggregations used during change of outfits.

Clinton Clucks

Larry Clinton wasn't the first crew onstage, but his outfit was the first to put it into the stands. Crew was playing boogie from Glen Island Casino, so had to be on and off early. While not jam stuff, Clinton's arrangement of Debussy's "My Reverie" with Bee Wain doing the vocals, was well liked. Joe Marsala, the only crew to really swing 'em high in the accepted end-bending style, has changed his crew in the last six months—a step downward. Marsala lost his crack sax-beater, Buddy Rich, to Bunzay Berenson, and has added a femme guitarist. String twanger slows up the outfit and while she has a fine set of pipes, is not a swing dancer. As it is, Jo Marsala carries the whole outfit with

2d Benefit

Second of the blind musician benefits tomorrow night (Thurs) will be an all-colored affair drawing a dozen or so of the Harlem jive crews. Bands promised include Cab Calloway, Count Basie, Don Redmond, Hot Lips Page, Erskine Hawkins, Ovie Alston, Teddy Hill, Roy Eldridge, Willie Bryant, Louis Russell, Andy Kirk, John Kirby and Louis Russell.

his clarinet in the hot sessions. However, that was enough to send the stands to another world. George Olsen orchestra and the Richard Himber crews didn't appeal much to the crowd. Both bands used Lombardo arrangements. Himber started his time with imitations of various name crews, with the leader wearing facial masks of bachelors.

Both crews from Radi City showed. Ben Cutler, from the Grill, and Al Donahue from the Rainbow Room. Both excited comment since his recent ducking in the East River when he was introduced. His crew was handicapped by bad selections. Donahue's outfit was one of the best liked on the program. Leader and Paula Kelly, his vocalist, gave a demonstration of the new Lambeth Walk while the crew was popping the tune. Idea was showmanly and opportune in view of the interest current in the English dance craze. Mo. wanted more.

Nano Rodriguez's rumba aggregation from the Havana-Madrid got a quick brushoff from m.c. Martin Block after two numbers. Willie Farmer outfit got the same treatment, neither band exciting a stir in the stands. Tito's Swingette, Deacon Brown trio of blind musicians, and a quartet of three, using an electric guitar, filled in during shifting of bands.

Network Plugs, 5 P.M. to 1 A.M.

Following is a totalization of the combined plugs of current tunes on WEAP, WJZ, WABC and WOR computed for the week from Monday through Sunday (Aug. 22-28). Total represents accumulated performances on the two NBC links, CBS and Mutual from 5 p. m. to 1 a. m. In "Source" column, * denotes film song, † legit tunes, and "pop" speaks for itself.

Title	Publisher	Source	Grand Total
A-Ticket A-Target	Paramount	Give Me a Sailor	42
What Goes on Here in My Heart	Paramount	Give Me a Sailor	37
I've Got a Pocketful of Dreams	Sant-Joy	Give Me a Sailor	30
Now I Can Be Told	Berlin	Alexander's Rag	28
You Go to My Head	Remick	Pop	28
I'm Gonna Get My Heart	Shapiro	Pop	28
Garden of the Moon	Harms	Garden of the Moon	24
Stop Beating Around the Bush	Spier	Pop	23
The Spider	Remick	Pop	22
I've Got a Date with a Dream	Spier	My Lucky Star	22
So Small Fry	Remick	Pop	22
Smell Fry	Famous	Sing You Sinners	19
I Hadn't Anyone Till You	ABC	Pop	18
Beside a Moonlit Stream	Famous	Boo-Boo	17
Colorado Sunset	Gilbert	Pop	17
Change Partners	Berlin	Pop	16
I'll Dream Tonight	Witmark	Cowboy from Brooklyn	16
Flat Foot Floogie	Green Bros	Pop	16
When Mother Nature Sings	Sant-Joy	Pop	16
Don't Cross Your Fingers	Ager-Yellen	Pop	15
Robbins	Pop	Pop	15
The Yam	Berlin	Carfare	14
Love is Where You Find It	Miller	Garden of the Moon	14
There's Honey on the Moon Tonight	Miller	Pop	14
Don't Let That Moon Get Away	Sant-Joy	Sing You Si	13
Musical Mistro	Berlin	Pop	13
You Never Know	Chappell	You Never Know	12
Meet the Beat of My Heart	Fox	Pop	12
In a Little Dutch Kinderger	Fox	Pop	12
Totytown Jamboree	Red Star	Pop	12
I Married an Angel	Robbins	I Married an Angel	12
There's a Faraway Look in Your	Tennet	Pop	12
Al Long Love	Chappell	You Never	11
Isn't It Wonderful—Isn't It Sweet	Miller	Pop	11
I Let a Song Go Out of My Heart	Miller	Pop	11
My Walking Stick	Miller	Alexander's Ragtime Band	11
Lambeth Walk	Miller	Pop	10
I Used to Be Color Blind	Miller	Carfare	10
Eight Little Notes	Crawford	Pop	10
I Haven't Changed a Thing	Mills	Pop	10
Alexander's Ragtime Band	ABC	Alexander's Rag	10
If I Loved You More	Words	Pop	10
Where in the World	Feist	Josette	10

Disc Union Agrees

To New Philly Deal

Philadelphia, Aug. 30. Reps of union workers and execs of RCA-Victor agreed last Thursday to renewal of the contract between the company and United Electrical, Radio and Machine Workers, Local 103, which expires Oct. 1. Several changes were made, including vacations with pay and provision for the union to act as sole bargaining agency.

Philco's 13,000 employees are still striking. Attempts at conciliation by the Mayor and State officials, when the company threatened to move its huge plant from the city, failed to bring results. Agreement negotiated was nixed at a mass meeting of the workers and the deadlock is virtually back to where it started.

Musical Notes

Lincoln Music Corp. is publishing the score of the U. of Pennsylvania's latest Mass and Wig show, "All Around the Town." Clay Boland and Bickley Reincher are the writers.

Mills Music, Inc., is releasing the score of "The Road to Reno," Universal production, by Jimmy McHugh and Harold Adamson.

Harry Link has authored a "Peele" the Peach' tune to tie in with the South Carolina dance troupe currently at the Astor hotel, N. Y.

Kenny Gardner introduced a new song of his own, "You're the Girl" at the Paramount theatre in L. A.

Phil Boakle wrote a marching song, "Hail to Palomar," the Palomar School, Perris, Cal.

KAYE VS. WHITEMAN; OPPOSITION BILLING

Richmond, Aug. 30.

Spirited competition developed last week between management of the Westwood Supper Club and Tanitilla Club, local niteries. During performance of Sammy Kaye, booked at Tanitilla, customers were informed everyone present would receive duplicates to return for a free session two nights hence. While this was a munificent gesture, it seemed hardly possible that the management didn't know that Paul Whiteman was playing the Westwood on that date.

In retaliation, Westwood management arranged for placard to be displayed on all trolley cars and taxis in Richmond bearing the legend, "This car takes you to Westwood."

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THIS MAY BE THE NIGHT
COULD YOU PASS IN LOVE
BY A WISHING WELL**

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"My Lucky Star"

Gordon and Revel's Song Sensation!
MEET THE BEAT OF MY HEART

From the M-G-M Picture,
"Love Finds Andy Hardy"

Gordon and Revel's Terrific Success!
WHERE IN THE WORLD

From the 20th Century-Fox Picture, "Josette"

fresh idea i cal
ON THE BUMPY ROAD TO LOVE
I Hoffman, Al Lewis and Murray Mencher

Introducing Two New Hits!
From the New Universal picture,
"You're Taking a Flo"

**FOR THE FIRST TIME
NEIGH-NO, THE MERRY-O**

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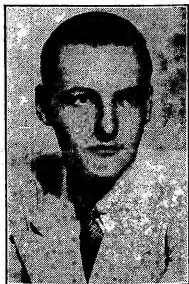
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Walter Winchell,
June 23, 1937.
VARIETY issue August 24th, 1938.

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Bands, Vaude Booked to Turkey Day at Par, N. Y.

Band and stage bookings have been set for the Paramount until Thanksgiving Day, according to Robert K. Weitman, managing director for the Paramount theatre, New York. Spawns of the North (Par) follows Sing, You Sinners into the Par with Eddy Duchin's band set to come in after Phil Spitalny's All-Girl orchestra, current.

Other bands include Larry Clinton, Mark Warrow, Glen Gray, Tommy Dorsey and Blue Barons. Added stage attractions will be Original Hollywood Slonges (Howard, Fine and Howard), Raymond Scott Quintet, Buddy Clark, Connie Boswell and the Andrews Sisters.

New Coast Niteries

Hollywood, Aug. 30.
Marcus Daly opens a new dine-and-dance in Beverly Hills as soon as the building is reconditioned. Casa Manana opens Sept. 1 in Culver City, on the site of the old Cotton Club. New niteries is operated by Mel Walters, formerly with the Century and Casanova clubs in Los Angeles.

15 YEARS AGO (From VARIETY and Clipper)

Equity decision gave Ann Pennington to John Murray Anderson, she had a Ziegfeld contract, which was nullified.

Audiences at 'Artists and Models' about 90% stag. Ravness of the show helped pack the house. Girls have to the wait at times. New then.

Programs of Nance O'Neill's 'White Villa' at Frisco failed to announce that the curtain would drop momentarily during the last act to indicate a time lapse. Most of the audience went home too soon.

Show at the Palace, N. Y., so long the last act was omitted Tuesday night, and still well past 11. May Werth and her family one of the stoppers, with Phil on the comedy end.

Hope Eden and Prescott, formerly a mind-reading act, offered a sketch at the Riverside ball around the former turn. Sketch held interest and bolstered the mind-reading portion.

Polly Moran at the Fifth Avenue, N. Y. Used a short film to emphasize her picture work, but got over her clowning rather than her reputation.

American Roof, N. Y., was developed a tougher audience than the Colonial gallery in its most blatant days. Nothing seemed to be done about it, though it hurt the show.

Fritz Ridgway, picture actress, making her first personal appearance at the Palace, Chi. Had a good idea, but not so well done. Same scene was played straight tempo, in slow motion and at top speed.

Theatre Owners Distributing Corp. given a big sendoff. To start in October with 30 exchanges. Just another of those things.

Exhibitors took to Paramount's idea of pre-release tryout of films. Regarded it as an excuse for the producer chain.

Sam Goldwyn booked his 'Potash and Perlmutter' into the N. Y. Strand. Producer took 50% of the gross over \$45,000. If staying a third week split was on over \$50,000.

Low circuit considering production of flash acts. Outside material was scarce and producers shy.

Immigration Dept. requiring bonds guaranteeing that imported migrants would be repatriated.

Stars of Yesterday, old timers act went bust. Vets could not agree as to who was the star. All felt entitled to top spot.

Legit stagehands in N. Y. talked strike on Labor Day unless their demands were met before then. Vaude situation looked better.

Jeanne Eagles' salary in 'Rain' upped from \$800 to \$1,000 a week. She was earning it.

Niteries Reviews

Leon & Eddie's, N. Y.

Mansey, & Miller, Texas Tommy, Wally Wagner's Great, Helen Wainwright's Olympic Diving Girls (4), 3 Hays (Eddie Miller, Joe Starr & Roy Tracy), Carmen, Carol Page, Ann O'Connor, Col. Jay C. Filpen, Lou Morris.

With co-bos Eddie Davis vacationing, Leon Enkan, the other half of the management team, has assembled a strong variety team which, as a rule, does not entertain. But what is more noteworthy is the bargain value offered for the \$10 a show, a hot date. The food, of better than average quality, is a cut from a former \$2 and \$2.25 price, and thus it behooves the bonafides to do mass turnover, or else. Seemingly they are achieving the biz, because L&E have a big nut and must move plenty of table dates and change to offset the basic cost.

This 52d street institution, for a London agent, has been through the same cycle that faced the old spot and forced some of them into 7th, or worse, 1 & 2. E have dodged that through canny management and a spending spree. The result, with that they're in good shape now, and look forward to that 1939-40 World's Fair extravaganza.

Col. Jay C. Filpen, on a subliminal from his gonging on WHN's make-up hour, m.c.s. expert and tees off the eight-act bill with Mansey and Miller, youthful tapsters, who are a fresh touch on the bill. Texas Tommy and his Wonder Horse, and a No. 2 midget, are recalled for an encore. As a floor show novelty act was as classy a year ago in the class Rainbow Room as it is in 52nd street. Wally Wagner's Sextet, femme troupe, break up, but mean little else. Helen Wainwright and her nymphs, the Girls are holdovers with their tank novelty, performed in the back room of what was formerly known as Leon & Eddie's Paris-in-the-belt. The teaming room. The act is properly spotlighted for the former Olympic swimmer, and with her assisting quartet. A dash and a novelty in a class.

The Three Day Boys (New Acts) are quite Clayton, Jackson and Duranite and bespeak promise. Carmen is a good-looking semi-cooper, and a nice addition. Carol Page, heralded as a Paramount starlet, is an overly energetic songstress. New Acts but better. Ann O'Connor does a comedy striptease and hence Col. Filpen, who introduces a colored lad who states and sings a mind-blowing top. Heralded as one of his WHN amateur finds. In between a mixed colored trio pianolists, and perhaps it's a sign of improving times that their table-money take seemed to be on the upbeat on the night caught. Martin's dancers are give out in okay manner.

500 CLUB (ATLANTIC CITY)

Atlantic City, Aug. 26.
Gale Seizer, Robert Broke (3), DiVons, Patsy Ogden, Ho-u-d-o Brooks, Ole Saxon, Vincent Truere Orchi.

Phil Barr has an outstanding night in the 500 Club, giving the vacation mob a tupper show. While the \$3 minimum may be a bit steep, it rates okay for the quiet season in which the town must crack the heat. The place is a real 300, with a spacious dance floor.

Barr doesn't short change on the show. Howard Brooks m.c.s. is the chief clown. He has plenty of finesse, announcing the acts, and on his own gets solid comedy from his act. Brooks is a good and his sleight-of-hand work. While the prestidigitator has been knocked out of a bit, Brooks and his act, entertaining by his running partner. The girls are three men and a girl in a colorful dance flash, opening straight and winding up the show with a gay 80's burlesque, which pleases the customers. Robert Brooks, a ball, is a good warbling, getting their best results from amusement. The boys could play anywhere. The DiVons are a good-looking dance team, which depends much on its appearance to get over. But they are giving an overdose of suit-and-shag. Built for

straight ballroom numbers and woom. No well-to-do American, to get their turn, anyway, to waitlines and

Patsy Ogden has personality and yams her rapid-fire hooping numbers. She has the mob's thing and makes 'em like it. 4-50 sings. Has a good sense of timing and has developed into a strong sales point. She stands out on ability on her own, now. Her vocal arrangements are excellent and she has a good and a nutty appearance. Bangs home and has to speak away.

RAINBOW ROOM, N. Y.

Paula Kelly with Al Donahoe Orchi, Joe Hays, Robert, Jack Cole with Anna Austin & Florence Lessing, and a new act with Eddie LeBaron Orchi, Dr. Sidney Ruge.

John Hays, just back from a London engagement, seems to have been influenced a shade too much by foreign politics. His satires when he first debuted into the Rainbow Room were basically American, with the proper dash of foreign flavor to make them palatable to the American audience. But the present crop is replete on far Eastern and mid-European material, with result it's not as popularly appealing.

On the other hand, R. R. Hays, R. Hays, Jack Cole, in his Balinese number, aided by American, in the presence of Lessing, has reverted to Americans with true Dixie impressions in tempo. In the 'Swing Low, Sweet Chariot,' it's a European, and a real one. The far Eastern dances, although these are replete on far Eastern and mid-European material, with result it's not as popularly appealing.

George Revival Meeting dance is a real one. Hays, Jack Cole, in his Balinese number, aided by American, in the presence of Lessing, has reverted to Americans with true Dixie impressions in tempo. In the 'Swing Low, Sweet Chariot,' it's a European, and a real one. The far Eastern dances, although these are replete on far Eastern and mid-European material, with result it's not as popularly appealing.

For example, other than the take-offs on Japanese, Soviet and Chinese dances, with Patsy Ogden, it's not so much. Costumes are OK, however. The number dealing with the Brits, and a real one. The far Eastern dances, although these are replete on far Eastern and mid-European material, with result it's not as popularly appealing.

Donahoe's protégés, with its smooth dancipation Paula Kelly, is a new vocal with him. Eddie LeBaron, who only LeBaron to conduct his tango-rumba orchestra in the manner of a ballroom dancer, makes for one of the best rostrum presentations among dance bands, Latin or otherwise. Since the front is so important among dancipation maestro, it's no small asset to LeBaron. Ruth Nigey vocalizes in the manner of a ballroom dancer, table-working magic, likewise continues.

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Vaude On Fence

(Continued from page 53)
the circuit has the State, the Broadway, the Capitol, Washington, D. C., Plus these two full-weekers, Loew's is also booked in the Strand, Pittsburgh, with Warners. This is a part of the pooling deal between Loew's Penn and the Stanley in that town.

Only probable addition to Broadway stage time is the Capitol on Broad- way. The circuit's new presentation house, Loew's operators are studying the WB's Strand, which inaugurated and since (Ben Bernie) Friday (26), has on the Cap's stage. Later house is now hemmed in by strong stage show competition, namely the nearby Rocky and the Strand, at a lower scale than for the Cap's straight-picture policy. It's figured generally within Loew's that the latter will have to close well before late in winter and just prior to the influx of New York World's Fair visitors.

Par Same as '37 — Paramount, with the possible exception of the Metropolitan and the Metropolitan, Chicago, will also have last year's total vaude time this coming season. The picture policy is uncertain. Policy of the Oriental hinges on current negotiations between Ballou & Katz (Par partner) and owner of the theatre, for a new lease. Met, also presented, may have a few presentations when RKO resumes in the Hub.

Besides the Paramount, N. Y., the circuit has regular shows at the Chicago, Chicago, and Michigan, Detroit. Plus these, it's being spotted, booked attractions for Kansas City, Omaha, Buffalo, Minneapolis, Springfield, Mass., and New Haven. Also booking occasional shows through Illinois and Iowa in conjunction with Louis Lipstone, B&K booker in Chicago.

Warners is another circuit that will have the '37 shows on its vaude books again this fall. Full-weekers here are the Strand, New York; Earle theatres in Washington and Philadelphia and Fox, Philadelphia (opening Sept. 2). In addition, circuit resumes four one and two-day stands, each in September. These are the Queen, Willington, Del.; one-day spot opening Sept. 10, Chicago; Lancaster, Pa., one-day opening Sept. 24; Astor, Reading, Pa., two-day, opening Sept. 9, and the Strand, York, Pa., two-day opening Sept. 23. Flock of Philly name houses, plus Camden, N. J., all one and two and three-day houses, also will play WB vaude in the fall.

Totaled up, the majors will have at least 21 weeks of stage time between them next season, par for the '37 course. Individually, the vaude time will be divided thus: RKO, eight weeks; Warners, seven; Loew's, three, and Paramount, three. These, of course, are based on regular playing time and do not include the spot-booked, occasional stage shows houses of each circuit.

Indies' Claims — As usual, the indie bookers in New York are claiming pretty nearly everything in sight for the coming season. It doesn't matter that some of them are claiming each other's houses; that's an old custom.

Indie playing time, as in the past, will again be just as uncertain as the bookers' statements. In the majority, they will be spot-booked houses and indefinite one week to the other. Most of it will be shooting gallery time, with the budgets and salaries trimmed to the bone.

Unit production will be a rarity this coming season, from all indications. The producers, almost all of whom took it on the chin last year, are steering clear now. Chief trouble last season was the insistence of theatre operators that units play on strictly percentage arrangements, with the result that the shows, few of which had any marquee strength, either were lucky to break even or else went into the red. Producers now claim they'll put shows together only if getting definite guarantees.

If anything, trend this coming season will be towards band units, which, due to the one setting, demand little production. Theatres also lean towards these shows, for the reason that the orchestras, because of radio, have so much salability for the public. In some of the spot-booked houses, the band shows also obviate the necessity for pit orchestras, and this is figured importantly by the operators.

Time in the Rockies

Los Angeles, Aug. 30.

Vaudeville gets four weeks of con-

secutive playing time in the Rocky Mountain area, through Paul Savoy, head of the Coast-to-Coast agency. Time consists of two full-week stands in Salt Lake City and Denver and two weeks of one, two and three-nights through Colorado, Wyoming, Idaho and Utah.

Among the units booked so far are the Great Lester show, the Gene Austin combo and the Jan Rubini outfit.

Harford's

Harford, Aug. 30. — Stage shows return to Harford Thursday (1) when Harriett Hilliard and Ozzie Nelson's orchestra open the fall season at the State. The theatre, 4,200-seater, indie-owned and operated, is expected to run a policy of name lands and personals of screen and radio stars.

Along with 90-minute stage shows and two films, the State is playing up its dancing on the stage. After the nine o'clock show each night, when name bands are on the stage, it is invited to dance on the stage for a half hour. The bands will be on a movable platform, which will be swung into the way to make room for the dancers.

Frederico-Rankin to Sail For European Dance Tour

Frederico and Rankin, dance team, shows off Sept. 3 on the Conte di Savoia for Europe.

Pair are set for dates in Italy, France, Germany and England.

Diplomacy

When Ben Bernie arrived from a road dance tour to open at the Broadway Strand, he told one of his boys to check his trunk to the theatre. Later picked up a trucking firm and that was that until Bernie got a visit from a burly expressman.

"I'm from the expressmen's union," he told the maestro, "we've fined you \$50 for using a non-union man."

Bernie argued that he's no member of any truckmen's union and couldn't see how he could be assessed \$50. But to show his good faith he finally settled it for \$10.

N. O. CAFE OPS VISION UPTURN IN THE FALL

New Orleans, Aug. 30. — After one of the most dismal summers in years, niter operators are in a decided upturn in business. Day Oct. 1 here, operators see silver lining in large number of conventions, opening of racing season at Fair Grounds and in heart of winter tourist trade. Thing that hurt most spots all summer was lack of air cooling.

Silver Slipper has been renamed El Toro Club and is under new management. Leon Frime's Swing Club folded some time ago and its furnishings sold Saturday at auction by sheriff. Johnny Marchese will reopen Absinthe House shortly after extensive alterations.

Cleveland Cafes, Theatres Fearful Of More Heat, Hold Off Fall Preems

Cleveland, Aug. 30. — Despite indications of better autumn business, niteries, as well as theatres, are so afraid of a hot, dull September that they are postponing fall openings as late as possible.

RKO Palace has Za Pitts set for Sept. 9 but won't start regular vaude until late in the month. Legit Hanna, according to present schedule, won't get going until early October, figuring that suburban-minded locals won't leave their lake cottages until cold weather arrives.

Although Slater Hotel has been spotting moderate-priced, small hands in its dining room, its Terrace Room isn't putting in floor shows and name orchestras before Sept. 22. Dick Barrie's outfit is in line for the error, but management still is vague about what type of acts to try this year.

After holding Manny Landers' band nearly three years, a record here, the Cleveland Hotel is shaking up its swank Little Cafe Sept. 12 by bringing in Gene Erwin's. Only hotel that has steadily kept floor shows going all through the dog-days is the Hotelenden, which catches the best convention trade. Regarding its plush Vogue Room as good advertisement, it jumped the gun by penning Sammy Walsh as m.c., Harry Stockwell, Prince Charming of RKO, "Snow White," Lorraine and Renard, dance trio Pitkin and Mason.

singers, and Gene Beecher's orchestra for first current autumnal show.

As for the other, smaller dance-and-dineries, they are limping along for another month with low-priced music and skeleton units. Frank Monaco is doing over his Cafe Monoco for a Sept. 18 reopening. Both Helen O'Brien and rival Jack Hecht are bidding for the dark Irish Village, in heart of theatrical section, but rental terms so far are considered too high. Very doubtful if Lotus Gardens, which bankrupted Charlie Tond, will try a Chinese policy again. 'For rent as office space' signs spell its demise.

Chick Webb to Repeat At N. Y. Par, 1G Boost

Chick Webb goes back into the N. Y. Paramount sometime in January, with a \$1,000 salary increase over engagement early this month. Band got a bonus on exit from first date, which netted \$4,250. Now rates as top colored band in Par's lobby pool with 5,660 votes.

LIBUSE TO H'WOOD CAFE — Frank Libuse, comic, booked for two weeks, with options at the Beverly Hills Country Club, Hollywood. Starts Sept. 2. Al Grossman handled from New York.

Grace and Rhythm Combined with Comedy

Extra Added Attractions on the Opening Bill at the STRAID New York

HELD OVER FOR SECOND WEEK

HARRIS AND SLORE

"MODES COMIQUE"

Management MUSIC CORPORATION OF AMERICA

B'way Up as Cool Weather Hits, Several Shows to Close or Move; 'Angel' \$27,900 Again, 'Town' \$8,500

As expected, Broadway looked up last week as the cooler weather continued. Friday night (28) was better than Saturday performances (27) were better than for weeks. Particularly the Saturday matinees were especially lively.

More than \$100,000 more to the line. Increases ranged from about \$2,000 to more than \$10,000. Expectations are that the current week will show another rise, provided the weather continues favorable. Showmen anticipate the general upward trend after Labor Day, when fan-tioners once more return to town and the new season's entries begin to arrive.

Estimates for Last Week

'Bachelor Boy', Lyceum (32d week) (\$4,857; \$3,300). Took a boost and registered about \$4,700; now figured likely to stick to it until September.

'I Married an Angel', Shubert (17th week) (M-1,357; \$4,400). Smash musical again showed the way, with taking of \$27,900; those who had not moved into new season.

'On a Sudden', Longacre (31st week) (D-1,018; \$2,300). Slightly up over the week before, to \$2,400; on Sept. 24 after 34 weeks and on, to \$2,400.

'The Town', Morosini (31st week) (D-961; \$3,300). Thornton Wilder play rises approximately \$2,000 a week, to a total of \$8,500 on the week.

'Shadow and Substance', Golden (30th week) (D-788; \$3,300). Up more than \$1,000 and \$7,100 register; more than to the \$10,000 mark.

'The Lightnin' revival comes into the Golden.

'Tobacco Road', Forrest (24th week) (C-1,077; \$1,650). Longest 10-layer climber, hit, box, \$4,500.

'What a Life', Billmore (21st week) (C-991; \$2,300). Up over the week before, but still figured to improve to next week's \$2,400.

'You Can't Take It With You', Fox (30th week) (C-708; \$7,750). However laugh cliché still profiting; took of \$4,500 last week, to \$7,750. Move to the Imperial next Monday; will be the new Gold Guild show, 'Dance Nature'.

'Pins and Needles', Labor Stage (30th week) (\$5,000; \$2,750). Unions reverse up; \$5,000, \$2,750.

WFA

'One-third of a Nation', Adelphi (32d week).

'Pretense to Glory', Laying off after running 22 weeks; due to reopen at the Ritz.

'Hail, Ditz', (27th week).

Sydney Busch Signed For Schwab Production

Sydney Busch, member of Little Theatre and Civic Theatre groups here, who was scouted several weeks ago by Laurence Schwab, who was playing in 'Russet Mantle' in the Civic Theatre at fringe playhouse here, was signed last week to appear in 'Once Upon a Night', now in rehearsal for an opening in Wilmington, Del., on Sept. 8 and 9.

Sydney Busch, who also had a small role in 'Knights of Song' at the municipal theatre in Forest Park during the current season, is one of the three women in Schwab's new comedy production. She also will understudy the leading female character. She played lead roles in 'Excursion' and 'Celestial Holiday' at the local Little Theatre last winter.

BRONSON OUT OF FTF

Chicago, Aug. 30. Earl Bronson, Federal Theatre vaude supervisor here for past two years, has been let go by the former actor (Bronson & Renee), it was said he couldn't get along with producers.

Jack Boyle has been named by John McGee as his successor.

Current Road Shows

Week of Aug.

'I Am Different' (Tallulah Bankhead), Billmore, Los Angeles.

'FI and Need' (Gertrude Lawrence), Chicago, Ill.

'Sine Out', Philadelphia.

'Sins and Gads' (Gertrude Lawrence), Curran, San Francisco.

'What a Life' (Wilder, Boston (30)).

'You Can't Take It With You', Brighton, Brighton Beach, N. Y.

B'way Legit Totals

Estimated total grosses last week \$79,500
Estimated on nine shows
Total grosses same week last year \$95,500
(Based on nine shows)

BANKHEAD'S 1ST L. A. WK. HITS \$1,000

Los Angeles, Aug. 30. Considerable rewriting of 'I Am Different', following its three-day tryout in San Diego, has materially helped the new Tallulah Bankhead comedy drama, now in its second week at the Billmore with one more to go. Matinee had been particularly lively and night bit is attracting the dyed-in-the-wool Bankhead following, which in these parts is plentiful.

Federal Theatre Project is opening 'Having Wonderful Time' at the Hollywood Playhouse (2) and retaining the all-Negro cast play, 'Run, Little Child', at the Mayan.

Estimate for Last Week

'I Am Different', Billmore (-\$68; \$2,750) (1st week). Critics were not too encouraging but Bankhead's personal popularity helped to pile up better than \$11,000 on first stanza, with a fair advance for current week.

'Having Wonderful Time', Hollywood Playhouse. Arthur Kober comedy entitled 'Legends' will replace the direction of Ralph Furber.

'Run, Little Child', Mayan. Joint Project.

Midwest Legitized

Majestic theatre, for 22 years home of road shows, was razed during the past week. House had been frozen in place as it waited for shows going from St. Louis to Louisville. Played nearly every major road show for years.

Few Strawhats

(Continued from page 1)

which were held before the summer season opened have been reported since. Reports are that more were dropped than were picked up. Some may be taken up again with a change, but on the whole the tryout session was just a tryout with little results.

Annexed table indicates the most likely Broadway prospects.

12 Strawhats Get B'way Nod

Plays tested in the strawhats this summer and announced for Broadway presentation are listed below, with the producers holding them:

'Knights of Song'.....Montgomery Ford
'Death Is My Lover'.....Forrest C. Harding
'The Nutmeg Tree'.....Fred Wayburn
'Marriage Royal'.....Aldrich & Myers
'7-11'.....Aldrich & Myers
'A Woman's Fool—To Be Clever'.....John Wildberg
'Bright Rebel'.....William Killebrew
'Dance Nature'.....Theatre Guild
'Mirror for Children'.....Theatre Guild
'Ringside Seat'.....Rufus Phillips.

Among those evoking interest but still not set are 'Fool's Hill' (Theatre Guild), 'Suanna and the Elders' (possibly Rowland Stebbins or Dwight Deere Wiman), 'I Can't Help It' (Theatre Guild), 'Never Change' (Uncle Harry, Michael Rios), 'Latitude of Love' and 'I'm Different'.

Not included in the above is Jacques Devaux's 'Soubrette', which has been acquired by Paramount for digital adaptation.

Summer Theatres (NEW PLAYS)

'Tumbleweed', Keen theatre, Keene, N. H. (2).

'Strife for Children', Country theatre, Westport, Conn. (29).

'Snow Train', Ogunquit Playhouse, Ogunquit, Me. (29).

'American Invasion', Young theatre, Centerville, Mass. (29).

'Dark, at Night', Hampton Playhouse, ridgehampton, L. I. N. Y. (30).

'Cageas', Newport, N. Y. (30).

'Averick Roundup', averick theatre, oodstock, N. Y. (1).

'Friday at Five', a play theatre, Provincetown, Mass. (29).

'Wuthering Heights', Litchfield theatre, Litchfield, Conn. (31).

'Cageas', Newport, N. Y. (30).

'A Woman's Fool—To Be Clever', Stony Creek theatre, Stony Creek, Conn. (29).

'The Headless Horseman', John Drew Memorial theatre, East Hampton, N. Y. (30).

'Broken Threads', Theatre-in-the-Dale, Marblehead, Conn. (31).

'Tons of Money', Garrick Playhouse, New York, N. Y. (30).

'Everywhere I Roam', Barter theatre, Abington, Va. (1).

'I Am for Sale', Band Box theatre, Buffalo, Conn. (31).

'Time Plays the Devil', Chapel Playhouse, Guilford, Conn. (29).

Wayne Moore Awarded Spirit 'Drunkard' Verdict

Los Angeles, Aug. 30. Wayne Moore, stage producer, though ordered by the court here to go, Matinee had been particularly lively and night bit is attracting the dyed-in-the-wool Bankhead following, which in these parts is plentiful.

'I Am for Sale', Band Box theatre, Buffalo, Conn. (31).

'Time Plays the Devil', Chapel Playhouse, Guilford, Conn. (29).

Legit for Buffalo

Buffalo, Aug. 30. Premiere performance of 'Split the Wind' E. B. Glyn's drama, formerly titled 'Legends', will replace the direction of Ralph Furber.

'Run, Little Child', Mayan. Joint Project.

'I Am for Sale', Band Box theatre, Buffalo, Conn. (31).

'Time Plays the Devil', Chapel Playhouse, Guilford, Conn. (29).

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'Susan' Hits \$21,000, Pins \$9,800 in Frisco; Both H. F. 2 More Wks.

Road Legit Totals

Estimated total grosses last week \$41,900
Estimated on three shows
Total grosses same week last year \$34,000
(Based on three shows)

B'WAY STOCK MULLED FOR ST. LOO

St. Louis, Aug. 30. A New York stock company, with visiting Broadway names and occasional road shows in 11 lined engagements, is the setup planned by the backers of the Grand Opera House here, scheduled to open a pop price leg season about Oct. 3. Tentative plans call for a 27-week season. The American is St. Louis's only other leg.

The repertory stock already calls for the appearance of Blanche Yurka, Yea, 'My Darling' (Cagney), Eugene Levontich in 'Tovarish'; Bert Lytell in 'Dr. Clitterhouse'; and Lucille Watson in 'The Drunkard'. The Women, 'Three Men on a Horse', 'Boy Meets Girl' and 'Bachelor Boy'. All but 'Dr. Clitterhouse' and 'Bachelor Boy' have been shown at the American.

Mrs. Sam Friedman, whose estate at Anchorage, near Louisville, Ky. is the gathering place of celebs who attend the Kentucky Derby, has attempted to buy the stock to produce it under another name.

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The Ole Maestro

BEN BERNIE

ALL THE HITS

"STRANDED"

Weeks August 26th
and September 2nd



YOWSAH!

Back on the air for good old
HALF AND HALF TOBACCO.
Beginning Sunday, October 2,
5:30 to 6:00 P.M., E. S. T., on CBS

WARNER BROS. CIRCUIT MANAGEMENT CORPORATION

STRAND THEATRE BUILDING
ROOM 408

Office of
Zone Manager

1579 BROADWAY
NEW YORK, N. Y.

August 26th, 1938

Mr. Ben Bernie
Strand Theatre
New York City

Dear Mr. Bernier:

It is indeed gratifying to be able to congratulate you on the splendid contribution you gave us in your opening performance on our new policy of stage and screen presentations.

Your reception at the box office and the spontaneous reaction and applause from our patrons prove to us that you were the proper choice for our first name band.

May you continue to give such splendid performances for a long time.

Very truly yours,

B. F. Moore

B. F. MOORE
Managing Director
Warner Bros. Metropolitan Theatres

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