

ENTERTAINMENT WEEKLY

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56 PAGES

ILLUSTRATION BY R. O.

NAZIS' RADIO PROPAGANDA INTO U. S.

That Germany is making strong starts to propagandize American radio listeners and German-born residents of the U. S. via a regular basis is seen in new program schedule especially designed for North America. Written in both English and German, monthly booklet of programs has established a regular mailing list for its Nordamerika Program, U. S.

Berlin-Haus des Rundfunks (Berlin Broadcasting House) issues the 36-page booklet which includes every program of the Deutscher Rundfunk (German short-wave station). Listing include 'news' in English and German, economic news, financial charts of German youth, soldier evenings, rafts of brass bands and military marches, musical pictures of Germany today, etc. Much is later translated into German. Book is believed to be only one of its kind coming to U. S. from a foreign country.

Free mail in the U. S. makes it possible for the matter to come through regular channels. Same is not so with European countries where mails are watched and possible propaganda eliminated. However, understood that programs are also printed in other languages for two column, dual-tongued pamphlet, which includes 'inspirational' pictures of Nazi gatherings, scenery.

(Continued on page 53)

Song Pluggers Also Give Lessons in How To Do 'Lambeth Walk'

Professional men at Mills Music, Inc. are doubling as tempo instructors. It's in connection with 'Lambeth Walk,' the British song hit and dance craze. Mills holds the American rights to the tune.

Ballroom teams, as well as vocalists and band leaders, keep popping in with the request that the staff show them how to do the corky new dance. Jack Mills, head of the publishing firm, is hoping that the hands sliding with the older clientele before the kids start shagging it and the Harlemites merge it with 'boogie'.

Airing Debbie's Life

Society family program is being held for a sponsored spot this fall. Rose O'Brien, 18-year-old deb, and her mother, Mrs. Edmond O'Brien, social registers, are in the skin. The Henry Daguerre.

Would be a series dramatizing the life of a debutante from childhood through extensive schooling and on to the eventual coming out. Edmund Daguerre, the film director and author, will script.

Taking It Seriously

Sam Rosoff, the subway contractor, was on the jury during a performance of 'Night of January 16th' recently at the Spa summer theatre, Saratoga.

None of the jury is supposed to talk, being recruited from the audience, but Rosoff asked one witness (an actor) to repeat his testimony.

Rodgers-Hart's Four Concurrent Musicals in '38-9

Richard Rodgers and Lorenz Hart look to have four concurrent musicals on the boards this season. It's something of a record for musical stage productions, although there have been instances of prolific dramatists gathering royalties on many or more, straight plays during the same season.

Their '13 R'der Bar Right' resumes with the return of George M. Cohan, and 'I Married An Angel' is still current on Broadway. The new George Abbott musical, 'The Boy from Syracuse,' based on Shakespeare's 'Comedy of Errors,' is slated to open shortly, and right thereafter Rodgers and Hart will have a new Beatrice Lillie-Charles Butterworth musical, via Harry Kaufman (Shubert) production. This book will be based on a Robert L. Ripley's 'Oddities' libretto idea.

Rodgers and Hart at one other time, in the heyday of Broadway musical comedy successes, had four shows running simultaneously on and off Broadway, via 'Dearest Enemy,' 'The Girl Friend,' the second 'Garick Gaieties' and 'Betty,' the latter a flop. The songsmiths like to consider the ill-fated Billy Rose Fifth Ave. Club as a fifth success, they wrote a show from the tunes, but that was a nitery venture and not legit.

Agaveon 'Boys from Syracuse.' Lorenz Hart points out that they've authored 30 stage shows and many tunes, but this is the first time he's writing for his brother, Teddy Hart, who is co-prominent in the Abbott show with Jimmy Savo.

SEE SPA GAMBLING BAN EXITING '39 TURF MEET

Saratoga, Sept. 6. From inside racing sources it is stated that unless this resort permits gaming next August, the race meet may not be held. In that event there will be longer meetings at the New York tracks. Season of 15 days is figured to be the limit here next summer, anyhow, because of the heat.

Understood, however, that the legislature would have to first pass a bill to eliminate the Spa from the race circuit. Without the horsey money, few night clubs would attempt to operate.

CHI DAILIES NOW IN THE SHOW BIZ

Midwest Capital cynots How the Big Newspapers' Promotional Shows Drain the Boxoffices—Theatres Can't Stop It, So They're Trying to Tie-In with These Record Turnouts in Some Way

SPORTS, , SHOWS

Chicago, Sept. 6. Crowd-pulling promotions by newspapers, which formerly was an occasional stunt and which received the full co-operation of the theatres, have now become part of a well-planned, well-organized and well-publicized schedule on the part of the dailies and are attracting the public in such large numbers that they have become a real threat and headache to theatres throughout the nation.

Entrance of newspapers into the sports and show biz promotion angles has reached such proportions in the past year or so that the scribes are looking upon these stunts as real competition, and are now considering ways and means of reducing the damage that these stunts are doing to the theatres' box-office.

Chicago area is a prime example of the broad advance made by newspapers into show biz field. Crowds (Continued on page 21)

A Dummy Jazzes Up A City Festival; St. L. Can't Get 'Charlie Mc.'

St. Louis, Sept. 6. Because the Music Corp. of America could not deliver Edgar Bergen and 'Charlie McCarthy' to the St. Louis Festival Assn., which planned a three-day entertainment and celebration in the \$7,000,000 Municipal Auditorium following the annual Vexil Prophet parade and ball here next month, the fate of the plan is hanging in the balance. The idea of having Bergen and McCarthy, Dorothy Lamour, Bobby Breen and other headliners of the terrace and radio make p.a.'s originated about six weeks ago when Mayor Bernard F. Dickmann thought it would be a good one to attract natives from the hinterlands.

Last fall the mayor sponsored a street dancing and singing festival in Memorial Plaza in the downtown district following the parade which is patterned after the Mardi Gras in New Orleans. Some 75,000 participated in the event, and it was announced (Continued on page 15)

\$2,000,000 in Film Money Spoken About to Renew B'way-Pix Accord

Preparedness

Des Moines, Sept. 6. Management of the Grand hotel pulled a unique ballyhoo stunt when it showed 'Birth of a Baby.'

Invited expectant mothers as their guests, with nurses and an ambulance in attendance.

Attempt will be made at the American Theatre Council convention next week to bring about revision of the Dramatists Guild minimum basic agreement. Plan is to have some outside referee announce a fund of \$2,000,000 of film coin for Broadway production on condition the Guild will make concessions in the agreement. Herbert Bayard Swope has already been suggested as the referee.

From what the Guild has learned, the idea is that with a \$2,000,000 production fund in the offering, proponents of the plan hope to place the dramatists in the spot of having to make concessions in the contract or appear to be acting selfishly against the interests of the theatre as a whole. Understood the Guild has tentatively been offered by Samuel Goldwyn, who hopes to use Broadway as a school for talent and story material. Walter Wanger and David O. Selznick are named as co-operating.

Guild had at first declined to participate in the convention, but last (Continued on page 54)

Mae West Back On B'way During Fair; Own Pix Co.

The New York World's Fair season will draw Mae West back to Broadway, legit, according to insiders. She's reported due to appear in a play, 'The World's Worst Woman.'

As for the writers, a number have participated, with the star having considerable to do with the authoring. She similarly figured in the scripting of most of the shows in which she appeared, including 'Sex,' which ran for months until they backed up the patrol wagon.

Hollywood, Sept. 6. Louis Lurie, San Francisco financier, is discussing with Mae West the formation of a new production company for her pictures with around \$5,000,000 working capital to be tossed into a pool by Lurie and a Pix business group. Oulfit they hear her name and star her in four pictures annually.

Meantime she embarks on a Coast tour late this month, opening Sept. 28 at the Golden Gate in Frisco. Louis Prima is coming west to join the show. First week's bookings arranged by William Morris office.

St. Louis, Sept. 6. Because the Music Corp. of America could not deliver Edgar Bergen and 'Charlie McCarthy' to the St. Louis Festival Assn., which planned a three-day entertainment and celebration in the \$7,000,000 Municipal Auditorium following the annual Vexil Prophet parade and ball here next month, the fate of the plan is hanging in the balance. The idea of having Bergen and McCarthy, Dorothy Lamour, Bobby Breen and other headliners of the terrace and radio make p.a.'s originated about six weeks ago when Mayor Bernard F. Dickmann thought it would be a good one to attract natives from the hinterlands.

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WINCHELL WOULD NOW LIKE 'BLESSED EVENT'

Walter Winchell is flirting with Darryl Zanuck for a third 20th-Fox film, this time more or less straight drama. Zanuck's music. Winchell's idea is a revival of the Man and Sea-Forrest Wagon 'Blessed Event,' which 'Warners' filmed in 1932 with Lee Tracy doing the cinematic counterpart of Winchell's role. There's a role also there for a crooner-maestro, which could again enlist Ben Bernie as co-star with the columnist.

Winchell-Bernie did two musicals for 20th last year and the year before at \$75,000 and \$50,000 each, respectively.

Present negoti talking stage.

ED. SULLIVAN
In New York Daily News Aug. 31, 1938, Says

"Finest stage show is at the Paramount. Phil Spitalny's all-girl band and choir"

Just concluded third week

Text of Arnold's 'Consent' Invitation

Washington, Sept. 6. Here is the text of the Government's poorly disguised invitation to the film industry, sent by U. S. asst. attorney-general Thurman Arnold to the Hays office's chief counsel, which so far has been disregarded by the majors at least in its direct effect.

"Mr. M. Williams of my staff advised you over the phone last week, this department is engaged in preparing the papers upon an application for a preliminary injunction in order to make effective prayer of the petition. The preparation of supporting papers will be intensive."

"It will be appreciated if you could communicate with the five pro-exhibitor defendants and ascertain whether or not they, or any of them, would consider stipulating for the entry of such a preliminary injunction in order to maintain the status quo until the determination of the suit upon its merits or until the further order of the court."

"It would be understood, of course, that outstanding obligations and commitments from which no relief may be obtained would be excluded from the operation of such a preliminary injunction."

"Communication, dated July 28 and signed by Prof. Thurman Arnold, assistant attorney-general in charge of anti-trust actions, was addressed to Gabriel L. Hess, general counsel of the Motion Picture Producers and Distributors of America."

SMITH LEAVING TAX EXEMPTION IDEA UA CO. MEETS TOMORROW

George Smith, sales manager under Arthur J. Schaefer, vice-president in charge of distribution of United Artists, is leaving that company. Smith came to UA from Warner Bros. where he was eastern sales manager for several years.

There is every indication that the board meeting of United Artists board tomorrow (Thursday) afternoon will be an "ordinary" session for the purpose of discussing certain routine corporate matters in accordance with company regulations. He thought purporting to indicate that a new chief executive, such as a president, would be named at this meeting is treated lightly for some reason.

Principal one is that under company regulations the president of the UA must also be a member of the board. Secondly, to name a president is the unanimous approval of the board is necessary. At the moment, with unanimity of opinion is lacking, it should it be had, the only possibility the board would name appears to be Maurice Silverstone, chairman of the executive committee. Silverstone is the operating head of UA, but not a member of the company board.

It requires a meeting of stockholders to name directors. So far, there has been none called. The board setup might be altered eventually, in accordance with previous understandings of the partners, but such a shareholders meeting, at some future date.

UA's recently scheduled board session was to have been held today (Wednesday), but has been postponed in order that Mr. Pickett might be able to attend. Whether or not the new pact with George Schaefer, former head of the company, comes up at this time depends on whether it is completed and signed by that time. In any official indications go, the difference deal is all that latter wishes it to be.

As regards Silverstone, his duties and authority are governed by contract signed some time ago, so that to change could be envisioned or completed therein.

Schaefer's new deal is for five years.

Operating changes are expected under the Silverstone rule, but already certain economies have been put forward since he came into the company. There are distinctly no operating nature.

Fun in Durance Vile

Hollywood, Sept. 6. Winners added \$50,000 to the budget of "Blackwell's Island" for additional scenes, particularly in comedy takes.

Curtis is working with William McGann on direction.

Tax Exemption Idea To Encourage Live Shows in the N. W.

Chicago, Sept. 6. As a means of increasing employment of flesh-and-blood talent and theatre labor generally by encouraging live shows, the National Theatre Association has introduced a bill to exclude theatres playing vaudeville, straight vaudeville and legit from the present theatre tax for theatres.

Johnson believes that the elimination of the tax for theatres, a question would serve as a stimulus to live talent. Whatever tax revenue the Congressmen would lose would be more than offset by direct tax gains through additional tax money from more corporations, individual taxpayers, etc., in his opinion.

KENT AND JOE SCHENCK BACK; LATTER TO COAST

Sid Kent, who has been vacationing in Maine, returned to his office in New York City yesterday (Tuesday) coming into town for confabs with Joe Schenck, just back from Europe. Kent returned from his vacation. Recently taken last month to meet Danny Zanuck when he reached N. Y. Aug. 1, but went back after a brief stay in Maine for his health.

Before returning north early in August, Kent indicated that nothing could be done on the trade reform program until after Labor Day, if anything at all was done.

Schenck and Joe Moskowitz, his N. Y. rep, leave for the Coast today (Wednesday).

Mrs. Fox Agrees to Open All-Continent's Book

Atlantic City, Sept. 6. Compromising still farther in their battle to prevent William Fox's creditors from revealing the assets in All-Continent Corp., the ex-picture magnate's wife last week agreed to permit the creditors to examine All-Continent's books.

Mrs. Eva Fox recently offered creditors \$100,000 in assets of Atlantic City, trustee of the \$9,335,000 bankruptcy, would drop his suit against All-Continent. Steelman maintains that Fox, knowing bankruptcy was coming on, transferred his assets to All-Continent, a corporation owned almost solely by Mrs. Fox.

Selznick's '506' 'Rebecca'

Hollywood, Sept. 6. David O. Selznick paid \$50,000 for "Rebecca" to be filmed in England, as a star for Carol Lombard. Producer aims to get Ronald Colman as a co-star.

Novel has already sold 50,000 copies in England. It was authored by Daphne Du Maurier, who wrote "Jamaica Inn."

U.S. MAY ASK FOR FEDERAL INJUNCTION

Decision This Week—Washington Still Hopes for Parleys with the Industry's Legalists on 'Consent'—Know of the Film Business' Intention to 'Fight'—Bans Any Moves for Further Theatre Expansion

TRUCE MOVES

Washington, Sept. 6. Decision whether to request preliminary injunction against the major film companies named in the Federal Government's anti-trust action asked for late this week.

With officials still hoping the industry lawyers will consent to open conversations aimed toward a consent decree, the Justice Department appeared to be getting impatient over the continued failure of the principle to answer whether they will promise to maintain status quo concerning theatre investments.

Matter of waiting longer is one of the major legal moves.

No More Theatres

The film industry, coincidentally the original filing of the U. S. Government's suit, expressed itself today to further acquiescence. In fact, spokesmen for the major companies, which have theatre affiliates, state that long before the U. S. civil action they had decided to do a little self-direction on their own.

A new task is by the indices, seemingly inspired by the close of Governmental litigation, are the ones going in for the haphazard theatre-building.

The majors feel the brunt of this when the indies find themselves embarrassed for film product, due to prior commitments, and then they squeak anew in Washington, and to the courts via a dock of nuisance suit.

the propositions Prof. Thurman Arnold, assistant U. S. attorney general, is expected to take up with associates this week, following check from his office most of the last fortnight.

On the part of the industry for more than a month since the Justice Department. Only response to Arnold's suggestion of an amicable agreement, sent to Gabe Hess of the Hays organization within a week after the suggestion was filed, is a non-committal acknowledgment, to the effect that the Government's proposition was not last Wednesday for Paramount, Loew's, RKO, 20th Century-Fox, and Warner Bros.

In the face of the industry's protracted refusal to take a stand, the Justice Department following course to expect the assailed majors (Continued on page 21)

GOETZ BRINGING M-G'S 'CITADEL' FROM LONDON

London, Sept. 6. Metro's "The Citadel" has been completed.

The week preview proving satisfactory, Metro sails with it on the Normandie Sept. 7.

Flack Makes Good

Hollywood, Sept. 6. Lewis Mumford, former Paramount flack, has been upped to associate producer in the Frank Lloyd unit.

He gets screen credit as such in "I'll Be King."

Hammons-Alpers-Skirball to Set 1938-39 Program for New GN-Educ'; Minimum of 30 Pix; Jackson's B. R.

Coast Preview Famine

Hollywood, Sept. 6. Previewers had a soft snap last week. Only one picture projected for their criticism.

Reason for slump is that most studios are either well advanced in their exhibitor commitments or have quite a few being edited and out. Local exhibits managed to do quite well without the preview prop.

LONDON MUSIC PUB MAY JAM 'ALEX'

London, Sept. 6. B. Feldman, music publisher here, is holding out on 20th-Fox in connection with musical number in "Alexander's Ragtime Band," for which clearance had not been obtained up until today (Tuesday).

Feldman still holds rights to many of the original Berlin numbers. He has the rights to "Alexander's Ragtime Band," for which clearance had not been obtained up until today (Tuesday).

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Pix at Crossroads, Says Pettijohn-Gov't Policing, or Self-Reg

Milwaukee, Sept. 6. Claiming that the industry today is at the crossroads of two roads—self-regulation or another which is to be policed by a cop—Charles C. Pettijohn, of the Hays office, outlined his conception of the film business as it currently exists, in a talk before the Wisconsin Motion Picture reunion here last Wednesday (31).

"If we follow the road of self-regulation we can continue to conduct our own business," he said. "The other road provides us with a policeman, who will beat it into us, often he can never learn the business. If any of you are thinking of taking this road, I beseech you to reflect just for a moment on the fate of other industries which have felt the throttling grip of political control."

"We are still free to choose the road we shall travel. I am not fashioned enough to believe that self-regulation is the correct course, not only for ourselves but for the public we serve. We haven't lost to make up our minds, and by 'we' I mean all of us—exhibitors, distributors and producers. We can't just stand still and do nothing. The forces, in and out of the industry, which have put us under thumb are on the march. And we need a united front, a consistency in self-regulation of our trade problems is to adopt the principle of law and help live. This industry cannot operate successfully under any system which would give one group unfair advantage over another. Every group must have equal opportunity to do business and stay in business. All that is required is good faith, integrity and common sense. If we have the will to act, the methods of self-regulation are easy to find. To help us make up our minds we don't need courts and lawsuits, we don't need legislative laws. Exhibitors, distributors and producers must make the decision for themselves."

Canceling prior plans to discuss initial-session's lineup over the Labor Day weekend at his home in Mamaroneck, N. Y., E. W. Hammons went into huddles yesterday (Tues.) with Edward L. Alpers and Jack H. Skirball to lay out the 1938-39 program concurrent with immediate preparation of papers for incorporation of the company that will represent the merger of Grand National and Educational. Battle being imperative in view of the intensity of the selling season, the entire '38-39 setup will probably be set today (Wed.), or at the latest, by the end of the week.

Under plans to proceed conservatively the first year, the season's output will number at least 30 features. The initial season's output might be more, but not decided, nor just what shorts schedule will be. Shorts will carry the Educational label.

Having under consideration numerous apostrophe titles, the tentative name of New Grand National may be changed. If something else isn't accepted, the company's name of Grand National Pictures, Inc., Hammons having dislike for the application "New" which is being tentatively used to designate the acquired GN organization.

Coincident with immediate plans to set up the company, the merger and incorporation of the merged GN-Educational companies, according to Alpers, would be forwarded to Washington for the information of the Federal Trade Commission. This will require about a week or 10 days, in the opinion of Hammons. Having approved the stock setup for the new GN company meantime, the underwriting of the securities of GN will be set and officially announced when the audits now under preparation are filed with the SEC. Hammons is not particularly interested in the underwriting. They are not disclosed pending completion of official proceedings with the SEC. The initial payment under the acquisition of GN by Hammons, (Continued on page 15)

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'Alex Sets Another Kind of Record Through Almost 'Getting Back Its Neg Cost in the First Month

Placed on national release less than three weeks ago, date of availability through the 20th-Fox exchanges having Jean Arthur in the lead, "Ragtime Band" lays claim to the unprecedented distinction of having gotten back close to its negative cost in rentals within that very brief period. Costing around \$120,000 to make, nearly \$120,000 has already been raked in rentals in a comparatively small number of key engagements.

A large proportion of the rental return is credited to two major engagements, the Roxy, N.Y., and the Chicago, with new grind records set in both. Picture is the first in the history of the Roxy to go more than two weeks and the first to do more than two in B.K.'s flagship, Chicago, Ill. The total gross at the Roxy will be around \$260,000 on the five weeks, while the total for the 21-day run at the Chicago totals \$148,000. Over \$200,000 in film rental is collected on these two engagements, a record in each instance. Additionally, as owner of the Roxy, 20th obtains the theatre operating profit on the house after payment of overhead and the percentage to Fanchon & Thurday operators.

On the four weeks ending Thursday night (1) the Roxy had scored exactly \$282,832 and played to a total of 636,253 people. On the same week it averaged at \$75,000 and had an attendance of more than a quarter of a million. Theatre, on a basis of gross, has made a sixth week excepting that other pictures, committed under national release dates meantime having been set and availabilities being held up, plus that RKO, buyer of "Alex" 3d run, has been backing up its play date calendar waiting for it.

It is variously estimated that "Alex" will gross from \$3,500,000 to \$4,000,000 in domestic rentals alone.

20th Sales Up 10%

Hollywood, Sept. 6.—Selling for the new season at 20th-Fox is up 10% over the corresponding period for last year, according to Herman Hupner, general sales chief, here to confer with Darryl Zanuck and other production execs.

Bill Hart Takes His \$185,000 UA Suit Up To U. S. Supreme Court

Washington, Sept. 6.—Squabble between William S. Hart, past generation cowboy star, and United Artists over the profits from 13-year-old thriller was laid before the U. S. Supreme Court last week. Hart is requesting a review of Second Circuit Court of Appeals' decision denying his suit for \$185,000 in the distributing company. Fight is over distribution of rentals from "Tumbledown". UA booked the film in accordance with provisions of the contract, Hart said the judges, but "knowingly and willfully" agreed to split profits so that receipts from exhibitors were insufficient to cover production costs, which hit \$200,000, not considering worth of his own talent.

ERWINS EAST FOR PIC AND PERSONAL TOUR

Stuart Erwin and his wife, June Collyer, will arrive in New York next week to arrange a personal appearance tour and make a picture at the Astoria, L. I., studio. Erwin is holding up booking at the Fox theatre, Detroit, until pair work out the film studio (not yet whether they will tour or film first).

U Drops Whale

Hollywood, Sept. 6.—Universal is dropping "Whales" after letting his option lapse Sept. 20.

'CAVALCADE' TITLE STICKS FOR U. S. PIC

Film industry's feature, "Cavalcade of America" will be known as that when it is shown in the theatre auditorium of the Federal building in New York World's Fair next year. This is the original title, but a possibility existed that it might be re-titled "Those United States Years". Cause E. J. duPont de Nemours Co. had protested it had a radio program to bear the same name. However, "Cavalcade of America" is the best title and will stick.

The picture designated by President Roosevelt to have charge of the Government's building and exhibit program in New York City will be the film business to make this feature for showing in the Federal building, the theatre. Will Hays and board of directors of the Motion Picture Producers & Distributors association agreed to produce the film.

Production largely will consist of highlights of American history as presented in great historical pictures that principal U. S. producers turned out in the last 20 years. Part of picture may include a superposed description and overlay effect, but this has yet to be ruled on.

MUCH ACTIVITY IN NEW YORK WALL ST. MART

Washington, Sept. 6.—Spotlight shined on 20th Century-Fox dominated resurgence of stock market trading by film corporation insiders during July, the monthly Securities & Exchange Commission report showed last week. Unusual number of transactions, ending long period of inactivity on the part of officers and directors, picture companies.

Both Joseph M. Schenck and Darryl F. Zanuck sheared substantial portions of their holdings of 20th-Fox common. In 16 blocs, peddled over the entire month, the board chairman unloaded 13,800 tickets while Zanuck, in five deals over as many successive days, turned 10,000 duets into cash. At month's end, Schenck still accounted for 128,843 shares of common and 23,284 of 1% preferred; Zanuck for 129,139 common and 21,946 preferred.

Trading also in paper of Warner Bros., Pathe, Loew's Boston and Universal, while belated report showed details of April 1938 transactions in picture company securities.

Stanleigh P. Friedman, officer and director, gave away \$5,000 worth of 20th-Fox shares, holding on to 20th-Fox common. He also holds title to 600 common shares.

Gordon W. Wattles, Pathe board member, peddled 400 Pathe common, in two 200-share lots, cutting his interest to 800 shares.

Loew's continued corralling stock shares of its Hub reality subsid, Loew's Theatre, added 100 shares, more common shares, bringing the total of the parent company's portfolio to 99,658.

Series of deals in Universal Corp. were also certificated by Darryl F. Zanuck. In six batches, he disposed of 600 coupons, cutting his share of the company's stock to 100. Standard Capital Co.'s 28,500. Whisker Corp. showed P. D. Cochrane in April, 1938, the company's stock of paper, 688 shares, 1,408 of the second series, and 1,408 of the first.

Another overdue statement showed Daniel C. Collins, added to the Universal board, directors of the company, has no financial interest in the firm.

Spitz Betting \$75,000 Corrigan Is an Actor

Hollywood, Sept. 6.—Leo Spitz bets \$75,000 to make a film actor out of Doris Corrigan. RKO president paid the "wrong way" money to the actress for biography and technical advice, and is now betting \$75,000 more to make her a star. Corrigan is slated to report to Pandro Berman, studio production chief, for a picture in 14 weeks; she'll be the cameras within five weeks.

Astoria Plant's Extensive Prod. Necessitates Another New Bldg.

Down Not Out

Hollywood, Sept. 6.—That old Hollywood tragedy, "The Fall of the House of Usher," was reversed for "Walter Klingling," playing Tristan in "Hermite in Paramount's 'I Was King'."

Attracted by Klingling's villainous role, the picture, producer-director Frank Lloyd insured his career close-up which had been discarded in the first cut of the film.

Par, Look Mag Have Hollywood 'Time' Idea; U's Similar Newsweek

Look magazine, in conjunction with Paramount, will essay a sort of March of Time of Hollywood. The stunt will be a series of shorts taking the public behind the Hollywood scene, in with the Look magazine's exploitation of the Register-Tribune crowd, which publishes Look, have long had a contractual exploit on the Coast.

Universal newsreel has just closed with George McCall, Old Gold's Hollywood gossip, for a similar weekly stunt, treating with the film studios. McCall gets \$100 a week for this chore.

FAY WRAY REFUSES COL. PIC TERM FOR 'B'WAY

Washington, Sept. 6.—Fay Wray, who has starred early shows at the Spa theatre, Saratoga, is summer, is slated to appear on Broadway this fall. Picture buyer stated she did not wish to return to Hollywood this season and is known to have turned down an offer from Harry Condon, a term of contract with Columbia films.

Miss Wray's final appearance at the Spa was in "The House of Muiet," which closed the season there last week.

Grace Moore's \$339,175 Income in '36; U.S. Probes

Washington, Sept. 6.—Government hauls Grace Moore, warbler, before the Tax Appeals board next week in an effort to collect for the first time the taxes she allegedly failed to pay on her 1936 film and concert earnings. Bureau of Internal Revenue levied deficiency assessment of \$109,292, on ground that entire income is taxable.

Moore's income for the best Saturday (2) she pocketed \$339,175 in 1936.

M-G Incing Three Rinks

Hollywood, Sept. 6.—Metro is building three complete ice rinks in "The Ice Follies" (1937), which Harry Rapf will produce and Reinhold Schunzel direct. Location of the rinks will be Hollywood, New York and an imaginary city.

This is the troupe from the International Casino, N. Y., which MCA sold to Metro.

3 Young 'Uns Okayed

Los Angeles, Sept. 6.—Superior Judge Emmet H. Wilson just week approved film and radio contracts for three teen-age actresses. Pacts were between Samuel Goldwyn and Earlewine Schools; Eddie Cantor and Warner Bros.; and Loew's, Inc. and Ann Morris.

STEVENSON HEADS EAP

T. Kennedy Stevenson has been named president of Electrical Research Products, Inc., to fill the post left vacant through the recent death of Whitford Clark.

With an untitled feature by A. Warner and associated with the studio by Educational-Grand National spotted for forthcoming production of the Astoria plant, the picture has drawn plans for a new building to house the studio's present studios. This would provide additional studio stages in a structure which would be a present studio building. New structure would be 250 by 350 feet in size and fill out the old building block owned by Eastern Service.

No date set as yet for start of construction and it is possible that the new building will be the first of a new type of building. Audio and the educational picture group of Electrical Research Products might combine all its activities to the new plant addition. Audio produces industrial and commercial subjects.

Feature film which Waxman will produce is reported as set for Universal. It is understood that the feature would be among the first to be turned out under the merged asset. An extended stay in the feature of an export also is in the nature of an experiment to determine how eastern production costs compare with those of the West, where Grand National has been of its features thus far.

William Rowland and his new winning shooting on first of group of Spanish language features which RKO has been exploiting on the Latin-American market. Production on "On the Eve of a Nation," which Harold Orlow and associates will make, starts Sept. 6, with Sylvia Sydney in the lead. William K. Howard and Bernard Stead will make "Home Town" at the Astoria studio. Picture will be distributed by Paramount.

Charles Schwarzwald will add to production of the first of a new service plant this month, when he swings into action on additional musical shorts for the 1938-39 programs of both Universal and RKO. Educational unit also starts on its new short features this month.

Sylvia Sydney had to return to New York by Thursday (1) on a smaller contract from Paramount to live up to her contract with Harold Orlow for "One Third of a Nation," which will make the runner-up next (three days in advance of Labor Day (5)).

Par Has 'Vessel' Pic For U. S. Release; Will Try for Quota Credits

"Vessel of Wrath," Charles Laughton starrer which Erich Pommer was trying to spot for distribution in U. S. by MCA, Sept. 20, "Sorcery House," will be handled by Paramount. Deal will be significant shortly.

The British-made feature will be used by Paramount in fulfilling its quota lineup the first year of the new English quota act. Effort will be made to obtain at least \$150,000 gross rental on the picture in the U. S. market. This will enable Par to receive credit for two quota picture. It is believed that the picture in excess of \$100,000 distributors figure it will give Paramount one quota credit.

BENNY-LAMOUR TEAM IN PAR'S 'ABOUT TOWN'

Hollywood, Sept. 6.—Dorothy Lamour co-acts with Jack Benny in Paramount's "Man About Town," based on Benn W. Levy's novel. Production starts Nov. 14, with Benny and Lamour in the picture and Mark Sandrich directing.

11 Kick Off in Sept. at RKO

Hollywood, Sept. 6.—Starting tomorrow (Wednesday), RKO is slated to roll 11 pictures during September. "Pleanty Man," starring John Wayne, Sept. 20; "Sorcery House," to go, followed by "Law of the Tombstone," Sept. 12.

The Pacific Liner, "Love Match" and an untitled George O'Brien starrer, get the gun Sept. 15. "The House of Muiet," "X" Feature, and "The Castles," with Astaire-Rogers, Sept. 21; "Miss Gandy," Sept. 22; "The House of Muiet," Sept. 23.

There will also be the standard fall revue productions at the Folies-Bergere, the Casino de Paris and the Alcazar. Jeanne Aubert is slated to head the first, Maurice Chevalier, the second and the third will be another Marseillaise revue, with Godett, Mirille and Ponsard in the leads.

Others are bound to show as the season progresses. At least one other cinema, besides the Pigalle, is expected to turn legit showcase, the Edouard VII, with Madame Henriette Pascar taking over management. No play has yet been set there, however.

New GN-Educ?

(Continued from page 3)

amounting to \$50,000, was alarmed at the prospect of the new GN, due to Lloyd Wright, trustee of the GN, due to the fact that following a telephone conversation in which Wright stated he would attempt to get the production plan of the court's approval of the deal accepted on the Coast. Production plans were made, and a discussion on the initial year's program; and subsequent consideration of various proposals made, it was decided that producers with money who desire releasing outlet arrangements with GN. These proposals would partly or wholly finance their own production. In other cases GN may finance producers who it would be into the organization.

Louis Jackson, of London, who is interested in getting into the GN picture, may be identified with a new Harmonium enterprise. Producers of action and mass, under consideration on by Hammons, but with no known developments to date, is reported to be in the organization of a \$500,000 distributing company in England for the release of GN and other pictures. The understanding is that Hammons and associate would have 50% control of such a company, while Jackson and his people would have the other 50%. Hammons, under the proposal reported, would be in charge of the business, and would have to do a banking connection in England.

The setup of GN also remains tentative except that Alperson, as v.p. of the new GN, will head distribution, and that Alperson may figure in a sales connection or on the producing side, as well as in control of both as to production and distribution, depending on the executive lineup created by Hammons. There has long been an association with Hammons, having moved into the Hammons camp when latter accepted World-Wide, which latter deal was sales head. He is presently associated with his brother, William, who is the much-discussed "Bill of a Baby".

\$1,000,000 Bankroll to Start
A complete roster of all of the new company will allow incorporation, with Hammons expected to set a meeting for that purpose within two weeks. The papers have been filed. New company is being incorporated at \$5,400,000. Hammons puts in \$440,000. The latter and by doing that, there will be about \$1,500,000 to work on at this time.

Hammons owns the studio which GN when formed two years ago, took over on the Coast. Majority of the picture will be turned out by him with possibly five or six to be made at the Eastern Service Studio, Astoria, Ore., where under plans all of the studio product will be made.

Educational assumed all assets of the company, requiring the company under TTB. These include various contracts and numerous studies owned by GN but as to contracts only those which have been made within the past two months. Additionally, Hammons several years ago, in connection with the company, had a deal together with those on the GN shelves, will probably be included in the initial (1938-39) season's output.

Dummy Jases

(Continued from page 1)

successful that the Mayor thought the idea could be enlarged upon. He figured out the local merchants would be a tap for the necessary dough to bring big screen and radio names here, and corralled the Festival Chamber and Chamber of Commerce for aid. The two groups jumped at a chance to stimulate conditions for the merchants by drawing prospective customers into the downtown trade area and quickly obtained pledges worth \$75,000. The \$75,000 was to have been earmarked for the stage talent, and the rest to tooters, rent, auditorium, promotion expenses, advertising.

The plan was making swell until two representatives of the Chamber telegraphed to Chicago to see under Bergin, et al., for the p.a.s. when they learned that the Chamber couldn't deliver they were not interested in the other talent.

The mayor, the Festival Association and the Chamber are debating whether to confine the celebration to street dancing and songfest, or toss the whole thing into the basket.

Promises made for 581 pictures during 1937-38 releasing season were well met by studios, which, with the exception of Grand National, delivered all but 27. GN's failure to deliver was due to reorganization troubles, but studies for the past year nearly half of the 65 features announced.

During 1938-39 season studios have promised total of 502 features, including westerns, and as of Aug. 31, have already put 122 of total number required before the cameras. Of this figure 37 are currently in work, 62 pictures are in production, leaving 303 to shoot before season closes one year hence.

© 20th-Fox came

Columbia

Features	Now Shooting	New Balance In Being Placed Stories In Cutting Before Preparation	Number of Pictures
Westerns	1	2	12
Serials	1	0	13
Total	2	2	25

in the cutting rooms or awaiting previews are:

"PHANTOM GOLF" formerly titled **"GOLD RUSH DAYS"**, produced by Larry Darmour; directed by Joseph Levering; original screen play by Nat Gatzert; photographed by James S. Brown, Jr.; Cast: Jack Lunden, Buffy Berry, Ralph Bellamy, Margaret Taillon, Dal Talbot, John Davidson, Ted Palmer, Bus Barton, Art Davis, Marian Sals, Lufe O'Keefe, Ruth Wicks, Robert Fiske.

"SOUTH OF ARIZONA" formerly titled **"SINGING COWS"**, produced by Harry Decker for Irving Briskin unit; directed by Sam Nelson; original screen play by Kenneth G. Phipps; photographed by Alton Seltzer; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"KID'S SCHOOL" formerly titled **"SINGING SCHOOL"**, produced by Sam Mark; directed by John Brahm; original and screen play by Tess Schaefer; photographed by Frank Planer; Cast: Anne Shirley, Nan Grey, Ralph Bellamy, Margaret Taillon, Dal Talbot, John Davidson, Ted Palmer, Bus Barton, Art Davis, Marian Sals, Lufe O'Keefe, Ruth Wicks, Robert Fiske.

"THE LADY OBJECTS" formerly titled **"LADY LAWYER"**, produced by William Perlberg; directed by Earl Kenton; screen play by Gladys Lehman and Charles Kenyon; photographed by Alan Selzer; Cast: Lanny Ross, Gloria Stuart, Joan Marsh, Roy Benson, Robert Paige, Arthur Loft, Pierre Watkin, Robert Fiske.

"FLIGHT TO FAME" formerly titled **"WINGS OF DOOM"**, produced by Ralph Cohn for the Irving Briskin unit; directed by C. Coleman, Jr.; original screen play by Michael Simpson; photographed by Alton Seltzer; Cast: Jacqueline Wells, Charles Farrell, Alexander Dorsey, Fred Burton, Eddie Earle, Addison Richards, Charles D. Brown, Hugh Goethel.

"THE STRANGER FROM ARIZONA" formerly titled **"PHANTOM TRAIL"**, currently in production; screen play by Vae Gatzert; photographed by Monroe Staff; directed by Elmer Clifton; original screen play by Monroe Staff; photographed by Eddie Linden; Cast: Buck Jones, Dorothy Fay, George E. Stone, John Davidson, Ted Palmer, Bus Barton, Art Davis, Marian Sals, Lufe O'Keefe, Ruth Wicks, Robert Fiske.

"THOROUGHBORES", produced by Ralph Cohn for the Irving Briskin unit; directed by C. Coleman, Jr.; original screen play by Michael Simpson; photographed by Henry Freulich; Cast: Edith Fellows, Cliff Edwards, Jacqueline Wells, Richard Dix, Robert Paige, Hugh Goethel, Gladys Howell, Charles Waldron.

"EARLY ARIZONA" (for 1938-39), produced by Larry Darmour; directed by Joseph Levering; original screen play by Vae Gatzert; photographed by James S. Brown, Jr.; Cast: Gordon Elliott, Dorothy Gulliver, Harry Wood, Franklyn, Margaret, Paul, Frank Ball, Arthur Milette, Ed Guard, Cassidy, Jack Ingram, Charles Whitaker, Bud Osborne, Lester Dore, Symona Boniface, Buzz Barton, Tom London, Dick Durrell, Oscar, Gahan, Jess Cavan, Margaret, Paul, Frank Ball, Arthur Milette, Ed Guard, Florence Doulay, Cy Shindell, Clyde Burns.

"JUVENILE COURT" (for 1938-39), produced by Irving Briskin; original screen play by Robert E. Kent and Henry Tyrrell; photographed by Benjamin B. Boyer; directed by Rita Hayworth, Frankie Darro, David Gorcey, Halcy Hunter, La Tourne, Dick Selzer, Allan Ramsey, Johnny Tyrrell, Dick Cline, Lee Shumway, Ed Stephan.

"HOT FOR GLORY" (for 1938-39), produced by Larry Darmour; directed by Lewis D. Collins; original screen play by Gordon Rigby; photographed by Alton Seltzer; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"WEST OF THE SANTA FE" (for 1938-39), executive produced by Bruce Gordon, Harry Fay, Frank Ball, Arthur Milette, Ed Guard, photographed by Allen Siegler; Cast: Charles Street, Iris Meredith, The Sons of the Pioneers, Bob Nolan, Hank Bell, Buck Connor, Jack Curtis, Hal Taliaferro, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

Columbia Pic New in Production

"CALL OF THE TRAIL" (for 1938-39), produced by Harry Decker for the Irving Briskin unit; directed by Sam Nelson; screen play by Charles B. Coyle; photographed by Alton Seltzer; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"THE SPIDER" serial (for 1938-39), produced by Jack Pier for the Irving Briskin unit; co-directed by Ray Taylor and James Horne; screen play by Robert E. Kent and Henry Tyrrell; photographed by Benjamin B. Boyer; directed by Rita Hayworth, Frankie Darro, David Gorcey, Halcy Hunter, La Tourne, Dick Selzer, Allan Ramsey, Johnny Tyrrell, Dick Cline, Lee Shumway, Ed Stephan.

"SOUTH OF THE BIG RIVER" (for 1938-39), produced by onco Staff; directed by Elmer Clifton; original screen play by Monroe Staff; photographed by Eddie Linden; Cast: Buck Jones, Dorothy Fay, George E. Stone, John Davidson, Ted Palmer, Bus Barton, Art Davis, Marian Sals, Lufe O'Keefe, Ruth Wicks, Robert Fiske.

Metro

Features	Now Shooting	New Balance In Being Placed Stories In Cutting Before Preparation	Number of Pictures
Westerns	1	0	12
Serials	1	0	13
Total	2	0	25

in the cutting rooms or awaiting previews are:

"HOT TO HANDLE" (for 1938-39), produced by Lawrence Welton; directed by Jack Conway; original story by Lawrence Stalling; screen play by Stallings and Le-nard Hammond; photographed by Louis Hayward; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"THE GREAT WALSH" (for 1938-39), produced by Lawrence Welton; directed by Jack Conway; original story by Lawrence Stalling; screen play by Stallings and Le-nard Hammond; photographed by Louis Hayward; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

through with 57 promised. Warners turned out its promised 60, and Monogram delivered the 42 features announced. RKO fell short two of the 51 promised; Columbia was short one of 40 feature commitment, and still needs eight pictures to round out required 22; Metro still short one of 51, while United States needs eight to total 32 as announced.

Universal still has seven to go for total of 50; Republic also needs seven more to complete its 52, but no new pictures; not yet under way until latter part of September full quota should be delivered. Grand National, currently completing details of takeover by Educational for formation of Educational Grand National Pictures, has announced that pictures for 1938-39 and is dropped from the chart until details are forthcoming.

(Table under each studio contains figures for 1938-39 season.)

Hyman; directed by Julien Duvivier; no writing credits released as yet; photographed by Robert Siodmak; Cast: Liane Helms, Fernand Gravel, Miliza Korjus, Hugh Herbert, Lionel Atwill, Minna Gombel, George Houston, Herman Bing, Bert Roach, Charles Rogers.

"SWEETHEARTS" (In Technicolor for 1938-39 season), produced by Hunt Stromberg; directed by W. S. Van Dyke; screen play by Alan Campbell and Dorothy Parker; photographed by Guy Marsh; Cast: Jeanette MacDonald, Nelson Eddy, Misha Auer, Frank Morgan, Ray Bolger, Herman Bing, Minna Gombel, Gene and Katharine Hepburn, Raymond Walburn, Lucille Walter, Florence Rice, Negina Gargan, Allyn Joslyn, Fay Holden, Olin Howland, Terry Kilburn, Betty Jaynes, Douglas McPhail.

"STABLEMATES" (for 1938-39), produced by Harry Barr; directed by Sam Wood; no writing credits released as yet; photographed by John Selitz; Cast: Wallace Beery, Mickey Rooney, Arthur Hohl, Minor Watson, George E. Stone, John Davidson, Ted Palmer, Bus Barton, Art Davis, Marian Sals, Lufe O'Keefe, Ruth Wicks, Robert Fiske.

"LISTEN, DARLING!" produced by Jack Cumming; directed by Edward Ludwig; original screen play by William L. McKelvie; photographed by Guy Marsh; Cast: Jeanette MacDonald, Nelson Eddy, Misha Auer, Frank Morgan, Ray Bolger, Herman Bing, Minna Gombel, Gene and Katharine Hepburn, Raymond Walburn, Lucille Walter, Florence Rice, Negina Gargan, Allyn Joslyn, Fay Holden, Olin Howland, Terry Kilburn, Betty Jaynes, Douglas McPhail.

"STRAW FROM LEOPARD" produced by John Considine; directed by George Fitzmaurice; no writing credits released as yet; photographed by George Folsey; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"THE SHINING HOUR" (for 1938-39), produced by Joseph Mankiewicz; directed by Frank Borzage; screen play by Ogden Nash; screen play by Keith Winners; photographed by George Folsey; Cast: Joan Crawford, Margaret Sullivan, Robert Young, Melvyn Frank.

Monogram

Features	Now Shooting	New Balance In Being Placed Stories In Cutting Before Preparation	Number of Pictures
Westerns	1	0	12
Serials	1	0	13
Total	2	0	25

in the cutting room:

"BAREFOOT BOY" (for 1938-39 season), produced by E. B. Derr; directed by Karl Brown; screen play by John T. Neville; photographed by Gillette; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"UNDER THE BIG TOP" formerly titled **"THE CIRCUS COMES TO TOWN"** (for 1938-39 season), produced by W. T. Lackey; directed by Karl Brown; original screen play by William L. McKelvie; photographed by Guy Marsh; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"WANTED BY POLICE" (for 1938-39), produced by Lindsey Parsons; directed by Howard Bretherton; screen play by Wynell Totman; photographed by Francis Corby; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"STARLIGHT OVER TEXAS" (for 1938-39), produced by Edward Finney; directed by Al Herman; original screen play by John Hatfield; photographed by Francis Corby; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"M. WONG, DETECTIVE" produced by Scott R. Dunlap; supervised by William T. Lackey; original screen play by John Hatfield; photographed by Francis Corby; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"WHERE THE BUFFALO ROAM" produced by Edward Finney; directed by Al Herman; original screen play by John Hatfield; photographed by Francis Corby; Cast: Charles Street, Iris Meredith, Bob Nolan, Pat Brady, Dick Curtis, The Sons of the Pioneers, Eddie Cobb, Art Mix, John Tyrrell, Robert Fiske.

"THE MISTERY RIDER" (for 1938-39 season), produced by Harold Sherman; directed by Leslie Selander; screen play by Maurice Gerbhardt; original screen play by Zane Grey; photographed by Russell Harlan; Cast: Douglas Fairbanks, Jr., John Davidson, Ted Palmer, Bus Barton, Art Davis, Marian Sals, Lufe O'Keefe, Ruth Wicks, Robert Fiske.

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MEET ALLURING ANNABEL..MOVIE STAR

and the press-agent who keeps her famous... no matter how!

Amazing Annabel — she's kissability mixed with dynamite — and Lanny Morgan, trigger-quick publicity man... What he thinks up, she does; and what she does is NEWS!.. Come on inside Hollywood... Live and love and laugh with a movie queen off the screen!



**JACK
OAKIE
LUCILLE
BALL**

in

"The AFFAIRS OF ANNABEL"

Directed by BEN STOLOFF. Produced by Lou Lusty.

Screen Play by Bert Granet and Paul Yewitt.



She didn't mind it much in the prison laundry. Oh, NO!... Lanny said a day in jail would get her on the front page. And that was thirty days ago!



Their secret must be kept!... If the world knew that Annabel was REALLY in jail — Well, Lanny had been fired before, and Annabel could always be a waitress!



One of one jam into another... Now she must pose undercover as a maid in a private home. AND THEY MADE HER WORK WITH HER HANDS!... DID SHE BURN AT LANNY!

with
**RUTH DONNELLY
BRADLEY PAGE
FRITZ FELD
THURSTON HALL
ELISABETH RISDON**

**THE FIRST OF A GREAT NEW SERIES
..NEXT: "ANNABEL TAKES A TOUR"**



The LION'S ROAR

A lot of the fans are pronouncing the industry's big Drive slogan this way: They call it "METRO-GOLDWYN-MAYER'S GREATEST YEAR."

Sensible when you consider what's happening.

Starting with "Marie Antoinette" (Big!)

Next release "Three Loves Has Nancy" (A joy!)

Next release "Boys Town" (Watch!)

Next release "Too Hot To Handle" (Hot!)

And look over what's coming below:

(Also look over to the bottom of the next column to see how to merchandise what's below.)

HAPPY DAYS ARE HERE AGAIN!
Great M-G-M Hits on the Way!

MARIE ANTOINETTE
Marie Antoinette and the story of the life of the most beautiful woman in France. The story of the life of the most beautiful woman in France. The story of the life of the most beautiful woman in France.

BOYS TOWN
Spencer Tracy and Mickey Rooney are teamed in a swell story that will tug at your heart-strings... The greatest heart-drama ever made!

TOO HOT TO HANDLE
The story of "Hot Place," Clark Gable and Myrna Loy, in the romance of a diamond's search for the world's greatest gemstone.

LISTEN DARLING
Walter Pidgeon and Myrna Loy in the story of a woman's search for the world's greatest gemstone.

STARDUST
Walter Pidgeon and Myrna Loy in the story of a woman's search for the world's greatest gemstone.

VACATION FROM LOVE
A new release of the story of a woman's search for the world's greatest gemstone.

THE GREAT WALTZ
Leo Rainer, Fernand Gravy, Milva Novak, in the story of a woman's search for the world's greatest gemstone.

"Today's white-haired boys"



THE TWO GREATEST ACTORS ON THE SCREEN!

With tears in your eyes you'll say it! With a laugh on your lips you'll agree it's a fact. Spencer Tracy and Mickey Rooney in M-G-M's sensational "Boys Town" will take your audience into their grasp and hold them with the power of drama, heart-throb and humanity from the opening thrill to the final punch-line! Remember Tracy in "San Francisco." Here's a role similar, powerful yet kindly. And as for that superb little trouser Mickey Rooney, wait 'till you see him swagger, get tough, get soft, laugh, fight, cry... it's immense! A sure-fire hit even before the lines begin to form at your box-office.



The first medal for "Boys Town." Parents Magazine Award for Best Movie. More coming!

HOW TO GET A FULL PAGE IN YOUR PAPER!

The best investment for your theatre at season's beginning is to tell them you've got M-G-M pictures. We've made that easy for you by preparing an Institutional Press Book, containing ad layouts, pictorial still layouts, feature stories, etc. With FREE MATS of everything! To the left is reproduction of an actual newspaper page with an ad for "Marie Antoinette" plus a two column listing of other pictures to come. In many cities deals are being made by theatres with local newspapers where the balance of the full page is devoted to publicity and photos. A lively way to start your season. Try it.

WATCH FOR LEO'S "GREAT WALTZ" CONTEST!

It's a honey for a honey of a picture. Plenty of promotion for "The Great Waltz" including one of Leo's big posting campaigns. Thousands of stands in 1200 cities. (An eye-ful—below.)



ISN'T IT TRUE!

The life-blood of this business is showmanship and your pal Leo gave film biz another shot in the arm this week! Always something new. That Trackless Train. That Travelling Studio. And now the trade press is agog with M-G-M's "Marionette Moviettes." Now starting a countrywide tour and then around the world! Marionettes enacting scenes from "Marie Antoinette" with synchronized records of the stars themselves delivering the dialogue. Thrilling to hear, Fascinating to watch. It created a traffic bedlam on blase Broadway. Other big forthcoming attractions will be added to the repertoire as it proceeds on its way.

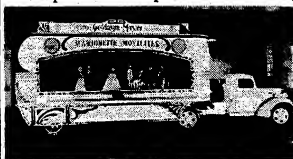


Photo of Leo's latest trick!

"MARIE" A SOLID HIT!

What a whale of an attraction to open the season with! It's a house-packer, a critic-charmer, A HOLD-OVER EVERYWHERE! Smacked across with high-powered showmanship.

Another big stunt for "Marie" is clicking lustily. It's the "MARIE ANTOINETTE FREE TRIP TO FRANCE CONTEST." More than 200 big-time, big-city papers are already running it; with 3000 more newspapers actually lined up to start!

Ten free round-trips to ooh-la-la Pary, with exhibitors participating in addition to the public. That means you!

A great attraction plus high-powered promotion is an unbeatable combination. And the results prove it.

It's a pet of a show and showmen have a pet name for it.

Affectionately they're saying:

"SWEET MARIE!"

Leo

Philly's Criminal Test on Quiz Games Points to Drive's Movie Quiz Contest for Legal Sport

Philadelphia, Sept. 6. Four men were arrested here at their own invitation last week in the belief of a unique type of new type theatre games designed to replace the outlawed bingo and bingos. They were made to face criminal action, on the advice of high-powered attorneys consulted by the game owners, because a trial and decision on them could be drawn out for several years.

Those pinched were Nat Abelow, manager of the Alz, and Herb Lewis, owner and manager of the Jewel theatre, and the Schlemmer and the game, "Ritz," which was "Quizzing" owned by Dave Barrie, proprietor of the Alz. Premium Co., dist. of the game, Jewel was using "Hollywood Party," distributed by Dennis Game Co.

Both houses notified police that they would use the games Tuesday night and give away 10 cash prizes of \$2.50 each. Plainclothes men were assigned to the theatres. They merely looked on to see if the games actually were played, but made no attempt to stop them. They put the matter in the hands of technical arrest. They were merely told to appear in Central Police Court next morning.

Magistrate Bittel, at that time, held them in \$500 bail. They are allowed to sign their own attorneys. Thereupon, attorneys David H. Cohen and Frank Fogel, representing Nat Abelow and David Lewis, representing "Hollywood Party," immediately filed habeas corpus proceedings to free their clients.

Proceedings were heard on Friday by Judge General F. A. Sweeney, who made a decision in a few days. He may rule at the time that there was no violation of laws, but he may not, making the games legal, or refuse the habeas corpus, thus sending the matter to jury.

Argument before Judge Flood of games is entirely friendly. Prosecuting for the games was Attorney General James Ryan. Ryan, only a few months ago, declared the games in question legal. His opinion was unauthorized, however, and withdrawn by his chief.

Attorneys used as their principal argument in favor of the gimmicks, the present national "quiz" contest, which is being played by Motion Pictures Are Your Best Entertainment drive. They maintained that "Quiz" or "Hollywood Party" are based on the same principle as the quiz, and that if legal, this is. They also pointed to the numerous legal quiz games, in which the film games are an entirely counterpart.

The Philadelphia papers were likewise cited as setting a precedent of legality for the games played.

Demonstrations were made for Judge Flood of the games being played. He said he would determine whether they were mainly chance or skill.

Bingo and bingos and all their relations were ruled out by Judge Ryan. S. McDonald, in who is a member of the game companies, called a fairly airtight decision. New games, however, are forbidden, and in that order, but by an arbitrary decision of Mayor S. Davis Wilson.

STUDIO CONTRACTS

Metrolux, Sept. 6.

20th-Fox hosted Wally Verne's player option.

Metrolux picked up Nat Pendleton's option. Hutton signed a writer to 20th-Fox.

Metrolux signed Larry Simms, motion picture.

Metrolux signed Reinhold Schunzel's directorial option.

Walter Reisch's writer past re-signing to Metrolux.

Parmount took Frank Loesser's composer option.

Metrolux, Sept. 7.

Metrolux, Sept. 7.

EPSTEIN SUCCEEDING MOORE WITH WB IN N.Y.

Zeb Epstein, manager of the Strategic, for many years of active charge of Warner's metropolitan circuit following resignation of B. P. (Dinty) Stone, managing director, and may succeed to Moore's place with the Warner organization.

Moore was transferred from Warner operations in St. Louis following the F. & M. settlement there. The Government had turned out to N. Y. about two years ago. He resigned to take over operations of Standard Theatres in the Oklahoma City territory, which comprises a combination of J. H. Cooper, WB and Paramount.

Stoky Records 'Fam' For Disney Feature

Hollywood, Sept. 6. Leopold Stokowski has started recording "The Entrance of the Faun," second of six music numbers to be included in a feature length cartoon at the Walt Disney studio. The cartoon, "The Sorcerer's Apprentice," recorded last night.

Stoky numbers so far selected for the feature are "Clare De Lune" and "The Flight of the Bumble Bee." The cartoon is being produced by Oliver Hardy's new tentacle.

Roach Tags Sutherland For Hardy-Langdon Pic

Hollywood, Sept. 6. Edward Sutherland has signed a four-year pact as associate producer in major motion picture studio. First job is "Zenobia's Infidelity," introducing Harry Langdon as Oliver Hardy's new tentacle.

Sher Settles Walks

Hollywood, Sept. 6. Melville Sher, associate producer at Progressive Pictures, has signed a contract which still has several months to run.

He is producing "Slender House" and "Delinquent Parents" and was slated to make "I Want a Divorce," which has been postponed indefinitely.

38-39 Deals

(Continued from page 5)

ing placed to a test during 1938-39 in the playing of Par product in the Warner houses, has created considerable interest in major motion picture quarters. In addition to the known interest of other distributors (which is similar to that of the Par) with percentage on pictures broken down in units of 15 against theatre gate, the picture is being broken down in units of the results of the Par-WB experiment. "Test picture" first class and complete departure in percentage; contracts for the following season of 1938-39.

By that time, numerous long-term deals will run out, there having been an unusually large number of two-year franchise last season. In view of the good economic conditions then prevailing. This year the buyers are clearing away from complete deal would run two year; or longer due to the gamble involved, and for other reasons.

Dating on certain pictures on the "38-39 season test out early has been held up because of the war. The picture "Letter of Introduction," encouragement for the negotiation of deals now which remain to be made. The picture "The Great French Release, both of the old and new season's crop, among them "Alexander," "Sing You Sinners," "Four Daughters," "You Can't Take It With You," "The Great Girl," "Crowd Rousers" and "Texans."

AGENTS SUE

Feldman vs. Rogers-Hayward vs. Humphrey Bogart

Los Angeles, Sept. 6. Charles K. Feldman has filed \$15,000 action with the State Labor Commission against Rogers-Hayward vs. Humphrey Bogart.

Rogers-Hayward, agent, sued Humphrey Bogart for \$42,000, claiming that he had failed out of a seven-year contract. Agent declares Bogart with earn \$420,000 under his pact with Rogers, and demands 10%.

'BABY BIRTH' PIX IN \$350,000 SUIT IN CHI

Chicago, Sept. 6. Suit charging unfair trade practices has been filed in federal court here by Maurice Co. land, who has picture targeted, against the American Committee for External Welfare and Special Pictures Corp., associates in the flicker, birth of a Baby.

Copeland is seeking a cease and desist order, an injunction and damages against the defendants on the allegation that the defendants published misleading advertisements and representations regarding the birth pictures.

Copeland alleges that no injunction has been issued against any courts and claims that exhibitors are being intimidated against booking his film on the ground of legal action against the theatre.

Copeland claims that his "Life" pre-titles of a Baby by almost a year.

lat' Lab Shuns Red

Hollywood, Sept. 6. Samuel A. Miller, attorney for International Picture, Inc., and stockholders to a meeting to work out a plan for continued operation of the company with some of the last January and was ordered liquidated in April by Federal Court.

Miller is now in the hands of a new movie. Court is said to favor it.

False Faces

(Continued from page 7)

Treelless territory in which the filming is being done is one of the hottest spots in California, with the picture being made in the state of 110. Several hundred extras portraying East Indians in G-strings must be sprayed with the same stuff several times daily to keep the plumed up to the proper shade.

Matter of making up atmosphere people hired in location stories are more difficult than the problem of doling up Hollywood talent, in that the former, being inexperienced in the matter of the matter, and Henry King, directing the 20th-Fox tinted, "Jesse James," near Pineville, Mo., has just discovered the matter and has summoned additional make-up experts from the Westwood lot to handle the job. The picture is hired to emote in the background.

The Danduff Rex

Parmount plans to produce "Gettysburg" already has special Western work done special research work on minutemen and bears. Chief source of information on the subject is Brady's Political History of the United States, which contains more than 50 ways of wearing facial hair. Meanwhile, Warders make-up men are busy with the matter, and can feature preparations to do the make-up crowd. More than 5,000 men are being made up, and the work is an out-of-the-ordinary one, in that most modern impressions of Mexican character are more modern, and of type will definitely not qualify.

The picture is a "passage" and an important color feature, making of which has been set back until the picture is made up, requiring much more preparation for the make-up crowd. More than 5,000 men are being made up, and the work is an out-of-the-ordinary one, in that most modern impressions of Mexican character are more modern, and of type will definitely not qualify.

EXPLOITATION

By Epses W. Sargent

Good Campaign

Paul E. Glase, of the Embassy, Reading, reports on the campaign for the Greater Films season as plotted and executed by the combined managers of the Reading theatres, whom cooperated fully. It's a good campaign from every angle.

The big "Big" was set up, but the campaign started the previous Monday, and worked up to the Friday night. The big "Big" was set up, but the campaign started the previous Monday, and worked up to the Friday night. The big "Big" was set up, but the campaign started the previous Monday, and worked up to the Friday night.

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WB Three Ways

Warners seems to have hit upon a new idea in presenting their advertising campaigns to exhibitors. Heretofore the advertisement section of any Warner picture has been a variety of advertisements from which exhibitors could choose. This time, in the book for "Four Daughters," the advertising campaign has been taken.

The first section carries mostly new ideas in presenting their advertising campaigns to exhibitors. Heretofore the advertisement section of any Warner picture has been a variety of advertisements from which exhibitors could choose. This time, in the book for "Four Daughters," the advertising campaign has been taken.

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4th YEAR ON THE ROAD

MAJOR BOWES' UNITS

It is notable that boxoffice records for our third year on the road demonstrate that the public warmly welcome and will buy honest entertainment value.

MAJOR BOWES

2985 Dates in 36 Months!
8341 Playing Days in 3 Years!!

Congratulations

MAJOR BOWES

FROM
"INTERNATIONAL
REVUE"

NEELEY EDWARDS

MASTER OF CEREMONIES

JAMES MAC LEAN

CARPENTER

DAVE BROWN

MUSICAL DIRECTOR

JOE HARRIS

COMPANY MANAGER

JOHNNY and JULIUS

MARSHALL ROGERS

•
SOL STRAUSSER

•
DANNY DRAYSON

•
PAT THIERAULT

•
JACQUE GOKEY

•
QUINN SISTER

HARMONICA JACKS

4th YEAR ON THE ROAD FOR MAJOR BOWES UNITS!

Congratulations

MAJOR BOWES

FROM
"ANNIVERSARY
REVUE"

TED MACK
MASTER OF CEREMONIES

E. HIGGENBOTHAM
CARPENTER

ROSCOE LEIGH
COMPANY MANAGER

JIM LEVINE
ADVANCE AGENT

THE 4 SERENADERS

•
STOSH

•
LARRY EISLER

•
HERMAN SILVERMAN

•
VAN ZANDT SISTERS

•
BYRON BROS.

•
VIVIAN LA MANCE

•
STRAWBERRY RUSSELL

•
NEVA AMES

•
4 HYDE PARKERS

4th YEAR ON THE ROAD FOR MAJOR BOWES' UNITS!

Congratulations

MAJOR BOWES

FROM

"Rodeo Rhythm"

ALICE KAVAN
MISTRESS OF CEREMONIES

CARL ABRAHAM
COMPANY MANAGER

JOE KENNEDY
WEST COAST REPRESENTATIVE

BOBBY & DOTTY EDWARDS

ROY DAVIS

THE 3 CHORDS

PHIL IRVING

DIANE GUNNER

JOHN STANTON

PLEASANT CRUMP

KAY KRIVOKUCHA

5 MELODY COWBOYS

FROM

"Intercollegiate Revue"

GRACE JOHNSTON
MISTRESS OF CEREMONIES

EDWARD RUDLEY
MUSICAL CONDUCTOR

BILL McILWAIN
COMPANY MANAGER

GASTON LEVY
ADVANCE AGENT

BERT and BETTY

JACK FIELDS

O'BRIEN and GOLDBERG

BILLY IRONS

ALEXANDER MECUCCI

JOE SMITH & DAUGHTER

BILL BODWAY

SAM HINTON

4

YEAR ON THE ROAD FOR MAJOR BOWES' UNITS

COUNT ME IN

Chain Income from Time Sales

NBC				
	1938	1937	1936	1935
January	\$3,793,516	\$3,541,999	\$2,681,815	\$2, 5,037
February	3,488,053	3,395,725	2,714,200	2,758,319
March	3,808,831	3,611,223	3,007,673	3,025,308
April	3,310,550	3,277,637	2,714,928	2,682,143
May	3,442,180	3,241,819	2,561,720	2,588,945
June	3,200,569	3,003,267	2,322,458	2,389,945
July	2,556,710	2,707,450	2,429,983	2,208,393
August	2,941,899	2,794,977	2,422,431	2,021,385
	\$26,951,583	\$25,440,434	\$20,913,506	\$20,657,163

CBS				
	1938	1937	1936	1935
January	\$2,379,945	\$2,276,020	\$1,901,023	\$1,788,949
February	2,690,330	2,254,317	1,909,146	1,654,461
March	3,094,317	2,559,716	2,172,382	1,820,553
April	2,624,180	2,563,470	1,950,938	1,813,308
May	2,442,283	2,560,558	1,740,517	1,287,455
June	2,121,495	2,476,567	1,502,768	1,066,729
July	1,367,257	1,948,412	1,292,775	910,470
August	1,423,865	1,955,280	1,232,586	979,019
	\$18,373,777	\$18,748,948	\$13,711,136	\$11,103,025

MUTUAL				
	1938	1937	1936	1935
January	\$23,898,945	\$23,898,945	\$23,898,945	\$23,898,945
February	2,590,330	2,254,317	1,909,146	1,654,461
March	3,094,317	2,559,716	2,172,382	1,820,553
April	2,624,180	2,563,470	1,950,938	1,813,308
May	2,442,283	2,560,558	1,740,517	1,287,455
June	2,121,495	2,476,567	1,502,768	1,066,729
July	1,367,257	1,948,412	1,292,775	910,470
August	1,423,865	1,955,280	1,232,586	979,019
	\$18,373,777	\$18,748,948	\$13,711,136	\$11,103,025

NO PROPAGANDA VIA U. S. STUDIO

Shannon, Promulgates Set of Rules to Keep Programs Impartial—Must Be Educational, Factual and Entertaining

WANT SHOWMANSHIP

ington, Sept. 6. Politicians appearing before the microphone in the Government's new \$100,000 transmitter broadcasting station cannot engage in political ballyhoo or partisan propaganda. Rules of conduct are the height of patriotic showmanship.

Determined effort to keep the broadcasts on a high plane of impartiality is reflected in the regulations promulgated by Shannon, Allen, acting director and former NBC announcer. Code bans loud-speaker broadcasts, a la Hitler and Mussolini, with specific caution that programs "must not be political" and furthermore "must not deal with propaganda."

Taking the slant that the studios are to facilitate legitimate educational broadcasting, Allen's rules state that "no exposition of an administrative view should be given unless clear authority from Congress has defined that view as a Federal function or vice."

Network Quality Enforcement is placed on a quality often lacking in Government programs' showmanship. Drawing on his commercial background, Shannon, Interior Department radio boss has advised that Federal programs must have "the same basic quality as the best network radio programs," a direct dig at boring reams of statistics. Entertaining slants should be based on factual information, with dramatic exploitation a must.

New studios are to be linked with key web stations in the future, although the chains have been lackadaisical so far. Principal use for the present will be making transcription. Suite embraces two large studios, surrounded by offices, reception room, lounge, observation gallery and fully-equipped control room.

Brewer Buys Up New St. L. Station's Sports Programs; 400 Hours

St. Louis, Sept. 6. Griesedieck Bros. Broadcasting Co. has purchased 400 hours of time on KOKO, new Star-Times Publishing Co. station, scheduled to start operation Sept. 28. Time is station's entire sports program. It is divided into 100 one-hour segments. Football games the station will cover this fall; all baseball game programs in 1939 except league and minor sports events at Coliseum, Arena and Auditorium that the station will broadcast. Contract runs for year from Sept. 20.

Before KOKO had built its transmitter, Griesedieck Bros. had purchased 400 hours of time on KOKO, new Star-Times Publishing Co. station, scheduled to start operation Sept. 28. Time is station's entire sports program. It is divided into 100 one-hour segments. Football games the station will cover this fall; all baseball game programs in 1939 except league and minor sports events at Coliseum, Arena and Auditorium that the station will broadcast. Contract runs for year from Sept. 20.

Old Show Biz Headache, Billing, Kills Pepsodent Deal for Connie Boswell

School Days

Philadelphia, Sept. 6. N. W. Ayer will have sports announcers gathered in Philadelphia Thursday (8) for a two-day session on the style they are to follow in handling this season's gridiron broadcasts for Atlantic Refining. They will be schooled in clarity, accuracy and interpretive uniformity. Meet will be topped off with a dinner Friday night.

Roosevelt Wants CBS to Release 2 Hearst Links

Elliot Roosevelt, president of Hearst Radio, Inc., and head of the Texas State Network, is due in New York tomorrow (Thursday) to discuss the possibility of obtaining a release of CBS contract with WACO, Waco and KNOW, Austin. Roosevelt is negotiating for the purchase of these two outlets from Hearst and adding them to the TSN. He is also negotiating with the TSN, which is the controller of Hearst Radio, making the affiliation with Roosevelt.

The TSN's affiliation with Mutual becomes effective Sept. 15. Questioned as to whether it is what is to become of the business that CBS has sold on WACO and KNOW, the "company" says that KNOW rates as a bonus station to KSTU, San Antonio, as far as CBS is concerned. KSTU is a commitment on KNOW, when and if the latter outlet is available.

RUBINOFF LEAVING HOSP AFTER 4-MONTH SEIGE

Detroit, Sept. 6. Recuping from four-month illness, David Rubinoff took part in a special broadcast from his room in Harper hospital Saturday (5) over WJW, George Aron, of WJW's staff, accompanied Rubinoff at piano, and Bob Stinson did the interviewing. A violinist, who has undergone four operations since an appendectomy in 1934, will lead the hospital staff last week for the first time to attend a testimonial dinner at the Detroit Hotel with Rubinoff.

Monroe May Coordinate General Mills for B-S-H

Chicago, Sept. 6. Blacket-Sample-Hummert agency is negotiating with producer Paul Monroe to come in as general coordinator for all General Mills programs. Monroe would supervise and edit scripts, casting direction and all other factors of the Mills radio operations out of the B-S-H office. This follows the return of George S. Monro, himself, which has Ed Smith in Minneapolis to supervise the radio activities for the flour firm.

Negotiations for the inclusion of Connie Boswell in the Pepsodent show, which starts on the NBC (WEAF) link Sept. 27, blew up last week when Lord & Thomas rejected Boswell's contract which gave the vocalist equal billing with Bob Hope in all newspaper spotlight advertising. It was the first time in years that a condition of this sort had prevented a deal in radio.

Harry Leeds, Miss Boswell's manager-husband, had insisted on the inclusion of the clause through her agents, Rockwell & Korda, who also claimed that she should be accorded the newspaper attention in return for her willingness to sign up with the account for six years.

What particularly prompted Leeds' course was the possibility that a huge percentage of the new advertising contracts would be made in due time eliminate their program lists, with the result that radio ads would be cut out of the program lists in heavily for spotlight ads. Under the circumstances, the only print medium that the singer, who would be that contain in the program advertisements.

100G Cost Plus Yankee Power Icing Possible Sponsorship of Series

Sales departments of the three networks are inclined to the belief that the World Series has little chance of being a success. The things which are likely to militate against sale is the expected \$100,000 price for each game broadcast. The general feeling that it won't be much of a content regardless of what national league team is pitted against the Yankees.

Understood that Mutual tries to get an exclusive contract for the series, but Judge K. M. Landis, baseball czar, said that he wasn't ready to talk about broadcast rights. Mutual nonetheless has its salesmen stout at the agency field. The race was uniformly cold. Who felt content that even if the series isn't sold it will be made available to them on a sustain basis.

Series last season collected \$100,000 from Henry Ford, though he let his rights to the series. When the motor magnate sponsored the games in 1936, overall cost came to around \$250,000.

Detroit's Headaches Detroit, Sept. 6. Michigan stations are reaping an annual mixture of dough and head-ache as the state primary election enters their final week. Politicians' shekels unusually plentiful for either talks this fall, since they are impends for Gov. Frank Murphy's bid. But the headaches are even more plentiful.

NBC's Aug. Time Sales \$2,941,099, Up 5.6%; CBS Off 27.2% to \$1,423,865

While Columbia's gross for last month took another dip, compared with August, 1937, NBC's time billings continued to stay above the plus line. NBC time billings for the past month came to \$2,941,099, or 5.6% over what it was for the like period in '37. CBS this time got \$1,423,865, which is 27.2% less than last August's tally. On the first eight months of the year NBC is still up by 5.6%, while CBS slid off 2%.

Mutual drew \$104,026 from the sale of facilities last month, or 70.4% over last August's gross. On the eight months this network is 22.1% ahead.

Detroit Dailies Stick To Radio News Ban, But Stations Hopeful

Flood of protests over deletion of radio pages has subsided, but the three Detroit dailies apparently are determined to stick by their guns. Network stations are still hoping sheets will reinstate gossip and program previews, but there's nothing to indicate papers will do this time when, as and if advertising revenue perks up here.

NAB'S 32 DISTRICT HUDDLES IN PHILLY

Philadelphia, Sept. 6. Member stations of the third district of the National Association of Broadcasters will meet at the Benjamin Franklin hotel Friday afternoon (9). District takes in Pennsylvania, New Jersey and Delaware and is represented on the NAB board by C. A. McCullough.

Herchel Hart, radio ace of the Detroit News, has resumed his good column over WJW, broadcasting between columns on editorial side of News. Also pens Revis, by Night column, devoted to niteries, etc., which appears Sundays and Mondays.

Owen McBride, Chicago baritone, has joined the WGBS staff. He's vocalist in two NBC-Radio local airings a week, as well as three local airings.

De Forest 'Sick' of His Protege, Radio; 'Comm'c's Maddening, Visio 4 Yrs. Off'

Los Angeles, Sept. 6. The man who helped nurse the infant radio through its turbulent swaddling days, and who is called by some the 'father of present-day radio reception,' due to his perfection of the tube, is sick of it all. Unburdening himself of a few choice remarks on his 65th birthday, Dr. Lee De Forest has practically downed the lusty kilocycle brat and switched his affections to television.

At his birthday fete, someone asked him what he thought of present-day radi. Without mincing words he summed it up in one terse passage, 'Isn't it sickening?'

'I seldom listen to it any more,' he added, 'except for a weekly symphony program and some cheerful music while I'm dressing. Not only are the programs poor, too much swing and crooning, but the commercial interruptions are maddening. It isn't at all as I imagined it would be.

'The way I envisioned it, stations would have been specialized — one would play symphonic music and opera; another educational, and another dramatics, and so on. In that way you'd know exactly what you'd hear at any point on the dial. As it is one never knows, because too many stations are doing the same

Commercial television is at least four years off, De Forest believes. He is now working on the sight-sound development and hopeful of perfecting visio to the point of being projected on a screen two feet square. Smaller screens will never prove profitable, he said.

De Forest obtained the first radio patent in 1906, and sold it in 1917.

NEBRASKA GAMES CUFFO BUT WITH RESTRICTIONS

Lincoln, Neb., Sept. 6.
Bob Russell, former Cornhusker football player, won the assignment here this week to represent all radio stations interested in broadcasting the football games played by Nebraska this year. He will be placed in front of a universal mike and any station can hook on. He'll use as spotters Harry Johnson, of KFAB, Lincoln, and Harry Burke, of WOW, Omaha.

Nebraska is making no charge to any radio station for the broadcasts, but insists on time being sold only before, in the middle and after the game. University athletic department must look over all commercial copy 24 hours previous to the games.

Oiler Ties Up Coast Football at 310G Cos

Los Angeles, Sept. 6. Associated Oil has again tied up Coast football for broadcasting, the 13th year of its domination in airing the grid pastime. Around \$250,000 will be spent this fall for air time. Pacific Coast conference grabs \$80,000 for itself in giving Associated exclusive commercial tieup.

Yale Grid Games Debut On Yankee Net Oct.

Pigskin spels start flying over air waves of New England Oct. 1; when the Yale-Columbia eleven's scramble in the Yale Bowl in New Haven to preem the Yale sled of radio play-by-play descriptions. Sponsored by the Atlantic Refining Co. A network of 11 Yankee outlets will carry the games, with Bill Slater at the mike. Yale sled of home games and out-of-town Penn-Yale, Cornell-Dartmouth and Duke-Pitt games are included.

Network includes WNAC, Boston; WTAG, Worcester; WSAR, Fall River; WNBH, New Bedford; WLLW, Lowell; Lawrence: WSPR, Springfield, Mass.; WEAN, Providence; WTHC, Hartford; WICC, Bridgeport.

Sked reads: Yale-Columbia at New Haven, Oct. 1; Penn-Yale at Philadelphia, Oct. 8; Yale-Navy, Oct. 1; Yale-Michigan, Oct. 22; Yale-Dartmouth, Oct. 29; Yale-Brown, Nov. 1; Cornell-Dartmouth, Nov. 12 at Ithaca; Yale-Harvard, Nov. 19, at Duke-Pitt at Durham, N. C., Nov. 26.

NBC Rule Sticks

Roy Wilmer, NBC, v.p. in charge of sales, declared last week that the contract for a two-station hookup given Nestle (Lamont, Corliss & Co.) did not involve an exception to the policy requiring the use of at least 50 stations on the red (WEAF) link during the evening. Wilmer pointed out that the Nestle show, "Quite By Accident," will be aired from 7:30 to 8 p.m. Tuesdays, with this period coming within the time allotted affiliated stations for their own use.

Otherwise, added itmer, NBC still sticks to its 50-station rule. Nestle series starts Oct. 4 and the other station in the hookup is WMAQ, Chicago.

FTC Warns Baking Co.
It's Advertising Bread
Too Much Like Cake

ington, Sept. 6.
Warning to Gordon Baking Co., Detroit, to quit advertising its Silver Cup Bread as containing "two-thirds of a pint fresh whole milk" per loaf, was issued Monday (5) by the Federal Trade Commish.

Broadcasts and newspapers ballyhoo have misled the public, Commish charged, since bakery has been charged with using condensed milk instead of fresh, and even the canned milk is present in a quantity less than the equivalent of two-thirds of a pint of fresh whole milk.

Advertising was clever, but false. Commish indicated, admitting that it 'induces, or is likely to induce, purchase of the respondent company's bread.' Company must promise to be good within the next 20 days, or receive a cease-and-desist order.

CAN'T KID ABOUT HONEST PHILLY COPS

ladelphia, Sept. 10.

Thoughtless wisecrack by Byron Saam, baseball spieker for Atlantic Refining Co. on WIP, last week brought the wrath of the Philly police department and a goodly number of fans down on him. 'Foul ball' was caught by a cop in the stands, who, instead of pocketing it, tossed it back to Saam remarked, in effect, 'His contention must hurt him.' He must have gotten in on a pass.'

Boos for Saam were plentiful and he was forced to apologize when the police department complained. Unaware of which was right, many of the fans sent their catcalls toward Stan Lomax, airing for Kellogg's over WFIL. To prevent a recurrence next day, WFIL gaffer put a sign on his booth, 'My name is Stan Lomax.'

From Heirs to Kids

Chicago, Sept. 8.
Skelly Oil Co., which had 'Cousin of Missing Heirs' on a 30-minute weekly schedule last season, returns to the air with a children's show in October.

Spotted through the Blackett Sample-Hummert agency, program is a five-a-weeker tagged 'Capitol Midnight.' Will be on approximately 25 stations around the midwest. Skelly previously had the 'Jimmy Allen' program, also directed at kid audiences.

ONE JOB ELIMINATED

Position of night program supervisor has been abolished at local NBC studios, following the transfer of Robert Dwan to the production staff. Jerry McGee, former assistant to Dwan, has been named chief of the sound effects department.

Richard Ellers, supervisor of announcers, and his assistant, Pat Gates, now share duties formerly assigned to the night program supervisor. Changes were made last week by Lloyd E. Yoder, manager of KFI and KGO, local NBC outlets.

Dorsey Owings has become he
p.a. of WINS, New York.

Programs Back on the Networks

(* Indicates new show or change of

[illegible]

Coast Indies Will Fatten on Political Com; Millions to Beat Pension Plan

Los Angeles, Sept. 6. Political situation in the state has small station operators rubbing their hands in anticipation of the widest gending of any election in recent years. With liberalizing against conservatives in November for the births of U. S. senator and the governorship, war chests are bulging and radio is expected to get a lion's share of the coin. Network stations won't profit so handsomely as most of their desirable time has been gobbled up.

Setup recalls the state race of four years ago when upon Sinclair was the gubernatorial candidate. Big money interests poured no end of coin in the campaign coffers of the conservative candidate, but the man who is again in the race to conserve himself. The issue is even more serious this time, with the ill-moral nominees during the "30-every-Thursday" plan.

Guesses have been made that millions will be spent to beat the pension gimmick and that radio will not be out there with boxing gloves when the dinero is passed around.

FCC STALLING ANTHONY DEALS

Los Angeles, Sept. 6. Earl C. Anthony's top deal, that of buying KEHE from the Hearst interests and selling KECA (KCBS) blue to a group of local businessmen, with CBS in the background, took another setback last night upon receipt of a letter from Washington that the commission has continued the hearing without setting a date. Transfer of the deal has been gone into by FCC Oct. 12. Comm. blessing is all that's holding up both transactions at the present stage of the deals have been commuted.

Anthony plans to use KEHE's frequency and substitute the KECA call letters.

Whether CBS is still interested in the San Diego deal is debatable, since the chain's new transmitter now places the south coast "radio area" without much trouble, and double the former intensity. NBC's blue here, on the far end of the dial, has long been a headache and cost Anthony and the network considerable bit.

Acquisition of KEHE's wave length would put the two NBC stations within a few notches of each other in a preferential section on the band.

Playing Down Comm's On Ruppert Beer Show

Half-hour program which Ruppert beer arranged to debut on WEAU, N. Y., Sept. 20, will have practically no commercial copy. It will be strictly semi-classical in nature, with Nat Shilkret conducting, and go on at 8 p.m. Tuesdays and Wednesdays. Originally scheduled for 13 weeks, but if the program goes strong the account will sign for a 26-week extension.

Merchandising tie-in will include newspapers, billboards and stereophones. Lennen & Mitchell is the agency.

R&R's Chi Additions

Chicago, Sept. 6. Ros Metzger, radio chief for R&R, has just received word that he has further increased the staff. Several new copy scribers are being added. The new staff includes Robert Gardner. Indications are that Metzger will make several other additions around the first of the year, especially in the production department.

Fine Thing

Los Angeles, Sept. 6. Southern California's silk stocking district, Pasadena, long known as the "city of millionaires," will be represented in Congress by a hillbilly radio singer, if Stuart Hamblen is as successful in the November election as he was in last week's primary.

He did most of his campaigning on two local radio stations with the sagebrush air troupe he heads.

NIX ON BEER AS SPONSOR FOR FOOTBALL

St. Louis, Sept. 6. St. Louis stations broadcasting home football games at the University of Missouri and Illinois will not be permitted to have beer or liquor sponsors and must pay for the privilege. The tap at Columbia, Mo., is 100 per cent, whether sustaining or commercial, while at Urbana, Ill., stations are charged \$50 if it's broadcast is a sus ineger and \$100 if it's commercial.

KMOX will broadcast three games from each university; KXOK, which carries the FCC over outstanding games but has no skid, at this time, that includes Missouri and Illinois.

WFW and WIL will limit their football coverage to St. Louis, where the Washington and St. Louis universities make no charge. The big football game of the season locally is between these two teams on Thanksgiving Day and all stations here in WTVN, in East St. Louis, will probably cover all of Illinois home games and also high school games in its area.

Ayer Switches N.Y. To Enlarge N.Y. Staff

Philadelphia, Sept. 6. With switch of Clifford Sutter, account exec, from the Philly to New York office last week, N. Y. Ayer & Co. has completed enlargement by three men of its Manhattan headquarters. Previous week Donald H. Sutter, who had been in the office and Robert Collins was added to the staff.

Sutter will handle radio and general publicity. He started with the Ayer firm in 1935 doing publicity on San Diego exposition. Collins, who will do radio writing, production and merchandising, was formerly v.p. of George H. Harman Company.

Philo Strike Ends

Philadelphia, Sept. 6. Strike which has kept the gigantic Philco radio manufacturing plant here closed since May 1 was ended today (Tuesday) with the signing of an agreement between the company and United Electronic Radio and Machine Workers, CIO. End came with a secret ballot on acceptance of a contract for 1939. Philco Workers had refused to accept it in open voting.

Plant is expected to get under way by Sept. 10 (Wed.). As many of the 12,000 workers on the payroll as of May 1, 1937, as business warrants will be taken back.

BLACK RIVER PERMANENTLY N. C.

Question Right of Commish to Order Rehearsings on Own Initiative—Water-town, N. Y., Outlet Points Up Fact No New Petitions Were Filed

POLITICAL DYNAMITE

Washington, Sept. 6. The Federal Communications Commission on to order new hearings on its own initiative—reputedly because of political considerations—is slated for early argument in the District of Columbia Court of Appeals. Big radio delict is waiting for judges' return from summer vacation.

Unusual question comes before the appellate tribunal in proceeding designed to prevent further delay in constructing the proposed local outlet at Watertown, N. Y., of the Black River Valley Broadcasting Inc. has many political angles, including unproved charges that power trust moguls, unfriendly to the New Deal, are angels for the contemplated transmitter, and reflects rivalry with two other local groups in the upstate community.

Report to new weapons was a failure. The case, when the Federal District Court here denied petition for an injunction which would prevent the FCC from proceeding with its witnesses again. Correctness of the finding, by Justice Jennings Bailey, was not on reconsideration. The crowd had other remedies at law, is the issue before the Court of Appeals.

The Black River brief asserts that an injunction plea is the only practical way of checking prolonged delay and unnecessary expense, as well as of safeguarding considerable expenditure of effort, and cash (station construction was under way when the Commish vacated its grant order, de novo hearing). Legality of the new hearing order is challenged, inasmuch as the FCC did not act on reconsideration. Pleas of disappointed rivals, but rather reopened the matter for undisclosed reasons of its own.

Political Dynamite

From the outset, the case has been filled with political dynamite. After a dark Black River application was granted—in what opponents maintain was suspiciously rapid fashion—when the FCC permitted the station to operate on the Niagara Hudson Power Corp., with the proposition and charge was made other prominent side of the Union. General Farley turned the heat on the FCC. Intervention of Gov. Herndon is reported to lie behind the decision to think it over again, with White House orders pressing the construction of the Black River center. Reason for the political concern is the Administration's effort to bring to fruition plans for American-Canadian development of the St. Lawrence Seaway, and fear that power interests were seeking a radio outlet to stir up opposition to an international pact under which the political possibilities of the river would be exploited.

Political legal level questions raised by Elliot C. Lovett, counsel for Black River, center around contention that the absence of a court order, the Commish could not on its own account disturb a final grant, except by revoking the grant. This was not done, nor was the rehearing order based on petitions of other parties. Watertown Broadcasting Co. and Watertown Times publisher.

FCC Didn't Give Reason

Complaining that his clients will be irreparably damaged, Lovett emphasized that the FCC never explained why the grant was withdrawn. (Continued on page 32)

Radio Okay As, According To Philly Man-on-Street Poll

Daily Headache

Few news events in recent years have evoked the bitter-partisanship from listeners as has the coverage of the conspiracy trial of James J. Hines, Tammany chieftain. Telephone calls flood the stations after each broadcast review of the running testimony, with some listeners protesting against the alleged favoritism shown the defendant, and others taking the outlets to account for what is construed as strong bias toward the prosecution. There are also lots of letters.

New York stations carrying these programs are beginning to get on the event as a daily headache.

STRIKE DEADENS ROCH. OUTLET FOR 3 HRS.

WSAY, here, went off the air for more than three hours last Wednesday (31) when technicians went on strike for more pay. They detained the transmitter and held it at 3 p.m., leaving the station dead with no explanation over the air.

Gene Sawyer Gordon Brown, a licensed operator, worked frantically to get back on the air, but he failed. Before he succeeded. Shortly after he reached an agreement with the Electrical Workers' Union for a 50 percent salary increase pending further negotiations, and the technicians returned to work.

Brown said the walkout was the result of a misunderstanding caused by his resentment at a union leader's statement that "if he couldn't pay adequate wages he should be out of business." According to Arthur M. Brucacci, business agent of the union, weekly salaries of technicians totaled \$46. He said the chief operator received \$18 when the union scale is \$45, and his assistant \$16 against a union rate of \$35. Two technicians received \$10 and \$5, respectively, the latter a part-time worker.

This was the first serious labor trouble in the history of WSAY, Rochester. Technicians at WHBC are members of the Radio Telegraphers Union. WHBC technicians staff negotiated one contract as members of that union, but later withdrew and now operate on open-shop basis.

REPORT DOC, IKE LEVY BUYING PHILLY TEAM

Philadelphia, Sept. 6. Doc and Ike Levy, prez and v.p. of WCAU, respectively, are reported to be in the syndicate which has bought or about to buy a controlling interest in the Phillies, N. Y. Giants' rival ball club.

Also in on the deal, it is understood, is M. L. Annenberg, publisher of the Philadelphia Inquirer and the N. Y. Morning Telegraph.

Mark Warnow Goes On

Blue Velvet program, under the direction of ark Warnow, Columbia Broadcasting System, will be scheduled. Program of popular and semi-classical tunes was previously a summer radio find off with the advent of commercial pickups.

Warnow will also have the "We, the People" program, starting Sept. 27 on CBS.

Philadelphia, Sept. 6. Radio is doing a good job just as it is, in the opinion of 111 out of 124 people interviewed by WPIL, in its unique one-on-the-street survey to determine listening habits and reactions to broadcasting.

Ten stations are asked of passers-by chosen at random at Monday at Broad and Chestnut streets, city's busiest intersection. Replies are aired on a regular quarter-hour show and recorded on wax. Tabulations are made from the discs, which will be played back for any agency or client.

To the specific question, "What could radio do to improve its program?" 76 of the queries replied: "Nothing." They're okay as is. Principal criticism was what commercials are overabundant. There were also a few derogatory remarks about recorded shows short full of spot announcements.

Order of program preference was (1) Variety shows, (2) musical shows, (3) Drama, (4) News, (5) Quiz shows, (6) Sports.

Among other things learned was that 131 out of the 124 interviewed had radios in their homes and that the average listening time per day was two and one-half to three hours.

In dramatic shows, women favored the serial type, while men liked their complete in on program. About 80% thought that the adventure type of kids' shows are definitely helpful in building morals and character. Less than 10% thought that these programs are harmful in any way, while 75% confessed they listened to some of the "Green Hornet" series.

Oct. 12 asked, 68 said they consciously looked for local productions. 31 said they stuck to the networks, and 14% preferred educational preference. Special events broadcasting, called "colorful and interesting by the general public," was the most popular. Twenty-two thought most special features so much hokey, while 21 gave a thumbs about them either way.

Seventy of those asked thought there are enough good musical, cultural and educational programs on the air; 21 thought there are too many; 12 wanted more. Ninety of 124 preferred all news without editorial comment and 102 were opposed to anything that might smack of government control of radio.

CANTOR TESTS SMALL STUDIO

Hollywood, Sept. 6. Figuring his big move to radio suited to broadcasting, that of trying to make his voice reach to the smaller stations, Cantor has been experimenting in one of the smaller studios at KNX. He made a surprise appearance on the program, which network sustainer, in a two-minute bit. Auditorium has seats for only 100, but Cantor's program was his program originates, comfortably filled 1,000.

Cantor was impressed with the test, but will take a couple more tries before reaching a definite decision. He said he will be a radio man that he can do a better home dialer job and still not derive the same pleasure of any of his antics, vocal or visual.

Said Cantor decided on a move to radio after a long period of thought. He said he will be a radio man that he can do a better home dialer job and still not derive the same pleasure of any of his antics, vocal or visual.

Jimmy Shields, tenor, set for regular "We, the People" Fall all news on WEAU, N. Y.

KOL Withdraws 250G Conspiracy Suit Vs. CBS, Sen. Bone, KIRO, Saul Hass

Seattle, Sept. 6. 30,000 damage suit, filed June 1st U. S. Senator and Mrs. J. Bone, Mr. and Mrs. Saul Hass, Columbia Broadcasting System and station KIRO, by station KOL was dismissed Friday (2) by superior court Judge F. G. Remann in Tacoma.

Dismissal came on stipulation of lawyers for the plaintiff, except as to CBS. Attorney for latter said CBS suit would be dismissed later.

Archie Test, v.p. of KOL, said: "This law suit was begun in good faith. It was based upon information reported by former representatives and by other persons not directly interested, who, for what now appears to be reasons of their own, volunteered what at the time seemed to be facts."

"After the suit was filed and formal denial was filed, we felt it our duty to further investigate the facts asserted and denied. Upon that investigation, particularly of the files of the Federal Communications Commission, we found that the allegations could not be substantiated. We also found that the assertions made against Senator Bone were without foundation. We therefore felt it our right and duty to dismiss the action."

When informed that the suit had been dismissed, Senator Bone said, "I can't do anything but commend the sense of fairness which induced the plaintiff in this action to act honestly upon the facts discovered. If they believed the former statements, I can't blame them for filing the suit. Since upon discovery of the truth they dismissed the suit, they certainly have evidenced a good American sense of decency and sportsmanship."

But had claimed damages for alleged conspiracy to transfer the CBS franchise, formerly held by KOL in Seattle, to KIRO in Seattle.

Failure to dismiss the suit against CBS, along with the others, was because of a technically raised by CBS

FCC CHAIRMAN McNINCH BACK AT WASH. DESK

Washington, Sept. 6. In absence of nearly two months, FCC Chairman Frank R. McNinch was back at the desk last week. Still taking things easy, but ready to plunge into the mass of administrative chores when the drums end.

McNinch left his post early in July for a short rest, but was confined to the Naval Hospital most of the month. Subsequently he has been regaining strength at a seashore spot.

Pete Peterson Joins Kastor Agcy. in Chi

Chicago, Sept. 6. M. H. (Pete) Peterson joins the H. W. Kastor agency here as radio director this week. For the past six months Peterson has been handling time sales for Mutual web locally.

This marks a return to the agency business for Peterson, who was formerly radio director here for Blackett-Sample-Hummert.

Widfield with Seeds

Chicago, Sept. 6. Freeman Keyes, Russell M. Seeds, agency chief, has brought in Cecil Widfield to handle radio scripting and production supervision.

Widfield was formerly with the Schweimmer & Scott agency locally, and the chain's refusal to file an answer to the suit, according to A. J. Westberry, attorney of KOL. Formal dismissal later is only formality.

Senator Bone charged at the time of filing of the suit that it was merely a political attempt to embarrass him in his campaign for re-election.

WFIL, Philly, Attempting Disguised Talent Quest

Philadelphia, Sept. 6. Talent hunt conducted for three months last season by WFIL, which admittedly flopped, is being resumed shortly, but heavily camouflaged. It has been retitled, "WFIL Musical Festival."

Instead of inviting individuals to participate, station has asked only clubs, schools, choral organizations and other groups to enter prizes to outstanding club, quartet, trio, baritone, soprano, blues and pop singers. Best of the lot in the eight-week test is promised a 13-week cutto spot on Mutual.

FAN COLUMN AD PAID ADV. RATES

Portland, Ore. With the local dailies in revolt against printing any radio news or chatter, KOIN has come forth with the idea of a paid ad radio column. It goes in at display rates and is edited by Les Halpin, of KOIN.

To get attention, KOIN is offering a \$50 prize for a title to the column, accompanied by ideas on what makes the best reading.

Now She's Grown Up

Philadelphia, Sept. 6. Ginger Manners, now appearing here at the Forrest in Max Gordon's revue, "Sing Out the News," did a guetter Sunday (4) morning on her alma mater, Horn & Hardart kiddies show from WCAU.

Femme broke in on the show from WABC, when that station aired, scheduled for completion early next year.

Station is now located in Flatiron building and is owned and operated by Citizen Broadcasting Co., subsidiary of newspaper publishing company.

New WNNC Home Spartanburg, S. C., Sept. 6. WNNC, one of largest stations in Carolinas, will be housed in new plant of Asheville Citizen-Times, scheduled for completion early next year.

Station is now located in Flatiron building and is owned and operated by Citizen Broadcasting Co., subsidiary of newspaper publishing company.

'Lone Ranger,' Sustainer 7 Years Ago, Will Earn \$1,000,000 in 1938

NEW \$25,000 SUIT VS. KEEN, SEATTLE

Seattle, Sept. 6. KVL, Inc., operators of KEEN, part time platter indie, is on the receiving end of a suit for \$25,000 filed in the Superior Court against it, the Seattle Little Business Men's Bureau, and others by E. B. Fish, labor relations expert. Station only a few days ago defended itself against the appointment of a receiver to protect a judgment of \$12,500 secured by Howard Ryan, ad agency head.

According to the complaint, a broadcast that the Little Business Men's Bureau made Aug. 9 over KEEN, was alleged by Fish to have been done "maliciously" and to "expose" the plaintiff, to hatred, contempt, ridicule, etc., and to injure the plaintiff in his employment.

Other defendants include Frank Olson, charged with preparing the statement as an agent for the Bureau.

'Crimson Trail' From Hollywood Set for Canada

Toronto, Sept. 6. First built-in-Hollywood radio show aimed exclusively at Canadian listeners, "The Crimson Trail," shows off Oct. 2 under sponsorship of Maple Leaf Milling Co., makers of Red River Cereal.

Empire-building series of 65 episodes (15 mins.) will go out thrice weekly at supper-time to catch the juve listeners of CFRB, Toronto; CFCF, Montreal; CBO, Ottawa; CKY, Winnipeg; CKCK, Regina; CKWX, Vancouver; CJAT, Trail; CHNS, Halifax; CFCY, Charlottetown; CFRB, Fredericton; CKLW, Windsor; CHS, St. John. Promotion and merchandising by Cockfield-Brown, Toronto.

Chicago, Sept. 6. From a sustainer seven years ago, "Lone Ranger" show this month becomes a \$1,000,000-a-year proposition. In this, its seventh year, and sixth as a commercial, the show will gross around \$600,000 on the air and will snatch an additional \$400,000 from its various sidelines.

Alan Campbell, general manager of WKYZ, Detroit, who has been the nurse and guardian of the program since its inception, last week signed a deal for an additional 35 stations for the program, bringing the number of station, carrying "Lone Ranger" to a total of 87. New commitments are through the south and southwest, primarily for the American Baking Co.

Campbell has now licensed 46 outside companies to tie-in with the "Lone Ranger" popularity. Products include such items as chewing gum, candy, department store displays, cups, irgibles, cowboy hats, suits, books, animated cartoons, pop-guns, handkerchiefs, balloons. Also there has been the "Lone Ranger" picture serial and this week the "Lone Ranger" newspaper cartoon strip hits some 120 dailies from coast-to-coast through King Features syndication.

Campbell has already started "Lone Ranger" on the radio in the foreign market, having set the show in Australia, South Africa, Canada and other English-speaking countries.

Trendle's Brain-Child Original idea for "Lone Ranger" was the brain-child of George Trendle, of the King-Trendle radio firm, and Paramount theatre circuit partner and operator.

Following in the wake of "Lone Ranger" is the other WKYZ serial, "Green Hornet," which is aired on Tuesday and Thursday, alternating with "Ranger" on the ether. Just as the "Ranger" program has been restricted almost completely to bakeries, "Hornet" is aimed at sponsorship by dairy companies.

WKY Sells



WKY • OKLAHOMA CITY

OWNED AND OPERATED BY THE OKLAHOMA PUBLISHING COMPANY

RADIO VS. VISION NOW BATTLE IN ENGLAND; BBC SPLIT

Radio Contends Tele Still Few Years Off for Stix,
but Ballyhoo Has Public So Hypoed They're Not
Buying New Sets

London, Aug. 30. While the current Radiolympia is putting television into its stride with the biggest boost yet given to the service, a mighty battle wages on the side of the radio industry here to decide whether vision goes forward or is kept in check to let radio continue to make all the running. More poignant and fraught with possibility is the attitude of the British Broadcasting Corp., which in itself is divided into opposing camps on the selfsame issue.

At bottom is the basic fact vision is rapidly outdistancing it, the artificial boost it has been getting in recent months having worked up the public to a pitch of enthusiasm where they look to tele as the entertainment of the near future, and that radio as such is likely to find itself on the skirts.

This is the contention of those who are struggling tooth and claw to keep the situation as is. With a strong element of justification, they bitterly assail the big biz interests who are forcing television ahead,

claiming that the livelihood of manufacturers here are straining to keep up radio sales in dire jeopardy. In this, moreover, they have support of the dealers in all parts of the U. K., and especially those outside the London television reception range, who see the customers holding on to their old sets, preferring not to go to market for newer models in the belief that by next year they will be getting visio-radio instruments at the price they are now expected to pay for sound sets only.

Still Several Years Off The ballyhoo that has culminated in handing over Olympia's annual radio exposition completely to the television interests has built up a facade which effectually conceals from the populace that all the fuss is premature by several years, and that those who anticipate a look-see either service shortly on a national scale face disappointment.

It is admitted on all sides of the industry that business needed a stimulant, and interest in the Radio Show had begun to nose-dive sig-

nificantly in the last year or so. By swamping the exhibition with radio sets this year, and dragging in BBC to cooperate to the fullest degree, the promoters are certainly bringing the public back in, but in the final outcome it is doubtful whether they will be spending money for visio-radios tricked out with a multiplicity of new gadgets while it is being plugged on all sides that television is at their elbow.

Via press statements, advertising, radio announcements, BBC's deputy director general, listeners are inevitably bolstered into belief that a radio service is waiting in the door, when not only members of RMA, but BBC itself, knows it will be a matter of two or more years before there are transmitters for others than the citizens of London. At this time, research is going into possibilities of reaching the sticks by means of ultra short wave stations, which pick up transmissions from Alexandra Palace and pass them on to Birmingham or other key cities, where full size stations would then put them out for home viewers.

Sequel to Cable Failure Such plan is a sequel to failure of the hoped-for twin cable pipeline service the BBC had hoped to operate in conjunction with General Post Office, but it is obviously too many months before any such network could be devised, even supposing it would operate, which has not yet been ascertained.

Even were that situation not enough to slow down the rate of advance, the attitude of BBC, and the Government behind it, is sufficient guarantee that nothing will be effected in a hurry. With BBC itself split, although visio boosters are for a moment in the driver's seat, it is difficult to foresee direct progress, and the canny Government attitude, which is unwilling to commit itself without first deciding just how television is going to serve its practical ends, further ensures there will be no hasty development.

State's strangeness on BBC becomes clearer each day, and resignation of Sir John Reith removed the last obstacle to its complete domination of the air. Although Reith was personally opposed to giving television its head, it is known he did rule BBC according to his own regulations and refused to put himself under the Government's thumb. But with appointment, directly through the Government, of a successor, the case is altered.

What will happen to television as a public service is a matter only for the Television Advisory Committee, a Government controlled body, to decide. Under the existing regime, when the national progress is with infinite slowness, whatever progress is made will be so gradual as to be almost imperceptible. With television under such control, the outlook is indeed bleak.

Stille Headache

How to suppress interference on visio transmissions is a headache for BBC and General Post Office officials. Short wave transmissions used for visio admit forms of static unknown on normal radio medium and long wavebands, main sources of which are igni, i systems of automobiles and similar engines, small electric motors and electro-medical apparatus.

First two can be checked simply and at small cost, but screening of medical plant is complicated and expensive, in any case, owners of sources of interference are expected to foot the bill. All the get owner can do, meanwhile, is to use a directional aerial, but without guarantee this will do the trick, especially living near heavily trafficked highways have no remedy, it seems, unless resistors are fitted as standard equipment to sparkplug leads of all autos.

Ex-Scribe Gets New

Post at CKAC, Mont'l

Montreal, Sept. 6. Henri Letondal, former newspaperman and radio producer, has been appointed artistic and musical director at Station CKAC, a newly created position. Letondal was director of the Provincial Hour for several years. Before that he was on the editorial staff of "La Patrie," "Le Canada" and "L'Illustration" at various times.

Washington Lobby

Washington, Sept. 6. Covering politics has become a steady nightmare for Washington program planners. Newest example of criticism growing out of well-intentioned scheduling is a newspaper-column attack on CBS for offering free time to Representative John J. O'Connor during the re-election of President Roosevelt. Unfriendly point was made that two big wigbists (Paul A. Porter, Washington attorney, and Joseph W. Burns, special counsel for the monopoly probe) are co-chairs of Dealers.

Laugh is on the Democratic strategists who were so alarmed about radio coverage of President Roosevelt's holiday invasion of Maryland in behalf of Representative Dave Lewis, favorite New Deal senate candidate. After an administration telegram left for Denton, small eastern shore community where F. D. R. talked Labor Day, to see about wiring lines, new officials revealed they had arranged telephone lines a week or more previously. The New Dealers became frantic upon learning only one long-distance wire hooked Denton to the Bell system, visioning discolored plot by supporters of incumbent Senator Millard Tydings to tie it up while the Prez was splicing.

Echoes of the Anning S. Prall regime at the FCC were heard in District of Columbia courts this week. Appeal in the delicate Black River Valley (N.Y.) case, due for argument in the fall and in the Hannibal (I. o.) case, also on October docket, both grew out of intrigue while the late State Islander was heading the commission. In the New York case, gossip was that Democratic fixers induced FCC to grant application of a corporation said to be angled by the power trust, in disregard of the White House anxiety to put over a treaty providing for American-Canadian exploitation of the St. Lawrence River's hydro-electric possibilities. The Missouri matter has been accompanied by whispers that the commission followed advice of a state relief boss in deciding which of two rivals should get a grant.

Political cat fights—besides causing pain to broadcasters who operate in political "purge" areas—last week accounted for much of the picaresque business of the FCC already groaning under the handicap caused by the absence of vacation-minded commissioners. To Commissioner Eugene O. Sykes, old-line Democrat of Mississippi, fell many odd chores, such as okaying for WMAZ, Macon, Ga., special temporary authority to clear the way for extra-curricular operation in behalf of Senator George, who is spotted for political extinction by the New Deal. Sen. George will keep WMAZ working overtime on Sept. 13 to broadcast another blast at the administration. Already has taken the station for an anti-Roosevelt squawk (31). WMAZ also was privileged to stay awake Sept. 13 to air the election returns.

Sykes also gave WFMD, Frederick, Md., the right to emulate King Solomon, in permitting both anti-New Deal Sen. Tydings and Rep. David J. Lewis (White House favorite) an equal opportunity to take their cases before the kno-twiddles last week. Besides acting as impartial umpire in many pre-primary state squabbles, Sykes must see to it that the Kentucky State Softball Finals and other sports events are carried to the radio audience.

Defeat of Congressman William D. MacFarlane of Texas cheered broadcast representatives. He was driving spirit behind the movement to put both the industry and the FCC on the pan during last two sessions of Congress. Ed Gossett, his conqueror, is not known to have any special interest in broadcasting, but political snoopers wonder if he will stir up trouble that Wichita Falls matter, where the company launched by MacFarlane's father won the nod.

CBC's New Link

Montreal, Sept. 6.

New link to the CBC basic network station CHQB, opens Thursday (8) at Ste. Anne de la Poutriere. New station has 100 watt power and will be fed NBC programs through CBC.

Zenith's Profit

Zenith Radio showed a profit of \$124,806 for the three months ended on July 31, after charges but before federal taxes.

Company had \$1,122,184 profit in similar quarter of 1937.

Building an Audience with a BLUE PENCIL

THE size of WSM's voluntary audience has been built not by new shows which are available from many sources, but from the unique manner in which we handle the sustaining and commercial broadcasts originating at WSM.

The continuities for all these broadcasts are subjected to careful scrutiny and editing. Unless copy is in keeping with the WSM standard it is blue penciled and rewritten by our own staff.

Commercial copy must meet these standards: 1. Is the product meritorious? 2. Are the claims for it truthful? 3. Are they in good taste? This is the all inclusive test of a WSM broadcast.

Is it in the Public Interest?

This self-imposed censorship has a two-fold purpose—to justify the faith of one of the largest voluntary radio audiences in America and to protect the good name of the products we advertise to them.



The Faith of Our Audience Comes First

TAKE A CHOICE CUT

... in this Billion Dollar Market

Southern New England, with its consistent billion dollars of spendable income, offers a juicy piece of business to any advertiser. And it's a matter of record that the surest way to assure a really choice cut in this responsive market is through this area's most popular station—WTIC. Here is the way WTIC rates—with listeners and advertisers—

15 Minute Periods
8 A.M.
1 P.M.
6 P.M.
11 P.M.

FIRST IN LISTENER POPULARITY by more than 2 to 1
IN NUMBER OF NETWORK ADVERTISERS
IN NUMBER OF NATIONAL SPOT ADVERTISERS

50,000 WATTS WTIC HARTFORD, CONN.

THE TRAVELERS BROADCASTING SERVICE CORPORATION
MEMBER NBC RED NETWORK AND YANKEE NETWORK

Paul W. Monro, General Manager
Representative: Ward & Company
New York, Chicago, San Francisco
James F. Clancy, Business Manager
New York, Detroit, Chicago, San Francisco

THE NEW SUPER FIRE

FRENCH SHOWMEN OPPOSE PRACTICE

Theatre Ops Organize as Indie Outlets Plan Expansion of Grats and Low-Priced Studio Shows—Government May Step in With New Decrees to Halt Stations

PIC PAPERS PROTEST

Paris, Aug. 27.
Heading for the biggest season in its history, French radio is going to have all sort of fight on its hands this fall as a result of the practice of operating public broadcasts for an insignificant price, or in most cases on the cuff. Habit of brewing up something for nothing the public has its beginning a couple of years ago, but plans for this fall by radio stations to enlarge on the practice of letting in the public has brought plenty of yowls from other quarters. The act that knocked the leg of radio's chair was the announcement made by Poste Parisien, most powerful of the private French stations, that management had leased the Empire theatre for two matinees and four evening broadcasts weekly, commencing at an unfixed date in the near future.

Practically all of the private stations have at sometime given free public broadcasts, with several of them, such as 'adio Cite, Poste Parisien and others, offering performances in different halls and the streets—Cine Radio-Cite and the Normandie for example—but none of these could accommodate nearly as many people as the Empire with its 2,200 seats. So when Poste Parisien let it be known that it was taking over the Empire for several broadcasts a week, the fireworks began. The combined protests are likely to see government passing laws to regulate the question.

First big blast came from music hall and theatreowners led by Mitty Goldin, operator of the ABC, the unanimous opinion being that such broadcasts furnish unfair competition because of the great difference in prices charged.

Letters were written to the press and the latter took it up editorially. Then the film trade papers joined in, saying that if these broadcasts were unfair competition for the music halls and theatres they were the same for the cinemas.

Goldin, however, is going them all one better and has organized the theatre directors to back him and has requested an audience with Minister of National Education to argue the question. Too, the authorities of the Assistance Publique—which gets a slice of the taxes paid by theatres to help provide for the city's poor—is said to be on the side of the theatre managers, as the amount of taxes they would get from the radio broadcasts would be nil.

In England

Two Gaumont-British pictures, 'Jack Ahoy' and 'Aunt Sally', televised by BBC daily during run of Radioymia show.

BBC visit unit scheduled to pay return visit to Pinewood studio, to take up behind the scenes shots on current production of 'The Mikado'.

F. Buckley Hargreaves taking over film critic job at BBC in October, with Andrew Rice scheduled to return later.

Series of 104 quarter-hour concerts from Radio Normandy on week-day mornings on behalf of Andrew's Liver Salts has been booked by Seward Baker & Co.

'Your Message From the Stars', by Murray Lister, which is broadcast from Radio Normandy every morning at 8:45 has been sponsored by the International Chemical Co. This company has also booked a series of 12 concerts on the same station at 1:30 a.m. every Tuesday. Both contracts were placed through C. Mitchell & Co.

Charles Laughton goes on the air Sept. 4 with extracts from several of his pictures.

Eddie Carroll and his band have been engaged for 13 weeks for the Lux Radio Theatre programs, broadcast every Sunday from Luxembourg. Band replaces Teddy Joyce, on air for Lux for last six months.

Jessie Matthews has signed with BBC to star in next Leslie Bailey's 'Star Gazing' series, to be broadcast in November. Program will trace her life, from childhood spent in an alley in back of Wardour street, until she became a name in lights.

Sydney Howard and Arthur Riscoe doing their 'Two Dames' sketch from 'Wild Oats' in a BBC Saturday variety hour.

Gamble Vice Bradley As Ford's Announcer

Detroit, Sept. 6.
Ron Gamble, youngest speller at WJR here, was chosen late last week to succeed Truman Bradley as announcer on the Ford Sunday Evening Hour (CBS), which resumes next Sunday (11). Gamble won out over 61 other applicants, including John Simon and Franklin Mitchell, both of WJR, who also ranked in the first four.

Bradley is going to Hollywood to make a film.

Dorothy All Sails

Toronto, Sept. 6.
With 13-week contract, Dorothy All, rhythm singer on CBC payroll for past two seasons, sails for Southampton on the RMS and is expected to appear on the Horlick's Malted Milk program piped out of Luxembourg.

Producer of the British commercial is Stanley Maxted, program chief for J. Walter Thompson, London, and former regional director for Ontario of the now defunct Canadian Radio Broadcasting Commission, since replaced by CBC.

BOYLING'S SURVEY TRIP

Moore Jaw, Sept. 6.
Sid Boyling, program director of CHAB, off on a holiday trip to Toronto and Chicago. While in the east he will visit CBS and NBC studios studying production methods there.

He will be gone for three weeks.

Rions' New Sponsor

Montreal, Sept. 6.
Fleischmann's Yeast is sponsoring Rions Ensemble over CBF and the French regional network of Canadian Broadcasting Corp. for 13-week period.

Program is aired three times weekly, starting this week.

BBC WILL AIR TWO FULL-LENGTH OPERAS

London, Aug. 30.
Two full-length operas in English will be produced by BBC in its own theatre, St. George's Hall, during the fall. Titles have not been set, but dates will be Oct. 28 and Nov. 25, each being repeated on an alternative wavelength a week later. Idea is an innovation BBC previously hooking up to Covent Garden for some European city.

Programs are part of musical productions plans for last quarter of year, which will include broadcasts of Tom Jones and Johann Strauss' The Queen's Lace Handkerchief, never before aired here. Both operettas will run 75 mins.

Seeking to Toronto On BBC-CBC Interchange

Toronto, Sept. 6.
Drama producer for the British Broadcasting Corp., Lance Sleveking is the second one to come to Canada on the exchange-of-producers plan now being carried out by the Canadian Broadcasting Corp. and BBC. He reports to CBL, Toronto, Oct. 15. Simultaneously, Rooney Peileter, program director for CBF and CBM, Montreal, will report to BBC. The exchange will be in effect for six months, during which time both producers will make a study of broadcasting activities in each country. Last year George Taggart, CBC regional director for Ontario and the Great Lakes, exchanged places with Laurence Gilliam of BBC for a similar period.

FCC's Temp. License Renewals Have Another 12 Stations on Anxious Seat

Washington, Sept. 6.
Nearly a dozen more stations are on the nervous list as result of more temporary ticket renewals and extensions cranked out by the Federal Communications Commission during the closing days of August. Though some plants previously on short-term papers got regular renewals, there is a net increase in the number of outlets which cannot make definite plans for the future.

While only one more renewal application has been set for hearing, the Commission added the following plants to the already-long list of temporary licenses: KFUC, Clayton, Mo.; KSD, St. Louis; KUSD, Vermillion, S. D.; WCOG, Meridian, Miss.; WFIL, Philadelphia; WMCA, New York City; WOW, Omaha; WELI, New Haven, and KQED, Anchorage, Alaska.

Group of stations returned to regular ticket basis include WAGM, Presque Isle, Me.; KJUN, Pecon, Tex.; KMLB, Monroe, La.; KJGU, Honolulu, and WCAU, Eau Claire, Wis.

The temporary papers of several other stations were further continued in most cases until Oct. 1. This group includes KGBU, Keelichan; WBHP, Huntsville, Ala.; WRD, Tuscaloosa, Ala.; WMNM, Fairmont, W. Va.; WNAH, Yankton, S. D.; WBRY, Waterbury, Conn.; WJBW, Orleans, and KFDM, Beaumont, Tex.

Examiner's hearing was ordered

on the renewal application of WCNW, Brooklyn, with no explanation forthcoming as to the reasons for requiring Arthur Fiske, owner, to defend right to continue in business.

BBC PROD. BUDGET NOT YET DEFINITE

Montreal, Sept. 6.
Budget appropriation for the production of radio programs for CBC has not been clarified to date and schedules for the coming season are temporarily in the 'maybe' stage. With the CBC beginning to broadcast an additional three or four hours daily from Oct. 1, appropriation required for the coming year will be greater than last year. Estimated that the CBC will require around \$500,000 minimum.

Estimates must be approved by Government departments and, pending such approval, no definite information regarding proposed productions and probable cost can be obtained. At the CBC meeting held in Ottawa Aug. 8, the matter of the appropriation for production purposes was taken up. Final okay is presumably being awaited before instructions are given to regional program heads.

ONE POWER
GEARED TO A GREAT MARKET
Now 5000 WATTS

KDYL Radio Playhouse

Typical of KDYL's showmanship are the six live audiences shown weekly in this popular Salt Lake City radio playhouse. KDYL also introduces from the downtown theatres every week.

Map of N.B.C. Red Network:

- IDAHO
- UTAH
- WYOMING
- VADA
- OREGON
- COLORADO

KDYL now reaches additional thousands of homes in the state, active instrumental market.

WEED & COMPANY

RADIO STATION LICENSES
WEED & COMPANY
NEW YORK - CHICAGO
MONTREAL - SAN FRANCISCO

Agencies-Sponsors

IOWA NETWORK

McCormick-Deering Dealers of Iowa, six quarter-hours per week. Northwesterners and Les Hatman's German Band, KRNT-WMT, through McGord agency.
Dr. Caldwell's Syrup, "The Party Line," five quarter-hours per week, KRNT-WMT, through Cramer-Krasselt agency.
Oke-Doke, three 10-minute periods per week, KRNT, through J. Walter Thompson.
Iowa State Fair, 64 announcements, KRNT, Fairall agency, Des Moines.
Omaha Area, First M. E. Church, 26 half-hours on KSO-WMT per week, WOV, Omaha, Direct.
Quaker Oats Co. (feeds), half-hour weekly on WMT, through Benton & Bowles.
Morris Plan Banks, half-hour re-

newal (Sun.), "Port of Call," KSO, throuh R. J. Potts.
Aval Clay Products Co., five-minute farm news daily, KRNT, Coles agency, Des Moines.
Lydia Pinkham, three quarter-hours per week, "Voice of Experience," KSO.
Lutheran Laymen's League, "The Lutheran Hour," KSO-WMT, through Kelly, Shuhman & Zahradt.
Chrysler Corp. (Plymouth), 26 announcements, KRNT, through J. Sterling Getchell.

International Harvester is expanding its radio activities, with the business being placed by local distributors. A night farm program, running a half hour, has been bought on WJLW, Cincinnati, and indications are that California will be included in the campaign.

Bayuk Phillips Cigar has renewed "Inside of Sports" for 13 weeks over MSS-WGN. Effective Sept. 26.

Alka-Seltzer has renewed "National Barn Dance" for 35 weeks, effective Oct. 1. Marks sixth consecutive year for "Barn Dance" on NBC. Wade Agency, Chicago, handles account.

Atlanta Sales Corp. (Coleman's mustard), through J. Walter Thompson Co., New York, signed with KFSO, San Francisco, for five one-minute spots weekly for 26 weeks, beginning Oct. 17.

Procter & Gamble (Lava Soap) has switched "Houseboat Hannah" to NBC. Effective Sept. 26, goes over split Blue net at 9:30 a.m., and at 4:30 p.m. over Red. Brackett-Sample-Hummert, agency.

Bayuk Cigars, Inc., has bought "Inside of Sports," featuring Sam Eater, for 13 weeks over Mutual,

Programs Back on the Networks

(Indicates new show or change of sponsor)

(Continued from page 28)

ACCOUNT

General Foods.....
Musterlo.....
Continental.....
Thos. Learning & Co. (Beume Bengue).....
Chesapeake Mfg.....
Wm. R. Warner Co.....

NETWORK

October 10
M: 8-8:30 p.m.
October 14
M: 7:30-8
October 16
Sun: 11:45-12
October 17
M-W-F:
2-5-7
October 18
Tue: 10-10:30
October 21
F: 8-8:30 p.m.

PROGRAM

Jack Haley, Virginia
to be rival

NOVEMBER 28

Sun: 10-10:30

Robert Benchley: others to be set

Energin's Spelling Bee

Energin has set Paul Wing's "Spelling Bee" as a fall network show to replace "Spy Secrets," which was used this summer. New show starts Sept. 11 over NBC-CA on Sundays between 5:30-6 p.m.
Stack-Goble is the agency for Cummes Products Co., which markets Energin.

Honor Hiram Maxim

Hartford, Sept. 6.
Homage was paid Friday (2) to Hiram P. Maxim, first president and founder of the American Radio Relay League, when a memorial tablet to the noted inventor was unveiled at dedicatory exercises for the league's new \$18,000 shortwave station in Newtonington. Tablet was unveiled by Dr. Eugene C. coodruft of Pennsylvania State College, prexy of the ARRL.
Station, known as the Hiram Percy Maxim Memorial radio station, houses transmitter and receives capable of maintaining two-way telecommunication in code and voice between all points of the world.

Renew Oldfield's Chatter

Lincoln, Sept. 6.
Barney Oldfield, Sunday Journal and Star pie columnist, was renewed for another year on KFOR with six nights weekly Hollywood news program. Sponsored by Lincoln Theatre Corp.

DURKEE'S 'MADAME'

Chicago, Sept. 6.
Durkee food products has snapped up a three-a-week series now tagged "Madame Courageous" and will go on a split NBC blue hook-up through western and southern markets, starting Sept. 26.
Hitting the air at 9:30 a.m. CST. Set through the C. Wendell Muench agency here.

Walter Winchell says:

"New Yarchid: RICHARD HIMBER 'My Margarita'."

Dinty Doyle says:

"HIMBER has as good a band as there is in town right now."

Ben Gross says:

"DICK HIMBER's new dance style makes fascinating listening. Yesterday his program was the height of musical effervescence."

Sid Shulit says:

"RICHARD HIMBER's unique pyramiding made the Monday night beer show sparkle. His orchestra work overshadowed anything on the program."

Alton Cook says:

"That Monday night Brewer Show has become one of Monday's consistently diverting spots for getting off to one of the dancier starts in history and, incidentally, have you noticed the new style of flourish HIMBER is using to decorate all his melodies lately? If you happen to be up at midnight tonight, the new device is intriguing enough for a twist of the dial toward HIMBER on WEAR."

Ted Lloyd says:

"SOCK SPOT: Agency exec seeking a 'different' spot for a show is recommended to NBC Sunday at 3, following the 'Magic Key' program, which insures a ready-made audience and which has now passed over by RICHARD HIMBER and his 'rhythmic cascades' orchestra and band everyone's talking about!"

Nick Kenny says:

"Here's probably the best band in town."

RICHARD HIMBER
and ORCH.

Direction M.C.A.

WENDELL HALL

Radio Originator

ONE MAN SHOW
TWO VOICES, SAM AND HENRY
BAIN BOO WOLF-CONTEST
THE VARIETY HOUR
COMMUNITY KING

Address: 4331 N. Paulina St., Chicago

LISTEN TO DORIS RHODES

WABC
745 P. M. Wednesday, 8:15 P. M. Thursday, 5 P. M. Friday
Mgt. Columbia Artists Bureau

THE O'NEILLS
By JANE WEST

NOW RADIO'S MOST POPULAR
FAMILY BRINGS YOU MORE

LAUGHTER TEARS AND HEART-THROBS

Presented by Ivory Soap - 99 1/2% pure

LISTEN TWICE DAILY

NBC Red Network, 12:15 to 12:30 P.M. DST
2:15 to 2:30 P.M. DST
IN... COAST TO COAST

DR. COMPTON ADVERTISING AGENCY
MGT, 42 WOLF-RKO BLDG., NEW YORK CITY

...Thanks, Peter Arno, but you've got company for



... I just gotta listen to Richard Hi

WPEN's 1st Web Show

Philadelphia, Sept. 6.
WPEN will make its bow as a key station Sept. 11, when it reverses the usual direction of the waves and pumps first of a series of shows to WOV, New York, and to its other sister outlets, WCOB, Boston, and WELL, New Haven. Program is half-hour variety, sponsored by San Giorgio accessories as set by Aileen-Kynett agency. Music will be Italian and gab will be in both English and Italian.
Show's locale will be in a cabaret, with Ralph Borelli as m.c.

From Swing to Opera

Philadelphia, Sept. 6.
WPEN, which probably plays more swing recordings than any station in the country, is going opera.
Has inked in Lillian Zavidoff, former warbler with Pennsylvania Grand Opera Co., for once-a-week sustainer.



Mgt.: LOU CLAYTON

Inside Stuff—Radio

Heads of all St. Louis stations, except KSD, accepted invitations extended by Jerry Hoeckstra, director of KMOX's Public Affairs dept., to be featured on the station's "The Onward Road" program Sunday (11). Program, one of a series, is devoted to the "inside" of the radio business who, incidentally, plug the town to the limit. Those who will try to sneak in a little build-up for their own station are John C. Roberts, Jr., KXOK; Robert T. Conroy, KWK; Al S. Foster, WEW; L. A. Benson, WJLB; William West, WTVZ, and Herman Hohenstein, KFTL. Merle S. Jones, gen. mgr. of KMOX, will be the last to talk. Walter Head, pres. of the General American Life Insurance Co., will serve as toastmaster, and the usual 15-min. program will be extended to half an hour.

CBS officials fixed the idea last week of bringing members of the jury sitting on the Jimmy Hines trial to the "Orson Welles" Mercury Theatre of the Air. Stunt was to have been a repetition of the one which brought the jurors upturn by special bus to see a private projection room showing of "You Can't Buy Everything," Columbia picture, last week. It would, of course, have excluded any other auditors from the radio studio.

Al Melner, of Columbia Artists, whose idea it was, already had Monday (5) night's show enmarked and was negotiating with Justice Pecora for permission to tote the jurors upturn, when CBS highrups turned thumbs down. Fears of repercussions were given as reason for the nix.

The publicity department and the continuity key hammers of Seattle's KOMO-KJR (NBC and Blue) climaxed a feud of long standing Aug. 31 when the personnel of each vied for honors in a general quiz contest on KJR's "Toten Broadcasters Presents" half-hour sustainer. Four rounds of 10 questions constituted the quiz, with the last round made up of questions submitted by the ten contestants. Latter was the downfall of the publicity gang. Final score was continuity, 700, and publicity, 575. After the broadcast Seattle newspapers entered a challenge to the continuity department team. Date for this has not yet been set.

Deal for Bert Lytell to do a series for Tums does not involve the actor's "Lone Wolf" series. Contract set by the William Morris office through H. B. Kantor agency, calls for Lytell to do a two-week 15-minute dramatization from stories in Liberty mag. Series is being produced by Transamerica for Lewis-Howe Co. the sponsor. Will air over WJZ.

"Lone Wolf" series was adapted by Aubrey Wisberg from the Louis Joseph Vance stories and was adapted by Intercontinental Productions, Inc. Rights to the title were acquired by Lytell from the Vance estate, which has placed the show with the Morris office to sell for him. It is not waxed.

Television test programs, which have been sent out twice weekly since the middle of August, will be temporarily suspended again Sept. 16 by National Broadcasting Co.-Radio Corp. Understood they will stop only for a short period while engineers conduct additional improvements and correct defects revealed in latest series of tests. Attempt to follow some general runs on makeup was started last week when NBC placed an expert in charge of supervising makeup for all artists appearing on test broadcasts.

Possible immersion in the Potomac river for one, or both, of NBC's crack Washington announcers is scheduled for Sept. 23 when Gordon Hittner mark of Iowa and Lee Everett of inland North Carolina, will stage a speedboat race during the President's cup regatta, an annual affair which usually results in plenty of spills. Hittner will carry a small outboard motor wave equipment aboard rival water-scooters for WRC and WMAL.

Unusual collection of discs is owned by Howard Jones, WIP, Philly, gabber. As chief interviewer for the outlet, he has presented more than 150 celebs in three years of airing. Each time he has had the show recorded. Now he has huge file of the discs and will carry a complete system to friends. He's aiming to get permission from the interviewees to use chunks of the recordings in a single program.

Though the Hearst morning Chicago Herald & Examiner goes tabloid this week, it will not affect the radio column under Ulmer Turner, which continues as is. Only one other paper in Chicago carries a radio column. This is the Evening Times, also a tab.

MCMINCH PUSHING FCC MONOPOLY PROBE FOR PROBABLE OCT. START

Program Possibly Will Be Made Known This Week After Special Council Aids Findings—Scope of Inquiry Remains Indefinite

Washington, Sept. 6. Program for the FCC's forthcoming inquiry into possible monopoly and desirability of regulating chains is expected to be made known this week. With Chairman Frank R. McMinch at last back on the job, the special four-man committee soon will talk over the issues and time for the witch hunt. Probably will get under way the middle of October, with 30-day notice giving licensees a chance to ready evidence on the principal lines of study.

Announcement that the committee will 'push forward as rapidly as possible' came from McMinch on his return from protracted illness and recuperation absence. Meeting is tentatively called for latter part of this week to hear what special counsel William J. Dempsey, McMinch's personal brain-truster, has unearthed and what course he thinks the inquiry should follow.

Scope of the inquiry remains indefinite, pending adoption of formal notice of hearing, but committee attaches think four to six weeks will be needed to receive evidence. This guess is held conservative; although all parties are anxious to speed up the oratory and the FCC is desirous of being able to make a report to Congress not long after opening, Jan. 3. Motive is to forestall renewed charges that nothing has been done.

Probing FCC Records
Preliminary digging has been confined chiefly to the commission records, with the multitudinous statistical reports and other data mostly on financial experience trotted out at the super-power hearings, getting close. Dempsey has been micro-scooping the statements of ownership and control, already on file, and the insinuations and public accusations about secret tie-ups. Examiner's reports and transcripts of hearings likewise are valuable source books. And the innuendoes and charges in the Congressional Record, volumes of committee hearings, and other legislative documents are not being overlooked, either for leads or guide as to what matters demand examination.

From unofficial sources, the most

important line of inquiry is expected to be the relations between webs and affiliates, while multiple ownership will get considerable attention. Committee probably will go deeply into the typical contracts to see if the chains exercise so much control over time of subscribing members that the provisions of the law (notably section 310 and the general anti-monopoly provision) are rendered meaningless. Reports of secret financing of supposedly independent-owned stations by networks is due for testing.

Leases III Figure
Matter of leases will be important in the inquiry. Especially Westinghouse's contract with various stations (WKY, the Fort Wayne outlet, WBZ-WBZA, etc.), since this matter was brought into public light last spring by Commissioner T. A. M. Craven and Congressman Richard B. Wigglesworth, both of whom doubt whether the relations are in harmony with the law. The FCC attorneys do not see anything amiss, even while admitting there is room for controversy.

One theory sure to be advanced is that chains should not be allowed to own and operate any stations. Press association status will be recommended without a dissent, and amendments to the law prohibiting any program-distributing service from engaging in actual management of a transmitter probably will be offered for commission deliberation.

Educators, religious crusaders and other groups with real or fancied grudges are among the anticipated witnesses. Also people who have wanted, but could not get, license consent for new transmitters. Both of these factions are believed sure to allege that conspiracy, either business or political, has hurt them and crushed their ambitions.

Expanding interest of several broadcasters, notably Arde Bulova, George Richard and George Sterner, look like pay dirt for the probe. Attempts to produce evidence have been made, with their transactions being pondered.

Commission will very much on

the spot in the proceeding. For that reason most critics look for few important revelations. Expect nothing like the searches of the LaFollette (Senate) civil liberties committee or the Pecora-run hunt for Wall street devils. Inasmuch as the FCC has acquired in the expansion of regional and national networks, plus multiple ownership, industry factors are relatively calm about the outcome, although there is concern over the presence of Commissioner Paul A. Walker, big-corporation foe, on the jury. Two of the probes are admirably cautious — Commissioners Eugene O. Sykes and Thad H. Brown — so license-holders count heavily on them to squelch any excursions into embarrassing fields.

Transformation of Chairman Frank R. McMinch—who started out with ideas of regulation which subsequently have been forgotten or modified—is also somewhat reassuring.

FCC Definitely Nixes Cleave, Mormon Permits

Washington, Sept. 6. This was written on two hard-fought radio cases last week, when the FCC refused to reopen decisions the Great Lakes Broadcasting Co., Cleveland, and Mormon Church permits for new transmitters. Three other petitions for reconsideration were simultaneously spiked.

Without explanation—as is the custom—or comment, the Commission announced it has denied requests for rehearing of evidence presented by the Mormons in effort to acquire a new international short-wave, and that of the Clevelanders seeking a regional plant in opposition to the Cleveland Plain Dealer. Paves the way for both parties to go to court, if they are determined enough.

Other similar pleas turned down were those of W. P. Stuart, Prescott, Ariz.; KPQ, Keneshaw, Wash., and Louisville (Ky.) Broadcasting Co.

Miller Klier WIP, Philly
Ken Miller, WIP gabber, resigned Thursday (1). Tom Danc, who substituted at various times on the staff, has been given a permanent ticket.

5000 Say 1000 Right

WIPIC

Columbus

ALL YOU NEED IN CENTRAL OHIO

John Calair, rep.

In Baltimore, it's

WJVS

ON THE NBC RED NETWORK

NATIONAL REPRESENTATIVES

EDWARD PETRY & CO.

C K C

MONTREAL

CANADA'S BIGGEST MARKET AT YOUR COMMAND

THRU

CANADA'S BUSIEST STATION

1000 R. MONTREAL, New York, 14000, Toronto, 100,000

But Dialects Stick

Getting away from its original purpose, WARD, Brooklyn, has instituted a policy of Americanizing its foreign language programs. As much as possible programs are being done in English, with music getting saving treatment, along with Anglicization of lyrics.

Idea is Oscar Kronenberg's, who the station's owner has already introduced "Jewish Cavalcade," a news dramatization in English. Wants to build a new audience in younger element, while still retaining old with accents and language clichés in native tongues.

Spanish, Hungarian, Polish and Ukrainian programs will get same treatment. Folk songs are getting treatment in "Bei Mir Bist Du Schoen," etc. Sports will also be included in trend.

Shampoo's New Sponsor

Washington, Sept. 6.

New commercial for WJVS is sponsored by S-O Shampoo. Two quarter-hour broadcasts weekly by "S-O Swingers" is aired from the People Drug Store Radio Grill and is piped to WCAO, Baltimore, as well as being carried locally. Agency is Grant & Wadsworth.

Second new WJVS feature is "Night Round-up," combo of news and sports conducted by Lee Vickers, staff announcer.

"...An Amazing Amount of Data..."

IS WHAT

The Association of National Advertisers

IN THEIR BOUQUET OF AUGUST 16th

SAID ABOUT

VARIETY RADIO DIRECTORY

1938-39 EDITION

\$5 per copy, postage prepaid

VARIETY RADIO DIRECTORY

154 WEST 46th ST., NEW YORK



A MESSAGE TO THE AMERICAN BUSINESSMAN

An opportunity presents itself for a patriotic radio sponsor to enthrone himself in the hearts of the great American people to sponsor this nationwide movement in behalf of the American composer.

A monument far greater than the Hall of Fame could bestow.

B. A. ROLFE'S

Patriotic Conception of the

'AMERICAN MUSIC LEAGUE'

(A Non-Profit Corporation)

A NATIONWIDE PROCLAMATION—HERALDING THE ENROLLMENT OF A STANDING ARMY OF OVER 3,000,000 YOUNG MUSICIANS BANDED TOGETHER IN A PATRIOTIC LEAGUE—EMBODYING MORE THAN EIGHTY-FIVE THOUSAND AMERICAN HIGH SCHOOL BANDS AND ORCHESTRAS THROUGHOUT THE NATION, PLEDGED TO SUPPORT BY MONTHLY PURCHASE, THE STEADY OUTPUT OF THE SUCCESSFULLY COMPETING AMERICAN COMPOSER, TO BE PUBLISHED UNDER THE AUSPICES OF THE

'AMERICAN MUSIC LEAGUE'

A dynamic movement to assist—enhance and stimulate the entire music publishing industry, wherein worthwhile works of American composers are concerned.

A relentless search for an American Master to paint a musical picture symbolic of our great people.

To the American composer, we say—"remove that bandage from your eyes—your vision is impaired by foreign viewpoint."

FREE YOUR MIND!

AWAKE AMERICA!

Address Inquiries to

B. A. ROLFE

Steinway Hall, West 57th Street, New York City

B. ROLFE—Currently over NBC network with
ROBERT L. (BELIEVE IT OR NOT) RIPLEY, for Post's
Bran Flakes. Radio direction, DOUGLAS F. STORER.

THE
WORK
OF SOUSA
MARCHES ON

YOUNG AMERICA
LIGHTS THE
WAY

CPRS Vs. Can. Expo Dispute to Court; Goodman, Rogers, Lombardo Figure

Philly Bands Shift

Philadelphia, Sept. 6.—General shift is taking place in Philly bands with start in early season. Bill Honey orch is out of Benny the Bum's and into the Anchorage. Johnny Graff, formerly at the Anchorage, into Benny's. Graff was last at the Arcadia-International, where he is being replaced by Clem Williams.

Herb Woods out of the Anchorage and Joe Frassetto is out of the Aethelpha, after playing there for a full year. Harry Wharton's band inked into Harvey Lockman's new Village Band, set for opening Sept. 14.

Regardless of this announced inked, Elwood Hughes, g.m. of the expo, has ordered the musicians to go ahead and play whatever music they want. Affected in the proposed court action are Benny Goodman, Buddy Rogers, Guy Lombardo and pianist, O. W. Gear, conductor of the Royal Artillery Band, ex-army band attraction at the C. N. E. Tommy Dorsey is scheduled to appear at the expo's dance pavilion Sept. 8-10 and, presumably, will also be penciled into the complaint of CPRS.

Baton wielders were delivered letters by messenger from CPRS which read: "You may not perform any performances of our music without our permission." Both Goodman and Rogers were handed the identical admonition as they were registering at their hotel desks. After conference with C. N. E. officials, the bands decided to ignore the communication and are heading Hughes' instructions to play what they want.

Expo's g.m. declared, "The Canadian National Exhibition does not have to give a license from the Canadian Performing Right Society to use any music. We are exempt from such compulsion. Our exemption was given by the House of Parliament within the last few years."

Exemption referred to was an amendment to the Copyright Act, passed on June 24, 1938, which exempts the performance of music in the line of gain of any musical work at any agricultural or agricultural-industrial fair which receives a grant from, or is held under, Dominion, provincial or municipal authority by the directors thereof.

Position taken by CPRS hinges upon the Canadian courts' definition of "without motive of gain." Inasmuch as admission to the dance pavilion is \$2 a couple, CPRS spokesmen claim they have grounds for action on infringement of copyrights.

Snow White's Whistle Figures in New Suit Vs. Disney Pic's Score

Score of "Snow White and the Seven Dwarfs" has been the subject of a new infringement claim against it, filed by Aisle Alister, head leader, of New York supreme court, called that "Whistle-You-Work" has been in common with an unpublished composition of the same title, "The Rustic Song of the Whistle," which Irving Berlin, Inc., publisher of the "Snow White" score, claims that the basic melody of "Whistle" is derived from London Bridge is Falling Down, which is in the public domain.

Another action filed against the score involves "Some Day My Prince Will Come Along," which Alister, composer, and the Robbins Music Corp., are behind the latter litigation.

Sam Fokras and Alister Bullock, "Three Musketeers" at 20th-

edney Clare and Julie Impy-Dimp for "Hold at 20th-Fox."

REFUGEES CAN'T GET MUSIC

ASAP in Mi Due to German and Austrian Societies—Latter Taut

Not Important Composers Now in Exile

Contractors

The Austrian Society of Composers, Authors and Publishers is in the middle of a peculiar situation brought about by the Hitlerizing of Austria, and its effect on a score of the Vienna composers. Any of them are now emigres in France, England and America; most of them refugee musicians or involuntary, as their race or religion may be.

What has happened is that the Austrian society of composers and authors continues to collect large sums from ASAP, the most valuable of their copyrights have been shored by non-Aryan tunesmiths. ASAP has a contract with both the German and the Austrian performing rights societies, and while the 1938 political Anschluss has supposedly made the Austrian society non-existent, as a nation, and supposedly part of a Greater Germany, the Vienna songwriters still collect otherwise, so long as it can collect funds from ASAP, the British Performing Rights Society and the French Society.

ASAP is a society, one of the all foreign catalogs it offers to radio broadcasters and other music licensees, for available copyright non-existent, as a nation, and supposedly part of a Greater Germany, the Vienna songwriters still collect otherwise, so long as it can collect funds from ASAP, the British Performing Rights Society and the French Society.

Around New York, transcribers are already dicker with band books and pieces, with an eye to tricking up instrumentation. Ideas is to so orchestrate crews as to make them sound like full organizations, while actually playing with about one third less than usual.

Scores were recently upped to \$24 per man for two hours, with men permitted to work only 40 minutes out of each hour. The scale was \$20 for three full hours work. Means an increase of 17% in money for 66% less work.

Last week union also revised its ruling on social security payment to read: "The making of any contract or agreement for the payment of such tax by a leader, contracting member, holder, or personal agent of a band or orchestra, composed of members of the Federation, or any successor liability to the Federation, is considered a decidedly unfriendly act toward the Federation, and will leave the Federation no alternative except to cancel the broker's or agent's license." License-cancellation phrase was injected into revised regulation, first issued July 5.

2 DET. DANCE SPOTS SHUT FOR WINTER

Detroit.—Two of Detroit's outdoor dance spots, Westland and the Sheraton, will be closed for the winter, yesterday (Monday) following fair trial to mid-winter season. Other top entertainers, including the Alvin Karpis band, are expected to appear through September. Bunny Bergan, current, will be succeeded by Artie Shaw in return.

Eastwood by far had the better name attractions through summer. As a result, closed-off for the winter, grossing, chief among them being backed up by Ben Bernie and Edythe Lane. The Alvin Karpis band, a moderate activity, due partly to its remote location, but by boomed with Phil Spauling's band. Horace Heidt, Jefferson Beach also had an in-and-out season.

All three prospects considered they were lucky, however, in view of general big conditions hereabouts for past eight months.

Copyright Renewals Take New Angle as Pubs Demand ASCAP Checkup Before Giving Credits

Temp's One-Nighters

Closing an engagement at the Astor Road, N. Y., which extended over most of the summer, Hal Kemp wound up there Labor Day night (5) and today (Wed.) leaves for a tour of one-nighters.

The swing band is going into Richmond, Va., first on a trip through the south, returning to New York later in the fall. Nat Brandwynne succeeded at the Astor Road.

WB Files Suit Vs. Par, Famous On 'Heart' Tune

Inter—The last week took its controversy with Paramount Pictures and Famous, Inc. Corp. over the tune, 'Heart'.

WB claims that 'Heart' is an infringement on 'Tell Me More' and asks the Paramount and its music subsidiary give an accounting of the profits on the song. The film catalog, 'Cocacola' in which the tune was used, WB claims that 'Heart' sold over 100,000 copies and 7,500 orchestral recordings, while the picture had over 20,000 exhibitions.

Tell My Heart' was written by the late George Gershwin, Ira Gershwin and Buddy DeSylva, and published in 1925 by Harms, Inc., now part of the WB group. Burton Lane composed the melody of 'Says My Heart,' which WB contends is a close takeoff of the Gershwin work.

MPPA MEETING ON DISC COMBINE

Board of directors of the Music Publishers Protective Association is slated to meet tomorrow (Thursday) in New York to discuss the proposed campaign to collect a special royalty on phonograph records used in coin-operated machines. Among the questions of establishing a flat fee of 5c for transcription rights. At present it's 25c for pop tunes and 50c for restricted numbers.

Matter of retailing A. M. Wattenberg and Francis Gilbert as special counsel in the coin-machine movement will likewise be laid before the board.

WB SETS CATALOG DEAL FOR ITALY

Warner Bros. publishing group has negotiated a three-year contract with the Italian publishing house, giving the latter the American rights to the Italian and its colonies. E. B. (Buddy) Morris, g.m. of the WB music combine, who returned from Europe last week, reported that his organization has taken over the representation of Italian musicians in France from G. Feldman on a 50-50 basis.

While abroad, Morris re-signed with Chappell & Co. on the Harms catalog for Great Britain, and gave B. Feldman similar catalogs to the Paramount and Remick catalogs.

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Controversy on the question of copyright renewals took a new twist last week, when several major publishers notified the American Society of Composers, Authors & Publishers that they expected that organization to check with them before giving renewal rights. They want ASCAP to make sure that if any of the renewals were "sniped" from them it was done lawfully and that the actual renewal registration isn't under dispute.

The new approach to the issue was inspired by Irving Berlin, Inc. In a registered letter addressed to most of the top publishers in the trade the Berlin firm pointed out that under its printed publishing agreement it was entitled to the renewal rights to all compositions published by them and that it intended to take all necessary steps to enforce such rights. Letter also stated that the Berlin firm had no objection to the fact that "one or more writers, some of whom collaborated with Irving Berlin and some who were not, attempted to assign or have offered to assign to other publishers the renewal rights and was completely repudiated by this firm."

Various recipients of the Berlin firm's disclosure that their contracts were worded very much along the same lines and decided that unless they printed publishing agreements it was entitled to the renewal rights to all compositions published by them and that it intended to take all necessary steps to enforce such rights. Letter also stated that the Berlin firm had no objection to the fact that "one or more writers, some of whom collaborated with Irving Berlin and some who were not, attempted to assign or have offered to assign to other publishers the renewal rights and was completely repudiated by this firm."

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Network Plugs, 5 P.M. to 1 A.M.

Following is a totalization of the combined plugs of current tunes on NBC (WEAF and WJZ), and CBS (WABC) computed for the week from Monday through Sunday (Aug. 29-Sept. 4). Total represents accumulated performance on the two major networks 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-Tasket	Robbins	Pop	39
I've Got a Date with a Dream	Feist	* My Lucky Star	31
You Go to My Head	Remick	Pop	29
I'm Gonna Lock My Heart	Shapiro	Pop	27
I Used to Be Color Blind	Berlin	* Carefree	27
I've Got a Pocketful of Dreams	Santley-Joy	Pop	27
What Goes on Here in My Heart	Paramount	* Sing	27
Stop Beating Around the Mulberry Bush	BVC	* Give Me a Sailor	24
I Help Me	Berlin	Pop	21
Now It Can Be Told	Berlin	* Alexander's Ragtime Band	21
When Mother Nature Sings Her Lullaby	Santley-Joy	Pop	20
Garden of the Moon	Crawford	Pop	20
How Can We Be Wrong	BVC	Pop	18
Will You Remember Tonight Tomorrow	Berlin	* Carefree	18
Change Partners	Berlin	Pop	17
Bambina	Tennet	Pop	17
There's a Faraway Look	Ager-Yellen	Pop	17
Don't Cross Your Fingers	ABC	Pop	17
I Haven't Anyone Till You	ABC	* Alexander's Ragtime Band	17
Alexander's Ragtime Band	ABC	* Sing Your Sinner	17
Small Fry	Miller	* Breakin' the Ice	15
Put Your Heart in a Song	Chappell	Pop	15
Tu-Li Tulip Time	ABC	Pop	15
Love of My Life	ABC	Pop	14
Lambeth Walk	Witmark	* Cowboy from Brooklyn	14
I'll Dream Tonight	Lincoln	Pop	14
Naturally	Witmark	* Cowboy from Brooklyn	13
Ride, Tenderfoot, Ride	Berlin	* Alexander's Ragtime Band	13
My Walking Stick	Chappell	* You Never Know	13
If I Loved You More	Harms	* Garden of the Moon	13
Love Is Where You Find	Harms	Pop	13
Colorado Sunset	Crawford	* Hell-a-Poppin'	12
No Wonder	Miller	* Sing You Si	12
I Haven't Changed a Thing	Morris	Pop	12
Teacher's Pet	Famous	* Coconut	11
Hearts Are Never Blue in Blue Kalua	Feist	Pop	11
Says My Heart	Feist	* Zette	11
Where in the World	Marlo	Pop	11
Lullaby in Rhythm	Robbins	* Married an Angel	10
Think It Over			
I Married an Angel			

SONGS FROM ROBBINS

The Sensation of The Century...

A-TISCKET A-TASKET

By Ella Fitzgerald and Al Feldman

From the New Universal Picture, "That Centai

MY OWN

YOU'RE AS PRETTY AS A PICTURE

By Harold Adamson and Jimmy McHugh

The Year's Foremost Production Hit!

I MARRIED AN ANGEL

SPRING IS HERE

By Lorenz Hart and Richard Rodgers

From the Musical Comedy, "I Married An Angel"

America's Novelty Hit!

WHEN THEY PLAYED THE POLKA

Words by Lou Holzer Music by Fabian Andre

The Coming No. 1 Hit!

MY REVERIE

By Larry Clinton

From the 20th Century-Fox Picture, "Str light, Place and Show"

WITH YOU ON MY MIND

By Lew Brown and Moll Pollock

ROBBINS MUSIC CORPORATION

799 SEVENTH AVENUE • NEW YORK

On the Upbeat

Bob Auman's band concluded summer run at Oak Grove House, near Strousburg, Pa. Collegiate outfit from Westchester State Teachers' College.

Chill Hill's orch continues into the fall at Buckwood Inn, Shawnee-on-the-Delaware, Pa.

Glen Gray and the Casa Loma band start east after the Los Angeles County Fair, Oct. 2, with engagements at Wichita, Topeka and Kansas City.

Ben Pollack, held over for another week at the Olmos club, San Antonio, Tex., is slated for musical assignment on Joe Penner's airshow from Hollywood.

Ray Bradford now at Omar's Dome, L. A.

Johnny Blowers is the tag of Ben Bernie's drummer, who was not billed by name at the N. Y. Strand last week.

Sammy Kaye is vacationing at Asbury Park, N. J. First layoff of length for the band leader in five years. Opens soon at the Hotel Commodore, N. Y.

Barney Rapp's orch, with Ruby Wright doing the vocals, opened New Penn, Pittsburgh, Saturday (4) for second engagement there this season.

Dick (Hotcha) Gardner and his band go into Willow, Pittsburgh, Wednesday (7), replacing Joaquin Grill following latter's summer-long run.

Erlt Cavato back in Pittsburgh from summer engagement at Hell's Supper Club, Atlantic City, and returns this week-end to Italian Gardens in downtown Pitts, spot he bought into some time ago.

Lawrence Welk orch reopens William Penn hotel's Chatterbox, Pittsburgh, Oct. 3.

More than 3,000 jitterbugs paid a dollar apiece to attend Benny Goodman's 'twing jam session from

15 Best Sheet Music Sellers

(Week ending Sept. 3, 1938)

*Alexander's Ragtime Band	ABC
A-Ticket, A-Tasket	Robbins
*Now It Can Be Told	Berlin
When Mother Nature Sings Her Lullaby	Santley-Joy
*I've Got a Pocketful of Dreams	Santley-Joy
I'm Gonna Lock My Heart	Shapiro
Music, Maestro, Please	Berlin
So Help Me	Remick
You Go to My Head	Feist
Stop Beating Around the Mulberry Bush	Olmos
There's a Faraway Look in Your	Tennet
*Small Fry	Famous
I Let a Song Go Out of My Heart	Feist
Little Lady Make Believe	Olmos
Garden of the Moon	Harms
Stop Beating Around the Mulberry Bush	BVC

* Indicates film song. † Indicates stage production song. The others are pops.

midnight to 4 a.m. last Wednesday (1) in coliseum of Michigan State Fair, Detroit.

Art Mooney's band will replace Henry Their Sept. 13 at Webster Hall, Detroit.

Paul Martin and orch return to NBC in San Francisco this week after trip to Hollywood to cut some Victor records. Band played some one-nights on the way back.

King's Jesters open at the Clover club, Los Angeles, Sept. 17.

Buss Morgan will go into Paradise Restaurant, N. Y., early in October for CRA.

Gray Gordon band will guest the RCA Magic Key program Sept. 11.

Heidt, Vallee Orchs

Set Omaha Dates

Omaha, Sept. 6.
Horace Heidt's orch is booked for Orpheum here the week of Sept. 26, with Sunday (25) broadcast expected to be aired from theatre stage.

Rudy Vallee and his Connecticut Yankees will make their first Nebraska appearance at the Ak-Sar-Ben Coliseum here Sept. 18, bringing entire company from Kansas City Jubilee. Admish scale will be \$1.10 per.

KRUPA PULLING ABOVE GUARANTEES IN N. E.

Gene Krupa orchestra drew approximately 9,500 terps in five one-nights in the Charlie Shribman territory in New England last week. At Onset, Mass., crew played to 1,895 payees who forked up \$1,091 to listen to Krupa. Outfit walked out of Bal-a-lair, Shrewsbury, Mass., with \$55 over its guarantee, having pulled close to 1,000. In Lynnfield, Mass., at Kimball's ballroom band set a new season record, luring 1,792 shaggers. Candide Park, Salem, N. H., handed the crew \$347 above its guarantee, paid by 1,894 customers. At Old Orchard Beach, Me., a set figure date, crew played to an estimated 3,000-3,500.

Band has done consistently good job on the road despite the absence of pre-tour location wires. In the new Ocean Casino at Virginia Beach, Va., two weeks ago, band drew 1,800 and copped \$245 over its guarantee.

OLD SONG SUGGESTIONS

FOR THE NEW PICTURE

JIMMY McHUGH'S

LOST IN A FOG

ROBBINS MUSIC CORP.

BERLIN • BULLETIN

IRVING BERLIN'S LATEST

RRK's sensational musical production "CAREFREE," starring FRID ASTAIRE and GINGER ROGERS

With four hits:

I USED TO BE COLOR BLIND

THE NIGHT IS FILLED WITH MUSIC

CHANGE PARTNERS

THE YAM

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Colored Orchs Really Send 'Em At 2d Benefit for Blind Tooters

By BERNIE WOODS

Peace and quiet were at a premium at the second of four benefits for blind musicians at Randall's Island stadium, N. Y., Thursday (1). The session was an all-colored affair as far as talent was concerned, and promised—on paper—to be extra hot and in the jitterbug groove. It was. Steaming hot licks passed out by a dozen or so colored aggregations, and a few small but swingy tunes, used as stage waxes, kept about 7,000 fans swinging for nearly four hours. Draw was about twice the figure listed across the Triboro Bridge the week previous.

Session produced a couple of unique items. Records were made of every tune popped by each outfit and an attempt was made to hype the group by auctioning 'em off. Martin Block, who again m.c'd, tried first to get rid of a set of the opening band's waxes, but was howled down. He made another attempt at the finale to sell cuttings of the entire thing, but failed. Sometime during the affair somebody got the bright idea of combining four crews and at the finale Claude Hopkins, Ezekiel Hawkins, Louis Russell and Hot Lips Paige put their outfits together for a swing outfit to top 'em all. Combo added up to 60 men.

It was something new and looked to be a killer, but it suffered from overbuild and poor distribution of men and mikes. Block built it too heavily between bands, and when it finally did get going was exploited to a lull. Cab Calloway's crew was supposed to be in on it, which might have added a different rhythm, but he had to scam to catch a train. Mob wanted more of Cab's stuff, but Block begged off for him, explaining the ratter's imminent departure. Few howler screamed at Block, 'Let him grab a plane'.

Trying to raise the clickability of the heavier crews would be tough as the mob went for 'em all. However, the payees had their faves. Count Basie was on third, excluding several small units, and the mob was audibly

impatient for his stuff. Basie's crew currently sits near the top of the comparatively lesser known outfits. Roy Eldridge, the one-man brass section, showman Willie Bryant and Ezekiel Hawkins, seemed to be the best liked. John Kirby also drew favorable reaction.

Powerful speakers of the p. a. system in the stadium made every band sound better than ordinary. Amplifiers are set in a natural deep tone which can be lowered further to bass. It gave each crew an exciting undertone.

Urges of the hot licks was apparent in the stands. Harlemites, who had only to travel a few blocks to listen to their idols, were going to town in every section. Couple of enterprising 'gators brought along searchlights, which picked out the wild-eyed soloists for the crowd. Several attempted to vault the railing to the center track, but were boosted back into their seats by alert cops and attendants.

Of the small units, which are getting more popular every day and which were used here to allow shifting of main crews onstage, all elicited. Inexperts, harmonizing quartet, panicked the mob with 'Oh Man Mose.' Slim and Slam repeated with several including 'Flat Foot Floogie,' which they wrote, and Dickie Wells and an unbridled swing singer-temper also elicited. Deacon Brown, blind pianist, imitated Fats Waller and got across.

Third and fourth benefits will probably be combined and put on at Madison Square Garden, Sept. 14. Officials have taken an opinion on the Garden for that date, but have not definitely decided what will be done. Third concert was originally set for today (Wed.) but Labor Day weekend made it tough to get a bill together. Another angle which figured in the decision to hold it indoors was that the weather will be decidedly cooler by middle of Sept., which would tend to keep the b.o. take down. It was too much temp on the Island Thursday (1).

Band Bookings

The Swingette, Lincoln hotel, N. Y., Sept. 21.

Jack Winston, Bal Tabarin, San Francisco, Sept. 8 via C.R.A.

Carl Ravazza, Rainbow Boulevard, Salt Lake City, U. S., Sept. 15.

Channey Cromwell, Commodore Club, Detroit, Sept. 22.

Johnny Long plays for Bill Green's Pittsburgh nitty starting Sept. 9. On Oct. 21 he goes to Stater hotel, Buffalo, N. Y., for MCA.

Les Brown being groomed to follow Blue Barron in Edison hotel, N. Y., by C.R.A. Bows in early in October.

Woody Herman makes a Vitaphone short for Warner Oct. 13. Current at Edgewater hotel, Gullport, Miss.

Jimmy Dorsey held over at Bon Air Country Club, Wheeling, Ill., until Sept. 15. Then goes on one-nights for R-O-K.

Casa Loma opens theatre tour at Tower theatre, Kansas City, Oct. 7, after closing at Palomar, L. A.

Ramona into one-nights on exiting Lakewood Park, Denver, Sept. 11.

Clem Williams, Arcadia ballroom, Philadelphia, Sept. 6. Opens season there for winter dancers.

Claude Hopkins, Ritz ballroom, Bridgeport, Conn. starting Sept. 4. Ina Ray Hutton follows Sept. 11. Larry Clinton Sept. 18.

Lee Shetley succeeded Jimmy Livingston at Murray's, Tuckahoe, N. Y., WOR wire.

Little Jack Little, International Casino, N. Y. On Oct. 5 Larry Clinton opens here with the new show.

Nat Brandwynne, Hotel Astor Roof, N. Y., succeeding Hal Kemp. Lee Wiley debuted Labor Day with Brandwynne.

O'Keefe Quitting R-O'K Partnership After Policy Diff's with Rockwell

Francis C. (Corky) O'Keefe will withdraw from active association with Rockwell-O'Keefe, 15. Until a deal is made for the purchase of O'Keefe's stock interest, the firm will continue under its present name. O'Keefe's decision to quit came a few days after his return to N. Y. from a stay at the company's Hollywood branch. While O'Keefe had been thinking about the move for some time the parting is a friendly one. It's a case of two partners. Thomas J. Rockwell, pres., and O'Keefe, being unable to agree on policy, O'Keefe states that he has no definite plans for the future.

As a result of O'Keefe's withdrawal, Mike Nidorf, one of the four partners in Rockwell-O'Keefe, will return to the New York office from Hollywood, where he established himself several weeks ago. Remaining stockholder is Thomas Martin, who also holds the title of v.p.

Split, it is understood, will also effect the relations of the Casa Loma band with the Rockwell-O'Keefe office. O'Keefe has been the orchestra's personal manager and a stockholder in its co-operative setup since the band's organization. Indications are that the aggregation will no longer book exclusively through R-O'K, but accept engagements through any agency that gets it work.

Rockwell-O'Keefe was organized five years ago, starting off with Rockwell's representation of Bing Crosby in radio and personal appearances. The Mills Bros and Louis Armstrong, O'Keefe brought in the Casa Loma band. In the succeeding years the firm developed into a major talent agency in commercial radio and the leader among indie band booking offices. At one time the office was clearing as many as 42 bands.

Intensifying its talent sales promotion, Rockwell-O'Keefe has Ronnie Ames now supervising this branch. Ames for years was with Fred War-

ing and More Kemp.

He will retain his Florida public relations work during the winter.

R-O'K is expanding its Coast office. Norman Doyle has been added to sales staff in addition to Reg. Marshall and Ed Fluhman. Office also added a new band in Billy Moe, Coast crew, and current at Wishnie Bowl.

DON BESTOR DROPS SUIT AGAINST CRA

After running through courts for past three months, Don Bestor's suit against Consolidated Radio Artists to restrain that office from further booking him has been dropped. Suit was the first in which a band had contested legality of a management-booking contract and was one being closely watched by band biz, since all contracts are basically the same.

A favorable decision for plaintiff would have virtually nullified all existing band contracts, since he charged that the pact lacked mutuality, did not bind management at all, that office had no license to book bands (none have, using act booking department license) and that the band had the right to drop management at will.

Bestor has informed CRA that he will abide by his contract, which has three and one-half years to run. Complaint to the union has also been dropped and Bestor will pay \$1,600 back commissions, which he projected along with suit.

Nell Bonadach, at Lake Merritt hotel, Oakland; Leon Mojica, at El Patio ballroom, San Francisco; and Denny Moore, at Athens Athletic club, Oakland, all had their contracts extended.

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Bernie Out, Larry Clinton Band In For Cliff Fischer's New Int'l Show

Eddie Lewis, manager of the London Casino revues for Clifford C. Fischer, sails from London, Sept. 10, with the show, which is due to bow into the International Casino, on Broadway, early next month. Fischer himself, with Henry LaRue, his Paris associate, and their wives, sail from London Sept. 15. The London Casino revue goes into the Broadway nightery, plus refurbishments and additions.

Because of Fischer's percentage deal, Ben Bernie will not be the name band at the International. Instead, Larry Clinton will give out with the demagogue, on a deal between Rockwell-O'Keefe and Music Corp. of America, shifting Clinton away from his scheduled opening at the Hotel Lincoln, New York.

The Lincoln, instead, will have Tito's Swiverts, as the dance attraction. Tito is Paul Whiteman's featured accordionist. Mrs. Max J. Kramer, wife of the owner of the Hotel Edison, N. Y., who recently took over the Lincoln, is going to basically. Clinton had been booked in before she took over. John T. Morgan, incidentally, from the Hotel Victoria, N. Y., will be managing director of the Lincoln.

Bernie has a new radio commercial and will essay theatre dates in addition. He's winding up a fortnight's stay at the Strand where he debuted that Broadway theatre's new vaudeband policy.

A No. 2 ice-show spot, Gay Blades Casino, is due to debut soon on the West 52nd street site of Iceland, which Fischer has in mind. Lou Brecker, co-owner of the International, is impressing the Gay Blades and part of the Ice Palace from the International shifts there, headed by Evelyn Chandler.

Mulan Staging on Coast

Hollywood, Sept. 6. Wallace Han, N.Y. stage manager, is coming here to stage the show at the Manana Casanova, Culver City, opening this month.

Combo restaurant-theatre is on the site of the old Cotton Club.

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NITERY P.A.'S AND THAT

They Want to Know What Happens
Should They Not Join Us?

While the majority of New York's nine club press agents have joined the Theatrical Managers, Agents and Treasurers union, there are a few holdouts who want to know what happens if they refuse. These holdouts insist that the musicians' union states that they want to know what happens if they refuse. These holdouts insist that the musicians' union states that they want to know what happens if they refuse.

However, the jury is still out until the p. a.'s consult an attorney to further ascertain things from T.M.A.T. This was so decided at a last week's meeting in George D. Lottman's office.

U. S. NITERIES IN REOPENINGS

Seattle, Sept. 6.

With Labor Day, number of night spots that had been done for the summer have reopened. Floor shows and bands bring considerable re-employment of artists. Opening last night were The Mint, Missouri; Block's, Yakima, and Smittie's, at Bow, Washington.

Randall and Carr, after four weeks in Vancouver, B. C., booked by Ed Flamer, for minimum four weeks at Lobby No. 2, Juarez, Mex.

Philadelphia, Sept. 6. Two niteries now shut down will reopen here shortly. First is Harvey Lockman's Village Barn, set to light up Sept. 14. Lockman formerly presented all-Negro talent.

Second spot to unfurl will be the old Club Cadillac, more recently known as the Kit Kat Klub.

Baltimore, Sept. 6. First niterie event of season will be the Two O'clock Club, which opens Thursday (8). Again under direction of Sam Lange, spot will feature name headlines and revue type of shows, with in-between pantology by New Woods, long-time feature here.

Syracuse, Sept. 6. After three years of making in major Syracuse spots, Irving Jacobs opened the Club Irving, just inside the city limits last night (8). Irving Spector provided the music. Jacobs is m.c'ing, and first show features Joe Allen, Gertrude Bond, songstress; George and Eloise, ballroom dancers; Hoffman Sisters; The Girl Friends; Sema Laszka, ballet, and Helen White.

• 15 YEARS AGO • (From VARIETY and Clipper)

Equity Players, under the aegis of Equity, reported a loss of \$79,000 in its first season. But it had produced rights to three plays to dispose of, if possible.

About 20 new plays already produced on the new season. Three were outright flops.

Shuberts' 'Artists and Models' put on more clothes in response to the outcry, but tickets still selling around \$25 a pair.

Labor Day put a kink in N. Y. shows. Most of the town had gone to the country. Out-of-towners helped some.

Lopez, at the Palace, was putting over 'Nola' in a big way. Photo Co. was making a new record to replace the nine-year-old 'aster.

N. Y. University School of Business took a vote on the most popular theatre. Of 1,000 ballots, Keith's got up with the Hippodrome runner up at 18. Keith's got a cup. Variety got a page ad.

Five roadshows' of pica op Bway. Included 'Back of No. 24', 'The Silent Command', 'Rosita', 'If Inter Comes' and 'The White Sister'. 'Rosita' was Mary Pickford's try under Lublin's direction.

Nellie Revell out of the hospital after four years in one room.

Loew circuit's contracts for 17 full weeks.

Duluth picture theatre managers buying newspaper space in which to call each other names. Paramount caught Finkenstein & Ruben.

Fiscal year ending June 30, 1937, saw \$70,468,480 paid to the government in admission taxes. Down \$3,000,000 from the previous year.

Estate of the late Albert Chevalier, coster singer, set at \$35,000. Dan Leno estate \$50,000 and Marie Leno \$35,000.

Capt. Bruce Bairnsfather, ritzy war cartoonist, in American vaudeville. Standard exploitation was amateur cartoon expert in each house in which he played.

Western Electric contesting on a public address system for Governor State, N. Y. Badly needed.

Fred Allen was doing 'A Small Timer's Diary' for Variety.

Benny Meroff's band playing Hurling & Seamon's burlesque show on salary and percentage.

Two Philly manager: pinched for emulating 'Artists and Models.'

SARATOGA GYPS AND OTHER POST MORTEM

BY BILL (PARST) RALLIGAN

The telephone company charged full rates for night calls. Auto camps within the 10 mile radius grabbed gear for a pair of pants and a 40c. for Saratoga water for the truck; all dailies a dime—August the sucker season.

The turf writers' dinner at Arrowhead: Bill Corum pinch-hits for Dan Healy as master of ceremonies. Warren Wright, the baking powder king, paralyzed with mife right. Fred Kieran of the Y. Times. Henry King of the Sun, and Frank Ortel of the Telly all take a crack at a 'muck' haven. Lamaze grabbed 10 grand for grape in one night, a record. Playrooms closed meant a loss of plenty.

'Sticks' the dice philosopher, opines, 'A man can't win with frightened money.' Nick the Greek comes back with, 'If you ain't a gambler—you ain't nothin'.' Take it or leave it there's no place like Saratoga.

Send more money.

Chrysler Expense Curd on Previews Of New Cars Hits Bookers and Acts

Switch on Cohan's '45 Mins.' Stated for Unit

Detroit, Sept. 6.

Recent innovation of Chrysler Corp. in holding only one preview for all of its four makes of cars instead of the heretofore four separate press previews, carries forebodings for bookers and entertainers. Motor previews and dealer powwows in past have been a very lucrative field for local and out-of-town talent.

While Chrysler divisions never have been hefty users of entertainment for its guests and while other companies' previews of 1939 cars this fall will be sparse as heretofore, Chrysler stunt, nevertheless, looks numerous duplications in the future, at least since the innovation pleased the more basic newspapermen, who get pretty weary of press by the time they come around each fall.

Whether previews with little or no entertainment, may satisfy the bias auto dealers from every slick is improbable; but moguls of General Motors, Chrysler, and Ford may decide that a composite preview of all their various makes would be favorable to their various dealers. Which, if followed through, would about cut in half the potential market.

Especially hard pill to take would be if General Motors divisions, especially Chevrolet, were to combine for previews and dealer gatherings. Chevrolet annually spends a tidy sum for names for its reviews and dealer powwows in Detroit and elsewhere.

Combination previews among the independent auto producers would be impossible, but that fact is less heartening in view of the fact that these smaller companies have little to spend for entertainment anyway.

Hillebrand Writes Jazz Opera for Met Audition

Fred Hillebrand, vaudeville composer, has written an original jazz opera, 'Black Requiem,' which he'll audition at Edward Johnson, managing director of the Metropolitan opera house, in October. Opera calls for mixed black and white cast.

It's an 'American opera' in the sense it treats with the native Dixie background.

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AFA's Strike Call at N.Y. Strand Burns Bernie; Scorches Union's Tactics, Quits V.P., Council Posts

en Bernie did a burnup at the Strand on Broadway when representatives from the Actors Federation of America wanted to pull out the show on him Saturday afternoon (3), which resulted in the maestro (1) resigning from the AFA as vice-president, (2) resigning from its council, of which he is a member, (3) telling the union delegates that if they went through with their rash act he'd propagandize against the AFA through the length and breadth of the show business.

He was visited backstage by Harry Calkins, union organizer for the AFA, and Charles Hootson, a rival of the body, along with a 'collector,' who told Bernie, apologetically, that "You know it's time of your own doing, and besides you're a vice-president of AFA, but the council so decided."

Asked what the council decided, and why wasn't he, as a council member aware of it, he was finally told that the whysore of the strike had to be paid with a demand that the "Big Ladies" in a one-day show paid no rates to all actors.

Bernie said that all circuit theaters ought call for a one-day show a week, unless otherwise specified, which could mean up to five-a-day. If writers so desired, he said, it so happened that the opening week they did only 32 polices, and this was on Saturday and Monday (Labor Day) called for five-a-day, so the week's total is 30. In addition, any actor's union must honor all contracts, and that a written covenant between theatre and players always governs every booking.

AFA's Exception
The AFA reps then stated that they make an exception for Bernie's band, but that they had already notified the other acts—Harris and Shore, Art Frank, Betty Bruce, Sam McCabe and Eight Ladies in Blue—that a walkout would be called after the second show.

Whereupon Bernie burned. He pointed out that he was not a week ago, got the new bill members of the first WB bill that brought the Broadway Strand back to vaudeum to join the union; that he saw to it that acts like Harris and Shore, Art Frank and Betty Bruce each caught up \$12 net partnership dues; that the femme octet paid \$4 or \$5 net each, for the first year, and he gave \$35 minimum, which he gave above the \$35 minimum. It developed that

(Continued on page 44)

SELASSIE'S U. S. REP RAP'S ROSE'S OFFER

also E. Bayen, American representative of Haile Selassie, Ethiopian ruler, took blunt expression of the alleged offer of Billy Rose to Selassie in a story that he directed to the vaudeville-pageant picture. He particularly objected to publication of the story, and after offering him \$1,000 per week for appearing at the N. Y. move Fair, added, "That's not my time, these are tough times. Otherwise, I would soon you would see me again and when you drop it you might find a shoe-shine boy under it."

In his note Selassie's comments were worthy of Mussolini, alleging that he would degrade a king level of a girl, hence he said in part, "You would set up a king of ancient lineage as a buffoon to satisfy the idle curiosity and malice and pity of the common herd."

Hugh Herbert Set for K.C. Jubilesta, Vallee Hour

Hugh Herbert's been booked for two days of the Jubilesta, Kansas City, on his way back to the Coast from eastern personals. Down for Sept. 19-20.

Herbert closed a date at the Steel Pier, Atlantic City, Monday (5) and does a guest stint on the Rudy Vallee radio show tomorrow night (6).

STANLEY, PITTS, HAS BIG ACT LINEUP

Lauching of Ben Berni's new network show first of next month has brought cancellation of maestro's stage date at Strand week of Sept. 30. Spot still to be filled but otherwise WB deluxer booked solid for fresh through middle of October.

Patty Martin ore current and will be followed Friday (8) by Schnitz Fritz band, ZaSu Pitts and Samuels Bros. Also pencilled in for this show is Brian McDonald, local fave, who has been conducting amateur hour every Sunday over WJAS for a jewelry firm for last three years. He'll m.c. Week of Sept. 23 brings in Ray Kiser at more than three times his asking price of \$2,500 when he played William Penn hotel here only two years ago. Freddie Bartholomew makes a personal Oct. 7 and on his heels comes Chick Webb for his first visit to Stanley along with Ella Fitzgerald.

Brother Sues Dan Healy After Smash-Up in Auto

Dan Healy and his crooning brother, Frank, are nearly as attached to each other as Siamese twins, but the latter is suing the former for \$50,000 as the result of alleged injuries in an auto smash-up near Saratoga last month. Explained that the action is coupled with one against an insurance company. Also in the car, owned by Dan Healy, were Arthur Sullivan, formerly vaudeville, and Harry Hayes, Albany resator, but they weren't seriously hurt.

Healy will stage the new Cotton Club (N. Y.) show, which will open soon at the Cab Calloway. His stay at the Oaks, Saratoga, was curtailed because the show was cut due to gambling stage shows for one day, appeared as an entertainer at Cherry's in the resort town.

Stays Straight Fims

Alliance O. Sept. 6, Columbia here, which in former years has played stage units Thursdays and Fridays and now maintains a straight film policy, for the time being, at least. Ray S. Wallace, managing director, has announced that the house will continue film policy for the next several weeks, but will play worthwhile stage shows for one day, and perhaps an occasional unit about, after the middle of October. Columbia here all summer, recently was reopened.

COMEBACK NEEDS GOOD-OF CHANS

Circuits Await Line on Coming Films Before Going for Personal Wh Wh Progress of B'way Strand to Ascertain Feasibility

CRY FOR HYPO

Vaude 'revival' talk is growing and on a national scale. Reports from scattered sections of the country indicate a definite swing towards stage shows with coming of cooler weather.

As in the past, no vaudeville 'comeback' will be possible or probable unless the major circuits themselves take an important part. Thus far the chains, while a month or so ago admitting a dire need for a b.o. hypo, have decided to wait a while longer in order to get a better line on the forthcoming picture product. But the underlying need is there, and only a stimulus is needed to bring it to the surface.

A general hypothesis of the circuits may well be the success of the Strand, on Broadway, which, after years with straight picture business, has turned to vaude (Ben Berni) policy Aug. 26. Warners, which operates the house, Loew's and RKO are studying this situation very closely. Outcome may be that WB will extend the policy to other cities—Stamford by Jersey City, and Moscow, New York, for instance. Loew's is primarily concerned of its own line on 42nd street, on Broadway. Questionable that this house can offstand the competition on the Strand.

Opinion within Loew's is that the de luxe will resume stage shows by winter. RKO's interest in the Strand and its grosses with stage shows is only natural. Since the leading vaude circuit, RKO has lost rank. The RKO tag on vaude, however, could and would still mean plenty to theatre-goers all over the country. In July this circuit was steamed up plenty about live entertainment to bolster skidding biz. Its plans for several key situations may well hang on how straight biz continues to pick up. So far as the Palace, on Broadway, is concerned, the circuit appears definitely non-vau-deville-minded. Point to the State, with its much larger seating capacity, plus now the Strand, Paramount and RKO, too, much de luxe competition for the 1,700-seater to overcome.

Underlying reason for all this vaude 'revival' talk is possibly the

(Continued on page 44)

Modified Vaudefilm Back in S.W. As Byron Moore Takes Charge

Oklahoma City, Sept. 6. Byron F. Moore, former Warner Bros. theatre head in N. Y. City, pulled into Oklahoma City last week to take the helm of Standard Theatre (WB-Farmount-City) and promises to bring back a modified stage show program at either the Criterion or Midwestern. Policy of reopening the Empress and Polly, two theatre houses, and one new stage, the dark days of the "third new deal" W. B. Shuttice, former manager of a single director, will remain as Moore's assistant. Shuttice discontinued stage shows in 1934, but with Earl W. Trickett (WB) pulling only \$2,700 a week earlier, Count Ben Vici and "Man Proof" (M-G) accounted for \$8,100 Jan. 1938. Bowes' aims with "Paradise for Three" (M-G) got \$6,200 Feb. 19 of this year. This was the last stage show presented at the Criterion under Shuttice's management.

Union Demands Styhme Operands Of Indie Vaudeville, Aver Bookers; Houses Ask Trial at Lower Scales

Palmer, H'wood Doubles Signed for Yank Vaude

Nat Kalchheim, of the William Morris office, has signed Gaston Palmer, European juggler, for U. S. work. He opens in Washington, Sept. 30.

Hollywood Doubles, troupe of American screen star doubles, which sailed a couple months ago from New York, also are paced. No dates have been set for latter yet, however.

FT. WORTH CASH SEEKS '39 FUNDS

Directors of Casa Manana here will attempt to raise by Oct. 1 enough money to insure at least a six-week show for 1939, planned to open June 30 and running through Labor Day.

William Morris, of America, which staged the show this year, not only did not call upon the Casa Manana Assn. for any of the \$30,000 deposited in escrow, but turned back to it a net profit of \$2,000. The Assn. raised about \$51,000, including the \$35,000 guarantee for MCA. About \$20,000 was spent to put the show properties in shape.

William Morris, Assn. president, said the 100 firms and individuals who subscribed the \$51,000, will get from 60 to 65% of their money back.

After the guarantee funds for the 1937 show is raised, directors will consider propositions of MCA or some other organization to produce the 1938 show. Contracts for the show due to be signed not later than Nov. 1, so plenty of time for advertising and booking will be allowed.

Wasserman, of MCA, announced that Casa Manana grossed less some \$7,200 in taxes, about \$88,000 during its 30-day run. Total cost of production was about \$70,000. Biggest item was \$42,000 for entertainers.

Consensus of the indie bookers indicates that there would be more vaude weeks than actors this coming season if the unions could be brought to the theatre operators' terms. Nearly all of the unaffiliated show buyers claim that theatre owners are apparently more receptive to stage shows now than the past eight years, but stymied by the high cost of operation due to demands from both the stagehands and musician unions.

In regards to the indie theatre operators' vaude plans, the question of picture product quality doesn't figure into vaude to wit: a low union scale for, say, eight weeks, during which time the theatre's profits or losses would determine the future labor costs.

Drews Invest
One of the indie booking offices, Al and Belle Dow, is buying into Al to insure itself this coming season. Dow says that if he comes financially interested in the State, Indiana, which resurre vaude Thursday (1) with the Ozie Nelson orchestra-Harriet Hilliard band in some of the houses, this house will have a flexible policy, playing vaude as many days as it can. For instance, Nelson-Hilliard are in for six days, then Sophie Tucker follows for four. Future bookings are for four days, then Paul Whiteman and a full-week spotting of the Chick Webb orchestra.

Otherwise, the indie time that looks very much like last year's. In quality as well as quantity. This takes in some of the Harris, Dow and Arthur Fisher offices.

Indie time includes Hippodrome

(Continued on page 44)

HEIDT SETS NEW BAND VAUDE MARK IN INDPL.

Indianapolis, Sept. 6. Horace Heidt's orchestra established an all-time vaudeville mark for bands at the vaudeville Lyric for the seven days ending Thursday (1). Heidt drew 63,129 during the week's stand, shattering the former record of 60,100 set by the Lyric band. New gross record is \$18,400 and Horne's old mark was \$16,300. Heidt's new record put him on a par with Harris' old \$15,000.

The Lyric, which has played virtually all the touring name bands during the season, has a new band, which is operated independently by Charles M. Olson, with Ted Nicholas as manager. To accommodate the overflow, Olson had 'em going on stage and in the orchestra pit.

Jan. Garber's orchestra, the Schnitzkefrantz Band, Gene Krupa's band and the Paul Whiteman's crew are on the lineup of coming bands booked to play the house in successive weeks, opening Friday (9).

Horace Heidt's orchestra is set for the N. Y. Strand, Oct. 14; returns to the Billboard more, N. Y. Dec. 1 or later. Heidt's new record put him on a par with Harris' old \$15,000.

Irked by 'Inaccurate' Assertions At Dies Probe, Hallie Flanagan Askes Back at 'Failure to Permit Defense'

Washington, Sept. 6. Because she's irked by "inaccurate and misleading" assertions, Hallie Flanagan, boss of the Works Progress Administration's theatrical ventures, asked last week why no Federal Theatre Project spokesman has been invited to discuss the charges that reds are active in the Government drama ventures and the plays are communist propaganda.

In an open letter to Chairman Martin Dies, Mrs. Flanagan explained she offered to testify at the Government inquiry when the first attack occurred but has not been taken up by the opposition. She declined the offer, she complained, defending the purity of the drama which Uncle Sam funds.

Reading repeated complaints, FTP head recalled her communication that the National Policy Board was ready to be quizzed and pointedly remarked that "in the course of the month since I wrote to you no person connected with the direction of the FTP has been called to testify," though the board was in session during August.

As an example of the inaccurate and misleading statements made concerning the project, I wish to cite the charges attributed to Congressman Thomas of your committee in newspapers of Sept. 1," she wrote. "Regulations duly issued pursuant to the Federal Theatre Project Act do not actually appear at work on a project, therefore we could not pay any employees to appear in Washington as witnesses. As evidence of the fact that we had no desire to penalize those on the project as a result of their testimony, this is the regular procedure in all such cases."

Mrs. Flanagan made plain she wants to talk but also expects a formal bid.

ROLLS GETS 2 MORE SHOWS FOR AUSSIE

Option for the Australian rights to "She Loves Me Not" and "On Your Toes" have been acquired by Ernest C. Rolls for Australia-New Zealand Theatres, Ltd., and negotiations are on for "Idiot's Delight."

Other Broadway shows previously bought include "I Married an Angel," "The Women" and "On Borrowed Time." Principals for the shows are being recruited in New York and the balance will be cast in Australia.

Indict 3 WPA B. O. Workers in Fraud Plot

Three box office employees formerly connected with the WPA circuit who have been playing near New York have been indicted on charges of conspiracy to embezzle. Those named are Abe Halle, supervisor; Joseph Specter, ticket-taker; and Joseph Harris, ticket-taker. Re-leased under bail of \$500 each.

WPA snappers contend that tickets were palmed by Harris and rescold. The men declared, however, that they are the victims of a dishonest WPA investigator, and state that no evidence has been secured against them. Besides, they said, the charges are accused others in the WPA managers and treasurers division, but those charges were not substantiated.

\$225,000 ASHEVILLE AUD
Asheville, S. C., Sept. 6. New \$225,000 auditorium slated for Asheville to include a stage, stage shows, opera, musicals, etc., will be started soon with PWA donating \$102,272.

Marshall Signs for Lead In Show; Air, P.A. Offers

The Shuberts have named Everett Marshall for the lead in Broadway revival of Franz Schubert's perennial "Blossom Time." Show is tentatively scheduled to open on the road late this month and come into New York sometime in December.

Singer held off on signing the contract due to offers from Elliott Roosevelt for a commercial on the latter's southwestern radio wave. Now figuring a way of airing the singer from the show hits and piping it south. Nothing concrete yet. However, Interslate gave p.a.'s were offered Marshall as sideline to radio job, but will probably be nixed.

TICKET CODE TO BE EFFECTIVE NEXT WEEK

Code of fair practices, the new ticket control plan, is not going into effect until next week, but is now slated to become operative with the arrival of the season's first show next week. A meeting of the ticketing managers' league's board will be held today (Wednesday) to iron out some points raised by ticket agents. Latter will then be asked to a special meeting for the purpose of signing the stipulations which are in the code.

The brokers filed objections to the code in general and sought a number of changes. They were told, however, that the only way changes could be made was by agreement between the managers' league and Equity and that there was little likelihood of getting action before the system was actually in operation.

Principal objection arose over the requirement to file bonds, brokers saying the provision is a hardship. Understood they were assured that the bond would lower the amount of the bonds.

Agency people also objected to the per ticket fee, which they felt was too high. They were told, however, that the coin from that source will be used to police the agencies. Reported too, that the tax collector proposes to watch the theatre box office, following claims from the federal men that the admission tax was not fully paid by a number of brokers. Later still the law is indubitable because it calls for a "tax upon a tax." Government seeking 80c on tickets sold at \$5.50, instead of the straight 10% levy.

Known to some managers object to the code on general principle, but they're in the minority. Under the League's new constitution such proposals must be approved by 75% of the members with the union, they resign from the manager organization.

Robert Morley in N. Y. As Lead for 'Oscar Wilde'

Robert Morley, English legit player, arrived in New York Monday (5) to begin a performance in "Oscar Wilde," which Norman Marshall plans to open Oct. 10 on Broadway. "Play" was tried out in London and Paris.

HANLEY SCORES 'CAT'S'

James F. Hanley is setting a score to the Earl's libretto, "The Cat's Away." Book musical deals with swing music

Heavy Tourism Must Deflect Best, Efficiently on Times Square Theatres, Niteries, Etc.—But for Hotels Being Turned Down in Prospect of Banner Season

IGGER SHOWS

Broadway is really getting steamed up over what the World's Fair in 1939 will mean for show biz and the hotels. The latter are cueing the legit, because any number of bids for hotels have been turned down late. There are instances where among the hoteliers of a \$1,000,000 profit to dispose of an inn, but with the influx of tourists the next two years—because 1940 should be also big—none is interested. Broadway legit managers are particularly pointing for the 1939-40

New season on Broadway is bringing an unprecedented percentage of elaborate and costly productions. That is attested by the leading scene designers and costumers and borne out by a cursory survey of the advance production list.

Although the number of productions scheduled is around the level of recent seasons, the percentage of lavish shows is above normal, with more musicals, ambitious revivals and elaborate costume productions being listed. This season than have been played in years. Advance list shows 14 musicals on the way and at least eight costume productions, or other straight productions, that are expected to run into heavy costs. These do not include moderate-sized but expensive straight plays. Nor does it cover WPA shows.

Among the musicals on the way are "Sing Out the News," "Knickerbocker Holiday," "You Never Know," "Hell's a-Boogie," "Clear All Wires," "Great Lady," "The Boys From Syracuse," "Swing to the Left," "Knights of Song," the Irving Berlin revue, "Blackbirds," "Ring in the New Year," "The Merry Widow" and the Vincente Minnelli show.

Straight plays, both costume revivals and major new productions, include the Maurice Evans "Hamlet," the Mercury's "Five Kings," "The Fabulous Invalid" (which is big Equity is granting it an extra production), "The Sign of the Cross," the Philip Dunhill plays of "Great Scenes from Great Plays," "Madame Capet," "There's a Boy in the Girls' Herod and Miriamne" and "Mamba's

(Continued on page 50)

George M. Cohan to Open 2d Parley of ATC Next Week; Seek Permanency

George M. Cohan will deliver the address of welcome at the opening of the season on September 10 at the American Theatre Council, Tuesday and Wednesday (12-14) at the Hotel Astor. There will be a special representation from out-of-town, but the sessions will not be as populous as last year's.

Stated that the principal purpose of the convention will be to establish a permanent organization, the General idea of the ATC was that it was to work for the welfare of the theatre, but to date it has been a skeleton organization.

First luncheon Tuesday (13) will be devoted to the proposed drafts, with Brock Pemberton presiding. Speakers will include James J. Bracken, on a permanent basis; Fred Lutud and Fred Marshall for the scenic artists, and Sherwood for the dramatists.

Warren Hymer to Play In Father's Strawhat

Skowhegan, Me., Sept. 6. Warren Hymer, here from Hollywood, will play the title role in "The Land of Honey," new play written by his father, John B. Hymer. Owen Davis will co-produce. Opening scheduled for Sept. 12.

Playwright Hymer has been in Hollywood since 1935 working on film scripts.

Vroom Quits as TMAAT Chief; Green Selects Him, Browne, Weber And Gerber to Iron Out Group's Snags

Now, That's That

Town recorder at Kenosha, Wis., has grown so annoyed at repeated inquiries from metropolitan newspapers as to the actual birth date of Orson Welles that he's given a standard reply to the local telephone office, to be sent collect. Welles is said to be 32, but that statement has been frequently questioned, as he looks considerably older.

Until the inquiries began arriving the Kenosha official hadn't even heard of Welles. However, he looked up the town records and found that a boy of that name was born there 23 years ago.

JESSEL, HARRIS TO DO 'TOWN' IN LONDON

George Jessel will do "Ours Town" in London, in association with Ted Harris. This is in addition to Jessel's other production plans with Alex Yoke.

Another venture that will keep the actor-producer in New York for some time is the Little Old New York convention he's just signed for at the 1938 World's Fair in N. Y.

"All I need now is a quarter of a million to go through with it," says Jessel, who, otherwise, has been formally approved. Concession is a replica of the old Haymarket, Tom Sawyer's saloon, Steve Brodie, Jack Connors, etc.

Jessel got back from London with his wife, Norma Talmadge, last week.

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Family 'Soliloquy'

Los Angeles, Sept. 6. Helen Craig gets the femme role opposite her husband, John Beal, in "Helen Craig Gets the Soliloquy."

"Helen" opens here early next month with Horace Clifton, John Capron and H. M. Rappaport producing.

Hollywood, Sept. 6. Eve Green, Paramount actress, leaves for New York this week with the manuscript of "Happily Ever After," a short story she wrote by herself and Frank Dolan. "Piece is slated for Broadway."

line it set for the committee appeared to draft, the revised constitution of the Theatrical Agents, Agents and Treasurers union has been exceeded but the report may be ready this week. Meanwhile, Lodewick Vroom, who was drafted to head the organization, has resigned for his outside press agent activity.

During his incumbency, first as executive secretary with powers over the board, the basic agreement with the managers was worked out and signed. Since then, TMAAT has been in the hands of other unions and then discovered that it had no coin left in the treasury. That caused a row among the membership but it's hoped that the new constitution and bylaws will satisfy the several factions in TMAAT.

Vroom was supposed to compensated as a regular employee but it was necessary to slice his TMAAT stipend to \$75 weekly, which is half the minimum set forth for press agents in the basic agreement. Heaved that the money angle figured in Vroom's decision to withdraw as active head of the union, with Saul Alinsky as interim president, stepping in as successor until the annual election 80 days after the new constitution is ratified. George Ashby has been elevated to vice president, while Jimmy Murphy is now president.

Pre's resignation was rejected at first but he is withdrawing, although he'll not cease his activities with TMAAT. He's on a committee with William Green, head of the American Federation of Labor, to work out the problems of the union, but that with the procedure by AFL is not unusual, although not known to have been followed. (Continued on page 50)

'Shadow' in Last 4 Wks., Slated for Road Tour

"Shadow and Substance," one of last season's prize-winning plays, is in its last four weeks on Broadway, important being due to move from the Golden to the Plymouth Monday (12) for the final four weeks. It will open road tour Oct. 3 in Montreal, after Toronto to take a show then en route to Boston for a run.

Victor Leighton, former booker for Kite & Erlanger, will go to advance the show. He'll be in the theatre four weeks, with Howard Herrick two weeks ahead. Harry Benson will also be in the theatre with the actor-manager's enterprises in New York.

Doubling's first presentation of the new season will be "Madame Capet," which will star Eva Le Gallienne. "Shadow" was during the first week show in reasons, Lee Shubert having a 50% interest, but the former having full say as to management.

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News From the Dailies

This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Los Angeles, San Francisco, Hollywood and London. Varsity will not credit for these news items; each has been rewritten from a daily paper.

East

Peaches Browning faces a cutdown of her legacy from Diddy Browning. Her father recommended she be held to one-third the rental value of the real estate of her father, some of it unimproved.

Missouri Legend is Gubrie McKeen's latest for the former Legend, "Split the ind," "American Sags," etc.

Emily Ringling, widow of the circus tycoon, took another slap from Florida court last week. Refused a reopening of her suit to void the divorce on the grounds the two witnesses she alleges should have been brought into court before the divorce was made permanent.

Abe Halle, Julius Speeter and Joseph Harris, of the WPA circus, are to jail in default of \$100,000 bail. Sept. 8 on charges of ticket fraud. Arraigned last night in New York.

British officials took Mr. Mix's gun away from him last week at Plymouth last week. He didn't carry a license, but he didn't get them back after he applied for permits to import eight shot pistols and five.

Robert E. Thomas, Hollywood actor, the contents of his will, the late May Vay, attended her funeral services in New York.

Bruno Varet to conduct a symphony concert in New York. The assembly hall Friday for the benefit of the National Red Cross. Mrs. Morris, who was the first to donate.

Dorothy McGuire replacing Martha Corbin in "Our Town." She is substituting since Miss Scott's illness, but her own recent engagement.

Warren E. Russell, Actors Fund, as equal for the right to work. Benefit any of the week. Rule now is that any person running 100 miles a week for a benefit. He points out States Relief Fund not similarly handicapped.

Columbia Pictures are to special showing in their projection room. Can't take it. The picture is a new line case jury last week.

John Warner, who died in Sweden, Aug. 6, cremated in Stockholm Aug. 20. Services had been delayed pending the return of his widow from Hollywood.

Lamont and **James Ruff** presented to the Prospect Park Zoo last week. The two seals used in "Spawn of the South," with the presentation a plug for the picture.

Last week police dropped 707 shot pistols, two machine guns, 1,718 rifles and 96,888 submachine guns on Long Island. The 1,718 rifles and 96,888 submachine guns were cleared of contraband.

James Paskovitch, found for alleged killing of Clark Gable, was sentenced to the grand jury returns to find him bill on evidence of forgery.

RKO 8th Street offering free show last Thursday. Just a different show dropped in at 4:30 p.m. of the usual late hour visits. Constance Bennett and 100 other stars.

Top chips one grand Mrs. Constance Drake held in \$50 bail for general appearance in court with assaulting the officer who was assaulting Norma Shearer from Mad. So. Garden.

She explains she was knocked down by the crowd press on Wednesday. She may have accidentally hit the woman, who remained in the hospital.

Hilda, the Prospect Park Zoo elephant, shows, into a 20-foot moat by her mate, burned to death last week. An effort was made to raise him off her feet with a crane and chain broke.

Charles Flagstad back from Honolulu and four soaked \$800 fine for traveling between 10 and 20 miles foreign land. It's an old law and has been involved.

Carlyle Bennett, theater and Wesley Bolton, actor, at the New York port. Conn. charged with larceny of valuables from a house they once occupied. Police say they were admitted removing antiques and other valuables. Valued at about \$20,000 and \$4,000.

V. Grand jury in a beauty and pet to advise women. The Duchess of Arundel, who'll put in the news in the near future.

ing an exhibition jump. Apparently she could the wife and two children were watching the jump, dropped 2,000 feet.

road "What a Life", which opened in Boston Monday, gave both the film and the book a good word, spelling the regular company.

list of those planning series of one actors. Will stage the Broadway Musical "The Day After Tomorrow" at the RKO studio.

Monday used a box Saturday. They put on a good show. They day bridge to the RKO's stage last Saturday when it would the bridge was setting.

First and second prizes in Legion drum corps contest at N. Y. State Fair went to Syracuse. Taps was Sons of the Polish American Veterans, with Sons of the Legion ranking.

Edward Neville, stage hand at the Manhattan Hotel, was shot in the head, came back to the theatre, and died in the police. He was nabbed back of the theatre while the police were looking for him.

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MARRIAGES

Gertrude Killian to William B. Marvin, in New York, Aug. 27, He married March 2 of this year.

Guenevere Shelton to Ray Cox in Nashua, N. H., Aug. 27. Bride is former singer over KKK, Hollywood. KKK, Hollywood. C. H. Varsity will not credit for these news items; each has been rewritten from a daily paper.

Ethel Sommers to Gene Seymour, radio copy writer, Sept. 4, in Los Angeles.

Ro Saraphine to Joseph Chasin in Los Angeles, Sept. 4. He is a partner of Warner Bros. New York.

Ethel M. Sullivan to Edmund W. Kibbey in New York, Sept. 3. He is in Warner Bros. art department New York.

Allice Cheng to Jack Ruggiero in Los Angeles, Sept. 3. He's film editor at Metro.

Minnie Cutler to Andre Gottesman in Allentown, Pa., Sept. 4. He is a radio City's symphony.

Elizabeth Wilda, screen actress, to Arthur M. Wilda, assistant director, Sept. 4, in Yuma.

B'way-Pix Accord

(Continued from page 1)

week reversed its stand and accepted an invite. Robert Sherwood, Oscar Grey, and several other members of the Guild agreed to accept.

Don't Need H'w Help. In general, the attitude of the Guild toward Hollywood financing is mostly lukewarm. It would like the production code it is now in the film business help. The proposed \$2,000,000 production fund is figured as a good thing.

Only Krupa at Wannamaker's. The Guild is not in the picture to the display of adolescent. The Guild of players from "The Lost City" is not in the picture.

Understand that Y. being done over. All seats will be up-to-date. The white and crystal decorative scheme.

Venita Yarden, stage and film actress, awarded divorce from Jack Yarden, in L. A. Aug. 27.

Mary Lane, screen star, settled \$50,000 damage out of court in Los Angeles. She had been injured in a motor crash.

Income tax liens filed against members of the Hollywood colony listed Edwin Carere as owing \$22,327 for 1930; Jules Furber, \$2,495 for 1927; Harry Lancham, \$345 for 1928; and Ryan Fox \$227 for 1925.

Mr. N. Smith, former movie producer, Beverly Floyd Murray, actress, and his wife, who are on the National Titled Pictures, were charged for \$150 and went back to Memphis.

Hearing was set for Sept. 8 on federal complaint. Edward W. Overdorf, of Hollywood, National Titled Pictures Corp., was charged with selling stock without a permit.

George Donald Smith, former sound recorder convicted of forgery, was charged with selling stock without a permit.

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OBITUARIES

WALDEMAN YOUNG

Waldeman Young, 60, screen writer and former newspaperman, died Aug. 30, in Hollywood Hospital after an attack of pneumonia. Since 1917 he had been one of the best known film scribes, writing or collaborating on such pictures as "The Sign of the Cross," "The Miracle Man," "Love Me Tonight," "The Sign of the Cross," "Mentor," "The Sign of the Cross," "The Crusaders," "The Plainman," and "Test Pilot."

Graduated of Brigham Young, he was born in Salt Lake City, studied at Stanford and wrote a column in the Los Angeles Times. He died in the Pacific Coast. Since 1917 he had been one of the best known film scribes, writing or collaborating on such pictures as "The Sign of the Cross," "The Miracle Man," "Love Me Tonight," "The Sign of the Cross," "Mentor," "The Sign of the Cross," "The Crusaders," "The Plainman," and "Test Pilot."

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ELIZABETH MILLS

Florence Miller, known professionally as Elizabeth Mills, reportedly died in Fayette, O., after a lingering illness.

She was the widow of Ed Mills, character man. Surviving is a son, Orlando Miller, known with the Norma Givnall Dramatic text. Burial was in Chillicothe, O.

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BIRTHS

Mr. and Mrs. Richard Santel, son, in Washington, Aug. 29. Father is manager at Columbia.

Mr. and Mrs. Alfred Fisher, daughter, in Los Angeles, Aug. 29. Father is assistant director at RKO.

Mr. and Mrs. Irving Salkow, daughter, in New York, Aug. 29. Father is screen and radio writer of Detroit Free Press.

Mr. and Mrs. Myron Blank, son, in Des Moines, Aug. 28. Father is associated with his father, A. H. Blank, in the production of Tri-State pictures.

Mr. and Mrs. Richard Kahn, daughter, in Los Angeles, Aug. 28. Father is operator of Regent theatre in that town.

Mr. and Mrs. Alfred Santel, son, in Hollywood, Sept. 2. Mother is the former Jane Keithley, film player; father is film director.

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NOW, Week September 2, Chicago Theatre, Chicago.

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56 PAGES

MOVIE OVERLAP

RADIO-PIX 'WAR'; N.A.B.'S PEEVE

Theatre Men Not Particularly Concerned If National Ass'n of Broadcasters Should Influence the Cutting Down of Hollywoodiana on the Radio

FILMS STAND PAT

Under-sure forces of independent theatre opinion are guiding the management of the Motion Pictures Are Your Greatest Entertainment campaign in the stand-pat policy of passing up paid radio advertising as a medium of film industry exploitation. Efforts of broadcasting interests to crack the \$100,000 campaign war chest and obtain an appropriation for station commercials are unavailing. If radio's veiled threats of reprisals, because of the snub result in curtailment of aired film publicity, it's going to be all right from the theatre man's viewpoint. In fact, he'd like it.

Ed Kirby, director of public relations of the National Association of Broadcasters, has stated radio's anaesthetic attitude towards the film industry's united campaign. "Picture people," he says, "may expect very little free publicity support in view of the omission of paid broadcasting. For the moment, checkup reveals no curtailment of free film news and chatter on the air-lines. Whether punitive action will be taken later (Continued on page 4, col. 3)

M-G WILL TRY WALTZ REVIVAL

Intermittent attempts to bring back the waltz to its former stage of dance popularity have resulted in considerable progress. But Metro, in cooperation with its music publishing subsidiaries, hope, to finally put it over the top as part of the preliminary campaign attendant to its forthcoming release of "The Great Waltz." However, instead of employing the immortal "Blue Danube Waltz" as the theme, another Strauss air is the basis of the film operetta's score, titled "One Day When a Were Younger," which Oscar Hammerstein II wrote for an arrangement by Dimitri Tiomkin which scored the Metro picture.

Waltz is the elder Strauss who halfheartedly went in advance of the film's release, to point up the waltz's weaknesses of the time. In efforts of course, will become the dominant theme music, with the waltz, the picture's title, the classic music subject.

U. S. Brushoff?

Because American picture company officials feel that they again were given the brushoff by judges at the Venice International Picture exposition this year, there is growing talk of ignoring the exposition next year. Award for outstanding film went to the German industry's newswall elips in the Olympic games.

Snow White (RKO) set up by the judges. Despite promises that this year the judging would be different, American officials claim it still remains entirely politics backlashing.

PAR IN MIDDLE OF DUCE'S BEEF OVER 'ARMS'

Washington, Sept. 13. Hope of a satisfactory adjustment of complaint against proposed redistribution of "Farewell to Arms" was given here last week by Italian Embassy, following disclosure Mussolini is seeking to keep the Paramount flicker in the vaults.

Confirmation of reports that Rome ordered protest filed with the company was given by a diplomatic officer, who described the matter as "very delicate." Ducked the rumor that Par's quota will be cited by Italian authorities unless the pic is materially revised before revival. State Department has no official information, since the Embassy went direct to the company.

Paris, Sept. 13. Now, Italy's racial laws are going to cut both ways here: refugees are going to be a new headache as excess labor, but one of them will also bring in money and brains, and it is expected they will tend to strengthen French film production.

HUGE AUDITORIUMS NEW TREND IN EAST

Cohan, Sherwood See Best Legit Season in Years

"The way to get the road back," said George M. Cohan, keynote speaker yesterday (Tuesday) at the second national convention of the legitimate theatre, under the auspices of the American Theatre Council, "is to get back on the road." Thereupon, some 30 delegates to the meeting, which is being held at the Hotel Astor, New York, applauded enthusiastically and entered with great seriousness into a today program of discussions with no other purpose in mind than to decide ways and means to "get back." Convention will end its sessions tonight.

To spur the delegates, representative of all branches of the legitimate theatre, to the proposition that a great audience for legit attractions exists throughout America, Mr. Cohan and the other speakers tossed (Continued on page 5)

RADIO SERIAL BEATS DRUMS FOR THE G.O.P.

Des Moines, Sept. 13. For the first time in the history of broadcast politics in Iowa, there will be a regular five-week quarter-hour schedule of programs eight weeks before election day. And, instead of political speeches, a serial drama, "The Park Family," will tell the Republicans' story.

Series originates at KMA, Shenandoah, Iowa, and will be heard over KSO, WMT and KMA, Mondays through Fridays. First show goes on today (Tues.).

Dartmouth as The Salzburg of America

Annual summer drama festival at Hanover, N. H., is planned by the Dramatists Guild, in association with Dartmouth College. Program is still fairly nebulous, but the Guild hopes will direct the project and hopes to make it a distinctly American venture, gradually developing into a Salzburg of the U. S.

Project has been approved by Dartmouth's board of trustees. Hopkins, president of the college, and by the Guild council. Plans for a \$100,000 fund have been adopted and accepted and work will begin upon completion of a drive for funds. The first festival will be held in 1940. Austin Keen, vice-president of Dartmouth, is also an alumnus of the committee raising \$12,000.

According to plans, there will be a one-night theatre play, with its playhouse and a full-length work. Idea is that the (Continued on page 5)

The Convincer

Pittsburgh, Sept. 13. Grassland Rice, Joe Williams and Paul McClellan have all called Sol Goldberg, indie exhibitor from Elkins, W. Va., and father of Marshall Goldberg, University of Pittsburgh's All-American back, the "nation's No. 1 football fan." Last week, Goldberg, pere, presided over a luncheon at the Manos chain. Said it would interfere with his following of the team this season to see Goldberg, filis, in action.

STUDIOS GUARD VS. LEGION RUSH

Hollywood, Sept. 13. Film studios are putting on pre-emptive campaign for the American Legion invasion, scheduled for next week. At Warners, where the execs have been named as picture industry's official hosts to the Legion, a program including a parade through the lots and a luncheon for visiting officials has been arranged. More than 15,000 Legionnaires and their families will be entertained. Meanwhile, Paramount is hiring 50 extra yard cops, and other lots are reinforcing their police forces. In case the boys put on a gate-crashing drive.

ANOTHER SPITALNY MAESTRO—JIMMY, 14

Pittsburgh, Sept. 13. Music still runs in the Spitalny family. Fourteen-year-old Jimmy Spitalny, son of Maurice Spitalny, director of KDKA's staff orch, and a nephew of Phil and It. Leopold Spitalny, has crashed his father's racket, organizing a kid band of his own for a half-hour broadcast over KDKA every Saturday morning. Younger Spitalny has been whipping his outfit into shape for several weeks, with George Holt and Armand Nabiv, also youngsters, as featured vocalists.

Dry's Film Campaign Via '10 Nights in Bar Room'

Detroit, Sept. 13. Anti-Saloon League of America will carry its temperance campaign before the nation through a film of that venue, "Ten Nights in a Bar Room." Satisfied that the dry movement is gaining momentum again, league leaders hope plans to screen the film in every town throughout the country in an effort to build from the ground up.

HEAVY BALLY VIA RADIO AND PRESS

32 Accredited Radio Commentators in H'wood—Besides, Vast Press Army Floods the World with Possibly Too Much Film Chatter

RADIO-PRESS ANALYSES

Hollywood, Sept. 13. That old film vs. radio issue which has been sleeping quietly in the wide, open spaces which separate the new CBS broadcasting plant and the nearly completed NBC Radio City, is stirring again. But it's all right with the picture industry, which feels that maybe—between the flood of Hollywood press matter, plus the flock of film chatterers on the air—it's been overdoing a good thing. There can be such a thing as "too much publicity."

Threatened clipping of broadcasting time devoted to films and film-filts is disturbing news to the recently created coterie of commentators, interviewers and air gossipers who spread film propaganda, for better or for worse, over the airwaves and into the homes.

There are 32 accredited radio commentators and news reporters who possess official cards of admission as such issued by the Hays office. These cards open the doors of the studio publicity offices, giving the bearers access to the sources of news. (Continued on page 4, col. 4)

SECRET SERVICE HAS NO COLOR

Radio Project of the WPA has abandoned planned series on the operations of the U. S. Secret Service, which it was to present on NBC facilities. Attorney General's office has so honored materials that the project no longer sees value in them, it's stated.

Project was first and any one to get into the office before being aired, the archives of rare histories on counterintelligence, etc. Previous to that time Uncle Sam never any of his secrets. WPA writers had compiled two scripts before matter was dropped.

Provision of okay had, it that scripts must be shown to the Department of Defense before being aired. When bosses got through with blue-penciling, scripts were devoid of any color, it is claimed, and hence dropped.

Neither Silverstone nor Schaefer are members of the board. Attendees at the meeting were James Mulvey, William S. McKay, Charles Schwartz, Dennis F. O'Brien, Edward C. Rafferty and Emanuel Silverstone. Not all are directors of the company. Mary Pickford, who was to have been present, did not attend.

It is understood that included in Silverstone's report was a survey of a simplified operating plan for the company which has been put into operation in the firm with his assistance. The company's annual shareholders' meeting is scheduled for November.

LM AIRERS

Hammons, Alperson and Skirball Go West to Get GN's Prod. Rolling

Hollywood, Sept. 13
Duck hunters from the studios
are warned by a sign:
'Don't Shoot Till It Moves.
It Might Be a WPA Worker.'

Following preli inary huddles in the east, during which stories owned by E. W. Hammons as well as those controlled by Grand National were discussed, Edward L. Alperson flew west Friday (9), to be joined later by Hammons and Jack H. Skirball for purpose of immediately setting up initial (1938-39) program for the newly organized GN. The schedule will contain at least 30 features but probably not more than 40, under advance plans. Skirball left Monday (12) by train and Hammons leaves tomorrow (Thursday).

Plans for a ban on film stars who are also featured on the radio are underway in upstate New York today following special sessions held by the Allied Theatre Owners of New York, Inc. More than 300 independent exhibitors who are members of the association went on record opposing appearances of film actors on the airwaves, charging that such radio programs are cutting heavily into their business. They are now trying to line up some kind of support for a direct appeal to major studios to ban players from the radio.

Lead in the battle was taken by Max A. Cohen of New York, president of the Allied Theatre Owners. His attack on such stars as Judy Benny, who receives substantial income from both films and radio, stole the limelight at the meeting here, called to discuss the role of independents in the U. S. anti-trust suit against the major companies.

Cohen charged that broadcasts featuring film stars, particularly during evening hours, definitely cut theatre attendance.

Top coin for a name player is still pegged at \$5,000 a guest shot. Jackie Benny, now a definite picture personality, still nets himself around \$12,000 a week, and there are others nicking the sponsorial hand-outs for equally important whereabouts. But the solo price tag hasn't exceeded that figure. Top agency buyers, long on the ground here, have kept the coin within bounds despite efforts of newcomers to step it up to spare themselves a shoving around in the bargaining

How It's Passed Out
Coin will be delegated in these portions: \$5,000 class, 10 players; \$3,500 to \$5,000, 25 players; \$2,000 to \$3,500, 50 players; \$1,000 to \$2,000, 150 players; three-figure class, 350 players.

Conservative estimators have placed \$125,000 as the weekly tap on Coast shows, multiply that by 35 weeks, the customary commercial season on the air, and the \$5,000,000 total is not far behind. There are those who insist the figure is low as several new shows are in the making for origination here. Before the season's end, there'll be a dozen or more moving west to take on board name players, a proven tonic to droopy ratings.

Another contributing factor to the gold shower is the ashcaning of 'for free' appearances. Screen Actors Guild, American Federation of Radio Artists and other talent agencies have driven the spike deep into that one. However, it has not been entirely eliminated, as picture studios still slip that clause into contracts that players must go on the air, sans payoff, to exploit the film in which they appear. That one is also expected to get a going-over soon.

Hollywood, as a passing fancy in radio, just won't give itself up, in spite of efforts of the big money-baggers to concentrate production in the east so they can kick the shows around, in person, rather than trust to the teletype.

Margaret Allen.....	3
<hr/>	
LITTLE ROCK	
Carolina Rawls.....	2
David Banks.....	2

20-Fox P.A.ing Henie Until the Snow Flies

Carolina Rawls.....	2
David Banks.....	2
Frank Keegan.....	1

Hollywood, Sept. 13.
Sonja Henie, scheduled to report at 20th-Fox last week, is set for a personal appearance tour instead, and will not return to Hollywood until next January.

Elida B. Sterling.....	1
Vincent E. Palmeri.....	1
Sam Badamo.....	1

Delay was caused by outdoor scenes in her next picture, which can only be filmed during the winter months.

Sonja Henic, her mother and brother, Lief, arrived on Monday (12) and departed for the Coast later this week to report at 20th-Fox studios.

CFCF	1
CFCF	1

MILTON BERLE BUYS BACK HIS AGENT'S 10

KXA

Milton Berle has bought back contract from Irving Mills. Berle deal with RKO expires Oct. 10, and the comic wanted to be free to change representation at the same time.

ing..... 1
..... 1

Agreement with the studio was 40 weeks out of 52 at \$3,000 a week. While under Mills' management Berle also had a season's run on radio for Gillette Razor. Berle made but one picture under the RKO contract and has been idle for months.

14

Queen Gloria
Hollywood, Sept. 13
Gloria Stuart plays the queen
role in the musical version of "The
Three Musketeers," starring the R
brothers, at 20th-Fox.
Don Ameche is set as D'Artagn
and John Carradine as Richelieu
Allen Dwan directs.

WGAR Sidney Andorn..... Erin Brew G

GLADYS GEORGE IN 'MO'

WGAR Sidney Andorn..... Erin Brew G

GLADYS GEORGE IN 'MO'

GLADYS GEORGE IN 'MO.'
Hollywood, Sept. 13.
Gladys George steps into the
emerge lead opposite Bob Burns in
Paramount's 'I'm From Missouri,'
which gets the gun Sept. 19.

Hollywood, Sept. 13.
After producing three pictures in six months at 20th-Fox, Howard J. Green has tendered his resignation. He served as associate in the Sol Wurtzel unit.

Picture is a Paul Jones production with Theodore Reed directing.

'Women'
Hollywood, Sept. 13.
Norma Shearer, back from a vacation in New York, started preparations for her next Metro starrer, 'The Women.'
Clarence Brown

Elcanor King, femme star of 'Birth of a Baby,' plans a Broadway play this season.

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Clarence Brown

The group whipped their object into the form of a resolution, which it is expected, will be sent to each of the studios and to similar independent groups all over the country.

SHIRLEY'S 'PRINCESS' TO BE A \$1,000,000 TINTER

Changed from black-and-white to Technicolor and its budget upped beyond the \$1,000,000 mark, the Shirley Temple starrer, 'The Little Princess,' got the gun yesterday (Mon.) at 20th-Fox. It's the moppet's first tint.

Arleen Whelan and Arthur Treacher are in the supporting cast. Walter Lang directing.

REUNION

Bergen's Charlie to Joust Fields in U Pie

Hollywood, Sept. 13. Edgar Bergen (and Charley McCarthy) have signed for a verbal clinch with W. C. Fields in 'You Can't Cheat an Honest Man,' budgeted as one of Universal's most elaborate pictures for the 1938-39 program.

Picture, based on Fields' original yarn with a circus background, is being screenplayed by George Marion, Jr. Shooting starts around Oct. 1.

Metro May Go Off Air

There are growing indications that the Maxwell House Coffee division of General Foods and Metro will call it quits when the current contract on 'Good News of 1939' expires Dec. 29. The java distrib isn't sure whether it wants to continue with the tieup, while Nick Schenck, M-G-M chief, is reported to be inclined the same direction because, in his opinion, the show is costing the studio money and its exploitation value has proved negligible.

Althea Hobler, Benton & Bowles agency head, is currently in Hollywood.

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and John Carradine as Richelieu.
Allen Dwan directs.

Considerable New Theatre Bldg.

All Over as Business Picks Up

Oklahoma City, Sept. 13. Oklahoma exhibitors, looking forward to increased fall and winter business are breaking a long period of new houses, remodeling and redecorating projects. Local theatre supply firms are experiencing the best early fall business in recent years as both circuit and independent operators place orders for all types of equipment.

New houses either opened in the last few weeks or set for an early opening include: Roy Cresson's new house at Eufala (the now operates the Palace there); M. R. Parker's new, at Broken Bow, around Oct. 1; Roy Aikens has already opened a 300-seater at Grove; Burton and Doty, partners, will open their new seat, at Broken Bow, around Oct. 1; Roy Aikens has already opened his new Palace at Helena; P. J. James, owner of the Jewel (colored) at Oklahoma City, will open his second colored house, also known as the Jewel, at Ardmore; S. P. Day's Marvin Lowe has bought the Chief (350 seats) at Eufala from Brady Walker; Wooten opened the Ritz at Skiatook Sept. 8.

Remodeling jobs contemplated or completed include: Redwood and remodeling of the Palace at Lawton plus 300 new Irwin seats. Palace is owned by Max Brock, Harry Williams and Margaret Bay; new carpet, lighting fixtures and 300 new Irwin seats by V. A. Wilson's house at Comanche; 1,800 new seats, remodeling of mezzanine, new front and new seats for Robb and Ritz at Muskogee; 325 Heywood-Wakefield seats for the Metro at Purcell; new projection booth and new sound, Strong Jams, Forest refectory and seats for Charles Mahoney's Oklahoma theatre at Oklahoma City; Amus, Co. has closed the Empress at Altus for remodeling with opening date in September; the Majestic at Gainville, Texas, for reopening early in October.

Northwest's Spurt

Minneapolis, Sept. 13. With show business in a upturn, all signs point to a revival in the theatre construction in the territory. Several new houses are being planned in Minneapolis suburbs and, if the city council here relents and will grant the permits, a number of new local theatres will come into existence. A half-dozen other new showhouses are planned by independent interests throughout the territory.

Engler brothers start construction next month on a new \$68,000 700-seat theatre at Hopkins, a Minneapolis suburb, where they now operate one house. At St. Louis Park, another local suburb, a \$75,000 new theatre house is being planned for Harold Field, circuit operator.

Griffith, in making another effort to obtain a permit to build a new \$150,000 theatre in uptown Minneapolis. The city council has not yet given him down several times, but he now

(Continued on page 21)

From Freak to Flock

Lincoln, Sept. 13. Skedded to be a freak four shows a day for five days, Barney Oldfield, "Freaky" mugg, columnist and radio blabber here who was mentioned by Ripley for seeing 844 females (all of them made in 1937-38, did one appearance here at the state fair and was then hired by the carnies, Beckwith and Greedy, to do a press agent for the rest of the week.

Walter Hale, press handler, parted with Barney Oldfield, the conductor of the Iowa State Fair entertainment. Doc Kellogg, formerly with the United Press, was caught by the rest of the season, making two trips as the first town.

Freak appearances were caught by three national mags, three wire services, a newspaper, and broadcast on the news.

750-Mile 'Zoning'

Minneapolis, Sept.

What is believed to be a record for long-distance zoning is claimed by a Pierre, S. D., exhibitor who alleges he has successfully secured United Artists pictures for which he contracted "because they haven't had first runs yet in Minneapolis."

Minneapolis is 750 miles away from Pierre and such protection is "unreasonable and preposterous," according to the exhibitor's complaint filed with W. J. Steffen, president of Northwest Alliance.

SEE 'INSURGENT' MOVIE IN SAG ELECTIONS

Minneapolis, Sept. 13. Nomination of an independent ticket for next Sunday's (18) Screen Actors Guild election is viewed in some quarters as an extension of the activities of the so-called insurgent faction in Actors Equity. Although Melvyn Douglas, as candidate for president, is running at the Ritz, the slate, Lionel Stander and J. Edward Bromberg are regarded as prime forces in the movement.

Stander was east 1 spring during the hectic spring in Equity and was reported to have campaigned with insurance salesmen. He also saw considerable of Phil Leach during the lat 'r recent stay in Hollywood while making "Room Service" at RKO. Leach is one of the leaders of the Equity insurgents. Bromberg was active in the militant wing of Equity before coming to Hollywood, and has been one of the small group critics of the SAG administration since going into pictures.

Douglas is not regarded as an active insurgent, but is figured to have been picked to head the ticket to avoid the radical label. Irving Pichel, nominee for extension secretary, is viewed in the same light. Others, including Bromberg, Dorothy Peterson, Maurice Murphy and Robert Gleckler, are considered among the outright militants.

This sudden entry of an independent ticket is the first overt move of the insurgents in the Guild. For the last couple of months there has apparently been a quiet, but factional affairs of Equity, as well as in the Associated Actors and Artists of America.

The producers and the Screen Writers Guild met Monday (12) at the Waldorf Astoria in New York after a preliminary skirmish, recessed until next Monday. Only big names in the industry are among the writers' producers' jurisdiction.

Establishing jurisdiction to represent 64 producers, and adopting methods of procedure, meeting of the SAG-Producers Artists Guild agreed until next Monday also.

LeRoy Furman Won't

Talk on Missing Wife

Clues in connection with the mysterious disappearance two weeks ago of Mrs. LeRoy J. Furman, wife of the former executive secretary to Sam Katz, now associated with the Monarch theatre chain, are being investigated. Furman stated she has nothing to report on the case so far, other than what the dailies tried to steam off her.

The Furmans were married in New York July 2. The bride was the former Betty Young, dancer.

IA Rank and File Not Invited to Sit in at N. Y. Meeting, of Action—Studio Locals Expected Reject Autonomy Overtures

MAJORITY

Hollywood, Sept. 13. Executives of major film studios will be summoned before National Labor Relations Board this week, together with tops in International Alliance of Theatrical Stage Employees for questioning relative to unfair labor practice charges filed by Jeff Fibr, representing Motion Picture Technicians Committee, Dr. Towne Nylander, regional director of NLRB, said if preliminary investigation warrants, complaints will be issued against studios and a hearing ordered.

Charges producers were guilty of unfair labor practice in holding Producer-Labor basic agreement meeting in New York without rank and file of IATSE being given representation. Agreement with IATSE to continue present wage scales and working conditions was negotiated with George E. Browne, international president of I. A. Five West Coast studio locals of IATSE have been operated by international officers for several years, but President Browne last week ordered tops here to call meetings for election of local officers and rank and file.

Locals only recently turned down offers of autonomy and are expected to maintain their conservative leadership and are well satisfied with salary agreements, and claim they could not be turned back to rank and file of theatre projectionists. Support of latter would be lost if locals are turned back to rank and file.

Locals taken over by International officers several years ago after an unsuccessful strike and now offered return of autonomy are: Local 583, laboratory workers. Local 589, assistant cameramen. Local 695, sound technicians. Local 706, makeup artists.

Local 717, studio mechanics, set electricians, grips, property men, special effects workers and animating men.

The following announcement, was (Continued on page 19)

SAG in N. Y. Votes To Close Membership Books

Resolution to close the books of the eastern division of Screen Actors Guild was adopted today (Sept. 13) at the organization's advisory council. Action was taken at the group's first meeting since its reorganization in April.

The producers and the Screen Writers Guild met Monday (12) at the Waldorf Astoria in New York after a preliminary skirmish, recessed until next Monday. Only big names in the industry are among the writers' producers' jurisdiction.

Establishing jurisdiction to represent 64 producers, and adopting methods of procedure, meeting of the SAG-Producers Artists Guild agreed until next Monday also.

Mpls. Exhibs Fear Film Shortage

This Winter Through Delayed Releasing and Long Holdovers

Mickey's Quickie

Hollywood, Sept. 13. Mickey Rooney did his quickest film job last week—two rest films.

They were spoken in a reel for Freddie Bartholomew's p. a. tour.

REPUB MAKES NOISE LIKE A MAJOR

Hollywood, Sept. 13. With 320 new domestic outlets and heavy gains in the foreign field, Republic is upping the budgets on its 1938-39 products. Formerly an \$80,000 feature was considered a super-colossal, but the new released "Army Girl" cost \$450,000. Herb Yates, chairman of the Republic board, said \$750,000 for the filming of "Wagon Westward."

Current scribe roster is up to 40, the highest in the history of the studio, with salaries ranging as high as \$1,000 a week.

Current work are Franklin Adreon, Ronald Davidson, Sol Shorr, Norman Hall, Barry Shipman, Rex Taylor, Sam Roberts, Lucy Ward, Betty Burbridge, Jefferson Cowles, Doris Schroeder, Jack Natteford, Edward Earl Repp, Paul Franklin, Paul Fores, Gerald Greenberg, Herbert Delmus, Connie Lee, E. E. Parame, Jan Fortune, Alan Kinsel, Dorrell and Stuart McDougal, Herbert Lewis, Ring Lardner, Jr., Jan Hunter, Earl Felton, Allice Altheuler, Miriam Gieger, Alex Gottlieb and Sammy Fulmer.

Republic's new \$100,000 scoring and dubbing stage was put in operation for the first time yesterday (Mon.) with Bill Lava and Cy Feuer directing original scores for "Night Hawk" and "Down in Arkansas."

Completion of the layout gives Republic its first full-sized modern dubbing stage.

Republic has closed a five-year distributing franchise deal with Gilbert Nathanson of Minneapolis to cover the territory south of the exchange center. It is retroactive under its terms to July 1 next when selling on the 1938-39 program began. Metropolitan New York circuit of Loew's has signed a contract for its circuit, "Dick Tracy Returns."

SAG'S DRIVE AGAINST COMMERCIAL STUDIOS

Hollywood, Sept. 13. Eastern studios turning out commercial shorts will be the target of the next organization drive by Screen Actors Guild. First wedge will be driven by the New York outfits moved to New York, rather tentatively to escape Guild wage scale and union jurisdiction.

Cleveland also is a focal point as 13 companies are now reported active in driving commercial production. Detroit also will be visited.

ENGEL MAY GO METRO

Hollywood, Sept. 13. Sam Engel, who recently left 20th-Fox, is inching with Metro for a production berth.

Minneapolis, Sept. 13. Fearful that they'll be faced with a virtual shortage later in the winter and will not have any pictures to play, Twin City independent neighborhood and suburban exhibitors are up in arms over the slowness with which films now are being released and are demanding a change in clearance regulations.

During the last three weeks only two of the new-season pictures were released in Minneapolis. The slowness is due to the exceptionally large number of holdovers and to the reduced number of loop first-run houses.

Independents charge that extended first-runs are being forced to prevent them from getting product. They want the Paramount circuit, which enjoys 58 and 72 days clearing over there, to be compelled to play a picture within at least 60 days of its release date. When they fail to do this, they claim, film shall be available for the 20c suburban house 72 days from the actual release date and for the 25c situations 55 days.

The closing of the Minneapolis houses to absorb first-runs. When the Grand, now being remodeled, reopens next week, it will be specified. It's possible that the opening of the Atlanta first-run house also will help to clear up the situation. Paramount circuit operates the Minneapolis and Grand; W. A. Steffen, the Alvin.

Independents' neighborhood exhibitors over are complaining of an alleged inability to obtain short subjects which they have bought. When they fail to date shorts, they claim, they're told the dates can't be filled and the shorts aren't available. They have been played yet by the Paramount circuit at its downtown first-run houses. In consequence, they assert, they're having much difficulty in making up their programs.

Theirs' dissatisfaction here, too, with the makeup of some of the initial newspaper ads in the film campaign, exhibitor leaders here declaring that the publicity chiefs are trying to sell the industry, instead of the contest.

Quis 'Haters' Cleaning Up

Another local contest unquestionably true in other key cities, is the advertised effort to supply the answers to film content questions, plus the required essay, for a small fee. The racket is believed to be clearing up the industry together with warnings against them.

A good effect of the campaign is to bring the exhibitors together for the good of the industry and their own benefit. In this way, cooperation is being created, leaders here say.

In La Crosse, Wis., an instance of this promotion of harmony is pointed out by Edith Ruben centering the Frank Capra cooperation campaign, have created theatres here and major film exchanges, forming the major film exchange, charging a conspiracy to deprive it of product. Ruben is a well-known hard feeling existing, Ted Bolnick, a hard feeling, and Bill Freise, Koppelman, are working hand in hand to promote the same thing. Ruben has a newspaper and other publicity for it.

WB Renews 2 Lanes

Hollywood, Sept. 13. As a result of their work in "Four Daughters," "Priscilla" and "Rosemary Lane," the Warner Bros. company, has renewed three ahead of option dates.

The new is teamed with Jeffrey Lynn in "The Great Lie," and Rosemary is taking tests for the lead in "The Desert Song."

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Text of Arnold's 'Consent' Invitation

Washington, Sept. 6. Here is the text of the Government's poorly disguised invitation to the film industry, sent by U. S. asst. attorney-general Thurman Arnold to the Hays office's chief counsel, which so far has been disregarded by the majors at least in its direct effect.

"Mr. Williams of my staff advised you over the phone last week, this department is engaged in preparing the papers upon an application for a preliminary injunction in order to make effective prayer of the petition. The preparation of supporting papers will be intensive."

"It will be appreciated if you could communicate with the five pro-exhibitor defendants and ascertain whether or not they, or any of them, would consider stipulating for the entry of such a preliminary injunction in order to maintain the status quo until the determination of the suit upon its merits or until the further order of the court."

"It would be understood, of course, that outstanding obligations and commitments from which no relief may be obtained would be excluded from the operation of such a preliminary injunction."

Communication, dated July 28 and signed by Prof. Thurman Arnold, assistant attorney-general in charge of anti-trust actions, was addressed to Gabriel L. Hess, general counsel of the Motion Picture Producers and Distributors of America.

SMITH LEAVING TAX EXEMPTION IDEA UA CO. MEETS TO ENCOURAGE LIVE TOMORROW Shows in the N. W.

Angie Smith, sales manager under George J. Schaefer, vice-president in charge of distribution of United Artists, is leaving that company. Smith came to UA from Warner Bros. where he was eastern sales manager for several years.

There is every indication that the meeting of the United Artists board tomorrow (Thursday) afternoon will be an "ordinary" session for the purpose of discussing certain routine corporate matters in accordance with company regulations. He thought purporting to indicate that a new chief executive, such as a president, would be named at this meeting is treated lightly for some reason.

Principal one is that under company regulations the president of the UA must also be a member of the board. Secondly, to name a president is the unanimous approval of the board is necessary. At the moment, with unanimity of opinion is lacking, it should it be had, the only possibility the board would name appears to be Maurice Silverstone, chairman of the executive committee. Silverstone is the operating head of UA, but not a member of the company board.

It requires a meeting of stockholders to name directors. So far, there has been none called. The board setup might be altered eventually, in accordance with previous understandings of its partners, such as a shareholders meeting, at some future date.

UA's recently scheduled board session was to have been held today (Wednesday), but has been postponed in order that Mr. Pickett might be able to attend. Whether or not the new pact with George Schaefer, former head of the company, comes up at this time depends on whether it is completed and signed by that time. As for official indications go, the official deal is all that latter wishes it to be.

As regards Silverstone, his duties and authority are governed by contract signed some time ago, so that change could be envisioned or completed therein.

Schaefer's new deal is for five years.

Operating changes are expected under the Silverstone rule, but already certain economies have been put forward since he came into the company. There are distinctly no operating nature.

Fun in Durance Vile

Hollywood, Sept. 6. Winners added \$50,000 to the budget of "Blackwell's Island" for additional scenes, particularly in comedy takes.

Curtis is working with William McGann on direction.

Tax Exemption Idea To Encourage Live Shows in the N. W.

Chicago, Sept. 6. As a means of increasing employment of flesh-and-blood talent and theatre labor generally by encouraging live shows, the Congressmen Dewey Johnson of one of the Minneapolis districts announces he'll introduce a bill to exclude theatres playing vaudeville, straight vaudeville and legit from the present theatre admission tax.

Johnson believes that the elimination of the tax for theatres, a question would serve as a stimulus to live talent. Whatever tax revenue would be lost would be more than offset by direct tax gains through additional tax money from more corporations, individual taxpayers, etc., in his opinion.

KENT AND JOE SCHENCK BACK; LATTER TO COAST

Sid Kent, who has been vacationing in Maine, returned to his office in New York City yesterday (Tuesday) coming into town for confabs with Joe Schenck, just back from Europe. Kent returned from his vacation. Recently taken last month to meet Danny Zanuck when he reached N. Y. Aug. 1, but went back after a brief stay in Maine for his health.

Before returning north early in August, Kent indicated that nothing could be done on the trade reform program until after Labor Day, if anything at all was done.

Schenck and Joe Moskowitz, his N. Y. rep, leave for the Coast today (Wednesday).

Mrs. Fox Agrees to Open All-Continent's Book

Atlantic City, Sept. 6. Compromising still farther in their battle to prevent William Fox's creditors from revealing the assets in All-Continent Corp., the ex-picture magnate's wife last week agreed to permit the creditors to examine All-Continent's books.

Mrs. Eva Fox recently offered creditors \$100,000 in assets of Atlantic City, trustee of the \$9,335,000 bankruptcy, would drop his suit against All-Continent. Steelman maintains that Fox, knowing bankruptcy was coming on, transferred his assets to All-Continent, a corporation owned almost solely by Mrs. Fox.

Selznick's '506' 'Rebecca'

Hollywood, Sept. 6. David O. Selznick paid \$50,000 for "Rebecca" to be filmed in England, as a star for Carol Lombard. Producer aims to get Ronald Colman as a co-star.

Novel has already sold 50,000 copies in England. It was authored by Daphne Du Maurier, who wrote "Jamaica Inn."

U.S. MAY ASK FOR FEDERAL INJUNCTION TO ENFORCE ANTI-TRUST

Decision This Week—Washington Still Hopes for Parleys with the Industry's Legalists on 'Consent'—Know of the Film Business' Intention to 'Fight'—Bans Any Moves for Further Theatre Expansion

TRUCE MOVES

Washington, Sept. 6. Decision whether to request preliminary injunction against the major film companies named in the Federal Government's anti-trust case is expected to be made this week.

With officials still hoping the industry lawyers will consent to open conversations aimed toward a consent decree, the Justice Department appeared to be getting impatient over the continued failure of the principal group to answer whether they will promise to maintain status quo concerning theatre investments.

Matter of waiting longer is one of the major factors.

No More Theatres

The film industry, coincidentally the original filer of the U. S. Government's suit, expressed itself today to further acquiescence. In fact, spokesmen for the major companies, which have theatre affiliates, state that long before the U. S. civil action they had decided to do a little self-direction on their own.

A new task is by the indices, seemingly inspired by the close of Governmental litigation, are the ones going in for the haphazard theatre-building.

The majors feel the brunt of this when the indies find themselves embarrassed for film product, due to prior commitments, and then they squeak anew in Washington, and to the courts via a dock of nuisance suit.

the propositions Prof. Thurman Arnold, assistant U. S. attorney general, is expected to take up with associates this week, following clearance from his office most of the last fortnight.

On the part of the industry for more than a month since the Justice Department. Only response to Arnold's suggestion of an amicable agreement, sent to Gabe Hess of the Hays organization within a week after the suggestion was filed, is a non-committal acknowledgment, to the effect that the Government's proposition was not laid before the attorneys for Paramount, Loew's, RKO, 20th Century-Fox, and Warner Bros.

In the face of the industry's protracted refusal to take a stand, the Justice Department, following clearance to expect the assistance of the major studios.

(Continued on page 21)

GOETZ BRINGING M-G'S 'CITADEL' FROM LONDON

London, Sept. 6. Metro's "The Citadel" has been completed.

The week preview proving satisfactory, the picture sails with it on the Normandie Sept. 7.

Flack Makes Good

Hollywood, Sept. 6. Lewis Mumford, former Paramount flack, has been upped to associate producer in the Frank Lloyd unit.

He gets screen credit as such in "I'll Be King."

Hammons-Alpers-Skirball to Set 1938-39 Program for New GN-Educ'; Minimum of 30 Pix; Jackson's B. R.

Coast Preview Famine

Hollywood, Sept. 6. Previewers had a soft snap last week. Only one picture projected for their criticism.

Reason for slump is that most studios are either well advanced in their exhibitor commitments or have quite a few being edited and out. Local exhibits managed to do quite well without the preview prop.

LONDON MUSIC PUB MAY JAM 'ALEX'

London, Sept. 6. B. Feldman, music publisher here, is holding out on 20th-Fox in connection with musical number in "Alexander's Ragtime Band," for which clearance had not been obtained up until today (Tuesday).

Feldman still holds rights to many of the original Berlin numbers, which have the initials of "Alexander" opens at the Rega, Sept. 23.

Warner's new theatre opens with "Robin Hood" the end of the month. "Saint Martin's Lane" opens at the Carlton in October.

Pix at Crossroads, Says Pettijohn-Gov't Policing, or Self-Reg

Milwaukee, Sept. 6. Claiming that the industry today is at the crossroads of two roads—self-regulation or another which is to be policed by a cop—Charles C. Pettijohn, of the Hays office, outlined his conception of the film business as it currently exists, in a talk before the Wisconsin Motion Picture reunion here last Wednesday (31).

"If we follow the road of self-regulation we can continue to conduct our own business," he said. "The other road provides us with a policeman, who will beat it into us often he can never learn the business. If any of you are thinking of taking this road, I beseech you to reflect just for a moment on the fate of other industries which have felt the throttling grip of political control."

"We are still free to choose the road we shall travel. I am not fashioned enough to believe that self-regulation is the correct course, not only for ourselves but for the public we serve. We haven't lost to make up our minds, and by 'we' I mean all of us—exhibitors, distributors and producers. We can't just stand still and do nothing. The forces, in and out of the industry, which have put us under thumb are on the march. And we need a united front, a consistency in self-regulation of our trade practices is to adopt the principle of law and help live. This industry cannot operate successfully under any system which would give one group unfair advantage over another. Every group must have equal opportunity to do business and stay in business. All that is required is good faith, integrity and common sense. If we have the will to act, the methods of self-regulation are easy to find. To help us make up our minds we don't need courts and lawsuits, we don't need legislative laws. Exhibitors, distributors and producers must make the decision for themselves."

Cancelling prior plans to discuss initial-session's lineup over the Labor Day weekend at his home in Mamaroneck, N. Y., E. W. Hammons went into huddles yesterday (Tues.) with Edward L. Alpers and Jack H. Skirball to lay out the 1938-39 program concurrent with immediate preparation of papers for incorporation of the company that will represent the merger of Grand National and Educational. Battle being imperative in view of the intensity of the selling season, the entire '38-39 setup will probably be set today (Wed.), or at the latest, by the end of the week.

Under plans to proceed conservatively the first year, the season's output will number at least 30 features. The initial season's output of 30 more might be added, if more, not decided, nor just what shorts schedule will be. Shorts will carry the Educational label.

Having under consideration numerous apostrophe titles, the tentative name of New Grand National may be changed. If something else isn't accepted, the company's name of Grand National Pictures, Inc., Hammons having dislike for the application "New" which is being tentatively used to designate the acquired GN organization.

Coincident with immediate plans to set up the company, the merger and incorporation of the merged GN-Educational companies, according to Pettijohn, would be forwarded to Washington for the information of the Federal Trade Commission. This will require about a week or 10 days, in the opinion of Hammons. Having approved the stock setup for the new GN company meantime, the underwriting of the securities of GN will be set and officially announced when the audits now under preparation are filed with the SEC. Hammons is not particularly interested in the underwriting. They are not disclosed pending completion of official proceedings with the SEC. The initial payment under the acquisition of GN by Hammons.

(Continued on page 15)

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"BRISTLES WITH UP-TO-THE-MINUTE POLITICAL BARBS WHICH WILL MAKE THE COUNTRY ROAR!"

says Washington, D. C., Eve. Star . . . as "Hold That Co-Ed" panics nation's capital . . . piling up one of year's biggest grosses in smash world premiere!

Raves from Washington! Cheers from the Coast! Hoorays from the trade! READ 'EM!

"Satire on politics and football that taps anything Hollywood has attempted! Hasn't been so much laughter since a film critic swallowed the tap off a pop bottle!"
—Wash. Daily News

"Blends romance, football, politics and melody in a hilarious hurly-burly. Will surely hold that line at every boxoffice."
—coast!"
—Wash. Times

"Smash hit! Scores as political-pigskin film! Hold everything for 'Hold That Co-Ed'!"
—Wash. Herald

"Satire on political scene makes it a laugh hit! An hilarious gem of entertainment! tickling situation after another!"
—Wash. Post

"Mixture of satire on politics and fun in grid-iron unbeatable combination for superb cam."

—Earl Godwin, President White House Correspondents Assn.

"Money laugh-hit! A sure-thing for any box-office clean-up! A new high in hilariously screwy climaxes!"
—Hollywood Reporter

"Will delight all audiences with its rollicking comedy and flippant satire on politics and football!"
—Daily Variety

"Audience positively rocked with laughter! Anything can happen in pigskin tussles and politics!"
—L. A. Herald & Express

"The exhibitor who cannot do S. R. O. business with this might just as well give his theatre back to the Indians!"
—Picture Reports

"The funniest picture of the year!"
—L. A. Examiner

"I laughed till I had to tape my ribs! And I'm still laughing. Don't miss it!"
—Frank "Buck" O'Neil, nationally famous columnist



For sheer, screaming entertainment 20th has never given you its equal before!

SCREEN IT!

You'll double up... your playing time!



Music and Lyrics: "Hold That Co-Ed", "Here Am I Doing It" by Mack Gordon and Harry Revel
"Heads High" by Lew Pollack and Lew Brown
"Limp Dimp" by Sidney Clare, Jule Styne and Nicholas Castle



HOLD THAT CO-ED
with **JOHN BARRYMORE** • **GEORGE MURPHY** • **MARJORIE WEAVER**
JOAN DAVIS • **GEORGE BARBER** • **JOHNNY DOWNS**
Directed by George Marshall
Associate producer David Mamet • Screen Play by Neil Tunberg and Don Enfinger
Original story by Neil Tunberg and Don Enfinger
Dances staged by Nicholas Castle and Geneva Sawyer
Darryl F. Zanuck in charge of Production



THE KEYSTONE OF YOUR FUTURE



OUR OWN MOVIE QUIZ



Question: What is the best thing that ever happened to the film industry?

Answer: The sensational success of MOTION PICTURES' GREATEST YEAR campaign.

Question: What is the first big success of MOTION PICTURES' GREATEST YEAR?

Answer: "Marie Antoinette!" (3rd week hold-overs! Sweet Marie is box-office sugar!)

Question: What is the next big hit in MOTION PICTURES' GREATEST YEAR?

Answer: Spencer Tracy, Mickey Rooney "Boys Town!" (Every Opening Held 2nd Week! Sensational!)

Question: And what follows?

Answer: Clark Gable, Myrna Loy "Too Hot To Handle!" (Hot Preview! Hot reviews! Read 'em!)

Question: These Big Hits come one week after another?

Answer: You bet!

Question: Why is Leo roaring louder this year than ever before in his rip-roaring career?

Answer: Because here's his new release schedule just for the start of the new season:

"MARIE ANTOINETTE"
Norma Shearer, Tyrone Power

September 2nd . "THREE LOVES HAS NANCY"
Robert Montgomery, Janet Gaynor, Franchot Tone

September . "BOYS TOWN"
Spencer Tracy,

September 16th . "TOO HOT TO HANDLE"
Clark Gable, Myrna Loy

September 30th . "VACATION FROM LOVE"
Dennis O'Keefe, Florence Rice

"STABLEMATES"
Wallace Beery,

"THE CITADEL"
Robert Donat,

"YOUNG DOCTOR KILDARE"
Lew Ayres, Lionel Barrymore

"THE GREAT WALTZ"
Luise Rainer, Fernand Gravet, Miliza Korjus

"LISTEN, DARLING"
Judy Garland, Freddie Bartholomew

"SWEETHEARTS"
Jeanette MacDonald, Nelson Eddy

"SPRING DANCE"
Franchot Tone,

November 25th . "THE SHINING HOUR"
Joan Crawford, Margaret Sullivan, Robert Young, Melvyn Douglas

December 2nd . "OUT WEST WITH THE HARDYS"
Mickey Rooney, Lewis Stone, Fay Holden, Cecil Parker

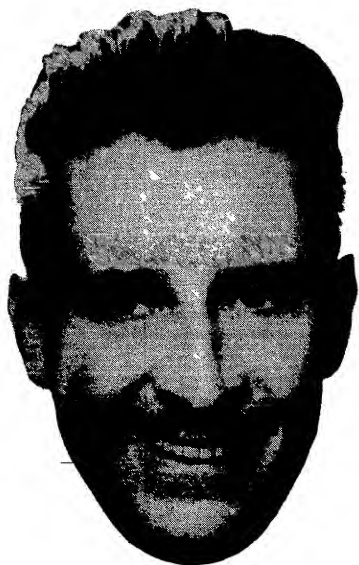
December . "DRAMATIC SCHOOL"
Luise Rainer,

Question: What is the Exhibitors' slogan for MOTION PICTURES' GREATEST YEAR?

Answer: (A push-over!) "METRO-GOLDWYN-MAYER PICTURES ARE OUR BEST ENTERTAINMENTS!"



HALLETT'S HEFTY HIGH!



Hallett Strong \$27,000 in Philly

Philadelphia, Sept. 6.

... Fox got off to a tremendous start this week on its first vaudeville combo in a year and a half. Clipping a red hot \$27,000 with 'My Lucky Star' flickering and Mal Hallett's orch in the flesh.

Fox (WB) (2,423; 37-57-68-75) —'Lucky Star' (20th). Mal Hallett's orch on stage. House given strong pic and stage attractions for bang-up getaway in first week of vaude, but a pleasant surprise even at that with socko \$27,000. Last week, 'Spawn' (Par), weak \$12,200.

(Reprinted from Variety issue Sept. 7, 1938)

Mal Hallett Orchestra Toplines Show at Fox

The Fox Theatre presented its first stage show yesterday and a capacity audience cheered Mal Hallett and his popular radio orchestra.... Buddy Welcome stepped from the ranks of the musicians to sing several numbers. Lola Bird lent her

... But the audience was most enthusiastic about Hallett and his double rhythm orchestra.

(Reprinted from Philadelphia Record, September 3, 1938)

**Just Concluded Record Breaking
Opening Week, Fox Theatre, Phil.**

MAL HALLETT

AND HIS

DOUBLE RHYTHM ORCHESTRA

**OPENING SEPTEMBER 29
LOEW'S STATE
NEW YORK**

●
Opening Fall Season
(September 21)

ROSELAND STATE, BOSTON

DECCA RECORDS

WARNER BROS. SHORTS
●

Personal Representative
CHARLES SHRIBMAN

2412 RKO Bldg., Radio City, New York

Management

ROCKWELL-O'KEEFE, INC.

New York Chicago Hollywood Dallas

MANY THANKS TO:—

Badalante's for successful season at Playland Casino, Rye, New York, where we broadcast nightly coast-to-coast over CBS and MBS.

The Warner Booking Office for selecting us to re-open vaudeville at Fox's, Philadelphia.

STORY

Neville Miller Claims Present Libel Laws Put Radio on Spot As Applied to Political Airings

Philadelphia, Sept. 13.—With heated campaigns on in every state, the problem of how to handle political airings was revealed at the National Association of Broadcasters Third District meeting here last Friday as the principal troublemaker for station operators right now.

Neville Miller, NAB prez, declared he is faced with the same question from all sides and admitted it is also giving him plenty of call for an aspirin.

Study of the situation he has been able to make so far, Miller said, only brings out the necessity for new laws governing political broadcasts. "We are trying to apply to radio laws governing free speech and newspapers," he declared. "These do not apply and just won't work."

Two suggestions made by broadcasters are not solutions, Miller said. One is to eliminate party split 54-46 together and the other is to get agreements or bonds signed before a broadcast, relieving the station of responsibility. Dumping out all politics, Miller averred, is merely dodging the issue, not solving the problem.

And no matter how many papers a politician signs before he takes the NAB prize money, the station can never be legally free from responsibility for libel and slander.

Cut-Offs N.G.

Having an engineer announce cut a speaker off doesn't solve the problem, either, he said, for it is utterly impossible to give snap judgment on what is slander when the Supreme Court has split 54-46 on the same question after months of study. Miller recounted a recent case which caused considerable head scratching. In this, Candidate A had bought time and given his talk. Then candidate B applied for time. But B's script was slanderous. Under the law, the outlet couldn't censor his talk, nor could it refuse him time inasmuch as A had already been on. So it was right between the devil and the deep.

Leon Levy, prez of WCAU, said his outlet had found it wise to change the standard contract to read that the client will defend any suit brought against the station as a result of his speech. "The other way," he declared, clients are already required to "pay the cost of defense."

What happens is that the station lays out the expense of defense and then has to sue the candidate to recover them.

Charles Brunton, of KJBS, San Francisco, declared his station found it profitable to make the candidate sign a release for the station before going on the air. "It gives him the moral; effect it had on him when invited to deviate from the straight of narrow."

BAN ON RADIO COLUMNS DRAWS FANS' FROWNS

Fort Wayne, Sept. 13.—So far as here are raising a fuss over the suspension of columns in two dailies, Journal-Gazette and Evening News, papers, however, are standing pat. The columns went into effect Sept. 5. Radio stations to date have not commented.

Charles Brunton, radio ed. of the Journal-Gazette, has been subjected to theatrical debt. Charles Keefe, of the Sentinel, went on the general news staff.

Freeman's Sports Show

Freeman, CBS producer, is presently lining up a sports show for the nation-wide teens and ultimate hook with the New York Yankees Fair next year.

Freeman has been huddling with Charles Walsh, head of the division at the fair, regarding details.

Toughy

Philadelphia, Sept. 13.—New Independent Radio Network Affiliates committee of the National Association of Broadcasters, Sam Rosenbaum declared, "is like a lady. Her reputation is being ruined by people talking about her too much."

That was Rosenbaum's case Friday (19) at the meeting of NAB's Third District to discuss the NAB's activities. Rosenbaum, prez of WFIL, is chairman. He maintained that the committee was only getting started and is being hampered by all the talk, whispering and publicly. He said the only thing accomplished so far has been conferences with the news and a few other people and there is nothing up his lady's sleeve. He promised a fuller report on IRNA's doings later.

Union Rule Balks Sponsor Mention At Grid Clambake

Philadelphia, Sept. 13.—Atlantic Refining Co., through N. W. Ayer, put a half-hour air show of football previews on WCAU Friday (9) night but were prohibited by the musicians' local from mentioning either the name of the sponsor or agency. Broadcast was from the Arcadia-International Restaurant, where Atlantic was entertaining at dinner the 40 gabbers who play-by-play the games for the very tall, slightly past-middle-aged Miller, who speaks with just a tinge of a Southern drawl. Spence told the ops the NAB was "building a solid organization to represent you in Washington" and declared that the office was already prepared to answer all questions on advertising regulations promulgated by the Federal Trade Commission and health and food items.

Spence was then introduced by the tall, slightly past-middle-aged Miller, who speaks with just a tinge of a Southern drawl. Spence told the ops the NAB was "building a solid organization to represent you in Washington" and declared that the office was already prepared to answer all questions on advertising regulations promulgated by the Federal Trade Commission and health and food items.

Lengthiest explanation of what the NAB is doing and intends to do was offered by Kirby. He said his distribution is now preparing a primer of radio law and intends to distribute early in the fall. It is pamphlet, he declared, will give in simple language all the laws of the broadcasting industry for the benefit of those who now know nothing about it. Each station will be supplied with copies, which he is requested to give to his congressional and state legislators.

"Vote as you choose about radio, but know the facts. Here they are," he urged, "and be supplied with the facts, presidents, presidents of luncheon clubs, parent-teachers' associations and all other organizations and leaders in key positions."

Jolson, Robinson Shows Take Campbell West

Lawton Campbell, Rutland and Ryan radio chief, trained out of Hollywood to be an on hand for the resumption of the Al Jolson (J. J. Robinson) shows on Columbia, opening date is Sept. 20.

Lawton Campbell is to be back in New York Sept. 21.

A & A's Hosp. 'Cast

Hollywood, Sept. 13.—Amos and Andy broadcast from a hospital (Monday) and tonight. Amos under went a

3 BIG PROBLEMS FACING MEMBERS

First Annual Meeting of

istrict Told 'Copy-right,' 'Political Broadcasting,' Issued News' Being Studied—Manuals Be Issued for Radio Education of Congressmen, Civic Leaders and Groups

GOOD-WILL

Philadelphia, Sept. 13.—Complete outline of plans and policies of the newly-reorganized National Association of Broadcasters was presented here last Friday (9) by the exec staff at the first annual meeting of members in the NAB's Third District, comp'ing Pennsy, Jersey and Delaware.

For most of the approximately 35 station operators present, it was their introduction to Neville Miller, prez, and his aides. Accompanying Miller from Washington were Ed Kirby, public relations director; Paul Peter, radio chief director; and Spence, secretary-treasurer and office director. Each detailed his department's activities following a general roundup by Miller. Only NAB exec absent was Joe Miller, labor relations director.

New direct head of the broadcasters declared the NAB is faced immediately with three major problems. First is copyright, second, to handle political broadcasting, and third, biased news. Studies are being made on all three, he said, with the third one most advanced.

Survey of how stations are handling news will be continued before he makes a report to the FCC, but the results to date are most satisfactory, Miller said. "If they were any more perfect," he averred, "they'd look doctored."

'Solid Organ' too

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Educational Man

Also under preparation, Kirby said, is an educational manual which will be supplied to stations at cost and which will have a place for their imprint. This will be for distribution to schools, colleges and civic groups to aid in preparation of interesting radio shows.

"Educational programs," Kirby declared, "aside from their financial interest, are looked on by the broadcasters as insurance for the future of radio. Furthermore, by doing a good educational job, they will have plenty of wit-

Continued on page 38

Say Broadcasters' Failure to Set Yardstick on Air Listeners Cost Radio \$88,000,000 in '37 Biz

Smallies Squawk

Philadelphia, Sept. 13.—National Association of Broadcasters is working with radio manufacturers in an attempt to find a satisfactory solution to sets with automatic tuning, members of the NAB Third District were told at their first annual meeting here Friday (9).

Ed Spence, NAB secretary-treasurer, declared numerous confabs have been held with all the big manufacturers as a result of complaints from small stations all over the country that they are being left out in the cold when distributors set the automatic tuning keys on the sets. He said manufacturers have agreed to try to increase the number of sets and are also providing manual tuning on everything but the most inexpensive receivers.

CBS Studying Roosevelt's Bid For 2 Stations

Elliot Roosevelt was informed by Columbia last week that the network would have to take some time in studying the feasibility of his request that it release KNOW, WACO, Waco, from their obligations to CBS so that he can buy the two stations and add them to his Texas State Network. Roosevelt was in New York Friday (13) and present with him at the discussions with CBS was E. M. Storer, controller of the Mutual system, owner of KNOW and WACO.

In any event, the two outlets will not be included in the TSN group, which becomes allied officially with Mutual tomorrow (15). CBS wants to find out how important these two stations are to the network's coverage problems in Texas and whether any contracts with clients would be breached if KNOW and WACO were released. KNOW now rates as a bonus station to KTSN, San Antonio.

Elliot Roosevelt's new Texas State Network will have its first coming-out exercises Thursday (15) with a one-hour program originating from the Casa Manana here, and aired over the entire Mutual system.

Ralph Rose, Jr., Oklahoma-Federal symphony orchestra conductor in Oklahoma, has been named music director for the 23-station chain and will have complete charge of all programs and productions. The time off in the fall to conduct the Oklahoma City orchestra in a series of broadcasts, it is understood, has not completely severed his connections with that organization.

Casa Manana sheds 4,000. Celcius expected to participate and appear in person on the amana bands are George Ruff, Bob Hope, Gene Autry, Shirley Ross, Everett Marshall and George Fisher, MBS' Hollywood singer, who will m.c. the flicker in the new Governor's home.

Directed, Governor-elect W. Lee O'Daniel and his Hillbilly Boys, and Elliott Roosevelt will have a series of big shows which will share Mike Monroney with the other celebs.

Shirley Ross, Everett Marshall and George Fisher, MBS' Hollywood singer, who will m.c. the flicker in the new Governor's home.

Philadelphia, Sept. 13.—Radio industry lost \$88,000,000 in advertising last year, members of the National Association of Broadcasters' Third District were told Friday (9) because of its failure to provide a yardstick showing definitely how many listeners an advertiser's message on any station goes.

William H. Appleby, of WPG, Atlantic City, who cited the figure, declared he has been studying the yardstick problem for years. He said it is so acute at the larger advertising agencies that he has been offered gratis help by N. W. Ayer and Son, Young & Rubicam, and J. Walter Thompson Co. to establish a standard.

He called on Paul Peter, NAB research and research director, member of the Joint Committee on Radio Research, to explain why the latter who read up on the matter, hasn't yet come forth with a method of measurement.

Peter declared there were two principal reasons for failure of the Joint Committee to do anything. First, he said, was the fact that the NAB has never been interested enough to demand a yardstick. And, secondly, that the committee can't make up its mind to a method of measurement, although "average audience" seems most popular now.

"Someone might be misled by the horns," Peter said, "and adopt one method or another. It doesn't make sense. The yardstick is not so that a start is made. It can be improved later."

Newspaper System

Personally, he said, he favors the station's largest potential audience, not its average, as the means of measuring. This would be more in line with what newspapers do, he maintained, as their figures don't give the average number of people who read an ad on page 7, but the potential number.

Peter said that he is aiming to establish in the NAB some sort of audit bureau, like the publishing industry's Audit Bureau of Circulation, to supply accurate and unbiased reports on station coverage. He declared the NAB anticipates a demand for this type info from advertising agencies and wants to supply it before they get misleading impressions from other sources.

He doesn't supply the yardstick, he declared, someone else will, and on a basis which won't suit the broadcast industry.

Appleby complained that a good newspaper space solicitor can steal a lot of business from radio every time because he has something definite from the ABC to show an agency, whereas the radio has a bunch of surveys and statistics which it doesn't even believe itself.

RADIO BUILDUPS SET FOR HEARST'S CHI TAB

Chicago, Sept. 13.—Schimmer & Scott recently snipped up two new ether accounts, the Herald & Examiner and the Tribune, and are planning to plug on the tabloid format of the Hearst paper will ride on a daily 10-minute schedule on WLS. It is a show tagged "News About News," with radio editor Umm Turner as host, and featuring the various sub-editors of the paper, giving a spiel of his personal out-look on the news. In between are new songs.

Furniture stores will be on WBBM, the Columbia outlet, with a weekly show on Sunday nights on WLS. It is a live musical show with a questionnaire look-up for public opinion on the news. In between with Lynn Chalmers to handle the variety duties on a 14 program.

NAPA Curbing Royalty Demands Till Whiteman Case Decision in N. Y.

Philadelphia, Sept. 13.—No further demands will be made by the National Association of Performing Artists for royalties from radio stations until a decision is handed down on the Paul Whiteman case in New York, Herbert Speiser, NAPA counsel, said here yesterday (Monday). Whiteman case will be heard next month. On it hinges NAPA's right to collect the royalties and whether it goes ahead, with present plans depends on the outcome.

NAPA's apparent hibernation and what it intends doing was a subject of speculation at the meeting of the Third District, National Association of Broadcasters, in Philly Friday (9). To queries of station operators, NAB execs could only answer that they are trying to find out what NAPA's intentions are. They were unwilling to advise at this time whether operators should continue with the performing artists association.

Far from hibernating, Speiser said, NAPA is building up an effective action all over the country, ready to spring into action the moment the New York court gives the nod. He declared agents have been appointed in 31 states. Each of them is fed a constant stream of bulletins and educational matter, Speiser explained, so they know every angle of performing artists' action. In addition, every operator in the country has had or will have demands made upon him by NAPA before next month. In most cases NAPA has no intention of trying to collect, but is merely letting broadcasters know that the association exists. Speiser said he was holding back on further suits, as he would not want to be a source of annoyance to the industry, and all would necessarily be based on the same facts, which is why he settled by the New York decision.

Agents have also been named in some American and some European countries, Speiser declared.

16 CLEVELAND ANNOUNCERS DOUBLE AS RADIO PROFS

Cleveland, Sept. 13.—Announcers of four Cleveland stations are becoming pros in the art of teaching greenhorns how to handle a station in new radio mood organized by Janet Jane Baker, formerly of WHK and WCLB, proxy of the recently formed, Irwin Radio Broadcasting Studio, who previously handled programs for stations sounded up by the town's best-known air gabbers to teach various phases of radio technique. Course ranges from how to write to writing scripts and being funny even though it hurts. Roster of instructors consists of WCLB's Fred Wilson, Helen Garman, Clarence Diedrich, Peggy Black, James Arnold, Marvin Arnold, Rena Titus, Cactus Plant Jim Bettis, Lou Fiori, James Stupka, Maurice Fester, and Tony Baker. Mrs. Baker represents WHK, WCLB, WTAM and WCAR.

Irwin Vice Jansen At KVI, Seattle

Seattle, Sept. 13.—Earl T. Irwin, who has been in the Chicago office of Free & Peters, is now the sales manager of KVI, where he is replacing Ed Jansen, who accepted a spot at KGU, Honolulu, according to M. J. Boulianne, president of the station. Wade Thompson, formerly head of the radio department of the Foster, local ad agency, had been spotted as program director of the station.

WOPF, Bristol, Tenn., has named J. J. Devine as its national sales rep. Appointment takes effect immediately.

Extremitor

Greenville, S. C., Sept. 13.—WFBC here has done away with plush and padded reception hall easy chairs. Ogles and Saturday afternoon farmers became such a nuisance, officials went to work to replace comfortable settees and chairs with hard benches.

CANTOR'S CAMEL OPENER IN N. Y.

As soon as Eddie Cantor sets his foot on the Coast, he will come east to tee off the initial broadcast this season for Camel from New York. He starts for CBS. Original plan was to broadcast and shoot coincidentally on Coast, but since Cantor's breakaway from 20th Fox to story disestablishment, he'll start on his radio series first before tackling the next Hollywood chore. He has a deal on with Metro.

DEWEY LONG APPOINTED WSAI, CINC., MANAGER

Cincinnati, Sept. 13.—Dewey H. Long is due here next week to take over the managerial reins of Crosley's WSAI as successor to Robert E. Dunville, who has been appointed general sales manager of WLV and WSAI.

Like Dunville and James D. Shouse, general manager of WLV and WSAI, Long is from the CBS ranks. Of late Long has been at WAFB, Birmingham, and in the Southern office of Radio Sales. Previously he had been assistant to Bill Schuch, who was manager of WFB, CBS station in Charlotte, N. C.

Several months ago Schuch was transferred to Cincy as manager of Columbia's WKRC.

Monroe Associate Prod. With Transamerican

Paul Monroe, writer and director, has become associate producer for the National Broadcasting & Television Corp. under a long-term contract. His first assignment will be the Bert Lytell show for Tums, which is slated to start on WJZ, N. Y., early next month.

Monroe has worked on such shows as "Big Sister," "Caucus Busters," "Aunt Jenny," Kate Smith-Swanson and Milton Berle-Gillette Razer.

Plugging Maine

State of aine will plug its spots and other attractions over 10-station Mutual hookup starting Oct. 11. It will be a weekly 15-minute station featuring Marjorie Mills. Program will originate from WNAO, Bangor. Campaign is being directed by the Maine Development Commission, while Brooke, Smith, French & Dorance is the agency.

WLV-WSAI Sales Shifts

First move-ups on WLV-WSAI sales shifts since recent promotion. WLV's new sales manager is the merchandising manager took effect yesterday (Monday). WSAI's new sales manager is salesman, became sales manager of WSAI. Walter Callahan, also a sales ad service rep, is being moved to station. Emerson C. Krautner, who has been of WSAI sales service, has been moved up to time-peddler on WLV.

COLLEGES WING CROSSING WINGS

Stations See Little Revenue from Big Games This Fall Due to Ban by Most Midwest Schools on Ad Spots—Situation Inherent in Other Sections of Country

PRO GAMES OKAY

Chicago, Sept. 13.—It doesn't look as though college football will prove much of a source of revenue to midwest stations this season. So many schools have developed in the collegiate gridiron situation regarding commercial and even sustaining broadcasting of the games, the stations have about given up trying to work out deals with (1) the colleges and (2) the advertisers.

Prime difficulty is the attitude of the universities themselves towards broadcasting. Most of the schools in the midwest have rules against commercialism, which immediately eliminates their games. Fox is considering a possibility for sponsorship. What makes it particularly tough is the fact that most of the schools that reject commercial tie-ups for the broadcasts are the leading schools around here on the gridiron and have the games which rank high in public interest. Northwestern had been liking \$2,000 for commercial broadcasting of its home games. University of Illinois plans to accept \$100 per game on a sustaining basis and \$200 per game for commercial spots. University of Michigan will permit broadcasting, but won't take any money.

No Exclusives

With none of the teams selling the games on an exclusive basis, the sponsors are veering away from football as an advertising medium, since they feel that they don't want to broadcast of the same game on a sustaining basis. Result is that college football remains on an amateur basis around the midwest anyway, with the stations themselves being asked to make any deals for collecting sponsorship and preparing to air the games during autumn and winter strictly on a sustaining basis. Stations are announcing that they are rejecting any sponsorship angles because they don't believe college football should be burdened with advertising ad spots. But it rules solidly says groups for the most part, with the stations having tried, but failed, to make any deals.

On the other hand, there are on tap for sponsorship, with the two in the Midwest, WJZ and WGN, all set to ether the Chicago Bears vs. Cardinals game as a commercial event. If they have no commercial alliances.

The sponsor tie-ups in the south are as tight as the previous season, while the newly formed Texas State Network is confident of lining up a number of sponsors for most of the important local games.

Jay Hanna, radio director, has joined Phillips H. Lord office. Will work on G. G. O'Brien, general manager of the flying attorneys.

Disc Mrs. Warn AFM Prexy New Scale Will Lower Product Standards

What Brand?

Gag going the rounds of radio concerns the flip comeback that Lennen & Mitchell is purported to have received in answer to a query it sent Bob Benchley, who starts for Old Gold on CBS Nov. 20. Agency recalled recently that it had overlooked asking the humorist what his preference was in cigars when he got the Old Gold contract seven weeks ago. So it wired him: "What do you smoke?" Benchley is credited with sending back a two-worded rejoinder: "Op! Why?"

16-STATION PA. WEB TEES OFF

Philadelphia, Sept. 13.—Permanent new Pennsy web of 16 stations was set up here by WCAU last week. It carried its first show Saturday night (10), a State-wide broadcast for the Republican campaign committee. Chain was set up principally to handle political bias, but other commercials are being sought for it and two, to name, Thanksgiving, have already been signed. WCAU, which is the key and in which offices all the stations are housed, will also lead sustainer to the li. Initial shows will be a series for the Christmas sale campaign.

Network is in direct competition with the Quaker State set-up, created and operated by WFIL. Practically every one of the outlets in WCAU's circuit is the same as in WFIL's. Inasmuch as they are in no way bound to WFIL, all the stations accept business from whichever network they prefer.

Creation of the Pennsylvania Network was necessitated by the fact that WCAU copped from WFIL this year all the Republican campaign commercials. WFIL has carried and led to its own net all of both the GOP and Democratic shows for the past several years. It is still handling the Democratic business. Stations involved, majority of which serve both Pennsy and Quaker webs, are WAZL, Hazleton; WJZ, Lebanon; WJZ, Allentown; WFB, Reading; WLEU, Erie; WHP, Harrisburg; WJAC, Johnstown; WIAW, Altoona; WCB, Scranton; WKOK, Sunbury; WBRE, Allentown; WRAK, Wilkes-Barre; WJAC, Allentown. All Pittsburgh stations are optional.

CECIL QUITS C.W.&L. TO FORM OWN AGCY.

James M. Cecil is withdrawing from his partnership in Cecil, Warwick & Lester, Jan. 1. First, New York will then become known as Warwick & Lester. Breakup also extends to agency's television division, of which James' brother John H. Cecil, is president. The two brothers will operate the Richmond station on their own.

Henry Legler joined the firm a couple years ago, with his name registered as that of the other Cecil.

Warwick & Lester, Inc., has been chartered by the Secretary of State to conduct an advertising business in New York. Capital stock is \$5,000 shares, no par value. Organization cost of \$1,250 is one of the largest recorded in the Capital City.

Directors are: T. Newman I. Kuthryn, V. Kowalski and Mark DeGane. Officers: General Hafferty the flying attorneys.

Joseph N. Weber, president of the American Federation of Musicians, advised a committee of transcription and phonograph record manufacturers (12) that there was nothing he could do about altering the new musicians wage scale which goes into effect tomorrow (Thursday). Committee had called on him to protest against what they termed the burdensome terms of the new scale and to warn him that it's net results would be a reduction in the number of musicians employed.

Weber pointed out to the group that the wage scale had been set at the recent AFM convention and that it would have to stand as is. The phonograph record men told him that the sharp increase in musicians wages would force them to lower the standard of their product, since their budgets allowed but a certain amount of money to operate on for the next two and a half months.

Chicago, Sept. 13.—Disc firms which have handed in their applications for making phonograph records and other discs are World, Decca, RCA, Victor, Columbia, Capitol, and 20th Century Radio Productions, Chicago Recording Studios, Standard Radio, American Record Corp., D'Arcy Recording Lab., Broadcast Productions Corp., Carle B. Christenson and Blackie-Sample-Hart agency.

Ruling on the license set-up for American Federation of Musicians went into effect Saturday (10). New rate set-up starts Thursday (15). Rate for 15-minute disc is \$15.00, and \$24 for a 30-minute program to be recorded in not more than 150 minutes. Overtime is set at \$6 for each additional 30-minute period or less.

Commercial ether discs will be at \$18 per man for each 15-minute platter. For 30-minute discs, the rate is \$18 per man, and \$24 for a 30-minute program to be recorded in not more than one hour. Rules state that not more than one 15-minute show may be recorded in any one hour.

BERKELEY TO O.O. EUROPE FOR NBC

Washington, Sept. 13.—Kenneth H. Berkeley, NBC's Washington station gm, has been chosen by President Lenox R. Lohr to make a study of European methods of broadcasting. Berkeley is of continental cities. In addition to checking on European program material, he will be asked to design engineering facilities and attend the meeting of the International Broadcasting Union in Brussels, in October.

Unless European war crisis prevents, Berkeley is scheduled to leave New York Sept. 21. Dr. Max Johnson, NBC's European rep, will accompany him. Berkeley's manager on abroad and will accompany him on his trip through London, Paris, Bern, Rome, Moscow, Stockholm, and Brussels. Mrs. Berkeley will accompany the NBC official on his trip.

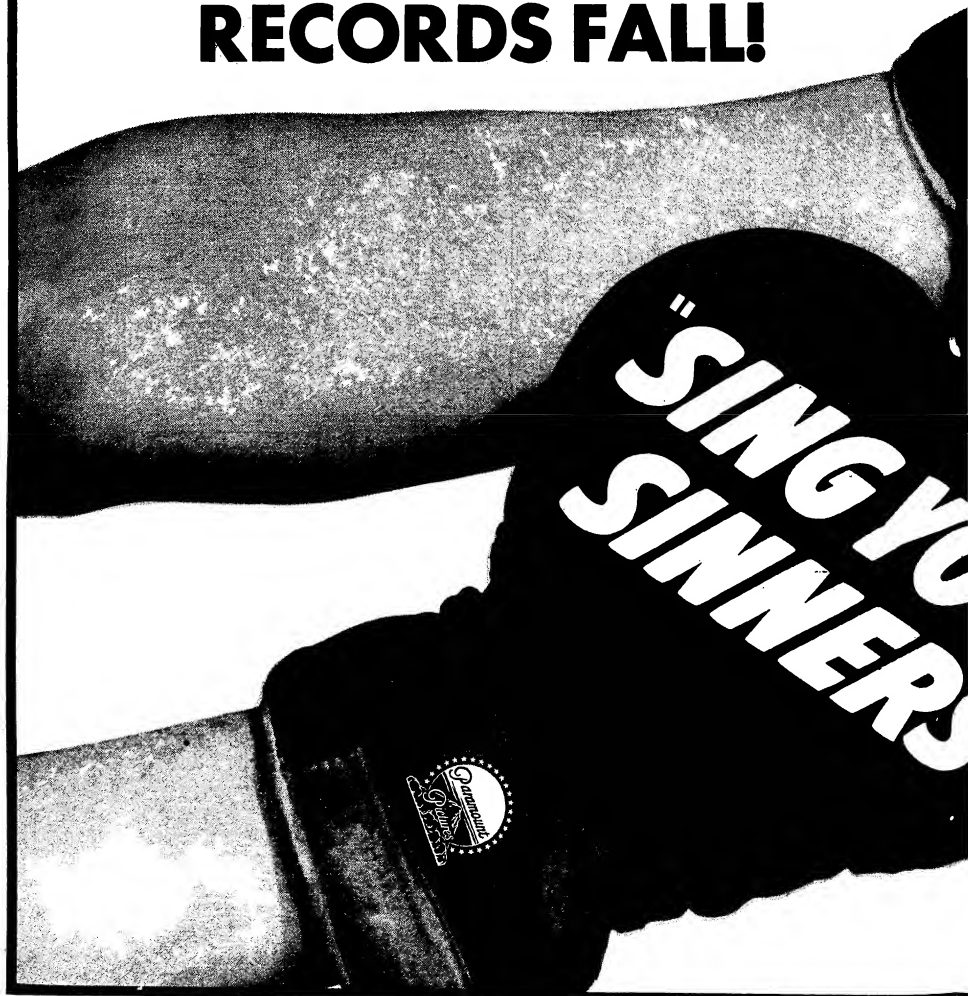
Vallee to Coast

Rutly Vallee-Standard Brands show will originate from Coast during Nov. 10 for at least six weeks. Vallee's going out to play the Cocomut Grove.

Mennen's Audience Idea

GIVE 'EM THE PARAMOU ONE-TWO!

...and **WATCH THOSE
RECORDS FALL!**



is just that, nothing more. It is even less entertaining. The combo being 'our gang' quality. In 15 minutes he offered only choruses, remainder of time voted to selling his method. Grams are sometimes transcribed with one caught, but usually I sell, sing and stomps in person.

Argentine Radio Fears Re-Licensing Will Lead to Nationalization; Gov't Dissatisfied with Current Programs

Buenos Aires, Sept. 6. Latest outcome of the government's dissatisfaction with quality of programs of commercial stations is possible nationalization of radio in a British Broadcasting. Threatened late in July, this re-licensing subject to program approval of the Postmaster General, stations are now in fear of being totally de-franchised.

Although couple of more important stations have important, stage-wise artists and spend important coin in attempts to improve their output, majority are generally regarded as pretty low, using cheap talent and recordings and stealing from each other via off-air pickups for re-broadcast. Latter condition emphasizes sameness of many programs.

Postmaster General has projected the idea of nationalizing all stations. None would be de-licensed, but shake-up, will help El Mundo (L.R.) and Belgrano (L.R.), nation's two biggest and most advanced outlets.

However, it's still only a proposition and has not reached a stage where boys are packing up. Re-licensing is law now, however, and immediate threat is not expected to be permitted to continue when ticket order for renewal still hangs over heads of all.

80 Yrs.' History Of Music Halls In 60-Min. 'Cast

London, Sept. 6. Scheduled for airing during the fall is series comprising a pageant of famous U.K. music halls. Devised by Leslie Baily, script writer, and Roy Speer, producer, of BBC variety Dept., programs have taken 12 months to compile, with preparation of scripts and keen research and ingenuity to telephone 70 or 80 years of history into a 60-min. sketch.

Programs will be offered fortnightly and will give a panorama of the history of eight celebrated theatres, two in London and six in the provinces. Each will end with an actual excerpt from the show being staged at the theatre that night.

Production of London producers will be in hands of Speer; producers will be attached to regional stations to direct those from the provinces.

CAN. SET SLES UP
\$917,188 Worth Sold in July
\$753,812 in June.

Washington, Sept. 13. Encouraging pick up in Canadian sales of radio receiving sets reported yesterday (Sunday) to the Department of Commerce by the Ottawa-based American Commercial Attaché at Ottawa.

July sales numbered 13,588 units with a list value of \$1,748,484, as against 13,363 sets with a list value of \$783,812 in June, report noted. Not up to July, 1937, when sales were higher, amounting to 20,222 units valued at \$1,369,288.

July increases applied to sales of both alternating current and battery sets, report added, but automobile figures decreased, below June figures.

In Canada

Doreen Seance, nine-time member of ex CBC and CBS fame trio, back visiting friends in CKCK and CFRM, Regina, Sask., after being injured in auto accident in Vancouver a month ago, but has now recovered.

CJMB, Regina, and CBC, Winnipeg, jointly sponsoring a program of Harold Green and his Royal Alexandrians choir at Trilium ballroom, Regina, currently.

C.A.B. Not to Confab

Meeting of directors, Sept. 13. Canadian Association of Broadcasters, meeting of directors of privately owned radio stations, which has been mooted here for some considerable time in fear of being postponed for an indefinite period, according to reports.

Annual meeting of the members of the C.A.B. was held in February. There has been talk here of calling a special meeting of directors either in September or October. This meeting, from accounts, will not be held.

AUSSIE MULLING NOSTRUMS BAN

Sydney, Aug. 27. Government of New South Wales is preparing legislation to wipe out quacks and their medicines from the official air lanes. The ban, which other sponsors will have to be found by the stations to make up time from the air time.

Move has been pressed upon the government by members of the medical profession, who claim that such is not permitted by the British Medical Assn. to do any advertising here where, for months past, the local air lanes have been cluttered by sessions boosting all kinds of cures for various diseases. Such sessions are far removed from the sphere of entertainment, and, as the government believes the air should be used for the betterment of the public, a stop order will shortly be issued to station managers.

Another mix will concern race-track tipsters who have been playing the air lines for so long. It's the intention of the government to put a stop to all at race chatter, a "peeping description of races. No reporting of results, and no betting quotations, will be permitted.

BUSHNELL NOW CBC PROGRAM CONTROLLER

Montreal, Sept. 13. New title awaits C. E. Bushnell, program supervisor of the Canadian Broadcasting Corp., as he returns from Europe within the next six weeks, due to a realignment of programs decided upon by the CBC. Bushnell will become Program Controller, in addition to be relieved of routine work, and will devote more time to general program.

Production schedule for the coming year has not yet been definitely set, but the major program of the mental red tape involved in getting budget appropriations approved. Some of the major programs have been decided upon but schedule of the bulk of small productions, involving the major program, is still uncertain.

One of the major CBC programs originating in Montreal will be two symphony orchestras, the Montreal Orchestra, and the Orchestre de la Société des Concerts Symphoniques, under the direction of Rosario Bourdon. Baton wielder Bourdon now in New York, was the Empire Service maestro for many years and will come to Montreal regularly in connection with the radio, although retaining his permanent residence in New York.

Leona Deane on

Sydney, Aug. 27. Leona Deane, radio script writer, has left her home in England for a bicycle tour of Europe and possibly looting in, on, and in the radio. She is sister of Albert Deane, head of foreign advertising-publicity for Paramount in New York.

The King's English

Jose Jaw, Sask., Sept. 13. British Columbia Education Trustees Association convention at Kamloops Sept. 28 will have before it a resolution aimed at the Canadian Broadcasting Corp.

Will demand a better standard of grammar and pronunciation due to the careless and ignorant use of the English language shown by radio announcers and news commentators over the CBC.

Cleve. Experiment Halves Time On Casts to Europe

Cleveland, Sept. 13. Experiment by WHK, working with WH in Little Neck, N. Y., and WOR in Newark, N. J., on Sunday (11) that may change entire system of transmitting press news to European stations. "European" takes' speech at Put-in-Bay's Commodore Perry Memorial, marking the 125th anniversary of Battle of Lake Erie, was used in a co-operative broadcast to Paris, where it was re-broadcast in French in half the usual time.

WHK employed its mobile outfit stationed on Put-in-Bay Island to shoot tele-cast to WKBX, its own short-wave station in Cleveland. From there it was routed through WOR and picked up by WHJ, later, usually limited to 400 to 5,000 miles, the broadcast was picked up by 17,400 kilocycles in re-broadcasting speech to a Paris short-waver.

Stung by the hostilities of the first attempts by WHJ in reproducing an American news event vocally to Europe. Ordinarily it sends news reports by code, which must be taken down by a Parisian stenographer, who then, by telephone, transmits to French and then aired. Simplified system tried by three stations from New York studio to talk to a pattern, which can be translated and re-broadcast more quickly.

FIELDS WILL DO INSERT ON LUCKIES HIT PARADE

Hollywood, Sept. 13. Deal was closed this week for W. C. Fields to do a comedy insert from Coast for Lucky Strike Hit Parade. Plan to make comedy come out as a permanent feature, with Fanny Brice next in line for CBS Saturday night show.

George McGarrett, who has been here for several weeks, will produce the insert. Reported here that his Brice is being dropped by Metro when current "Good News" series terminates in December.

Fordham Games On Market for \$15,000

Broadcast rights to Fordham U.'s gridiron sports are being offered around this season by Donald Peterson agency for \$15,000.

New York School never had its grid games sponsored until last year, when Kellogg took last three games of season. This year they are offering all but one outside game for commercial sponsorships.

Switching Kid Shows

Chicago, Sept. 13. With the acquisition of the Campbell's Malt-Meal account, the Kastor agency is re-switching show from the program replacing the former Jack Westaway Under the Sea' program with another kid show tagged "New Time".

Will be a three-a-week show starting Oct. 3. Exception to this is Minnesota's Kastor's handling, where program will be on a five-a-week basis.

Every Monday, from Oct. 3 to Dec. 26, BCB, in collaboration with CBS, will air series of talks from New York. The Week in Wall Street speaker being finance expert H. P. Elliott.

WLW-WSAI Hillbilly Shows in Emery Aud., Cincy; 42c Top and Sponsor

On Location

Detroit, Sept. 13. Obtaining background for series of radio talks on America over Paris station this fall, Paul Edmond, chief of chief of staff of the La Petite Parisienne, Paris newspaper, was in Detroit late last week to arrange for the series. Detroit Co. assembly lines in Dearborn.

Ducharme, who is personally waging typical losses in various U. S. and Canadian factories, will end his tour this week. Although he could have achieved similar success in French plants, Ducharme wanted "the real thing" for a true-to-life background for his series on various parts of U. S. industry.

BBC AIRING RIB ON SELF

London, Sept. 6. Newspapersman Campbell, Dixon and Pat Dixon, Mather & Crowther radio manager, have authored a new series of radio talks. BBC has scheduled for three-a-week broadcast on Regional, National and Empire wavelengths Sept. 15 and 16. Titled "Crisis in the air" series runs for an hour and will discuss BBC itself and various BBC programs.

Usually big cast will take part, including Edward Styles, A. Bowly, Rhyll, Brothers, and others. In London, Carlisle Cousins, S. J. Warrington and Edith Atherton, the latter in her first broadcast since coming from America, and also special orchestra. Roy Speer is producer.

EDUCATORS WIND UP MEET IN L'VILLE, KY.

Louisville, Sept. 13. National Association of Educational Broadcasters closed its third-day meeting at the University of Kentucky radio studios Thursday (8). After the educators had heard addresses by Dr. L. M. Dantier, of the Department of English, U. of Kentucky; Maurice J. Jansky, Washington radio attorney; Orrin Towns, radio technical director of Louisville; E. D. Peterson, director of radio at the University of Iowa, president of the association.

Conference was arranged by Elmer G. Sulzer, head of the U. of K. radio bureau. Thirty college broadcast chiefs attended the meeting.

Wallace Swink, continuity writer at the U. of Kentucky, told meeting that "every college professor should be urged to spend more time in the advertising game before he is permitted to teach. Then he would not find out that no matter how much a person needs an education, merely telling him a series of facts is not enough."

Waddington Lays Off

Toronto, Sept. 13. Top conductor of the CBC, Geoffrey Waddington, belatedly took Horace Greeley's advice and left Sunday (11) for his home town, Winnipeg, at the close of his final broadcast of the "Music for You" series over CBC's network.

Admittedly a little tired after his multifarious duties in the east, Waddington goes home to the prairies and will take a warranted rest. He has nothing lined up in the east, but contracts bid, later on he would like to reorganize the Winnipeg Symphony.

Waddington's CBC officials state the voluntary substitution still has Waddington on the payroll.

Purkert Freelancing

Hollywood, Sept. 13. Frank Purkert, just left Associated Chans transcription studio in Birmingham he was general manager, to free himself of radio transcription. He also will handle affairs of Cliff Edwards.

inco
Crosley's talent bureau, under the new direction of George C. Biggar, starts this week with a series of Friday night hillbilly shows, or in the 2,300-seat Emery auditorium which will have a gate charge of 42c for adults and 20c for children.

Acts from WLW and WSAI will be bolstered by guest talent from the National Dance troupe in Chicago, where Biggar formerly was program director of WLS. Hoosier radio stars will include Diller will be the initial guests.

Rural, opsy is labeled Boone County Jamboree. From 8 to 9:30 p. m. it will be aired on WLW with International Harvest as sponsor. For the first time, the show will have a two-hour entertainment.

From the Crosby staff will be Paul McCornick, Brown County Revels, Hugh Cross and His Radio Pals, Drifting Pioneers and Wally Dool, Grand Oldies and His Southern Stars. Crosby Glee Club of 40 voices, DeVore Sisters, the Plainville, Barton Rees Pogue, Bosay and Harold Carr is to handle production, under Biggar's supervision.

Hillbilly shows for paid audiences will start on Friday, Sept. 15, at 7:30 p. m. by the Renfro Valley Barn Dance combo, directed by John Lair. They have been staged on Saturday nights in Music Hall, except during the outdoor season, when the show is staged through Ohio and into the playing theaters and fairs and drawing big audiences. At all hall, the show is staged through Ohio and into the playing theaters and fairs and drawing big audiences. At all hall, the show is staged through Ohio and into the playing theaters and fairs and drawing big audiences.

Renfro is scheduled to carry through on WLW during the fall and winter season. Should Renfro pull out of C. I., it is probable that it will skip-broadcast, going to Indianapolis, Ind., Columbus, O., Lexington, Ky., and Huntington, W. Va., for Saturday nights. The show will run, running up to four weeks in some instances.

Weekdays other than Saturdays, when Renfro is off the air, the aggregation plays one and two-night engagements. The show's regular talent includes Red Foley, Art Linkletter, and Cliff Clifford, and male and female orchestras.

OGILVE NEW HEAD OF BBC

London, Sept. 13. Frederick W. Ogilvie will replace Sir John Reith as head of the British Broadcasting Corporation. Ogilvie, who has never had anything to do with radio, comes from Queens University, Belfast, where for four years he held the post of vice-chancellor.

John Reith quit as head of the world's leading radio and television to become chairman of Imperial Airways.

In England

Evelyn Leys making a charity appeal for a Leeds hospital over the air.

BBC's Scottis station will air dedication of a peat of bells in Dufer line Abbey to memory of Andrew Carnegie, in which Mrs. Carnegie takes part, Sept. 19.

Pamela Stanley and Paul von Heurich to broadcast scenes from "Victoria Regina" from Midland Station before West End production opens in Birmingham, Sept. 19.

Alstair Cooke signed for six talks titled "Mainly About Manhattan," beginning Oct. 13, and will discuss events of week in New York, outside politics.

Commish Usually in Accord With Examiners, 4-Year Record Shows

Washington, Sept. 13. Decisions of the Federal Communications Commission are substantially in conformity with recommendations of trial examiners in four out of every five cases, survey of four-year record shows. There's a wide variation, however, in the record of the individual examiners.

From the creation of the Commission in the summer of 1934 to Sept. 1 this year, the recommendations have been followed in slightly more than 80% of the broadcast matters ventilated at public hearings. On proposed transfers of control, the Commission is tougher than the referees who hear the evidence.

On the whole, an applicant who obtains the nod from an examiner has a five to one chance of achieving his ambitions. But on the basis of experience, parties to a sale of an existing transmitter have only a four to one prospect of receiving final O.K. even when the examiner approves.

The compilation, covering ultimate disposition of 772 propositions over the four-year span, shows that examiners were fully sustained in 628 cases, reversed 125 times, upheld in part 5 times and neither sustained nor reversed 14 times. There were 167 reports pending when the analysis was made.

On the matter of transfer applications, examiners recommended denial of consent for one-third of the proposed sales. Included in the 31 reports were 35 favorable and 18 adverse recommendations. The Commission, with 18 matters still on the spindle, finally granted only 27 out of 35 requests, denying the other 8.

Examiner Seward Tough
Toughest to get a favorable recommendation in a transfer case is from Examiner P. J. Seward. Out of 10 consent requests heard by him, ratification of sale has been urged only 9 times. Next sternest are George Hill and Robert L. Irwin, who liked the looks of the 'deal' in % of their cases. Hill recommending approval in

9 of 14 instances, and Irwin favoring 3 of 5 transactions.

Easiest to get the nod from is Edwin H. Dalberg, who favored all four transfer pleas put up to him. Tyler Berry approved 8 of 9 cases he heard. Chief Examiner Davis G. Arnold was favorable in 3 of 4; John Bramhall in 3 of 4; and R. H. Hyde in 2 out of 3.

Battling averages on cases of all sizes, excluding the reports pending at the start of the month and the instances where the final opinion was a partial agreement with the examiner's findings, show the bulk of the evidence weighs and the Commission reach the same conclusion about four-fifths of the time. Best record is Berry's, with his recommendations being adopted in 95% of his cases, while lowest stand is Bramhall's, only 66% of his reports being adopted. Others rank as follows, on the basis of the number of times they were sustained: Arnold, 89%; Dalberg, 79%; Hill, 90%; Hyde, 84%; Irwin, 84%; Seward, 83%; and Ralph Walker, 81%.

Most reports were turned in by Dalberg, 164; Hill, 163, and Seward, 156. Commissioners' opinion was in harmony with their recommendations in 337 cases.

CORRIAN GETS \$3,500 FOR JOLSON OPENER

Hollywood, Sept. 13. Any Ruffian landed Douglas Corrigan for guest shot on Al Jolson's opener for Rino-Lufeybow on Coast Sept. 20.

Wrong-wayer understood pocketing \$3,500 for flip gap with mammy yet.

Campus Capers, early Saturday afternoon football show tied to the NBC red net last season by KYW, Philly, resuming.

On it are Jan Savitt's 18-piece crew, singers and Arthur Hynett, organist.

WIL, ST. L. MULLS 24-HR. BROADCASTING

St. Louis, Sept. 13. WIL, operated by the Missouri Broadcasting Corp. and the pioneer commercial station in the Mississippi Valley is mulling the idea of utilizing its local channel to be on the air 24 hours daily. Since the station, founded by L. A. Benson in 1922, has been in operation, it limited its air activities to 14 hours daily until 18 months ago, when it inaugurated a policy of broadcasting dance music from midnight until 3:30 a. m., thus being on the air 17½ hours daily.

Under the contemplated arrangement, which will be definitely decided this week, WIL will operate completely around the clock with the dance music continuing until 6 a. m., when the first early a. m. program, "The Breakfast Club," hits the air.

While KMOX, KWIK, WTMV and KXOK, the latter starting broadcasting (19), also have unlimited broadcasting rights, WIL will be the first locally to make advantage of this opportunity.

Mary Small, Bob Gibson Set as Bernie Vocalists

Bob Gibson and Mary Small have been signed as vocalists on the Ben Bernie program sponsored by American Tobacco's Half-and-Half. Bernie's program with Lew Lehr and guests starts Oct. 2 on CBS. Gibson was formerly a CBS page boy at Radio theatre No. 3 in New York.

Marglis' Orch Off

NBC has dropped the "Academy on Brass" musical series which Charles Marglis conducted Tuesday nights on the Blue Network, explaining that the program had been put on with show-window intent and that when there was no sign of its getting a commercial bite it was decided to put the stanza in mothballs for the time being.

NBC rated the show as an unusually expensive one for sustaining purposes.

Commersh Vs. Educ. Station Battle Looms as WHA Asks WMAQ Facilities

Head-on collision between commercial broadcasters and educators is in prospect, with WHA, radio rostrum of U. of Wisconsin, seeking facilities of WMAQ, one of NBC's Chicago outlets, and the LaFollette threatening to carry the fight to U. S. Supreme Court on the issue of state rights.

With Governor LaFollette and University President Dyrkstra taking pokes at money-making enterprises, the Federal Communications Commission was placed directly in the middle last week by the filing of request for permit to let WHA, now a 5 kw daytime plant, shift to WMAQ's 670 kc roost and operate with maximum power unlimited hours. Its part of a double-edged sword to develop educational uses of radio in Wisconsin, other feature of which is transfer of control of WMAQ to the University of Wisconsin.

In a "gushy" exposition of their past services and future ambitions, the educators noted that time limitations on licenses of the two existing state-owned transmitters prevent reaching large number of adult listeners and restrict full exploitation of radio's cultural possibilities. Object of the new moves is to have a night channel not loaded with commercial plays and entertainment, Commission was informed.

The dig at commercial stations was contained in a supplementary letter noting that "educational activities of Wisconsin cannot reach their fullest development unless the State is granted the right to build and maintain a radio station powerful enough to render service to all its citizens." LaFollette wants to acquire "a broadcasting channel comparable in its coverage and available time to the many clear-channel facilities now completely monopolized by commercial interests."

Reason for

NBC, which has two other Chicago outlets in WCPD and WBBM-WLS, is the urgent need for a frequency and power assignment which will cover the entire state. Wisconsin officials explained. No clear-channel facilities currently are allotted their state.

Transmitter site would be moved to Arlington, with studios still in University buildings at Madison, the capital.

SPROUL, PETTIT MOVE UP AT KDKA, PITT

Pittsburgh, Sept. 13. First move of Sherman D. Gregory, KDKA's new manager, was to announce two promotions, effective immediately. Derby Sproul, head of continuity department, becomes program manager, a post which has been vacant since resignation of John Gibson several months ago, and Clarence Pettit has been made director of public relations. This is a new job and will not interfere with duties of Kay Barr, station's p.a. Both Sproul and Pettit were brought here from Denver by Gregory's predecessor, A. E. Nelson, now sales chief of NBC's Blue web.

G. Dare Fleck, traffic manager at KDKA, has also been placed in charge of program listings, day books, announcer, assignments and studio schedules. William E. Jackson, acting head of station between Nelson's departure and Gregory's arrival, returns to his regular job of sales head.

Olmstead Back With Y&R on Talent Buying

Clarence Olmstead has been reassigned to do the talent buying for Young & Rubicam out of the New York office. Therese Lewis will assist.

Joseph R. Stauffer continues as agency's talent buyer in Hollywood.

birds talk and snakes hiss

Mr. Spindler lives in Cincinnati. He has a one-room apartment. His roommates include gila monsters, snakes, tarantulas, ground hogs, talking birds and trained spiders. WKRC ran a line into the one-room menagerie; invited Spindler and friends to broadcast their talents. So popular was this unique WKRC show that it was repeated — coast to coast over the Columbia network with Ben Bernie "m.c.-ing" the show. Another example of why WKRC is Cincinnati's most popular local radi

WKRC ★ COLUMBIA'S STATION FOR CINCINNATI

operated by COLUMBIA BROADCAST
New York
Los Angeles • Kansas City

FCC Decisions On KGO, WMEX Open to Appeal

Washington, Sept. 13. Path was opened last week for attempt to get judicial review of two recent FCC decisions, which have occasioned much gossip and controversy. Last hurdle was cleared when the Commission turned down requested rehearing of applications of KGO, San Francisco, for more wattage and WMEX, Boston, for sky-scraping jol jump.

Without giving reasons, as is the invariable custom, the Commission threw out by a split vote the National Broadcasting Co. petition for another chance to urge additional power for the Fresno outlet. Another difference of opinion came when regulators declined to reopen case which led to favorable action on WMEX plea for power jump from 100-250 watts to 5 kw. Comm. lone T. A. McCreven voted in the negative on the first proposition and Commissioner Eugene O. Sykes was the minority in the second.

The KGO matter is of widespread importance, since the opinion was the vehicle for the Comm. lon's expression of disapproval of leases. In turning down the application, the regulators not only declared the web showed no need for more power, but indicated there may be trouble when the lease between NBC and General Electric runs out. Commissioners showed hostility to deal whereby station owners let others run their property for a period of years and then get the whole works back.

The Boston case caused considerable trouble, occasioning whispers of political heat when the examiner changed his view on the financial ability of WMEX to shoulder the lead involved in building a new transmitter. Opposition came from the two Sheppard stations, WAAB and WNAC, which fear stronger

Baron Elliott Vice Riley As WJAS, Pitt, Orch Dir.

Pittsburgh, Sept. 13. Baron Elliott has been named director of staff orch at WJAS. He replaces Luke Riley, another ballroom maestro, who was handed post when union rules forced station to install a band of its own last winter. Elliott expects to take along most of his own personnel to the studio, dropping out of the dance field entirely. Riley, who has been jobbing around in cafes and roadhouses for last few months, will continue doing that.

Daily Puffs KDYL On New Transmitter Debut

Salt Lake City, Sept. 13. Progress since 1922 of radio station KDYL, local NBC affiliate, was effectively exploited in a special eighth-page section in Sunday's (11) Salt Lake Tribune. Extensive praise highlighted campaign on the opening of the new 5,000-watt transmitter tonight (Tuesday), when station will feed the Coast network a 30-minute show from its 450-seater Radio Playhouse.

Station, owned and operated by the Intermountain Broadcasting Corp., began its career in May, 1922, powered at 50 watts. In 1925 the station was acquired by Sidney S. Fox, who has been president and general manager ever since that time.

San Francisco's NBC outlet will salute KDYL in two quarter-hour stints, sandwiched in between the local dedicatory program. Featured on KDYL's portion of the inaugural airing will be U. S. Senator Elbert D. Thomas, Governor Henry H. Blood, Mayor John M. Wallace and Don E. Gilman, v.p. in charge of Coast NBC chain.

KDYL joined NBC in 1932, after affiliating with CBS for several years.

In competition, WOOP, another Hub outlet which feels it should get first crack at better facilities and WLAC, Nashville, which is apprehensive about interference.

FCC'S BAR ASSN. PROPOSES CHANGES IN COMMISS PROCEDURE

Would Remove Doubts, End Racketeering and Conform to Procedure of Federal Courts—New Code Not Likely to Go Into Effect Before Jan. 1

Washington, Sept. 13. Series of vital changes in the proposed FCC rules of practice and procedure, one of them specifically intended to standardize handling of complaints against stations, were recommended to the Federal Communications Bar Association this week by the committee on practice.

In the main subscribing to the tentative code drafted by the Commission rules committee, the Bar Association group advanced a host of suggested phraseology changes, some complete substitute paragraphs, and a few entire deletions. Chief object is to remove doubts, insure uniformity, end racketeering and conform to practices before the Federal courts.

Additional paragraph requiring the Commission to give formal notice to licensees of complaints and criticism before issuing a temporary permit is the outstanding proposal of the lawyers, from the industry standpoint. Report adds: language designed to bring a permanent end to the present confusion and worry by prohibiting the Commission from holding a club over the heads of station owners without giving some idea of the reasons.

Bulls of the recommendations were in the direction of giving more leeway to practitioners, although some would go farther than the FCC committee in tightening up the system. Notable suggestion stiffening the rules would put a crimp in use of dilatory tactics and help stamp out obstructionist methods that often cause infuriating and costly delay in getting cases through the Commission. Provisions covering amendment and consolidation of applications should be revised, the Bar Association group said, to prevent late-comers from

putting a brake on the Commission machinery. Consolidation of pleas could be done only by formal order of the commission—not by examiners or individual members—and not after an application has been designated by hearing, if the amendment is accepted.

On the other hand, it would be possible to make changes in applications or yank them back with greater freedom if the Commission follows the lawyers' ideas. With prejudice tag would not be tied to withdrawals after application went on the hearing docket, providing formal consent was given by the Commissioner presiding over the motion docket. Amendments could be filed after the papers were scheduled for hearing under the same circumstances.

Would Per

Instead of lifting the veil from virtually all papers filed by applicants and licensees, the attorneys propose a change which would permit the Commission, by formal order, to place veil of secrecy on certain documents. This would permit networks to keep confidential their contracts with affiliates, for instance, and allow sales to go on contracts for station sales.

Further modification of the extremely controversial 'two year rule' governing ex-tenures of the Commission is desired by the profession. Less rigid ban is satisfactory but it should extend to former FCC lawyers, examiners and officers who sign up with public bodies—such as state utility commissions—as well as those who enter private practice. As proposed, lawyers taking posts with governmental agencies would not be foreclosed from practice in cases

with which they were connected while on the Federal payroll.

Less onerous provisions regarding exhibits, supplemental data, and financial statements are suggested, a point which would benefit many industry members. Instead of allowing an examiner to demand further evidence, Bar Association members would fix it so that only the Commission could exercise this right. In place of semi-annual financial statements, the committee suggestions would allow stations to submit reports for their most recent fiscal year with their license renewal applications and would not require dope on non-broadcasting activities. No necessity is seen by lawyers for insisting that requests for construction permits specify the exact location of transmitters. Formal orders, not mere requests; should be issued when the Commission wants additional info in connection with requests for consent to transfer control or assign licenses.

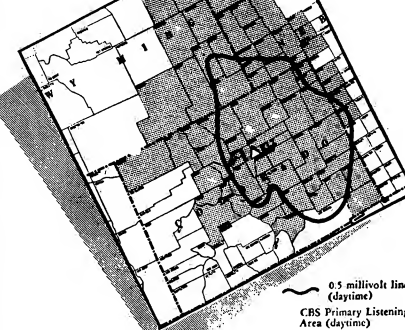
Tighter control over those special temporary authorizations is suggested. Besides getting the consent of the dominant station on a clear channel or o.k. of other stations on the same frequency nearer than the approved separation distance, managers seeking special favors would have to get approval of adjacent channel plans which may be closer than specified for interference-free service.

Ban on resubmission of applications denied, defaulted, or dismissed with prejudice would be limited by the lawyers only to requests of the same general nature. While the Commission apparently had this in mind, the attorneys wish the rule more precise, so an unsuccessful applicant will not be foreclosed from asking for some of r type of facilities, such as television, facs iie, experimental, etc.

More time to answer complaints about technical violations is suggested. (Continued on page 38)

Break Your Mind

Demand and Get Actual Station Coverage Data of the Denver-Rocky Mountain Region!



KLZ provi
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Local, along with

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KLZ Denver

UNDER AFFILIATED MANAGEMENT WITH WKY — OKLAHOMA CITY AND THE OKLAH

— REPRESENTED BY



Agencies-Sponsors

WHO, DES MOINES

Mantle Lamp Co., Chicago, through Presba, Fellers & Presba, beginning Oct. 15 for 13 periods of 30 minutes each, **Portion Sunl Corners** Frelec, **Flex-O-Glass Mfg. Co.**, Chicago, through Presba, Fellers & Presba, beginning Oct. 1 for 15 periods of 15 minutes each, **Portion Sunl Corners Frelec**.

Iowa State Fair, through Faircliff & Co., Des Moines, beginning Aug. 7 for 63 announcements of 65 words each.

St-Nore Co., Chicago, beginning Aug. 1 for three periods of 15 minutes each.

Duluth Chamber of Commerce, Duluth, Minn., through Stewart-Taylor Co., Duluth, beginning Aug. 3 for 18 announcements of 65 words each.

United Electrical Machine & Radio Workers of America, through Lessing agency, Des Moines, beginning Aug. 3 for three periods of 15 minutes each.

Drs. Hess & Clark, Inc., Ashland, Ohio, through N. W. Ayer & Son, New York, beginning Sept. 2 for 26 periods of 30 minutes each. **"The Farmers' Forum"**.

White Laboratories (Peppermint), Newark, N. J., through Wm. Esty & Co., beginning Sept. 8 for 185 announcements of 100 words each.

Beaumont Laboratories, through H. W. Kaster & Sons, Chicago, beginning Oct. 13 for 30 periods of 15 minutes each, also beginning Oct. 9 for 100 one-minute announcements.

National Radio Revival, River Forest, Ill., beginning Sept. 8 for 52 quarter-hour periods.

Florida Citrus Commission, through Ruthrauf & Ryan, New York, beginning Aug. 1 for 20 or more announcements of 30 words each.

Nashua Variable Power Co., Nashua, Iowa, beginning Aug. 18 for six periods of 100 words each.

Parina Mills, St. Louis, through Gardner Adv. Co., beginning Sept. 5 for 117 periods of 15 minutes each.

Standard Brands (Tenderleaf Tea), through J. Walter Thompson Co., started beginning Aug. 10. One 65-word announcement per week, cut in on "One Man's Family".

Utica Knitting Co., through John

Thomas Miller, New Sept. 5 for 36 per cent each.

Peter Paul, Inc. (Mounds, candy bars), through Platt-Forbes, New York, beginning Aug. 29 for 62 announcements of one-minute each.

Refrigeration & Air Conditioning Institute (Chicago Engineering Works), through James H. Lunke & Associates, Chicago, beginning Aug. 15 for four or more periods of five minutes each. **"The Camera Speaks"**.

Cardinet Candy Co., through Tomashchik-Elliott, Oakland, Cal., renewed Hal Burdick's Night Editor program for one year over the Coast NBC-Red from San Francisco, effective Sept. 27.

Standard Oil Co. of California, (petroleum products), through McCann-Erickson, Inc., San Francisco, resumes weekly educational feature, **"Standard School Broadcast"**, over Coast NBC-Blue Oct. 6. Program formerly was aired over Red outlets.

WHKC, COLUMBUS

"Monticello Party Line" for Dr. Caldwell's Syrup of Peppin, 26 weeks. **Firesome** (Voice of the farm) transcriptions return after summer lay-off.

Hot-stabbe Mike and Cowboy Joe, hillbillies, for Neo Vim, back after summer lay-off.

Montana Merch, cowboy band, daily from Ohio State Fair, for Allis-Chalmers, one week.

"Singing Troubadours", Herbert's Shoes.

WBRC, HARTFORD

Commercial Credit Co., 15-min. transcription program through O'Dea, Sheldon and Canaday, Inc., Sunday mornings, 15 times. Began Aug. 31.

Cryer Tobacco Co., Hartford, 15-minute live show, placed direct, begins Oct. 2 through Dec. 18, Sundays.

Plymouth Motor Car Co., 26 one-minute announcements, evenings, for two weeks beginning Sept. 22. Placed through J. Stirling Gethell.

Wood's Ground-Gripper Shoes, three one-minute announcements, from 7:45 a.m. United Press News, Placed

direct. Begins

March, 1939.

Rumford Baking Powder Co., placed by Atherton & Currier, two daytime and one evening 25-word announcements. Begins Sept. 12 through March, 1939.

Vita Builds, 85 one-minute announcements placed by Laurens & Salmon for 13 weeks in evening United Press News, Monday through Friday, beginning Nov. 15.

Roberts' Farriers, indefinite number of one-minute announcements daily in Shopper's Special and Ad-Liner. Placed direct.

Hygrade Oil Co., Hartford, five 25-word announcements per week, placed direct. Began August 24 through March 15, 1939.

Lorraine Shoe Co., 10 one-minute announcements. Placed through Julian Gross Agency, on the Ad-Liner every Friday. Begins Sept. 9 through Nov. 11.

Manchester Chamber of Commerce, 25 50-word announcements, placed direct, in the 745 a.m. United Press News, Tuesday through Saturday, for five weeks.

Narragansett Race Track, 16 one-minute announcements, placed by Chambers & Wiswell.

Pest Carpet Co., three weekly announcements. Placed direct.

Reidlin and Levin, furriers, Hartford, 50-word announcements Monday, Wednesday, Friday in 11 p.m. United Press News, plus two 50-word night announcements per week through November. Placed through Randall Agency.

WOW, NEW YORK

Procter & Gamble inaugurates **"The Ivory Masque"** series starting Sept. 12. Set for five times weekly. Completion agency set.

Planters' Edible Oil will sponsor six programs weekly starting Sept. 12. Will be fed to WPM, Philadelphia, J. Walter Thompson agency. **Bex Jewelry** begins airing weekly half-hour show Sept. 11.

WFAA-WBAP, DALLAS-FT. W.

Parina Mills, three quarter-hours weekly, Mon., Wed., Fri., for 39 weeks. Transcriptions. Placed through Gardner Agency, St. Louis.

Mrs. Bald's Bread Co., Dallas, five quarter-hours weekly, Mon.-Fri., for 26 weeks. Transcriptions, Jerry of

the Circus. Placed through Tracy-

Locke-Dawson, Inc., Dallas.

Comet Rice Mills, Belmont, two quarter-hours weekly, Wed.-Fri., for 16 weeks. Transcriptions, **"Comet Potpourri"**. Placed through Freitag Agency, Atlanta.

Standard Brands, Inc. (Royal Baking Powder), New York, five quarter-hours weekly, Mon.-Fri., for 17 weeks. Transcriptions, **"Visiting Nurse"**. Placed through McCann-Erickson, Chicago.

Wander Co. (Ovaltine), Chicago, five quarter-hours weekly, Mon.-Fri., for 39 weeks. Transcriptions, **"Little Orphan Annie"**. Placed through Blackett-Sample-Hummert, Inc., Chicago.

Lehn & Fink Products Co. (Hinds Honey and Almond Cream), New York, five quarter-hours weekly, Mon.-Fri., for 13 weeks on WFAA and Texas Quality Network. Live talent dramatic show, **"Helen's Home"**. Placed through William Esty & Co., N. Y.

Peter Paul, Inc. (Mound's Candy Bar), Naugatuck, Conn., 62 transcribed one-minute announcements, placed through Platt-Forbes, Inc., N. Y.

Sears Roebuck Co., Chicago, five quarter-hours weekly, Mon.-Fri., for 26 weeks. Transcriptions, **"Grandma Travels"**. Placed through Blackett-Sample-Hummert, Inc., Chicago.

Byer-Ballist Hat Co. (Resistol Hats), Dallas, one quarter-hour weekly, Sun., for 39 weeks. Transcriptions, **"That Was the Year"**. Placed through Pittluck Agency, San Antonio.

WGH, NEWPORT NEWS

Burrow Martin Co., Juggists, Norfolk, Va., adds 15 minutes to its half-hour daily, except Sunday, **"Musical Clock"**.

Sunshine Beverage Co. (Hires Root Beer) 15-minute daily program using hillbillies.

Virginia Optometrical Society sponsors two quarter-hour shows per week; educational.

M. Lewis Goodkind, Chicago, agency, has become affiliated with Raymond R. Morgan Co., of Hollywood. Goodkind's Chicago firm will be known as Goodkind & Morgan.

WFIL, PHILADELPHIA

Supplet, Ill.-Jones Milk, sponsorship three times weekly for 52 weeks

of **"Lone Ranger"**, pumped by Mutual

from Detroit. Placed by N. W. Ayer

White Laboratories, New York, for eight spot announcements per week for 39 weeks for Feen-a-mint. William Esty agency.

J. R. Pharmaceutical Co., Chester, Pa., eight spots a week for six weeks for Foot-Baze. Placed by Gallagher & Weir.

Delaware, Lackawanna & Western Coal Co., half-hour Sundays for 26 weeks for Blue Coal, airing **"Shadow"**, Ruthrauf & Ryan.

Westens Corp., Rahway, N. J., 15 minutes three times weekly for 11 weeks. WFIL to pump to Mutual, Rohrabach & Gibson Agency, Phila.

WMCA, NEW YORK

Procter & Gamble Co. (Oxydol) has started 26-week announcement series on WMCA. Half-minute slots five times weekly through Transluc American for Blackett-Sample-Hummert agency.

Carlson & Hovey Co. (Father John's Medicine), 26 weeks of one-minute announcements five times weekly, starting Oct. 23. John W. Queen agency, Boston.

Midgett Raceway, Inc., Roosevelt Field, L. I. (midget auto racing), start indie series of five-minute announcements Mondays and Wednesdays. Effective immediately with extra half-minute on Saturdays. Direct.

Roma Wine Co., daily news shot for 52 weeks, started Sept. 4. Direct.

Jadwiga Remedies (Flemex), announcement series of seven one-half minutes per week for 52 weeks, starting Oct. 10. Klinger Advertising Corp., placed.

Kemp & Lane (Orange Headache Powders) starting operating set of 28 half-minute spots Monday through Thursday.

WIND, CHICAGO-GARY

Speedway Gasoline Co., news bulletins, 10 minutes daily at noon; 10 weeks. Direct.

Tidewater Associated II Co. (Football Previews), 15 minutes preceding pro-football games of Chicago Cardinals each Sunday. Direct.

Nashua Laboratories. Two announcements daily for six weeks. Direct.

DeBarry & Williams, Three five-minute periods weekly for 13 weeks. D. T. Campbell agency.

Washington spot advertisers prefer WJSV

right now*

WJSV carries 63.6% more local and national radio programs than its nearest competitor

*week of August 14, 1938

because WJSV sells goods

WJSV

Washington's Best Salesman

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, Charlotte, N. C., Los Angeles, San Francisco

FCC's Right to Okay Adv.

(Continued from page 37)

ing foundation for request that the order gagging WARD and WLTH, giving WBBC three-fourth and renewing license of WFWF, be vacated and the decision reversed. The principal propositions up for review are:

First, in giv' facilities of an existing station to a rival transmitter, is the FCC not in the prospect of improved service against demonstration of past operation?

Second, does the evidence substantiate findings that the two plants illegally transferred control of the stations, lack ample finances; that WARD possessed poor equipment; that objectionable programs were aired via the two accused stations, and that deletion is justified?

Third, did the FCC abuse its authority and act in an arbitrary, high-handed fashion?

Fourth, was the procedure legal, in view of changes in Commish personnel, adoption of ex-post-facto measures, and lack of discussions of evidence?

In a lengthy discussion of these and the WARD-WLTH barriers claimed there is no showing WBBC promised better service; pointed out that only a short time earlier the Commish found WARD entitled to renewal; complained no charge of improper operation or bad programming was contained in the notice of issues to be taken up at the hearing, and insisted the burden of proof rested on WBBC, not on the two indicted transmitters.

The Commish made a serious error in not ruling on WARD-WLTH motion for dismissal of the WBBC application for their facilities, Segal et al., maintained. Improper force defendants to go on with their case while the Commish made up its mind whether WBBC had made a satisfactory and complete presentation.

'Abuse of Power'

Deletion of the station was termed a serious 'abuse of power,' without foundation. No findings relative to program service of WLTH and only sketchy ones re WARD. Insinuations of the Commish are improper, the judges were told, particularly those concerning medical advertising, poor finances, undependable equipment, and loss of actual control over facilities.

Declaring FCC lacks authority to ban advertisements for proprietary medicines, Segal and his associates seek a definite ruling on a matter which has troubled numerous station managers. Statute is silent on this problem, being limited only to particular types of program offenses (obscenity, lotteries, political speeches, etc.), and the broadcast of commercial medical programs cannot by any stretch of the imagination be construed as obscene, indecent, or amount to profane language. Right to rule on medical advertising is vested in the Trade Commission, they contend, adding that 'public interest in the Communications Act cannot be construed to mean 'public health and safety' in the control of broadcast advertising.'

If claims for remedies are without foundation, the FTC is the proper body to start vendettas and the advertisers are the proper targets, brief said. Issuance of complaint or negotiation of stipulation, which would bind broadcasters, is the appropriate procedure, with the courts being used to impose penalties. Putting broadcasters on the spot in conflict with the theory of the Communications Act and the principle behind government regulation.

Besides challenging the FCC's powers, the attorneys maintained their clients should not be punished for practices that are general throughout the business. Unfair for the Commish to censure WARD and WLTH when 70,000,000 listeners hear similar puffs day after day. Advertising of proprietary medicines is 'an established American custom,' as demonstrated by perusal of schedules of networks and individual stations. Similar testimony regarding WBBC programs was ignored, they emphasize, pointing out that the fair-haired applicants air propaganda for several pharmaceuticals, panaceas and remedies.

The finding that WARD's apparatus was undependable was opened to strong attack. Illustrating again contention that the FCC was biased, the barristers stressed the fact that WARD was off the air only 22 minutes during several years of opera-

tion, while WFWF, which is due to continue existence, was out of commission 147 minutes in a two-year period.

Gag Unjustified

Even if majority of the charges are true, the FCC is without authority to gag the stations, it is asserted. Commish has no concern with financial dealings between broadcasters and American Society of Composers, Authors and Publishers or a cancelled mortgage; and the sale of time to advertisers is not a loss of control (or else the network outlets violate the statute every day in the year).

Finances of both stations are ample, brief said. Comparative balance sheets show WLTH with largest asset on the credit side of the WBBC ledger. Capital and surplus of both WLTH and WARD are bigger than WBBC's, and finding that the latter is well heeled conflicts with the evidence which shows the station operates at a loss.

The actual mechanics of the Commish decision were assailed, much

along the lines followed successfully in obtaining reversals or reconsideration last year. One important point made by Segal, et al., is that adoption of opinions, decisions, orders, etc., by referendum method is contrary to law, which presupposes a thorough exchange of ideas, group discussion of evidence, and action of a clear majority.

Only three members of the Commish, less than a quorum required under the law, actually passed on the case, the attorneys remarked. Because of the death of former chairman Anning S. Prall and the retirement of vice-chairman Irvin W. Stewart, only five members had followed the proceedings and two of these (George Henry Payne and Paul A. Walker) never sat in on the testimony. So only Norman S. Case, Eugene O. Sykes and Thad H. Brown were in position to decide the case, less than the number needed to comply with legal requirements.

Brewer Shifts Stations

St. Louis, Sept. 13. Alpen raum Brewing Co. has shifted its 'Alpine Varieties' from KSD, where it was broadcast for almost a year, to KMOX. Variety show is scheduled for Tuesday, Thursday and Saturday from 6:00 to 6:15 p.m.

Broadcasters, Philly Union Set For Showdown; Allege Threats

Philadelphia, Sept. 13. A. Rex Riccardi, secretary of the Philly Musicians Local, declared today that he had received veiled threats from Arthur Simon, g. m. of WFEW, that the union would run into difficulty in getting contracts from other unaffiliated stations here unless WFEW's music quota is cut. Riccardi vehemently denied that such threats are serving only to resolve the union to stick to its guns more than ever.

Simon's alleged action presumably followed adoption by the Pennsylvania Broadcasters Association Friday (9) of a resolution he proposed demanding that WFEW's quota be cut. Pennsy group agreed that WFEW was being asked far beyond what its anticipated revenues merit.

Figure set for WFEW is \$30,853. This is considerably more than the

51% of the gross receipts set in the national agreement. Agreement contains a clause, however, stating that no station shall spend a smaller percentage of its gross than it did last year. WFEW last year spent approximately \$41,000 for musicians. It wants to cut that figure for the coming season to \$27,000.

Outlet at present has a 12-man band with the privilege of playing four hours of commercials a day. Riccardi said that Simon pleaded that whereas before the station was able to sell the orch, it is now bereft of salesmen and unable to do so. Salesmen were all allowed to go immediately after they formed a union. Station continues to operate under last year's contract, which expired on Labor Day. Riccardi's willing to continue on that basis forever-as the outlet is spending \$11,000 more a year on it than it is required under the quota.

Oil for the Cars of Cincinnati!

... WE'VE TOLD YOU ABOUT THE SENSATIONAL INCREASE OF WSAI SPOT BUSINESS ... NOW HERE'S A CASE HISTORY OF ONE ADVERTISER WHO HAS HELPED ESTABLISH WSAI'S RECORD...

TRESLER OIL, DISTRIBUTORS OF PHILLIPS 66 GASOLINE, WRITE: "... AFTER CAREFUL CONSIDERATION WE DECIDED THAT RADIO OFFERED THE BEST MEDIUM, AND AS THE RESULT OF OUR EXPERIENCE WITH SEVERAL LOCAL STATIONS, WE ARE CONVINCED THAT STATION WSAI PROVED THE MOST SUCCESSFUL."

AS A RESULT TRESLER OIL SPONSORED RED BARBER'S SPORTS RESUME, MONDAY THROUGH FRIDAY GIVING AWAY 20,000 RED'S STICKERS DURING A 2-WEEK OFFER.

BEFORE YOU PLAN YOUR NEXT RADIO SHOW, INVESTIGATE THE POSSIBILITIES OF AN INDIVIDUAL PROGRAM, CREATED AND BROADCAST BY THE EXPERIENCED STAFF OF

WSAI CINCINNATI

National Spot Representatives
TRANSAMERICAN
NEW YORK CHICAGO HOLLYWOOD

Rolle Heads Move to Aid Composers To Sell Works Via Radio, Students

With the endorsement of leading music authorities, a national movement, which would enable ambitious composers to market their works, was launched last week under auspices of the American Music League. It is planned to make the high school bands and orchestras of the nation, with a personnel of 3,000 musicians, the actual market for new compositions once they have been approved by the League's music committee.

Idea was conceived by A. B. Rolle, band leader and president of the League. Part of plan is to present works of American composers, past and present, by means of radio, with a parent musical organization of 85 instrumentalists and a chorus of 30 mixed voices included in this broadcasting idea.

If new musical works pass the League's music committee and win approval from the air audience, they will be published in orchestral form and distributed to high schools at wholesale price. Planned to release six arrangements this autumn, with regular royalty from all sales and in this way ambitious composers would be encouraged.

League also contemplates covering musical organizations representing variety societies much the same as done with high schools. AML recently formed, will operate on a non-profit basis.

League has received support from Dr. Walter Dammrosch, George H. Gortan, its director for New York schools; Lyttle Day, music director for Missouri; Capt. John Barabash, music director for Chicago schools; E. C. Mills, general manager, American Society of Composers, Authors and Publishers; and Ferde Grofé, James L. Waller, for years manager for Paul Whiteman's interests, is partnered with Rolle in this new movement. Judge Frederick E. Goldsmith is counsel for the League.

N.Y. WORLD-TELE BIOGRAPHIC ORCHS

New York World-Telegram started a series of feature articles Monday (12) recounting the early history and growth of the orchestra, selected to lead of the story, because the crew has managed to survive the many shifts in musical styles since it reached the top without following suit. Duke Ellington was the subject yesterday (Times).

Articles are prefaced with a paragraph in Italian stating that "Organization and management of dance bands has become a major industry in America. No effort has been made to select or designate the best of the bands. Those included in the series are representative organizations, current in the heavy money."

Series has created a stir among band press agents, most of whom are scrambling to get their clients listed.

Garber's Orch Into M-G's 'Ice Carnival'

Kansas City, Sept. 13.—Jan Garber's orchestra at the Tower here last week, has been set to appear in Metro's forthcoming "Ice Carnival," heavy budget production. Crew has six weeks of vaude dates ahead before trekking to Hollywood for the picture work.

From the Coast band returns on a three-month stand at the Blackhawk in Chicago beginning Nov. 11.

'KRUM ELBOW BLUES'
President Roosevelt's and Father Divine's Krum Elbow Blues (a) has been written into Krum Elbow Blues.

Johnny Hodges, Duke Ellington's sax recording combo made the player for Vocalion.

STRAIGHT JABS

Robbing Mike Nearly Ruins Goodman and Downey in Detroit

Morton Downey and Benny Goodman, with whose band Downey sang, were victims of a tricky Mike at the Michigan State Fair. The band, which was equipped with a spring inside the barrel of the stand to hold it at full height, with the clamp to hold it lower when required.

At different times the clamp slipped and allowed the thing to shoot upward and clip first Goodman, then Downey, in the face. Goodman had his glasses broken and was cut under the eye. Downey nearly had his dental work driven down his throat when it hit him in the mouth.

NAPA Counsel Derides MPPA's Phono Licensing

Philadelphia, Sept. 13.—Attempt to force the Music Publishers Protective Association to license co-ordinated phonograph machines as a means of bringing counsel for the National Association of Performing Artists, declared here yesterday, is merely a roundabout attempt to get most money out of the record companies, he said, as the MPPA knows it hasn't a legal leg to stand on.

Move to use the copyright owners' right to grant permission for special arrangements as a means of bringing the coin machines under control, just won't work, Speiser said. Without the right to make the coin machines, he claimed, no half-way important band will play a tune. And no band will willingly allow its tunes to go unplayed is preposterous, he stated, when they use every form of human guile now to get a plug.

Lapham's Concerts

Claude Lapham, composer and arranger, is now conducting weekly "Saton International" concert series at the Astor hotel, N. Y.

Saton season ends Tuesday night (22) will feature the traditional music of Hawaii.

Following is a totalization of the combined plugs of current tunes on NBC (WEAF and WJZ), and CBS (WABC) computed for the week from Monday through Sunday (Sept. 5-11). Total represents approximate performances on the major networks from 5 p. m. to 1 a. m. in "Source" column, * denotes film songs, † legit tunes, and "pop" speaks for itself.

TITLE	PUBLISHER
You Go to My Head.....	Robbins
A-Tisket-A-Tasket.....	Robbins
I've Got a Pocketful of Dreams.....	Santley-Joy
Music, Maestro, Please.....	Berlin
When Mother Nature Sings.....	Santley-Joy
I'm Gonna Lock My Heart.....	Shapiro
So Help Me.....	Remick
You Go to My Head.....	Remick
Cathedral in the Pines.....	Berlin
Change Partners.....	Chapin
Small Fry.....	Famous
Garden of the Moon.....	Harms
I've Got a Pocketful of Dreams.....	Faust
I've Got a Date With a Dream.....	Faust
Top Beating Around the Mulberry Bush.....	BVC
There's a Faraway Look in.....	Tennay
Vanishing.....	Berlin
Lambeth Walk.....	Mills
Now It Can Be Told.....	Berlin
The Yearning.....	Mills
If I Loved You are.....	Words-Music
Summer Souvenir.....	BVC
Alexander's Ragtime Band.....	ABC
Don't Cross Your Fingers.....	Chapin
At Long Last Love.....	Chapin
Garden of the Moon.....	Famous
Beside a Moonlit Stream.....	Crawford
No Wonder.....	Coleridge
Colorado Swing.....	Harms
Love Is Where You Find It.....	ABC
Who Does Anyone Tell You.....	ABC
When Mother Nature Sings.....	Lullaby
Marini.....	Fox
Love Is Life.....	Green Bros.
Flat Foot Floogie.....	Berlin
I Used to Be Color.....	Circle
Toy Trumpet.....	Circle
Girl Friend of My Own.....	Robbins
Red Red Red.....	Robbins
Don't Let That Moon Get Away.....	Santley-Joy
My Walking Stick.....	Arlyn
Why Doesn't Somebody Tell Me.....	Shapiro
You're the Only Star in My Blue Heaven.....	Shapiro
Timmy's Honey on the Moon Tonight.....	Mills
How Can We Be Wrong.....	Crawford

Pic Treatment on Band

Something new in band advertising comes up from Memphis, where Herman Waldman, playing his third date there in five years, is featured in a co-operative ad in which he, business firms, three theatres and a radio station unite to give greenback to the return, home-tour product.

First use of the motif picture standby for a band.

TOMEL QUITTING PARTLY UNION PREXY POST

Philadelphia, Sept. 13.—A. A. Tomel, prez of the Musicians Local here and one of the city's best known band leaders, considered his resignation, effective October 3, it was learned this week. He will join the Philly orch at that time, from which he has had offers for the past three years. He is reputedly one of the best French horn players in the country.

Tomel declared yesterday that it was a loss-up whether he wanted a career as a labor leader or a musician, and chose the latter. Abuse and heartaches that necessarily go with the task of leading a union decided him, he said. Difference in pay between the two jobs is only about \$200. As head of the Toners he received \$3,500 a year, while in the new spot he'll get \$80 a week for 16-week season and, if he chooses to play in the summer concerts, another \$400, making a total about of \$2,900.

The union prez's resignation comes as a complete surprise—though certainly no disappointment—to theatre owners, cafe operators and radio stations, all of whom were practically in a continuous battle with the militant leader. The 33 months he has headed the AFM local have been far from uneventful in its history and the ones in which it has advanced fastest in obtaining long-side concessions and contracts. Included in Tomel's term was a lengthy strike against all of Warner Bros. theatres.

Joseph Levy, v.p., ill serve in Tomel's stead until his term expires in December.

Jack Mills has obtained American rights to "To Dance and Be Merry, You Dance Alone" from Cinephonie Music of London. Both tunes are being released by the popular music mer in "Wild Out" and latter in "Happy Returns."

15 Best Sheet Music Sellers

(Week ending Sept. 10, 1938)

*Alexander's Ragtime Band.....	ABC
A-Tisket-A-Tasket.....	Robbins
I've Got a Pocketful of Dreams.....	Santley-Joy
Now It Can Be Told.....	Berlin
Music, Maestro, Please.....	Berlin
When Mother Nature Sings.....	Santley-Joy
I'm Gonna Lock My Heart.....	Shapiro
So Help Me.....	Remick
You Go to My Head.....	Remick
Cathedral in the Pines.....	Berlin
Change Partners.....	Chapin
Small Fry.....	Famous
Garden of the Moon.....	Harms
I've Got a Date With a Dream.....	Faust
Top Beating Around the Mulberry Bush.....	BVC

* Indicates film musical song. † Indicates stage production song. The others are pops.

Inside Stuff—Music

A bit of a cause belli was almost tripped on the etro lot when a Walter Donaldson tune for "Honolulu" was placed by him with the new Begman-Vocco-Conn firm, 12 of going to Metro's own music subside, Faust or Robbins for publication. The associate producer of the film stated he wasn't thinking of any copyright or music publishing angle; his main job was the film, at the moment. What aggravates it more is that Jack Miller, Chester Conn are ex-Begman-Vocco-Conn musicians, which further steamed up the New York end of Metro and the music publishers. The Donaldson song stays with BVC, however, with promise of no further repetition.

King Ross, arranger, who has entered the business of making specialized phonograph records for musicians, states that a 2c. royalty should be sufficient for copyright owners in the case of his wares, and that any attempt to raise the fee by way of enforcing the exclusive-right-of-arrange provision in the copyright law would only serve to discourage his venture. King holds that his type of record should not be classed with the discs used in coin-operated machines.

King states that he has created a new field and a new source of revenue for the publishing business. His "Accomp" records sell for \$1.50 each.

Francis Gilbert has returned from a two-month tour of Europe. While the trip was essentially a vacation, he visited publishers in England, France, Holland and the Scandinavian countries in behalf of his American publishing clients. Gilbert reported that he was impressed with the dignity and respect shown the music business by the users of performing rights, as contrasted to the attacks to which the industry is subjected from all sources in this country.

Larry Clinton's swing version of Claude Debussy's "Reverie" is still copyright protected in Canada, hence the Robbins publication is kept off the air in Canada. This has worked ag. (the tune on NBC sustaining heavy air which invariably have at least a small amount of the tune linked. Robbins Music is now trying to work out a royalty deal with the Canadian music pub to clear the radio rights.

Irving Berlin's "Walking Stick," which Ethel Herman done in "Alexander's Ragtime Band" (20th), was originally written for Fred Astaire's "Carefree" (RKO), both current releases. Astaire liked it but thought it was too close to the boy number he did in "Top Hat," so Berlin, who songsmith both pictures, switched it into "Alex."

Dave Oppenhe, A. Jacobs and Jack Palmer writing score of Bobbie Sanford's new Hollywood Restaurant (N. Y.) Revue.

Music Notes

Maury Rubens composed a special song melody for Bobby Brown's personal appearance tour.

Frank Loesser and Hoagy Carmichael are writing "Two Sleepy People" for "Thanks for the Memory" at Fairmount.

Tin Pan Alley, Philadelphia publishing house, opening New York office, with Maurice Merit in charge.

Arthur Brown, host at the Stork Club, New York, has written a new tune, "Don't Throw Them Away," with Kay Palmer.

Low Brown and Sammy Fain wrote "It's the Doctor's Orders" and "Take the World Off Your Shoulders" for RKO's "Miracle Racket."

Joe Venuti has been signed by Robbins Music to turn out several new compositions of standard numbers in that firm's catalog. Compositions will be released in a compendium entitled, "Venuti Violin Rhythms."

Millon Wet, Chic-go music firm is publishing two new songs by local scribblers. Sylvia Clark, vaude and radio comedienne, collabed with Ruth Frank to turn out a duet, "Alone in a Fog." Jerry Eaton and Thomas Peters tossed off a tune titled "Berlin's Band," the "B" tune for the college football season.

Bob Ferry, program director of WORL, Boston, has turned composer, cleffing the tune "The Music in Me."

Vio Knight wrote and published a new duet "The Pic-e-dye-der."

Ralph Ralinger scoring mount's "Paris Homecoming."

AFA Warns Four Chicago Night Clubs To Adopt Closed Shop or Be Picketed

Chicago, Sept. 13. Notice has been served on four leading local spots that they must close shop and book only members of the American Federation of Actors. Those notified are the Empire Room of the Palmer House, the College Inn of the Hotel Sherman, the Chez Paree and the Hi-Hat.

Notification named Sept. 15 (Thursday) as the deadline. If not, the AFA intends to picket the cafes, marking the first time any theatre or spot here would be picketed by the union.

AFA expects cooperation from the agencies supplying talent to these spots, namely, William Morris agency and Music Corp. of America. Having already reached agreements with these agencies in New York, AFA declares that the local offices of these agencies must be governed by same agreements which were negotiated with the N. Y. headquarters.

BENNY FIELDS EAST FOR VAUDE; THEN TO LONDON

Hollywood, Sept. 13. After four months on the Coast, Benny Fields goes east Thursday (15) to play sixth return engagement at Loew's State, New York, opening Sept. 22.

Salls late next month for four weeks' appearance at Cafe de Paris, London. Due back in Spring for picture work.

DIVORCES NITEREY OPERATOR

Detroit, Sept. 13. Charging cruelty, Mrs. Madelon Sheffery Huck was granted a divorce last week from Arthur J. Huck, operator of Westwood Gardens.

Mrs. Huck testified her husband supported her and their year-old son grudgingly and he frequently stayed away for days without explanation.

Liz Talbot-Martin Debuts In Rainbow Room Oct. 12

Elizabeth Talbot-Martin, m. c. and dancer of the Ruth St. Denis Room debut Oct. 12. Alice Templeton also returns then, and there may be a third act. The Al Donahue and Eddie LeBaron bands hold over.

Outgoing acts will be John Hoystradt and Jack Cole's Dancers.

RKO UNIT DATES IN N. Y. ON RISE

Popularity of small stage units, spotted in for only one or two nights as a rule, has increased to such an extent on RKO's circuit in Greater New York that there are now five such flesh units currently booked in to about 30 theatres. Virtually all carry their own bands. Bulk of shows consist of 1. people.

Al Shayne unit is latest addition to RKO circuit. Others are Cowboy Jack, Sunshine Sammy, Buzin! Around and Screenland Revue. Few circuit officials envision the return of straight vaudeville, even on a limited scale, in this activity.

Understood that best units might be brought into RKO theatres most likely to benefit from New York World's Fair visitors when exposition opens next Spring. In such case, units might be enlarged. This fits in with the idea that circuit houses would want to attract out-of-town trade, which would go for flesh shows when otherwise they might pass up straight picture house.

PAY CLAIMS MADE IN PHILLY AFTER FIRINGS

Philadelphia, Sept. 13. Salary claims have been made by the United Entertainers' Assn. against two spots, one here and one near Harrisburg, Pa., for acts which were fired before their contracts were up. Biggest claim is against Harold Lazare, operator of the Evergreen Casino, \$80. Tom Kelly, biz agent of the UEA, claims Lazare fired the Carroll Sisters, dancing act, after only one week of their two-week contract. Compromise offer to pay half was made by Lazare and his agent, Bob Calvert. Kelly refused to accept it until he finds the girls for whom he made the claim. They have since gone out of town on another booking.

Kelly charges that approximately \$45 is due Betsy Bain, dancer, from the S. S. Lighthouse, Hummelstown, Pa. Miss Bain, he said, was supposed to get a week's work, but was dismissed by op Harry Gerner after one day's work. Kelly wants \$30 salary, room, board and transportation.

Baptie-Lamb Ice Show Set for 8 Weeks in L.A.

Hollywood, Sept. 13. Ice show now appearing at the Hotel New Yorker, New York, moves into the Trocadero here Sept. 27 for eight weeks. With Norral Baptie and Gladys Lamb topping a cast of 15. Work starts this week on the construction of an ice rink.

N. Y. Hostelry Adopts Nitery for First Time

Baleigh Room, of the Warwick hotel, New York, goes for its first floor show this week. Three acts and band will open tomorrow night (15).

Elinor Sheridan, singer; Alan Jones, pianist, and Dell O'Dell, dancer, will augment Gerry Mutton's band. Harry Engel, of Fanchon & Marco, booking.

Pitt Niteries Look to World Series, Many Roadhouses Extend Season; Detroit Sees Good Business Ahead

Ames-Arno Quit Gordon Show; Sign with Vallee

Ames and Arno are slated for a partnership with the Rube Vallee unit soon at Loew's State, New York.

Dancers settled their contract with Max Gordon's, 'Sing Out the News', finding the assignment inadequate.

PITT CABARETS AIR AUDITIONS

Pittsburgh, Sept. 13. Pittsburgh branch of Entertainers Federation of America, which recently refused to join AFA because of president Ralph Whitehead's refusal to grant local autonomy, plans to follow up advantage gained in recent publicity breaks by hitting the air waves once a week with a plug for local talent. KQV has allotted the group half an hour of time every Saturday afternoon and EFA will use its members exclusively on the shows, with a different m.c. officiating each week.

EFA also plans to utilize period as a clearing house for acts. Will announce that entertainers appearing on shows are open for night club and cafe bookings and group hopes to prove through quality of its shows that Pittsburgh talent compares favorably without-of-town artists.

Tie-up has been made by WIP with Warner Bros. to air name that gets top-billing in the Earle Theatre's stage show each week. Station will carry the interviews every Monday at 2:30 p.m.

Pittsburgh, Sept. 13. After spending around \$50,000 last fall to remodel its Italian dining room into a swank supper-dance spot, William Penn hotel will return to its old town, the Chatterbox, this season. Opening band will be Lawrence Wells, who clicked here on first local appearance several months ago, with gelay set for Oct. 3 to cash in on expected World Series trade.

Flock of roadhouses, among them the Willows, also announcing an extension through the fall and winter, all of them likewise with an eye to the baseball classic influx, but doubtful if many of the out-of-town cafes will stick very long after that. Willows finished up one of best summers in years, chiefly on smart click of Jozequin Grill's orchestra. After three and a half month stay Grill has been replaced by Dick Gardner's crew.

Gardner, formerly George Olsen, has a new vocalist, Peggy Lawson, formerly with Bunny Berigan. She replaces former Mrs. Gardner, who was divorced from band leader recently.

Gardner's stay at Willows indefinite, depending upon spot's fall-winter policy. Roadhouse usually operates only during summer. Dancing every night, except Monday and Tuesday, for time being.

Weik brings back dancing to William Penn following two-month shutdown. Hotel's Urban Roof a skidder this summer, and downstairs grill was tried for a couple of weeks, but it was no go, either.

Detroit, Sept. 13. Already reopened for winter biz, which looks lot better than past year at this time, is the Club Plantation, sepiu spot. Cliff Bell's Commodore is due back next week with Chauncey. (Cont. c on page 44)

EVERYWHERE—AND NOW—

Breaking Records at The STRAND NEW YORK

OZZIE NELSON

AND HIS ORCHESTRA WITH

HARRIET HILLIARD

AND HER SONGS

TRIUMPHANT RETURN TO NEW YORK AFTER ONE YEAR IN HOLLYWOOD

Personal Management
WILLIAM KENT, 1776 Broadway, New York

Benny the Bum's, Philly, Fined \$200 In Rum Violation; 5 Other Spots Cited

Philadelphia, Sept. 13. Continuing its drive on niteries selling booze after Saturday curfew, the Pennsylvania Liquor Control Board last Friday (8) suspended the license of Benny the Bum's for 20 days. The board accepted a \$10 a day offer in compromise, or \$200, and allowed Benny to remain open.

Already cited, or about to be cited, for rum violations are the Hotel Philadelphia, 1214 Club, Ubangi Club (about to reopen as The Village Barn), 1522 Locust and 21 Club. All will have hearings within the next few weeks.

Cocanut Grove, which is closed, was fined \$150 by the board last week, while the Embassy and Arquia each recently paid \$10 a day in compromise for 15-day suspensions.

Curran said the compromise offers were being accepted after first offenses. He declared that the board, on subsequent offenses, will close spots.

Idle Open, Says Jury
Minneapolis, Sept. 13. In its final report to the district court, grand jury charged Minneapolis is wide open for gambling rampant and night clubs selling liquor at all hours in violation of the midnight closing law.

These conditions convince the grand jury that such widespread violations of the law requiring gambling and liquors could only exist with the consent and knowledge of city and county officials, the report declares.

Hub Cafes Approved

Boston, Sept. 13. Shows in Boston cafes have been approved officially by E. Driscoll, head of the Boston Licensing Board.

They recently warned against objectionable shows.

PEGGY FEARS' CAFE DATE

Hollywood, Sept. 13. Peggy Fears has opened two-nighting engagement at Phil Selick's in Hollywood.

Best Coffee in Englann QUALITY INN

A. C. ASTOR

Dressed by

SIDNEY FISHER

76-77, Shaftesbury Avenue
PICCADILLY, LONDON, ENG.

Fatal Rail Crash Delays Heidt Mpls. Date 6 Hours

Minneapolis, Sept. 13. Badly shaken up by smashed a railroad wreck that resulted in two deaths and serious injuries to 10, Horace Heidt's orchestra was delayed more than six hours, reaching Minneapolis, causing their first performance Friday (9) at the Orpheum here to be held up from 1 p.m. to 2:30 p.m.

Despite its harrowing experience the band went on five minutes after its arrival in Minneapolis, appearing in street clothes, and gave a bang-up performance.

"Wreck occurs" in Hudson, Wis., 30 miles from Minneapolis, and was caused by a washout. Train had been due here at 8:30 a.m., but hours elapsed before the band, en route from Milwaukee, could obtain a pass to carry it the rest of the way. In St. Paul a police conviction was given late bus and the musicians were rushed to Minneapolis.

Red Ferrington of the band, who was picked up several of the other injured passengers and drove them to the hospital.

Pitt Looks Up

(Continued from page 43)

ety Cromwell topping show, while Hollywood Book Cadillac and Statler hotels Book Casino and Statler's Terrace Room have been harboring only dinner dancing throughout summer.

Current at Casino is Bobby Grayson's band and at Terrace is Frank Gagen's crew. Both orchestras, which have been playing spots for some time, will be replaced for nitery reaping and couple of name acts added.

Cleveland, Sept. 13. Dick Barrie's crew is breaking Statler Terrace Room's autumnal ice next Monday (19), starting the hotel's courtyard and floor-show season. MCA lining up talent for initial revue. Laude Hoagland's unit staying currently until Barrie comes in. Niteries don't also given a pickup by yesterday's (Tuesday) reopening of Freddie Meyers' cafe, which was one of the hottest money-makers of last semester. Ingo Borge, "Sphinx Dancer," topping operator, which includes Dorothy Keith's, Jean Vicker and Phil Arnold as m.

Golden Glow is another spot which took off shutters last week, with Jimmy King's orchestra. Frank Monaco's Cafe, one of the most expensive dance-danceries heretofore, which Jacques Pollack's band, also has reopened.

• 15 YEARS AGO •

(From VARIETY and Clipper)

Brothert, German strong man, made his American debut at the Brooklyn Orpheum. Did some astounding feats, but set too slowly pace for best results.

Lizzie B. Raymond was making a second try in a sketch at the American, N. Y. Had been one of the leading series comics, but that was some years before. Only a mild success.

Eight female boxers came from Europe to join Rube Bernstein burlesq show. Opened at the Columbia, N. Y., for a showing, and cleaned up. Real sluggers and not hippodromes.

Ed Lowery, playing the Palace to fill a disappointment took his final bow about two minutes after the cur had run out on the next turn.

Over a big way. Topper was Elsie Janis in a flock of i tations. Still there by the punch.

Vera Gordon at the Riverside in another sketch, but the audiences were getting tired of her. Topper was Elsie Janis in a flock of i tations. Still there by the punch.

Theatre audiences were being i - portuned for contributions for the sufferers from the Japanese earthquake. Now the Japs are doing earthquake and the Chinese get the blame.

Blanche Ring was out in Chicago with Lt. Gitz-Rice as her pianist. Doing well by the Palace b.o.

English authorities trying to formulate some plan to halt the rapid growth in popularity of the Hollywood productions. Still figuring.

Motion Picture Theatre Owners Assn. in a hubbub with the directors to make and release its own films. Scheme looked good on paper—all except the cash entries.

Motion Picture Theatre Owners of the Northwest coming to an agreement with American Society of Composers, Authors and Publishers over royalty payments.

N. Y. License Commissioner reported a seating capacity of 677,840 the five boroughs. Almost half were in Manhattan.

Picture exhibitors talking of adding value to overcome lack of pulling pics.

Low theatres, including State N. Y., to go from split to full weeks. Gave the circuit 17 full weeks.

Stagehands and vaude managers came to an agreement in N. Y. Deck hands upped to \$38 weekly. Burlesque men drew \$55 for a six-day week.

"Wine, Women and Songs" burlesq show, doing a street parade in each town.

Betty Allen in U.S. After Doing 1st Pic in France

Betty Allen, American vocalist with Ray Ventura's orchestra, has returned to New York for a vacation. Expecta to remain until Sept. 21, when she sails to join the band at the Palladium, London, after which she will go back with the outfit to the Chez Ventura, Paris, double into the Paramount theatre there.

She will also make her first feature film, "Foux de Joie" ("Fools of Joy"), in which she has the lead. It is scored by Paul Iskari, formerly Ventura's pianist, who is also doing the music. Another Chevalier's new show, who composed the score for Nellie Darby's new French

PERSIAN ROOM

(HOTEL PLAZA,

Marble & Cor

Orch (15).

arshard

The Hotel Plaza's Persian Room does a 30-piece orchestra until the end of this month when Eddy Duchin comes back plus The Harp and Sally Clark. For a three-week stopgap, still under the summer informality, Maurice and Cordoba, who've danced here before, are back with their ballroomology, and Jack Marshard's orchestra makes its New York debut.

Both just close with Miss Clark, who's a Roosevelt in-law) at the Ritz, Boston, where Marshard's bands are quite well known. It's a nice society following in the Back Bay belt and maintains several units. For the New York bow-in, Marshard impresses on personality and a sweet-hot style that is very gets 'em up and keeps 'em on the dance floor. Maestro is an ex-drummer, a is Olsen-Lyman, et al, but is strictly baton here. His combo numbers 12, excluding himself.

Maurice and Cordoba evidence much hard work and improvement in that their routines are different, their holds unusual and quite clever. They are, without any semblance of acro-anything. The whirls and holds in the opening waltz, then the tango and concluding oddity-rhythmed foxtrot are productive of consistent acclaim. Abcl.

ROYAL HAWAIIAN

(HONOLULU)

Honolulu, Aug. 27. Perhaps the most exotic dance and spot extant is the Royal Hawaiian's Waikiki Terrace, o'hering with giant palms and with the famed Waikiki Beach and the Pacific as a background. Adding to the rich colorful picture is a variegated populace. Entertainment is changed nightly in the matter of orchestra and artists, leaning predominantly to diverse hula dancers. Hulas here are different in that there is rhythmic variation, minus the usual sensuousness so often driven for on the mainland.

Topping the orchestras is Don McDinnim's Royal crew, a melodious outfit, particularly popular on the island. Steel guitarist is a in his own right and a stand-out instrumentalist.

Other strummers include Joe Aloha, Serengeti and Al Perry's Surf Riders, not to mention Brava's Kaloa Boys. Johnny Nobel vet composer of hula songs, is directing the diversion. Tucked away here in the Pacific is a superb entertainment by the name of Clara Iler, the host of Hawaii. She does character numbers with all the fine comedy effect of a Charlotte Greenwood or Fats Waller. Some of her material is a wee bit blue, and of course, she would have to be coached in a few minor details for American con-

sumption. She's a real find for one of the New York late spots.

Several girls are used in the floor show. A number in which bamboo sticks about two feet long are twirled about in a dainty, lovely. Another oddity is the manner in which the girls, with a distasteful, tautly forward and the palms of the hands disclosed. Quite removed from the usual, and even the wide Glida Gura. There are always at a premium, capacity being the rule. Waikiki Terrace, however, has the floor uppers one of the places that immer the memory through the years.

O. M. Samuel.

RAINBOW GRILL, N. Y.

Paul Kain (Orch (7),

Marilyn & Michael.

Paul Kain's orchestra is the Rockefeller's intent, succeeding Ben Gordon. The informal room at the 65th floor has been more or less a star-maker for bands and talent and, while considered a plum berth, the talent is never brought with an eye to name value. Idea is that its own basic merit will eventually establish the band or act, after being suspiciously showcased here.

Kain is from the Coast and brings in a wide, open, accepting, and sensational in how he batons or what style he dances, accepting that it's solid desperation. Business has been exceedingly strong. Only seven men, the smallest the Grill has ever played. Kain's instrument is the sax and he features it throughout.

Not so strong is Ruth Nigey, newcomer songstress, of socialite background (her father was a prominent hotel man). Miss Nigey impresses as having been overly influenced by the Gertrude Nieren style of throaty, dramatic whispering. She also crosses her hands for emphasis. Commences between the Grill and the more formal Rainbow Room, where she sings with Eddie LeBaron's tang-o-rumba-bats.

Marilyn and Michael continue with their ballroomology and do a difficult, champagne hour' chore from 9:30 on, staging dance coustics with audience members, the bottle of wine as prize.

Abcl.

Josy Huston Due Back

Josephine Huston, star of the London musical comedy success, "Wild Oats," sails for America Oct. 19. In the next month, Miss Huston also doubled at the Cafe de Paris and was active on the air.

JACK and JUNE

BLAIR

On Your Fuller Circuit, Australia

"Hollywood Hotel" Revue

CASS, OWEN and TOPSY

Held Over 3rd Week
RKO PALACE Chicago

Direction: MAX TISHMAN

ver 3rd Week PALACE, Chicago
Now CHEZ PAREE, Chicago

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HELLO CHICAGO—E. S. Livon

CHICAGO THEATRE, CHICAGO

Burlesque Reviews

TRIBORO, N. Y.

Bobby Morris, Lou Devine, Cliff and Dena, Ned Walsh, Perry Britton, Arthur Kudlin, June Marshall, Sonia Duvall, Celi Devine, Sherry Britton, Irene Cornell, Line (12).

Triboro, which opened last season with stock shows under Ed Rowland and Harry Palmer, has become part of the Izzy Hirsch wheel for the current semester, but still under the same management. House reopened last week.

Spot operates three-day week-days and continuous Sunday. Sabbath shows are coupled with vaude, which provides a rest for the purty contingent and enables the grind.

Revue, which responds this house and then goes on to the Hudson Union City, N. J., another spoke in the Hirsch wheel is far from the best. Perry Carr has produced. Comedy is for the most part ineffectual, only to draw any real response being a boxing sequence. Latter is good for plenty laughs because the action follows no set pattern. Most of it is ad libbed. It's the kind of a free in which most burlesque comedians like to work because it gives 'em zip.

Bobby Morris makes the most of it here. He's helped by Richard Dand, straight; Ned Walsh, dancer, who's in a couple of skits, and Arthur Kaidin, his milt opponent.

Morris and Lou Devine, coupled by Dena, handle the rest of the show pretty well, only occasionally working together, and using old gags and situations that have been worn thin. Surprisingly enough it's Paddy Citty who clicks best. He's the live and tune piper, and draws a deserved round after an Italian folk song and the semi-operative Donkey Serenade. Voice is not too well trained, but he puts 'em over really. Dena also attempts a couple, one of which is justified, in a Mexican number by the line.

Strippers Sonia Duvall, June Marshall, Celi Devine, Sherry Britton, and Irene Cornell, last a semi-circuit.

WILLIE AND EUGENE

HOWARD

"Hollywood Hotel" Revue
Fuller Circuit, Australia

dancer, are so-so, issue Duval and Devine, who follow the strip circuit for pre-toss vocals, but neither can boast a voice. Miss Duval shows her strip with "A Ticket" and "Now It Can Be Told." Gail knows little about strip, and less about finding and should strike it out. She's okay, however, when she gets to work. In the same category is Miss Devine. Miss Marshall, a blonde idiot, and shapely, adds to her appeal with eye-catching alpeasy gowns. Sherry Britton is one of the bumping school and uses 'em o advantage. All go to the beads and back for certain points.

Tugged the "French Riviera Polka," it comes on in one spot in military dress for a march that indicates the most of the sets are strab and unkempt. Show carries a taper, Ned Walsh, who works hard and clicks.

Vaude section, independent of the burlesque, is put in a house itself as an added lure. Listed a pair in the list. Most of the sets are strab and unkempt. Show carries a taper, Ned Walsh, who works hard and clicks.

PALACE, BUFFALO

Buffalo, Sept. 12.

House Line, Chermatine, Nazro Halo, Marie Voe, Dorothy De Haven, Harry Le Van, Harry Clez.

The Western Burlesque Circuit is serving up these meat-and-muscle operas in the raw and calling them burlesque. While set jumpers writes this to a type of entertainment that once amused many, if the cops don't get it soon, the first department will have to be called in.

Western comprises half a dozen stands between Buffalo and Cincinnati. House choruses are retained, but the specialties changing weekly as a unit. Booking is from Chicago.

If there is any form of suggestive in these performers don't dish out, it hasn't yet been discovered. What the strippers leave undressed (and it isn't much) the comics practice finally. And when they turn out of words, which isn't often, they go in for gestures.

Featured stripper is Chermatine. Nazro Halo, Marie Voe and Dorothy De Haven have similar routines. Chermatine stands out chiefly because of build-up and grooming.

What they call the comedy goes to Harry LeVan, Harry Clez and an unbridled offender, who cracks old rags.

Wage-Hour Confab

American Federation of Actors has written to all local managers asking that a group, headed by Mayor L. R. Thompson, of RKO, and Charles C. Moscowitz, of Loew, set a date for discussion of salary and hours problem.

Nothing has been done on it to date, states Frank Phelps, reping Warner Bros. in the Strand theatre situation. Similar tests with Thompson who will set the date with the AF of A. Phelps, who stated it was not an individual problem. AFA agreed to hold up on further activity in Strand zone until meeting and possible settlement has been arranged.

Hamid Already Lining Up Acts For Pier in '39

Report that George A. Hamid would be out of the management of the Million Dollar Pier, Atlantic City, at the end of the season are denied by the investor. According to Hamid, the venture was far more profitable than anticipated, having the best season in recent years. He stated that he has not received any offer for the Pier, and he will again operate the Pier for the next season.

When he acquired the Pier last winter, Hamid declares, he invested \$30,000 in renovating it. Real estate deal was handled by Albert M. Greenfield, New York and Philadelphia really broke who, with four others, took a 25% interest in the venture. Hamid returned the other 75% outright, he says. Samuel W. Gumpertz, manager of the Pier, is a right now setting bookings for next spring.

Hamid spent approximately \$133,000 for talent for the Million Dollar Pier for summer and all of it was paid off. As for his arrangement to book the Steel Pier, Atlantic City, Hamid asserts he already is discussing with Frank Gravett for the return engagement of several acts that were here this summer. He says Gravett wants to re-book Olga Paloff, wire performer, and the George Hanford riding act, and also reading a list of other acts for the Steel Pier next year.

Burley Violation Strips Margie Hart's Act in N.Y.

Margie Hart, one of burlesque's ace strippers, was pulled out of the show at the Gaiety theatre, New York, Monday night (12) after repeated alleged infractions of the rules governing burley stripping as laid down by the N. Y. Censorship Committee headed by John Masterson.

According to Censor Durby, member of the committee, who ordered her from the show, she will be on the blacklist in N. Y. theatres indefinitely or until she decides to be good.

Bates to Continue N. Y. Cafe with New Backing Nick Bates, who has had the House of Morgan, also known as the Merry-Go-Round niter, New York, is not retelling to Sher an (Stork Club) Billingsley, but will continue operating on his own, with fresh backers. Dave Apollon has been set to reopen the spot around Oct. 3, when a new tag will be chosen. It may be called the 400 Club.

Bernard Burke and Charlie Allen booked Apollon with a straight dance combo (not the Piffles in vaudeville), plus a rhumba band; and Senior enecs, caricaturist.

Big Vaude B.O. in Mpls. Paves Way For Flesh Revival; Other Keys Ditto

ineapolis, Sept. 13. Lash-and-blow order inment is taking on a new lease of life here with stage shows pulling inaudibly and the public apparently hungrier for them than at any time in the past few years.

Last three Orpheum stage shows—Rudy Vallee, Major Bowes' International—Bowers' and Horace Heidt currently—have done smash business. Vallee grossed \$20,000 in five days, the Bowers' show \$15,000 and Heidt in the way to a sock \$17,000.

Harry Hirsch's stock burlesque at the Gaiety broke records last week (State Fair week), grossing approximately \$8,000 a 89c top two-day all seats reserved. The previous week, the season's opener, the theatre pulled \$4,300—\$700 more than the opening week last season.

"Pins and Needles" opens the legit roadshow season at the Lyceum Oct. 6. Benny Goodman and his band are underlined for the Orpheum week of Sept. 30.

reopened after being dark all summer. House has been renovated and air conditioning installed. Ray S. Wallace, manager, director of the Tri-Theatres, Inc., operating the theatre said stage units would be played as in former years, on Thursdays and Fridays of each week.

Jaffee Will Reopen Pitt Burley with Hirst Shows

Pittsburgh, Sept. 13. After a four-month shutdown, George Jaffee will reopen Casino Sept. 26 with traveling Hirst wheel shows, replacing his late spring stab at stock burlesque.

Ben Jaffee, owner's son, will be back on job as manager following a lengthy illness, with elder Jaffee supervising operation of house.



'A LESSON IN DANCING' INNOVATION!

Demonstrating the latest dances from the stage, including: "THE LAMBETH WALK" - "RHUM-BUM" - "TANGO" - "TRUCKIN'" - "SHAG," etc.

NOW 3rd Week PALACE.

FIRST NEW YORK APPEARANCE 3 SOPHISTICATED LADIES

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With OZZIE NELSON

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HELD OVER (2 WEEKS), STRAND, NEW YORK

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HELD OVER 2nd WEEK

PARAMOUNT, NEW YORK

Personal Management
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BOOKING AGENCY
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LOEW BLDG. ANNEX
160 WEST 46th ST. NEW YORK
Bryant 9-7800

ALLIANCE, O. Sept. 13.
Columbia here, only local theatre playing stage attractions, has been

Bates to Continue N. Y. Cafe with New Backing

Nick Bates, who has had the House of Morgan, also known as the Merry-Go-Round niter, New York, is not retelling to Sher an (Stork Club) Billingsley, but will continue operating on his own, with fresh backers. Dave Apollon has been set to reopen the spot around Oct. 3, when a new tag will be chosen. It may be called the 400 Club.

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J. H. LUBIN
GENERAL MANAGER
SIDNEY H. PIERMONT
BOOKING MANAGER

HILDEGARDE
NOW APPEARING AT
THE SAVOY PLAZA, NEW YORK
Personal Mgr., ANNA MOSKOW
American Rep., JACK HARTLEY
European Rep., HENRY SHERRICK

[illegible]

Equity Nixes Player Term Contract, 52 Weeks at \$40, for Group theatre

By the New York Group Theatre to Equity for the assn's support of a plan whereby players would be tied up for a term, has been rejected. Equity stated it's not interested in extraneous agreements with members, and that its paramount purpose is to push the adherence of standard playing contracts.

Group theatre came forth with a petition signed by 15 in the regular acting company, seeking Equity's approval to place its players under contract for two or three years on a 52-week basis. On the face, the proposal looked satisfactory, but after explanatory remarks were made, Equity's executive committee was reported to have been unimpressed. Request that Equity force any player to abide by the terms in the event he sought to break the agreement, appears to have nixed the petition.

\$40 Weekly for Contractors
Understood that those based on a \$40 weekly basis received \$40 weekly. If not appearing in a group show, they would have been placed in another show, pictures, radio or other engagements at higher pay. There are two reports as to the distribution of the coin in extra cast figure in the original contracts, one being that it would have been retained by the players and the other that it would have gone into the Group's general fund.

It was noted that the latter was another Equity objection. It was not made clear whether what would be the players' share of the money paid would have been paid out of the pocket paid off. Stated that when Equity was reported, the Group required repayment, the Group required during the layoff. Claimed, however, that such coin would be paid for only if the player received more than the guarantee money.

Odele, Luther Adler Sign
Among the petition's signers were Clifford Odele and Luther Adler, former being the Group's top author and the latter its stand-out male lead. Group originated with the Theatre Guild's younger players, who were first formed into the Studio Theatre, then presented several promising plays.

Rated as the first substantial success, however, was the play "Gold Eagle Guy" drew plenty of attention, but the top financial presentation by the Group was "Golden Boy," one of last season's Broadway hits which went to London this summer. Original cast is being brought in to U. S. for several months. A New London company is current.

3350 OFF FTP ROLLS DURING PAST 2 YEARS

Government-angled drama has slumped one-third, according to report by Hallie Flanagan, national Federal Theatre director. More than 3300 FTP workers landed private jobs in the past two years, which, combined with firing of 10 economists and economy curtailments, has cut employment to 9,170, against 12,700 at the peak two years ago. Now running 42 projects in 20 states.

Since launching, the FTP has put in plays with 26,532,674 admissions, winning \$4,000,000.

More than 1 new scripts of American playwrights have been used.

Berton Churchill Alated For B'way Play After Film

Hollywood, Sept. 13. Berton Churchill goes back to Broadway last at the completion of his current role in Samuel Goldwyn's "The Lady and the Fool." He is slated to star in "So Far So Good," authored by Arthur Jarrett and produced by Anthony Burr.

FIGHT THE SING NO SIGNERS

Still a Fan

Among the players set for the new George S. Kaufman-Moss Hart show, "The Fabulous Invalid," is John Lorentz, veteran character actor. He was picked by Hart at one of the early auditions for the play and was immediately spotted in a cast as a neighborhood madman.

According to Hart, Lorentz was his first idol of the stage. The actor at that time was leading a man in a stock company in the Bronx, N. Y., and was something of a neighborhood madman. The playwright was an urchin in those days and used to go into the gallery for every play. He hadn't heard of the actor in the interim, but his memory was stirred by the fellow's voice and he asked his name.

Lorentz still have several small parts in the show, which contains a number of celebrated characters from the theatre. It is currently in rehearsal.

Theatre Dearth Delays Shows Of New York's FTP

Federal Theatre Project, New York, has four theatres under lease in the middle of the theatre zone, but it is understood it has not enough money to get the production season started. To make "One Third of a Nation" out of the Adelphi, the FTP claims to have been told by the WPA's operating downtown. "Supper" must wait until that spot is made available. "Supper" has been readying for about a year and has been delayed for one reason or another. It has a white and black cast.

Prologue to Glory, which has been laying off after a stay at the Elliott, is due to elude at the recently acquired Ritz next week. Daly's 63rd Street will again have "On the Rocks," the Shavian play, which was done late last spring and saved for this season. "The Big Blow" latest of the relief out projects, which was done last spring. Opening date was set back due to script trouble. Currently, there are two WPA's operating downtown. "Nation" and "Haiti," which was brought down from Harlem to Daly's 63rd Street, is being produced by a committee, investigating un-American activities, met in N. Y. last week when Robert C. La Follette, Thomas, of New Jersey, again declared he has in his possession "evidence" that the FTP is a "hotbed of communism." He said the faction will have to be broken down more than ever. He said he had evidence now in the committee's possession.

Rating the "Communist Alliance as a front for the communist party" he added that it dominated the theatre project and that the charges that unemployed players are kept off the project because they refuse to join the red.

Emmet Lavery, head of WPA's play department in N. Y., Henry Dies, chairman of the investigating committee, refuting the charge that practically every last word of the FTP is "communism or the New Deal." Lavery, who wrote "The First Lesson and "The Day After Tomorrow," said Thomas charges a "red myth" and asked to go before the committee and prove that the plays produced he took charge of the department last October do not substantiate the charges.

FIGHT THE SING NO SIGNERS

Violators Seen Getting Ducats from Signatories and Reselling Them Excessive Prices—League Warns Against Penalties—Plan, While Currently Effective, Won't Become Operative Until Arrival of First Hits

2 CONCESSIONS MADE

Broadway's new ticket control system is effective as of today (12) but will probably not be really operative until the new season starts. It is scored. There were several meetings last week between brokers and the managerial League of New York Theatres committee, which is assigned to enforce the rules. It is Equity all in on the sidelines.

Acrimonious debate featured each session. When the brokers said they could give up if restricted to a maximum premium of 75c per ticket, the League discredited the complaint. Prominent showman is reported to have had a quick answer to the broker's feeling that the system would be a "big" and "big" remark being: "Go ahead and bootleg, but don't get caught."

The Associated Theatre Ticket Agents, composed of the fairly well known brokers but not within the "Big Three"—Mabius, Postel-Lebian's and Tyson—threatened suit, but the managers if they would welcome such action because if the code is illegal we'll find it out pronto. "Later, he advised his clients to sign the code agreement and post agency's attorney advising against it. Agency was given 48 hours during which time it has the privilege of cancelling the concurrence.

Boasting Leg
Signatures were dated Monday, the procession being led by the "big three" agencies, but it was anticipated that some agencies would not sign. If they continue to hold out, no tickets will be allotted them by managers. Some agencies management expected to get their "merchandise" (Continued on page 50)

Abbott Finds Loophole in Ticket Code By Making Loan Deal with Agencies

Failure to secure 100% showman support is a variation of the ticket code hitting its first stumbling block, despite the preponderance of "Big Three" agencies. The first snag has arisen with the forthcoming presentation of "The Boys with a Bang" at the Adelphi, which George Abbott is reading. "The Boys with a Bang" is being produced by the League of New York Theatres, sponsors of the code with Equity. It was understood that the League would stand behind the code from handling tickets from non-signing showmen.

But it appears Abbott contracted with various agencies about two months ago on getting advance coin for "Syracuse" in lieu of tickets to

Miller Snarl Prompts Dramatists Guild to Take Steps to Plug Defects in Minimum Pact; Weigh Penalties

Slight Switch

New Haven, Sept. 13. Final straw that neck by near by Stony Creek had dialog carrying several lines about Vauxer. Somebody fished the prop copy of the sheet on opening night, and it was impossible to replace it in this remote spot. For the balance of the week they had to use a copy of the Christian Science Monitor.

EQUITY WINS O-J JURISDICTION FROM AFA

Jurisdictional argument between Equity and American Federation of Actors over the classification of the Shubert's presented "Hellzapoppin'" conceived by Olsen and Johnson and starring them, was decided Monday night in favor of Equity, which had claimed the show a legitimate AFA. Equity based its claim on the fact that the show was produced in Boston, but due at 46th Street theatre, N. Y. Shuberts wanted the AFA contention to be upheld as it takes to play the show twice daily, including Sundays, with the night top \$3.50.

Revue on in Boston on an eight-performance basis, which is the 1st it maximum unless extra pay be given the players. Dispute was quickly settled by the Associated Actors and Artists of America.

Equity based its claim on the fact that the show rehearsed four weeks, whereas vaudeville needs no such preparation. Equity also argued that as a number of players appear in blackouts and chorus line works throughout the show, it is a revue. Differences between Equity and AFA included the right to organize the company, with the former charging the latter with attempting a grab. Managerially there was a Sunday angle. If "Hellzapoppin'" was to be a legit revue, double pay for each Sunday show would be required. Vauxer and burlesque do call for extra pay on Sundays to any of the stage unions.

As a r

Gilbert Miller, dramatists Guild is taking steps to plug the holes in minimum basic agreement. It's weighing stringent measures against the producer, whose forthcoming Broadway presentation of J. B. Priestley's "I Have Been Here Before" is a violation of the Guild rules. Apparently there will be no act against Priestley.

To plug the holes in its agreement, the Guild has retained a representative in London to keep its members there informed of what New York managers are in good standing. The Guild also has a list of names which managers are on the list but they will not unintentionally be ruled out of the Guild contracts with such showmen, as Priestley and Frederick Lonsdale did. Guild also plans to intensify membership drive among foreign playwrights. This would include those who have carried out their rights as well as England, Robert E. Sherwood, Guild prez, hopes to go to the producer and demand his membership drive after his forthcoming play, "Abe Lincoln in Illinois," is on the boards.

Indicated that the Guild might penalize Miller by refusing to permit him to sign the basic agreement, and when he ever decides to do so. Such action would permanently bar him from the Guild. The Guild's work of Guild members, who include all the noted American playwrights, is to keep the Guild's grounds for withholding its agreement from Miller would be that the producer had forfeited his rights by acting in bad faith in his dealings with the Guild.

Share Split with Miller
In addition, Sherwood has stated that, as an individual, will never again have any dealings with Miller. Playwright has provided Miller with several hits, including "The Petrified Forest" and the "Tovarish" adaptation. (Continued on page 53)

\$65,000 GILLETTE CONN. ESTATE TO BE SOLD

Hartford, Sept. 13. Palatial estate of William Gillette, part of which is in Lyme and the rest in East Haddam, Conn., will be put on the block Oct. 1. Valued at \$65,000, it includes a home on the shore of the Connecticut river, 115 acres of land, a three-mile railroad and railroad station, plus furnishings and art gallery.

Sale will be made subject to approval of the executors, Joseph K. Hooker, of New York, and First National Bank of Hartford. Estate will be sold in one parcel.

Gillette died in April, 1937.

Frisco Showmen Offer \$4,500 for FTP Play

Hollywood, Sept. 13. Lou Lurie and Art Selwyn, of San Francisco, are offering \$4,500 weekly guarantee for Negro play, "Run, Little Chillum," presented by the Federal Theatre Project, now in ninth week at Mayan theatre here. Plan to give it run at the Gentry.

Coote Alated to Play Late Dad's Stage Role

Hollywood, Sept. 13. Robert Coote is returning to London to play the lead in the Yuletide production of "The Winter's Tale," which his father, Bert Coote, recently died, was to have played. Coote was the piece had been identified with the piece for years.

Jai Alai Promises to Click in N. Y., Gambling Ban No Curb to Interest

By JACK PULASKI

Jai alai (pronounced hi-li) will be New York's new sporting spectacle, the enthusiastic reception given the premiere of the Spanish game at the Hippodrome Thursday night (8) prove an authentic indication. Rated the fastest game in the world, jai alai amazed Manhattanites, who were surprised that such a spectacle had hitherto been confined to Cuba, Mexico and Florida. A class first audience, thrilled to the game as played by four world's champions, cheered vociferously. A number know jai alai but there is little doubt about the kick provided to those who witnessed it for the first time.

Opening was something of a prelude, for showmen wanted to get in the enterprise. The Hippodrome has been converted into a fronton, a three-sided high-walled court, as

it was that quartet which furnished the highlight of the evening. Two a side, the contest being so exciting that the fans rose to their feet as the small ball, which is used by players who caught the fancy of the crowd is Equibar, altered as "Mickey" Guzman, for won the first round, is called the Babe Ruth of jai alai.

Opening night was accorded excellent coverage, sports writers and photographers being on hand, so that the event was treated from both the show and sporting angles. Jai alai, it is that idea. "Program was too long with the finals at 11:45, partly due to a delayed start. There were show features at intermission but it is questionable if that was the point. I selected the senioritas from El Chico, Gotham, Spanish nightery, went on seemed okay, but later the crowd found it disappoin-

Jai Alai's \$250 Banko

Monday (12) night at the Hippodrome the first Jai Alai banko sports accompanied by which there are no less than \$250 going to any one guessing the winners. At the end of the third game it was announced that four patrons had correctly named the winners up to that point, and it was then that the excitement was divided four ways, but with the whites coping, there would be no divvy.

Richard Berenson, the head man, was determined that someone would win the prize. He told George Christie at the microphone to announce that any of the potential winners could switch his selection for the white team, which he held up with a flourish. One of the quartet did switch his selection which ensured a pay-off. The blues then forged to the front and won, three banko winners receiving \$83.33 each. There had been 1,100 cards turned in with selections.

Berenson is a cousin of

Violeta and Rosita and Joyita and Maravilla were the entertainers, along with Don Alfonso's orchestra.

Cuban Consul Present

The Cuban consul presented cups to Gabriel and Guillermo, winners of the main contest, and spoke over the mike, complimenting Berenson for his exploitation of the game.

While the initial audience included well-knowns in show business, probably the most notable was the draw in the gallery, which was sold out early in addition to turning the money. First night took \$5,500, if fifty tickets to a la Hollywood. Thereafter, it's set for \$20,000. The second night was sold out in the arena, back of the boxes. Premiere's take topped \$60,000 with second and third nights equaling \$20,000.

Game's thrill is the manner in which the players catch the ball in the scoop and with a continuous motion throw it against the fronton, or front wall. Recovery of the opposing player is often made so difficult that he tumbles. How the men get the ball by the ball is something to wonder about, so fast is it delivered. Actually, jai alai is a complex of hand, foot, knee and squash at airplane speed.

Entire court is made of gunite, a concrete resin, and the force of the pelota. Later is two-thirds the size of a baseball and also a golf ball in size.

The prevalent idea is that gamblers can put the fix on the players. Because of that the contest is supposed to be guarded from such intrusions. The Basque game was the second new sport the contest presented in midtown during the summer; the other being girls' basketball at Madison Square Garden. Attendance there has been picking up markedly of late. They are now in the final week.

MARRIAGES

Edna Cantor, daughter of Eddie Cantor, to Jimmy McHugh, Jr., son of the songwriter, in Beverly Hills, Sept. 11.

Virginia Campbell to Richard Clark in New York, scheduled for Sept. 15. Both were left players. Eleanor Madeline White, to David Walker, Santa Barbara, Cal., Sept. 11. Her husband is a writer on the Coast.

Claine Weiner to Morris Lushevitz in New York. He is a writer at local 308, N. Y. Picture Operators.

News From the Dailies

This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, Los Angeles and San Francisco. Items are rewritten from a daily paper.

East

Leroy Furman, prez of Monarch Theatre, Inc. has asked the police to investigate the disappearance of his wife, who left to see a show two weeks ago. He is convinced that she was being detained against her will by a former admirer. She was formerly in the chorus.

Five Chaimers dismissed in night court last week on charges of running numbers. Game racketeers looked much like laundry checks. For the first time in the history of the Brooklyn Academy. Small capacity and union boxoffice troubles make results doubtful.

"Shadow and Substance" gives first night benefit of the season next Sunday (28). Ivor Stravinsky will conduct and play piano solo for two weeks with the Boston Symphony. Other guests will include Eugene O'Neill, Kenneth Tynan and Eugene O'Neill.

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look the barbershop prize while the Grassroots Mountaineers copped the hilltop.

Frank Craven to get a 10-day vacation from "Our Town." Will go to the Catskills. Craven is temporarily released.

Mayor LaGuardia urges less noisy noises on autos. Says less loud horn creates more accidents than it prevents.

Hugh Grant, unemployed mechanic, dug himself in at an auto repair shop in Long Island City Tuesday of last week. Built a hut for himself and lived there for a week. Announced he would stay underground for 48 days. Police dug him out.

American Sunbathing Assn., auditing the 1937 season in Stockholm, N. J., starting last Friday. Several delegates from overseas groups will attend.

Theatre Project's program to give the "Mikado" at Brooklyn Academy of Music all next week. The project is a collaboration of the Theatre Project and the Brooklyn Academy of Music.

"Yes My Darling Daughter" the coin of the realm. The play is a comedy. Offered by 39 companies. The play is a comedy. Offered by 39 companies.

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(Continued on page 55)

OBITUARIES

JOHN C. WEBER

John C. Weber, 83, bandmaster and one of the two founders of the American Federation of Musicians of the United States and Canada, died Sept. 12 in New York and was buried in Cincinnati, Ohio.

He was born in Cincinnati, the son of a bass violist, and at 14 began playing a clarinet in one of that city's Over-the-Rhine beer gardens. At 19 he joined the John Robinson Circus, made trips to Europe as a student and performer, and in 1879 was an artist under Theodore Thomas in summer orchestras and winter symphonies.

In 1895 Weber organized his 50-piece band, which toured the country, won prizes at the Pan-American Exposition in Buffalo in 1901 and at world's fairs, and played to an estimated 16,000,000 people during 35 years.

His last professional engagement was as leader of his band at the La Guardia Music Hall for 12 years, and until 1930, when canned music and loud speakers were substituted.

Survived by a sister.

MRS. NAHAN FRANKO

Mrs. Nahan Franko, widow of the Metropolitan Opera Company conductor and composer, died Sept. 12 in New York. She was 71.

She was well known in her own right as a competent leading lady of the late nineties, at the Old Irving Place Theatre in New York. She made her American debut in 1894, under her maiden name of Anna Franko.

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ABRAHAM N. SCHWARTZ

Abraham N. Schwartz, 54, head of the Brooklyn-Long Island Century Circuit, totalling more than 50 theatre, died suddenly Sept. 9 at his summer home near Lake Placid, where he had been spending a few days with his wife. The body was brought to New York and funeral services were held Monday at Temple Beth Emeth, Brooklyn.

Mr. Schwartz had been one of the foremost independent theatre operators and was prominent in all matters affecting that group, taking a leading part in the deliberations on the NRA Code, and figuring prominently in all other discussions affecting the independent interests.

He is survived by his widow, three sons, three brothers and a grandson.

CLIFFORD DEMPSEY

Clifford Dempsey, 37, character actor for more than 50 years, died Sept. 12 in New York. He was 37. He was a character actor for more than 50 years, died Sept. 12 in New York. He was 37.

His debut was made in 1882 with Olga Netherole. Other productions in which he appeared were "Gloria," "The Octopus," "The Count of Monte Cristo," with James T. Sullivan, and "The Great Train Robbery," with Harry Belafonte.

He is survived by his wife, Mrs. Robinson, survives.

FLOYD SHURT

Floyd Shurt, 37, outdoor showman, circus performer and former night club operator, died Sept. 5, in Kenton, O., from a throat infection contracted while his show was playing at the Wapakoneta (Ohio) fair.

He was born in Newport, Ohio, May 18, 1891. He was a circus performer since the circus since a youth, many years as a clown and member of the clown troupe of the Fido circus. He was also a slack wire performer with the Hagenbeck-Wallace Circus.

BERRICK SCHLOSS

Berrick Schloss, founder of the University Glee Club, Provident, N. J., died Sept. 12 in New York.

R., and a former singer in grand opera, was found dead in a garage near his home Aug. 28, due to an overdose of morphine.

A Scholastic toured the country in concert appearances with the late Emma Calve and also sang in the opera. He was the son of Berrick Van Horn. Illness compelled his abandonment of an operatic career in 1911. He founded the University Glee Club that year and had bated it since.

MARY TURNER SAITERS

Mary Turner Saiters, 92, oratorio, concert, and church singer, and composer of some 200 songs, died in Orangeburg, N. Y., after a long illness. She had been the wife of Sumner Saiters, a pianist.

Her compositions in the classical vein, for which she wrote both music and lyrics, she composed religious anthems. Survived by her husband, two sons, and a daughter.

MARK PERKINS

Mark Perkins, 52, former theatre executive, died suddenly at his home in Youngstown, Aug. 28, from a heart ailment.

He began his theatrical career as an usher in the Old Empire and Colonial Theatres in New York, and being advanced to managerial posts. His widow, mother and son survive. Burial in Youngstown.

TOMMY LAROSE

Tommy Larose, 39, died in San Diego, following a heart attack.

On the stage for 42 years, he had spent the last decade putting on tab shows and unit productions for Harry Nace in Phoenix, Ariz. Surviving are his widow and two daughters.

WILLIAM H. SCHUMACHER, JR.

William H. Schumacher, Jr., 38, died at the Will Rogers Sept. 7, after a lingering illness of four months. He was well known in Lancaster, Ohio, and there managed a theatre for ten years. His wife, Marion, two sons survive. Interment, Lancaster, Ohio.

CHARLES O. MARSH

Charles O. Marsh, 72, died in Baltimore, Aug. 14. He was a member of the old Brilliant Quartet, and was well known in Baltimore. He was a nephew of George Thatcher, one of the minstrel kings of the South.

Burial was local.

MOFFORD COLEMAN

Mofford Coleman, 75, Hagenbeck-Wallace circus employee, died Sept. 9 in Los Angeles from injuries sustained when struck by a truck.

Father of Derby Sproul, program director and head of continuity department at KDKA, Pittsburgh, died suddenly at his home in Denver, Colo., Sept. 12.

Mr. Sproul was a member of the many years as a member of Denver Post editorial staff.

Mrs. Marietta Whitmore, wife of the late Bartow T. Whitmore and mother of Beverly T. Whitmore, manager of a C&D Theatre in Columbia, S. C., died suddenly Sept. 5 in Asheville, N. C.

Father of John G. Paine, general manager of American Society of Composers, Authors and Publishers, died Sept. 5 in Columbia, Pa. He was 78 years old.

BIRTHS

Mr. and Mrs. Henry daughter, in Hollywood, Father is general manager of United Artists.

Mr. and Mrs. Joe Gentile, daughter, in Detroit, Sept. 4. Father is a C&D Theatre in Columbia, S. C., died suddenly Sept. 5 in Asheville, N. C.

Mr. and Mrs. Lionel Royce, daughter, in Hollywood, Sept. 1. Father is a C&D Theatre in Columbia, S. C., died suddenly Sept. 5 in Asheville, N. C.

Mr. and Mrs. Harry Sax, daughter, Sept. 9 in Los Angeles. Father is NBC sound technician there.

Mr. and Mrs. Ralph Baron, daughter, in Greenville, S. C. Father is president of Barron Advertising Agency.

Mr. and Mrs. Maurice Silverstone, daughter, in New York, Sept. 10. Father is general manager of United Artists.

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I've never met**

says

Jean Arthur

**...and that's the man
who doesn't admire
a lovely complexion**

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THOROUGHLY. I ALWAYS
USE IT TO GUARD
AGAINST COSMETIC SKIN

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9 OUT OF 10 HOLLYWOOD SCREEN STARS USE LUX TOILET SOAP

VARIETY

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56 PAGES

WAR AND THE SHOW BIZ

JESSE LASKY'S RADIO-FILM IDEA

Detroit, Sept. 20.

Making a survey of cinema and radio industries, Jesse Lasky gave shtush the o.o. last week in Detroit. 'We are trying to find means in which the two industries can function to the greater advantage of each other,' film producer declared. Lasky also revealed he'd soon make debut as a radio master of ceremonies.

Several agencies and sponsors are figuring the angles of new radio program idea which Jesse L. Lasky brought to New York recently. Scheme has a definite and logical tie-in with a major film release, without involving the picture end in the advertising values of the airings. Lasky during his long association with Paramount made frequent m.c. appearances at film functions, but heretofore has declined numerous offers to speak regularly over the radio. His new plans signify his former objections that films seldom profited by the use of picture talent for commercial advertising. Announcement of his air program probably will be made within a few weeks from the Coast.

U. S. Pix Get No Chill In Iceland; Snack Bar Between 2d and 3d Reels

Reykjavik, Iceland, Sept. 1.

Most profitable aspects of the two motion picture theatres here are the restaurants operated in conjunction with the shows. The cafe is located in the balcony at the Gamla Bio, largest house of the pair, which has 600 seats. Reason for eatery popularity is that the intermissions of 10 minutes or longer are part of the theatre operation, being spotted any place after the second or third reel and often right in the middle of the picture's most exciting moments.

Peter Peterson, manager of the Gamla, believes that the middle of a feature is the most suitable time for an intermission. They give time out for soft drinks, beer, sandwiches and pastry. Both he and Georg Jonsson, manager of the other house, admit that American stars are the real box office favorites in this community of about 35,000. Exception to (Continued on page 41)

Maestro to Prof

Atlanta, Sept. 20.

Enrico Leide, conductor of Capitol (Atlanta's only vaudeville) theatre's house band, has been named associate professor of Italian I. French and Spanish at Oglethorpe U. Maestro, a native of Italy, studied physics under Marconi and literature under D'Annunzio.

Annual Grid Seance

VARIETY's annual seance on the collegiate grid sked gets under way this week—but out on a much longer limb than usual. This year one of the muggs goes into huddle with himself on the winners (?), rather than a guest-psychic, and the panic is on for the box-score keeper.

Paper's crystal-gazer isn't doing things in a half-way measure, stepping in with both feet at once. He's analyzing the national grid map this week, as well as drawing out of a skimmer his selections for the Sept. 24 games, which mark the football season's debut.

The prognostications (but don't bet on 'em) this week are on page 55.

DIP IN H'WOOD MUSICALS AID TO B'WAY

Broadway's legit musical production renaissance is deemed to be the inevitable result of Hollywood tightening up on filmicals. This is sending the cream of the crop of musical artificers back to Broadway.

Not only tunesmiths but librettists, staggers, dance producers and others are converging back on Broadway as the chief outlet of their creative expression. Some are still lingering west, held by the climate and the lure of that fancy coin—not to mention existing contracts—but unless the Hollywood studios do an about-face on filmicals, they must trek back east. Already, the usual Broadway die-hard stuff is being heard along New York's rialto that the Coast can have its sunshine and Hollywood contracts—until the next film gold rush starts.

AMEXCO'S 2,000,000 BUY TOP TICKET DEAL EVER

Grover Whalen has been dubbed America's ace salesman by President Roosevelt. Head of New York World's Fair personally sold the American Express Co. 2,000,000 tickets at 75c. for the exposition opening next year, with no discount allowed. It is credited with being the largest single ticket sale ever put over.

Big salesmanship job was accomplished by making American Express the official national information bureau of the fair. If the company needs any more tickets, understanding is that a discount, possibly of 25% will be allowed.

American Express operates probably the biggest tourist agency in the world, with offices in every section of the globe. Makes New York fair tickets valuable to potential visitors whenever they obtain traveling checks and prepare to sail for U.S. for the exposition.

SHOWMEN MULL POSSIBLE EFFECT

London's West-End Grosses Already Shot—New York's World Fair in 1939 Looks Ahead—Ditto Tin Pan Alley

RADIO'S TOP JOB

While the European powers are impressing the greatest political show of the 20th century, show business is 'masterminding' the what's and how-come of its own welfare. Engaged in a business of making people forget their everyday cares, whenever nations create grave fears of potential tragedies any endeavors for the lighter side of life go awry.

The brightest ray came yesterday afternoon with the Czechs' official announcement it would continue its policy of 'conciliation,' meaning the probable averting of war.

As the cable herewith from London indicates, already it's having its effect at the b.o. Similar reports have been coming in from Paris. The central European capitals as world amusement centers have been discounted for months, because of their regimented mode of life, politics as well as amusement-seeking.

The New York World's Fair looks ahead to what a central power flare-up might mean to America's own 1939 show.

Radio meantime has stepped in with consummate skill and utmost efficiency and proficiency to bring to America up-to-the-minute dispatches from Prague, Berlin, London and Paris, with intermittent stops at other key cities in Europe. The expert manner in which both of the major networks, along with Mutual, have been handling the radio job (Continued on page 23)

Rain Proved a Heavy B.O. Denter All Summer

Inclement weather has resulted in enormous losses to open air attractions during the summer, the estimated amount reaching \$10,000,000. The latest washout due to Juke Pluve is the tennis tourney at Forest Hills, forcing the postponement of most matches over the weekend. Games re-scheduled for Monday (19) were again put over.

Included in the attractions which were rained out were many baseball games, the beaches, and the operetta at Jones Beach and Randall's Island. Latter shows were withdrawn after one solid week of rain. During July there were only three days entirely clear of rainfall, and any number of weekends from May on were spoiled by the weather.

Vaude Revival, If Any, Will See No Act Shortage, Except Comedy

Adolf Takes the Rap

Ocean Park, Cal., Sept. 20.

Biz hadn't been so good for the operator of the African dodger trick until he had an idea. Substituting Hitler's kisser for the usual ducky, in the canvas opening, he's now dishing up balls as fast as they can be scooped up.

Noticeable in the nightly lineup are many from Hollywood's picture colony.

Major pessimistic note among theatre operators in the current 'vaude revival' talk is the possible lack of sufficient talent, new and standard, to go around. However, an analysis of the New York agents' blackbooks, plus a survey of the vaude bookers to whom talent is being submitted daily, disproves their fears.

Only possible shortage would come via a sudden return of stage shows to their peak of 10 and 12 years ago. This, though, is deemed impossible. For a moderate comeback, meani perhaps one-third the playing time in existence prior to vaude's decline, there is sufficient material to cover the demand.

Boom of the nitery biz since prohibition passed out in 1932; plus talent culled from radio and the screen, has padded out the agents' talent lists to sizeable proportions. Another factor in swelling the stage-talent ranks—and this stems directly from radio—is the large number of pop orchestras now available for stage appearances.

Practically extinct, however, is the strictly vaude headliner. But the great number of name and semi-name bands, highly salable to the public because of extensive radio plugging, offsets this shortage. Augmenting the bands for marquee lure (Continued on page 54)

Capra's 100G Per Pic, Plus Bonuses, Top Director Coin

Hollywood, Sept. 20.

Frank Capra is the highest paid picture director, according to statistics furnished the National Labor Relations Board. He draws \$100,000 for each of three pictures; plus two bonuses of \$50,000 each and 25% of the profits.

Leo McCarey gets \$100,000 a picture; Rouben Mamoulian, \$50,000, a picture, and Edward Griffith \$50,000 a week.

Talk Fordham-St. Mary's Game During S. F. Fair

One of football's bloodiest battles, the Fordham-St. Mary's game, may go to San Francisco Fair for the tag end in November, 1939. Figuring on the crowds attending the Fair, the California school would present the game under possible charitable auspices for a big gate.

Slip Madigan, coach of St. Mary's, is dickering with Fordham to take the gridgers west for Fair which starts early in 1939, running concurrently with the New York World's Fair. Fordham has never played west, and the regular season for an eastern game is already made up. Madigan is trying to alter these plans.

STAGE RELIEF'S FAIR PREVIEW BENEFIT

In conjunction with outside promoters, the New York World's Fair will stage an all-day jamboree Oct. 16 for the benefit of the Stage Relief fund. It will be the last time the Fair grounds, or any part of it will be opened to the public until its official debut next April.

Strictly a money-making proposition and ballyhoo for the Fair, it's expected that the names of various stars who have promised to take part if they are in the vicinity, will draw from 30,000 to 100,000 and bolster the bank account of the Stage Relief Fund. Idea is to present a carnival and all the hoopla that goes with it in the afternoon and a revue (Continued on page 54)

EAT-AT-THE-THEATRE, EARL CARROLL'S BALLY

Earl Carroll returned to the Coast last week after making preliminary contracts for the outfitting of his theatre-restaurant being built at an estimated cost of \$500,000 in Hollywood, the premiere being dated for Christmas night. He will plane back to New York next month, having scheduled visits to the metropolis every three weeks. Most of the equipment and outfitting will be designed and made in New York.

Showman designed a novel sign for the spot and has applied for patent rights. Sign will read Earl Carroll Theatre, with the tungsten play on the letters of the last word. Sign will flash various combinations of 'theatre' and it will be made to read 'eat at the theatre.' Carroll will select one-third of the girls to be used in the floor show from this end, the others being engaged in Hollywood. As a protective measure, during his visit east, Carroll took out a life insurance policy for \$225,000 and an accident policy for \$200,000.

With Tongue in Cheek and Eye On The Furnishings, H'wood Fetes Legion

By GEORGE E. PHAIR

Hollywood, Sept. 20. Hollywood welcomed the American Legion into the parlor and stored the bric-a-brac in the cellar for the duration of the war, fully called a convention. Accustomed to A productions, the home of the film industry entertained its first gathering of World War veterans in a colossal way, at the same time keeping a weather eye out for the safety of the furniture. When 100,000 middle-aged boys get talking about the old days, it is only natural to make take household utensils for hand grenades and act accordingly.

The studios solved the bulk of the problem by delegating Warners as the official convention host, so the Burbank execs went about the job as if they were producing a super-gigantic film. They made arrangements for 35,000 visitors; they tossed a luncheon for 400 Legionnaire officials; they increased the studio police force and reinforced it with 150 Legion M.P.'s, and they spent Monday (19) afternoon from 1-5 showing the boys and girls how pictures are made.

Other studios took precautions to fend off stray gate crashers. Paramount, most vulnerable because of its location, hired 50 special cops to man its gates. United Artists boarded up all but one gate and doubled its guard. At 20th-Fox, far from town, no special guards were hired, but the police worked in three shifts on the three entrances. Similar precautions were taken along the line, not in a spirit of unfriendliness, but because visitors disrupt the production schedules and cost plenty.

Studios on Their Own
The picture makers had to resort to self-protection because they were notified that the Los Angeles police would be kept downtown to handle the big crowds. The idea was that the studios were to protect themselves in the clinics and, in case of dire necessity, send in a hurry call to the Legion headquarters, where squad cars loaded with M.P.'s were on the job night and day. The military police did not wear armbands, but were deputized and had authority to make arrests.

Night clubs in Hollywood had their own problems and handled them in their own way, chiefly along safety-first lines.

Acting on the theory that 'anything that hangs can be thrown,' Bob Cobb, Brown Derby headman, ordered down the framed carica-

tures from the walls of the Hollywood Vine street eatery. Drawings of those of picture notables and stars, a fixture at the Derby that has been eye-feasted by tourists for years.

Nitery operators, while primed for the big kill, took every precaution against vandalism and more violent form: of celebrating. Big muscled bouncers were posted at the doors and others expert at the 'flying wedge' were being pressed into duty at a premium wage.

One night spot threw up the 'exclusive club' dodge to palm off the war vets without offending them. Others quickly followed suit to hold their picture trade through the convention. Film crowd was none too anxious to tie in with the Legion in their nocturnal maraudings, fearing that their connection with any brawl might impair reps and followings. Most of the town's spenders are laying low for the duration of the meet to avoid any unpleasanties.

The French Casino adjoining the Hollywood Legion had an outdoor bar, crap tables, etc., but the Provost closed them down Sunday night. However, the boys took a chance and opened up again, but the San Bernardino Post, some of whose members had lost coin there, drove a fire-engine over the sidewalk and just knocked the joint down completely.

Sleep It Off at Coliseum
General hilarity downtown was handled in a big way, with the Coliseum drafted into service as a temporary hospital for visitors who had been overcome with festivity. Special details of Legionnaires were stationed at all the hotels with instructions to rush over-zealous celebrants to the Coliseum and keep them there until their ebullient spirits subsided. The structure seats 105,000 in addition to a football field, so there was plenty of room.

The town was decorated like a \$2,000,000 costume picture, and there were all manner of fly-by-night exhibitions to snare stray dimes. There were no horse races in town, the steeds having moved away until the opening of the winter season, but a hound track opened in Culver City on the theory that a certain percentage of every convention goes to the dogs.

Paramount forced the issue with Fanchon & Marco at the local Paramount theatre by insisting that house pull its booking of 'Sing You Sinners' and instead screen studio's 'Sons of the Legion' during convention week. Studio execs, by virtue of their run product deal with the theatre, virtually took possession of the house, installing Martha Raye and the Stroud Twins to top the regular stage unit, and having top name players from its roster make personals nightly during the week. A special Legion show was staged Saturday night. Biz, however, despite this special tieup, is quite mediocre.

Other downtown first runs made no special convention arrangements, except that all of them staged owl shows Saturday to grab off late celebrants. Several houses staged phoney previews Saturday and Monday nights.

Other Studios Join Hosts
Hollywood, Sept. 20.

The Legion started taking the rest of the town over by storm. Although Warners was the only 'official' studio supposedly to welcome the Legion others all chimed in. After Warners' luncheon, the company opened the lot to all Legionnaires, having 48,000 on the day, with no casualties or turmoil.

Paramount entertained at luncheon about 150 eastern Legion officials, while 20th-Fox entertained another group. Studios had individual Legionnaires with letters from exhibitors, etc., who were taken care of, despite the fact that the bars were allegedly up for sight-seeing parties this week.

Parade of bands and the 40-8 outfit virtually tied the town up since Saturday night. Boys repeated their New York pranks with a few new ones. The gals in town having no business in the downtown area stayed away, especially at night. Some of the femmes have been grabbed, put into cages mounted on trucks, and ridden around town, others have been grabbed and put

(Continued on page 47)

J. L. WARNER CANCELS TRIP

Sam E. Morris Going Over for London Preem

Hollywood, Sept. 20.

Heavy production schedule caused Jack L. Warner to cancel his trip to London for the opening of the new Warner theatre.

Original plan was to attend the London preem of 'Robin Hood' early in October.

Warner goes east in a couple of weeks, he is, to see the Broadway plays, etc.

Sam E. Morris, v-p of Warner Bros. in charge of foreign sales, sails for Europe today (Wednesday). He will attend opening of new Warner theatre in Leicester Square, London, on Oct. 12. This was to have been the occasion for J. L. Warner's sailing.

While in Europe, Morris will call a one-day meeting of all Warner foreign managers in Paris. Date has not yet been set.

'Life of Shirley Temple' Film By GN; 20th Beefs

Twentieth-Fox is protesting the asserted plan of New Grand National, recently acquired by E. W. Hammons and associates, to do a feature entitled 'The Life of Shirley Temple' and if not called off will probably seek an injunction. Hammons, through his Educational company, controls several old shorts in which the 20th-Fox moppet appeared, plan being for their inclusion in the projected feature.

GN's 1938-39 program, under control of Hammons, is expected to be officially announced any day. A few additions to the payroll in sales have been made pending more complete organization of the staff following return to New York in week or so of Eddie Alpersen. Exchange in New York is the only remnant of GN that has continued functioning under 77B. It's in charge of Sol Edwards.

Organize on Coast To Curb Minority Attacks on Pictures

Hollywood, Sept. 20. Freedom of the Screen Committee opened office here at a branch of the Associated Film Audiences of New York, which recently put on a campaign in support of Walter Wanger's 'Blockade.' Object is to protect the screen against attacks from 'organized minority pressure.'

Local committee consists of 10 organizations representing labor, church, fraternal and peace groups, and the film industry. Representing pictures are Fritz Lang, John Cromwell, William Dieterle, John Ford, Herbert Biberman, Sheridan Gibney, Dwight Taylor and Anthony Veiller.

SAILINGS

Sept. 24 (London to New York), Rio Bros. (Paris).
Sept. 21 (New York to London), John W. Hicks, Jr. (Washington).
Sept. 21 (New York to London), Ken Asprey, George Dean, Mr. and Mrs. A. W. Jarrett, Sam E. Morris, Lily Cahill, (Queen Mary).
Sept. 27 (New York to Panama), Robert Hawkinson (City of Los Angeles).
Sept. 17 (New York to Havana), Ned S. Seidler (Orizaba).
Sept. 16 (New York to Curacao), Charles A. Morla (Santa Rosa).
Sept. 16 (New York to London), Hugo Kolberg, Paul Drauer, Ruggiero Ricci, Mme. Verovna (Europa).
Sept. 15 (New York to Copenhagen), Osa Massen (Pilsudski).
Sept. 14 (New York to London), Allyn Butterfield (Normandie).

ARRIVALS
Harold Young, Paul S. Shinkman, Gertrude Michael, Sergei J. Denham, Philip Merivale, Muriel Angelus, Mr. and Mrs. Robert J. Landry, Mr. and Mrs. Clifford C. Fischer, Eddie Lewis, Stanley Klein, London Casino Revue, Lewis Allen, Lew Lehr, Ben Thau, Sidney Chaplin, Fred Wheeler, Dick Henry, George Givot, David Sarnoff.

H. M. Warner Condemns All Isms

Hollywood, Sept. 20.

Challenging traducers and critics of Hollywood to prove their 'cheap accusations' that communism is rampant in film colony, Harry M. Warner, in an address to the American Legion's officers at the studio luncheon Monday (19), bespoke the faith Hollywood is keeping with American ideals because 'they have brought peace and happiness to us when nearly all the rest of the world is miserable and afraid.'

After praising the Legion as a 'bulwark of true Americanism,' Warner lashed out at dictators and those who have leveled charges of communism at industry.

'Certain bigots representing malcontents who want to ruin what they cannot rule whisper that Hollywood is run by isms,' he intoned. 'They lie when they say it. Let them show us the slightest proof. You may have heard communism is rampant in the picture industry. I tell you that this industry has no sympathy with communism, fascism, nazism or any ism, other than Americanism. We collectively and as individual studios are doing much, all we can do in fact, to teach the principles of true democracy to the outside world. I defy our accusers to prove this industry is run by isms.'

'We have no need for regimented thinking in this country. We need no dictators to rule our private lives. Within the industry I am known as a man who calls spade a spade. I tell you, whatever faith you may observe, we must all be Americans first, last and always.'

Like Equity East, Screen Actors Guild Will License Pix Agents

ROWLAND EXEC PROD. AIDE TO EDW. SMALL

Hollywood, Sept. 20.

Richard Rowland yesterday (Monday) joined Edward Small Productions as executive aide to Small. He has been in pictures for 33 years, being at one time First National topper. For the past six months he was associated with the William Morris agency, and prior to that on the production staff at RKO.

Small has moved his production unit into the quarters formerly occupied by the Harry Sherman outfit at General Service studio, which has been revamped. Sherman and his western unit moved into the former writers' building.

J. J. Milstein leaves for New York next week as eastern representative for Small. For 12 years Milstein was in charge of Metro sales in Los Angeles, later joining Republic as v.p. in charge of sales.

Goetz Back to England

Hollywood, Sept. 20.

Ben Goetz is heading back to London next week where he heads production for Metro.

He's lining up a supporting cast for Robert Donat's 'Goodbye Mr. Chips.'

Ben Thau, o.o.ling London production for Metro, got back late Monday night (19).

Kent's Coast Visit

Sid Kent trained out for the Coast Saturday (17) for his first round of conferences and inspection at the studio since last spring. Charlie McCarthy accompanied him. He will probably remain on the Coast two or three weeks.

N. Y. to L. A.

Kenny Baker.
Judy Canova.
Ted Carr.
Frank Chapman.
Lynn Farnol.
Jane Froman.
James R. Grainger.
Morris Helprin.
George Jessel.
S. R. Kent.
Bill McCaffrey.
A. H. McCausland.
Graham McNamee.
Isa Miranda.
Lynn Overman.
Sabu.
Norma Talmadge.
Ben Thau.

Hollywood, Sept. 20.

Agents will be licensed by the Screen Actors Guild if a plan under way and approved by SAG membership is ratified. Amendment to by-laws directs copies of all player contracts to be filed by Nov. 15. Another resolution adopted at the meeting held Sept. 18 makes it compulsory for members to contribute 1/2 of 1% of their picture earnings to the Motion Picture Relief Fund.

Members must file within one week any contract entered into with an agent on pain of being charged with conduct unbecoming a Guild member.

Proposed regulation will be worked out at an early meeting of the Guild and agents with the measure retroactive as percenters would have to agree to regulations on contracts now in force to be licensed for future handling of clients.

Cancellation clause is due for a drastic change with provision for actors to cancel unless provided at least 18 days' work in four months. Under current arrangement actors may break with agents if unemployed for three months. Regulation also provides for arbitration of disputes between actors and agents.

No mention in the new regulations of any plan in the 10% commission. Plan is similar to Equity's in assuming control of agents handling legit bookings.

L. A. to N. Y.

Gracie Allen.
Maxwell Arnow.
Alexander Asno.
George N. Burns.
Pat Casey.
Ernest Charles.
Frances Dee.
Ellen Drew.
Lawrence Fox.
Luella Gear.
Bernard Gravet.
Claude P. Grenaker.
Leland Hayward.
George Hirliman.
Sidney Howard.
Clarence Jacobson.
Kaye Lawson.
Richard Manson.
Louis B. Mayer.
Joel McCrea.
James McGuinness.
John P. Medbury.
Robert Montgomery.
Frank Orsatti.
Dorothy Parker.
Mr. and Mrs. Basil Rathbone.
Irene Rich.
Jerome Saffron.
Lou Smith.
Helen Twelvrees.
Helen Westley.
Eleanor Whitney.
Collier White.
Felix Young.

Other News of Interest to Films

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1938-9 SELLING STEADY

UA Partners Due East Shortly; Augurs Election of Company Prez

Advices from the Coast are that Alexander Korda returns to New York from the Coast next week. Also, that Samuel Goldwyn may come east with Korda. Douglas Fairbanks sails for New York from London on Sept. 28. Mary Pickford is already east. There is no word from Charles Chaplin, but it is learned from London, additionally, that Oscar Deutsch, head of the Odeon Circuit, in which UA holds a partnership, may be in America about the same time as the others, which means during the first week of October, or thereabouts.

Whether by coincidence or otherwise, this will be the first time that all, or as many of the UA shareholders will have been east at the same time.

The partners may figure the occasion worthy of advancing their scheduled shareholders' meeting from November a month or so, in order to clear up the presidency of UA.

Presumably the prez will be Maurice Silverstone, present general manager of the firm. Only by unanimous vote of the shareholders can anyone, other than Silverstone, be named president of United Artists.

Probable, also, that George J. Schaefer's new five-year contract as head of UA distribution will be cleared by that time.

MORRIS AGENCY TAKES UA SITE IN BEVHILLS

Hollywood, Sept. 20. William Morris agency leased United Artists building in Beverly Hills and will move in Dec. 1 after adding a second story, providing 2,100 more square feet of floor space.

Structure was built two years ago and served as the UA headquarters until last July, when the executive staff moved to New York. Present Morris offices are in the Sunset strip.

New York headquarters of the Morris agency in the RKO building (Radio City) have been enlarged, too, with another quarter of a floor augmenting the agency's present half-floor of offices. Idea is for more private consultation rooms for radio, a special corner for the new band department, headed by Ed Fishman, and other personnel additions.

When Sam Weisbord shifts to the Hollywood office Oct. 15 as Abe Lastfogel's general aide, Lou Wolfson will take up the radio coverage.

Caesar Drafts Pic Yarn From Gus Edwards Biog

Hollywood, Sept. 20. Arthur Caesar has been signed to write the screenplay of 'The Star Maker,' built on Gus Edwards' career.

Charles R. Rogers, who produces the film independently, is dickering for a major releasing outlet.

Long Time 'Tween Pix

Hollywood, Sept. 20. Paulette Goddard, loaned out by Selznick-International, gets a co-starring role with Luise Rainer in 'Dramatic School' at Metro.

Role will be second for Miss Goddard since she made her debut with Charles Chaplin in 'Modern Times.'

Metro's Strawhatters

Metro is screentesting two leads uncovered in the summer strawhatters. One is Tony Bickley, leading man who played at Ogunquit, Me., and other is Joe Pevney, character juvenile, who showed at Ivoryton, Conn. Latter is to open in 'Golden Boy' on Broadway.

Mary Small, blues singer on the radio, also is being tested by M-G.

Natural Beaut

Hollywood, Sept. 20. Shirley Temple has that schoolgirl complexion, just the thing for Technicolor, without a makeup.

After testing her both ways for 'The Little Princess,' 20th-Fox decided to shoot her au naturel.

Hulburd Admits Philly's Just As 'Nerve-Racking'

Philadelphia, Sept. 20. Merritt Hulburd, Philadelphia who quit a \$1,250 a week job with Sam Goldwyn not quite a year ago to resume the associate editorship of the Saturday Evening Post at \$300, because Hollywood is 'too nerve-racking,' is going back. Hulburd admits he has been negotiating with David O. Selznick to return to the



Coast as a producer, but no contract has yet been inked. There are no hitches and he probably will be back in Hollywood by Nov. 1. It is reported that he will get \$1,750 a week from Selznick-International.

When he quit Goldwyn, Hulburd still had a contract to run until 1941. In obtaining his release, he agreed to remain out of pictures during that period or return to the Goldwyn lot. He recently obtained Goldwyn's okay on the new job.

Hulburd refused to discuss what salary he is to get. He declared he was 'brought up in the Quaker city of Philadelphia where people traditionally don't talk about that subject,' and said he was 'perfectly amazed with the way everyone in Hollywood knows and talks about what everyone else is making.'

When Hulburd left Hollywood he said it was because of the long hours and nerve-racking conditions. On going back, he said, it was only on the word of Selznick that he will have three months' vacation every year. He said at least that long is necessary in Hollywood to keep one's health.

Hulburd took the quieter SEPost job, but apparently that didn't agree with him either, for he had a breakdown and was forced to resign near the end of August. He was at the Mayo Clinic, in Rochester, Minn., for a while and recently has been resting in New England.

Lloyd's Remake Ideas With Younger Comedian

Hollywood, Sept. 20. Harold Lloyd is mulling the idea of re-making two of his silent hits, 'Grandma's Boy' and 'The Freshman,' with a younger comedian in the roles he created. In the last week he turned down three major studio offers for the plays.

While Lloyd will continue to produce and star in his pictures, he plans to turn out some in which he does not appear.

SOME MAJORS NOT RAVING ABOUT IT

Battles on Percentage, Per Usual—Selling Waxes Hot 'n' Cold, but Averaging Well

SEE NO BIG RUSH

Some major producer-distributors are adopting a policy of secrecy with respect to contracts closed with accounts this year, notably Paramount, Metro and 20th Century-Fox, though last-mentioned is releasing figures which would show the percentage of sales as against last year at this time.

As against this policy, not explained, Warner Bros., RKO, United Artists, Republic, Monogram and Columbia are trying to take credit in print for the various important chain deals they are setting on the 1938-39 product. Their attitude seems to be that this represents justifiable publicity, there being no reason for not talking about sales made.

Before leaving for the Coast Thursday (15), James R. Grainger stated Republic has closed more contracts for 1938-39 at this time of the year than ever before and that deals call for better representation in keys

Time

and with circuits than company has enjoyed in the past.

One of the latest RKO contracts of importance has been sewed up with the Frisina chain in the St. Louis territory, which takes the entire features and shorts lineup for a total of 19 situations in Illinois, Missouri and Iowa. B. J. McCarthy, RKO branch manager at St. Louis, negotiated the deal himself.

Additional RKO deals set include the Feiber & Shea chain of 31 houses in the east on which Eddie McEvoy headed negotiations; the Goldstein-Par string of 15 in New England; Graphic circuit of 12 and the Charlie Morse chain, also in New England; Robb & Rowley, closed by Jules Levy himself; Weemner-Frank circuit in Minnesota; Eskin in Wisconsin and the Westland Theatres in Colorado, last-mentioned set by Cresson E. Smith from the h.o.

Negotiations between United Artists and RKO, calling for entire '38-39 lineup of UA product in latter's theatres, were completed yesterday.

(Continued on page 15)

CANTOR'S FILM SCRIPT READY; METRO OR RKO?

Izzy Ellison and Joe Quillen are reading the script for Eddie Cane's next picture, for which he's dickering with Metro and RKO. Comedian figures on having the yarn ready by the time a deal is completed.

Pair have also been renewed as scripters of Cantor's radio series for Camel for another 18 weeks. Music Corp. set the deal.

Cantor isn't coming east after all to start his radio series Oct. 5.

ROMP FOR EXTRAS

Hollywood, Sept. 20. Extras get 7,000 working days on four big productions slated for November shooting at Warners. Pictures are 'The Desert Song,' 'Dodge City,' 'Juarez' and 'Memphis Belle.'

RCA's Sarnoff Back, RKO's Reorg Plan Heads for an Early Accord

Daylite Time Ends

Daylight saving, which always hurts theatres during the summer, comes to an end Sunday (25). It was in force this year in a majority of the 48 states.

Went into effect end of April, as usual.

Berlin Abroad To Clear 'Alex' Tunes in Dispute

London, Sept. 20. Saul H. Bornstein is conferring with Bert Feldman this afternoon. Although no decision has been reached thus far, the probability is that there will be an amicable settlement before 'Alexander' opens Sept. 30. Radio version is being broadcast tonight (Tues.) on national hook-

David Sarnoff having returned from abroad, it is expected that negotiations between Atlas (Floyd Odum) and RCA will be resumed relative to Atlas' taking up its option on RCA's remaining holdings in RKO, and a friendly settlement of the situation is expected.

It is presumed that in any event, until the entire RCA equity is taken, or depending on conditions to be determined by the parties, that RCA will obtain effective representation on the new RKO company board, upon reorganization of that firm.

The reorganization is progressing harmoniously and the company's situation, under Leo Spitz, is showing extraordinary improvement. It is expected that when the special master's report on the firm's reorganization plan comes up before Federal Judge William O. Bondy Sept. 29 there will be an overwhelming favorable expression for the plan from creditors.

Present indications are that there is a preponderance of creditor sentiment in favor of the plan.

BROWN'S PROD. STATUS; WM. KOENIG CHECKS IN

Hollywood, Sept. 20. Shift of Harry Joe Brown from executive producer to associate producer was disclosed in monthly revision of the 20th-Fox contract list. Currently Brown is preparing 'Tail Spin,' slated to start Sept. 28, and 'Thanks for Everything,' set to go Oct. 3.

William Koenig has moved in at 20th-Fox as general production manager after abrogating his contract at Metro. L. McPadden, who has been holding down the berth since resignation five months ago of Ed Ebele, remains as chief aide to Koenig. Koenig performed the same duties at Warners when Darryl Zanuck was production head there.

Constance Bennett completes the quartet of femme fliers in 'Tail Spin.' Others are Alice Faye, Nancy Kelly and Joan Davis. Picture goes before the cameras Sept. 28, with Roy Del Ruth directing.

Hitchcock Draws 'Becky' As Second for Selznick

Hollywood, Sept. 20. Alfred Hitchcock signed to direct 'Rebecca,' Daphne du Maurier's British best-seller, for which David O. Selznick paid \$50,000. Hitchcock is due from England to start preparations for Selznick's 'Titanic,' slated to start early in January. 'Rebecca' gets a May start.

Bergen, Lamour, Breen Out, No St. Louis Celeb

St. Louis, Sept. 20. The St. Louis Festival Assn. has chucked all plans for a three-day celebration next month, following the Veiled Prophet parade and ball, and last year's street dancing and singing in Memorial Plaza will be repeated Oct. 11.

Plans for the importation of Edgar Bergen, Dorothy Lamour, Bobby Brennon and other names fall by the wayside when the M-G-M Corp. of America couldn't deliver them on the dates desired.

Chan Joins Strippers

Charlie Chan becomes a daily newspaper strip to exploit a picture series made by 20th-Fox. Panels will be written and drawn by Alfred Andriola and sold by the McNaught syndicate, which points out that 87,000,000 persons paid to see the Chan films in 1937.

Pictures already have the advantage of the wide circulation of the novels written by Earl Derr Biggers.

BROADCASTERS EXTEND THEIR CAMPAIGN TO RESTRICT FILM PLUGS ON THE AIR

NAB Aligning a Comprehensive Survey on Amount of Time Devoted by Radio to Film Material—Still Irked Over 'Best Entertainment' Shut-Out

Washington, Sept. 20.

Preparations for a feud with the film industry over gratis picture exploitation were launched last week with questionnaires to all members of National Association of Broadcasters. Trade body wants specific data with which to formulate 'sounder and more equitable relationship' with cinema groups.

As was threatened a few weeks ago, the NAB intends to make an issue out of films' refusal to buy air time in carrying on the 'best entertainment' crusade. When armed with data on the extent to which film patronage is built up via the microphone, the broadcasting crowd plans to make a frontal assault and demand a fair share of distributors' advertising budgets.

Broadcasters are irked by continued silence from the film camp, combined with reports that the picture industry is persisting in attempts to obtain cuffs help of stations in luring audiences to theatres. Veiled warning given last week in the NAB bulletin against using the transcription made by Hollywood studios as part of the exploitation move.

Broadcasters are responding in encouraging fashion to the NAB showing of resentment and call to arms. Several stations report they will tighten up on film ballyhoo, with one group of stations planning to pull the switch on sustaining programs received from national network, which contain songs from feature pictures, Hollywood gossip, and film talent.

Comprehensive picture of inter-industry relations sought in the NAB questionnaire drafted by Paul F. Peck, research director. Wants detailed facts about the amount of programs which may boost films, either commercial or sustaining, source of the programs, info about co-operative links between stations and theatres, amount of paid advertising placed by the picture people on the air.

Sustaining programs which are built around Hollywood look like the first target. Talk heard about possibility of gagging the gossipers, eliminating song plugging, barring the guest stars, and dropping the previews and re-enactments of film scenes.

When he is finished, Peter expects to be able to place a value on the amount of publicity which Hollywood gets without paying for it, especially through programs sponsored by advertisers in other lines of business which build good will for films. All NAB members asked to estimate the total amount of time at usual rates for both commercial and sustaining programs which 'might be classified as moving picture exploitation.'

Detroit's Bally; No Radio

Detroit, Sept. 20.

Local dailies, especially the Free Press, are going to town on bally for film industry's campaign, which radio station, as a whole are steering clear. There's never been any appreciable amount of other publicity on film product, anyway, so industry's not losing out any on that score.

Only exception to general rule is WXYZ, which operated by the King-Trendle theatre interests (United Detroit chain). As result, WXYZ is giving the Quiz an occasional boost. Town receives its only radio film news through webs.

Press campaign has been quite heavy, although some exhibits are squawking on scarcity of plugs in the News and Times (Hearst). Free Press, on the other hand, has been running two or three banner stories weekly by Jimmy Pooler, film critic, with profuse use of Quiz insignia.

Philly's Stance on Radio

Philadelphia, Sept. 20.

Beef of New York Allied at Syracuse last week at Radio City is taking to the air has no counterpart here as the complaint has never been officially brought up before the indie group, United Motion Picture Theatre Owners. Most exhibits, however, thoroughly resent names which they consider they have built up appear-

LET'S GET GOING

Heifetz Irked at Delays, Starts Pic Recording

Hollywood, Sept. 20.

Tied up with fall and winter concert dates, Jascha Heifetz is making recordings with a 60-piece orchestra for Samuel Goldwyn's 'The Daring Age.'

Original starting date of the picture, Aug. 1, was moved to Sept. 1, with Heifetz refusing any further delay. William Wyler starts shooting this week on scenes in which the violinist and orchestra appear. They will be matched in when Archie Mayo starts shooting the rest of the picture in December. Heifetz's contract calls for \$75,000.

NEW INDIE CO., ATLAS, LISTS 19 FOR PROD.

Hollywood, Sept. 20.

Program of 19 productions is mapped for the coming year by Atlas Pictures Corp., bankrolled in New York. Scheduled are six outdoor musicals, six straight westerns, six whodunits and one high-budget special, 'The Pathfinders,' based on James Fenimore Cooper's novel. Production sked starts Sept. 26 with 'Death Steals a Wedding March,' mystery yarn directed by Ray Johnson.

UA Incorporates Its

Employees' Welfare Fund

Greater facilities for aiding needy employees of the company are being established at United Artists, with the firm now having incorporated its employees' welfare fund in order to enlarge its purpose and scope of benefit. Employees may borrow, free of interest, from this unit. United Artists Employees' Welfare Fund, Inc., is to be administered, as previously, under direction of Harry Buckley, vice-president.

The fund obtains its treasury from voluntary, weekly deposits by the higher-bracket salary executives of the firm, each of whom deposits a percentage of his weekly pay for the purpose of the fund. It is a non-profit unit, of course, the carrying charges of the fund being borne by the UA company.

F.P.-Can. Directors Meet

Barney Balaban, Neil F. Agnew and Y. Frank Freeman, three top executives in Paramount, were due back in New York yesterday (Tues.) from Toronto after attending a meeting of the board of directors of Famous Players-Canadian at which their presence was sought.

Trio went up Sunday night, the meeting of the directors being held Monday (19).

ing on big night shows and stealing biz from their houses.

No action against the practice may be expected from this quarter, though, as UMPTO is now in the throes of an internal war which is preventing the group from holding any kind of meeting for fear of an explosion.

New Bedford, Sept. 20.

WNBH is no longer scheduling Mutual's 'Hollywood Whispers' with George Fisher. Station's ban on free film publicity is the reason. Mac Green replaces the 15-minute spot with 'This Week's Heroes' during which he elaborates on the names in the news of the week.

Up, Up and Up

Hollywood, Sept. 20.

Joe Newman, nine years at Metro from office boy to assistant director, finally climbed into a director's berth as pilot of 'A Man's Best Friend,' a bribe scripted by Barney Gerard.

Newman had been assistant to George Hill, Robert Leonard, Jack Conway and W. S. Van Dyke.

PIX SUPPORTED L. A.'S NEW MAYOR

Hollywood, Sept. 20.

Show business does not know how it will figure with the recall of Mayor Frank L. Shaw and election of Judge Fletcher Bowron as mayor. Bowron is tied up very strongly with the church and reform groups. However, it's understood that plenty of coin came in from outside elements of this group who want favors.

Campaign for Bowron was very showmanly. He took advantage of the bombing of a former cop by police department official, stressed on it in every way, and even had radio transcriptions made with the bombing injected into them as a fanfare. However, indications are that should Bowron open up the town, his bitter enemy, Burton Fitts, the district attorney whom he had indicted but who was later acquitted on a conspiracy charge, is going to watch him like a hawk.

Gambling has been rampant in various spots here. Slot machines and marble machines have been virtually everywhere around town as well as poolrooms. Word is that Bowron might crack down on them Sept. 26th when he takes office. However, Fitts, it is understood, will have his men around town watching for any violence and make indiscriminate raids to embarrass the man who once put him in spot.

Theatre people strongly supported Judge Shaw as well as did many of the important studio people with a group of actors being on Bowron's side of fence. Still, show business here does not know what cooperation the new city chieftain will give them.

THIS ARRAY ADDS UP TO IMPORTANT MONEY

Hollywood, Sept. 20.

Latest contract roll at Warners shows 83 players, 14 directors, 10 associate producers and 50 writers on the payroll.

Players added in the past two months are Irene Rhodes, Joe Cunningham, Frankie Thomas and Frank Burke. New writers are Charles Curran, Norman Burnstone, Frank Donoghue, Jerome Odlum and Charles Tedford.

Ann Shirley Balks at Oat Opry, Off RKO Payroll

Hollywood, Sept. 20.

RKO suspended Anne Shirley for refusing to play her femme lead in the western, 'Law West of Tombstone.' She was replaced by Jean Roverol, whose option was recently picked up after her work in 'Annabel Takes a Tour.'

Miss Shirley balked at the sagebrush role because, she said, it was not suited to her talents.

Gracie Goes It Alone

Hollywood, Sept. 20.

Gracie Allen plays without George Burns for the first time in her picture career in 'The Gracie Allen Murder Case.'

Picture gets the gun at Paramount the first week in October.

A Page from an Old Scrapbook

By Bill (Pabst) Halligan

Ran across an old scrapbook last night and a flock of the boys reached out from the beyond and shook my hand.

Twenty-three years loomed up at me in the shape of an old Comedy Club dance program, Terrace Garden, April, 1915: Frank Conroy, the blackface comic, was leading the Grand March. Right behind him in the solemn procession were Gene Hughes and Bert Leslie; then came George Lemaire, Everett Ruskay, Emil Subers, Mat Keefe, Earl Reynolds and the lovable Harry Fitzgerald. And then Jo Faig Smith, Paul Durand, Doc Breed and Fred Mace. Tommy Gray was there with Ann Orr, who worked with her sister and Skeets Gallagher in vaudeville. A lot of us have survived, but the list is rapidly thinning.

After the ball was over, we all trooped over to Jack's restaurant on Sixth Avenue. Jack's never closed. Felix Adler and I proceeded to get our load. I had had a battle with the better half the day before and was out of the box at home. The night before Irving Berlin, Joe Schenck and myself had gone to the opening of 'Castles in the Air,' a new dance spot atop the 44th St. theatre. Molly King and the two Sykes Girls were with us. Joe suggested we go over to Honest John Kelly's gambling house in back of the Claridge hotel. Nat Evans ran the place for Kelly. Joe bought \$200 worth of checks and in five minutes beat the wheel for \$1,000. He quit. We all went up to my flat and had breakfast.

While I was cooking the bacon and eggs I discovered we were out of cream. Berlin went across the hall and stole a pint from the flat next door. The next day, when I returned the cream, the lady gave me hell. It was Marjorie Rambeau, who was married at the time to Willard Mack. After the folks had gone home my wife told me that Joe had given the girls \$100 apiece from the grand he had won. I burned up at Joe's generous gesture.

Anyway, I was at the Comedy Club ball, all dressed up and nowhere to go. When Felix and I got to Jack's we were broke. We put the bite on Judge Gus Dreyer, who was the club's treasurer. When we got to Jack's, Spider Kelly from Freeport, Frank Orth and Frank O'Brien invited us to sit with them. Joe Pincus, Benny Piermont and Lee Muckenfyss joined us. Station House Murphy insisted on paying the check. It came to \$2.75. I can imagine paying for it today on 52d street!

Ray Hodgdon, George Perry and Allen Dinehart came in with Maurice Rose and Murray Feil, and we all went over to Mark Aaron's saloon. Johnny O'Connor had beaten us to it and was standing at the bar alone. We sat around the back room until nine o'clock. Murdock sent his assistant down to round up the bookers and agents and I went home to bed.

Twenty-three years ago? It seems like yesterday.

Pix Cos. Joining Other Big Biz In Move to Ease Stiff Surtaxes

Noah Beery as Chan?

Hollywood, Sept. 20.

Noah Beery is now the leading candidate to succeed Warner Oland in the role of Charlie Chan.

Sol M. Wurtzel, 20th-Fox executive, is conducting tests of others, but Beery has the inside track because of his resemblance to the late actor.

'H'WOOD BLVD.' AT THE S.F. FAIR

San Francisco, Sept. 20.

Film business is reported to have gotten together on an exhibit to be known as 'Hollywood Boulevard' at the San Francisco Fair next year in an effort to build further good-will towards the industry. Actual contract calls for 100,000 square feet of exhibit space.

Exhibit will depict what happens to a feature picture from the original story until actually screened. Big sound stages will be part of lineup.

Broadway's Switch

Designating Broadway as 'Hollywood Blvd.' for an hour last Friday (16) by the Broadway exhibitors' committee of the Greatest Pictures' Year was the second time in the last six years that the tag of New York's most widely known theatrical street was changed for publicity purposes.

Several signs were tacked on street posts in the Times Square area being the name, 'Hollywood Square,' to call attention to the Fox film of the same name, about five years ago.

Sennett's 'Problem Child'

Hollywood, Sept. 20.

Felix Adler collaborates with Charles Rogers on the screen play for 'Problem Child,' Stan Laury's first starring for the new MacFadden production company. Charlotte Greenwood is under consideration for a featured spot.

Sennett is negotiating for a major release.

With the Federal surtax even in its amended form regarded as a financial bugaboo to economical operations, saving for a rainy day or carrying on expansion on big scale, film industry leaders are looking forward hopefully for some measure of relief at the forthcoming session of Congress next January. Picture officials are more than ever convinced that the present surtax is the greatest stumbling block in the whole U.S. tax setup. They are joining with other big industries in advocating a change in the surtax requirements.

Only change made in surtax, according to film company legal experts, was in exempting \$25,000 corporations from payment. Since few if any picture company or producing outfit could claim such a low capitalization, it means that the same drastic tax rates continue in effect, with ever-increasing percentages to firms which try to settle several hundred thousand dollars either for expansion purposes or for the period when the revenue taken in by the corporation will be considerably reduced.

Effect of surtax is to penalize corporations setting aside reserve funds to maintain its usual staff and wages without depression cuts. In the case of smaller companies, not necessarily directly connected with the picture business, this tax has resulted in actual halting of expansion or plant improvement programs. Instead, the point goes to stockholders because the corporation did not feel it wise to pay such an excessive tax.

Law holds that expansion of a corporation or improvements are capital investments and consequently this money cannot be deducted from the total hit by the surtax. Effect of this is to make most corporations pay out large amounts in dividends and then go to banks for loans to carry on any improvement or expansion program. This naturally increases the cost of doing business. Thus, every corporation that shows a cent of profit after making divvy distributions must pay some amount in surtaxes.

Another wrinkle that does not place picture company officials is that losses shown by subsidiary theatre companies, etc., cannot be counted against net profits shown by other corporations in an effort to cut down the amount applicable to surtax payments.

CH'S SUITS; TRIPLES; CUTS

Unraveling 3,000 Theatre Properties

Unknitting the origin and history of 3,000 theatres, together with their attached realties, worth upwards of \$300,000,000, gathered over a period of many years, is something which the U. S. Government, when bringing its anti-trust suit against the majors calling for severance of theatres from distribution, may not have given the fullest possible consideration. And that's only on the theatre severance side. The other problems have offered difficult angles.

That anti-trust suit already has begun to take toll of time and money from the defendants. Not daring to risk the chance of being unprepared against the Government's attack, the companies are digging deep into their records assembling all the possible facts required in the situation.

It's difficult to appreciate the maze of data and records which the defense must assemble, individually, to make a comprehensive defense on theatre severance against the general type of attack which has been made against the firms by the Government. Theatre realtors foresee the likelihood of recalling Louis N. Cohen from Hollywood to assist. At divers times Cohen headed the theatre real estate departments of Paramount, the old Fox company, Fox-West Coast Theatres and RKO.

The Government suit involves, directly, some 3,000 theatres, and Cohen pretty nearly sat on every one of these, or at least investigated them if he didn't exactly make the transaction between the parties.

20th-Fox to Sue on Unauthorized Dutch Remake of 'Daddy Long Legs'

Amsterdam, Sept. 12.

Twentieth Century-Fox is proceeding legally here against Neerlandia-Film, Amsterdam, to stop a nearly finished Dutch production of 'Daddy Long Legs.' The American company owns all rights to Jean Webster's novel, first published in 1912 by Appleton-Century Co., and 20th-Century-Fox claims that Neerlandia infringes its rights.

Neerlandia maintains that in Holland no rights at all exist of books first published in America, as U. S. is not a member of the Berne Convention.

Actually all books, first published in U. S., and translated and published in Holland by Dutch publishers without paying any copyright fees or without even asking for permission. To prevent publication of the same book twice or more, which theoretically is possible under these circumstances, the Dutch publishers formed a union and mutually agreed that the one who first announces his intention in the official news-bulletin of the Dutch Publishers Association to publish a certain American book (and pays five Guilders (\$2.65) administration fee, has the exclusive right for half a year to publish the book. This fact could not be altered and all legal efforts made by American publishers in the last years. (Last known case is that of 'Gone With the Wind,' which recently was published by a Dutch publisher without permission; until now all claims by the Macmillan Co. and Margaret Mitchell have been rejected by Dutch courts.)

The case of 'Daddy Long Legs' is the first one in which these 'rights' are to be extended on pictures. If Neerlandia should succeed with its policy, in future every American film hit, based on novels or plays first published in America, could be remade by Dutch producers. 20th Century-Fox intends to fight this standpoint with all its resources.

Legal possibilities were carefully considered by experts on copyright and lawyers before aforesaid proceedings started. Dr. Paul Koretz, European counsel of 20th Century-Fox in London, personally supervised these conferences and after having cabled reports on the situation to Edwin P. Kilroe, legal chief of 20th Century-Fox in New York, decision was made to file the suit. Claim will not be based on an infringement of the Berne Convention, like all former claims of American publishers. Rather, a new way will be followed, which, as the experts assume, will convince the Dutch judges that, despite the present Dutch jurisdiction, copyright protection of American writers in Holland is valid.

Neerlandia is the same company which last made the biggest hit ever produced by a Dutch company, 'Pygmalion.' The leading lady of 'Pygmalion,' Lily Bouwmeester, also heads the cast of 'Daddy Long Legs.'

Mae West's Russky Yen

Hollywood, Sept. 20.

Mae West is reported working on a play, based on 'Catherine the Great.' Wants to do it on stage and screen.

WB Counterparts B&K in Philly, But All O.K. Warners

Philadelphia, Sept. 20.

Feeling against Balaban & Katz in Chicago, which precipitated the mass exhibit suit against the circuit for a reshuffling of clearance, is virtually non-existent here, where Warner Bros. are in a similar position to B. & K. WB here controls all mid-town first runs, virtually all keys, and virtually all nabe first-runs.

Indies here have been used to chain opposish for so long they take it entirely as a matter of course. Although, strongly independent, most exhibs never even give a thought to Warners' complete control of product and first-runs. It is accepted as something in the nature of an act of God, because before WB it was the Stanley Co., and after WB it's sure to be somebody else.

Furthermore, it is pretty well agreed by the exhibs that Warners are as decent competitors as it is possible to find. They don't think that the big circuit is half as tough as it might be if it wanted. WB has never adopted double-features and resorted to games and giveaways only in certain spots, and then only as a last resort.

In two recent complaints against Warners on clearance, satisfactory agreements have been reached. One exhib, Ed Koff, of the Darby, actually filed suit, while the other, Erny & Nolen, of the Erlan, only threatened. Both were settled out of court with a minimum of publicity.

Erlan complained because a new Warner house, the Lane, to be opened shortly, was skedded to push the Erlan back a run. Erlan thus would have found houses on both sides of it, the Lane in one direction and the Yorktown in the other, playing pix before it got them. Warners agreed to give the Erlan day-and-date bookings with the Yorktown, 28 days after first-run.

In the Darby theatre suit, Koff complained that Warners' Parker, across the street, was getting unnecessary-long clearance. He said their prices were already so low he couldn't bring his down any further as a competitive draw to compensate for the long wait.

ESSANESS VS. B&K ON ALL FRONTS

Indies Start Long Threatened Suit Against Majors and Balaban & Katz—
—Northside's Tripling—
—Loop's Cut-Pricing

TOWN UPSET

Chicago, Sept. 20.

The long-expected anti-trust suit was filed by local independent theatre men, representing over 100 houses, in federal district court Sept. 19 against Paramount, Balaban & Katz Corp., B. & K. Management Corp., Loew's, 20th-Fox, Vitaphone (WB), RKO Radio, United Artists, Columbia, Universal, Barney Balaban, Walter Imerman, Abe Kaufman and Joe Kaufman. Plaintiffs, including members of Allied Theatres of Illinois, Essaness Circuit, Sam Myers Theatres and Van Nomikos Circuit, charge unlawful restraint and monopoly in clearance.

Complaint, totaling 4 pages, and outlining plaintiffs' case in full, includes paragraphs on clearance, producer-exhibitor groups, production and distribution, territory divisions, legislation and litigation, shorts forcing and admission price control, disregard of consent decree, new intermediate runs, delayed releases, double features, release week chart, and classification of theatres. It asks for a temporary injunction.

Claim is that Balaban & Katz have control of all films in this territory for as long as first 10 weeks of their release here. Plaintiffs charge that B. & K. delay releasing of films here until they have played in many surrounding cities and ask that this be stopped.

Injunction petition to restrain B. & K. from showing double features is also asked. Plaintiffs allege that B. & K. monopolize the first 4 or 5 runs of films by shifting them around in such a manner that indie cannot show the same programs as B. & K. Complaint also charges B. & K. is in contempt of court because allegedly disregarding the consent decree handed down in federal court in 1932. Indies ask that the Attorney General of the U. S. step in and remedy situation.

Plaintiffs are also asking that B. & K. be stopped from opening loop programs on Fridays or during mid-week, with the indie forced to start the same pictures on Sundays only.

(Continued on page 25)

NO CONFAB YET ON ANTI-TRUST

It is altogether uncertain at this point when trade representatives will meet with the Department of Justice in Washington, relative to the pending anti-trust suit against the major film companies. It was first taken that such a meeting would be held around Sept. 15, but that date has passed without any such meeting being held. Now talk has arisen about meeting being possible late this week, but none in the trade is certain on the matter.

Certain attorneys who would have to be present at the Washington meeting are unable to get there at this time, or are out of town, and for that reason, the possibility of a meeting this week looks slim.

Presumably the parties will discuss various angles of the suit at this session, including that of a stand-still agreement, such as is being urged by the government, pending the actual trial of the issues. Under the stand-still idea, the companies would refrain from increasing their theatre holdings.

Threat of Theatre Divorcement Is a Subject of Much Concern To Execs Long Trained to Chain Op.

The Other Guy Wins

Hollywood, Sept. 20.

Why talent scouts grow old young: Oliver Hinsdale, Paramount, uncovered Anthony Allen and studio nixed him. Jack Moore, RKO, grabbed Mini Lilygren and teamed her with Allen. RKO double-nixed Moore turned their test reel over to a 10%er, who showed it to Metro execs.

Miss Lilygren and Allen were immediately signed for roles in 'Dramatic School.'

Considerable consternation and some uneasiness which, among other things, is affecting plans for the future in numerous cases, is being felt by chain theatre executives and others in this branch of activity as result of the possibility of theatre divorcement. This can come from two different sources and put a large number of theatre men out on a limb almost over night.

If the Government's anti-trust suit, which seeks the separation of producer-distributors from theatre operation, doesn't do it, then there is always the likelihood that chain divorcement legislation by the various states may turn the trick. Aside from the interest theatre men have in the outcome of such legislation, and the Department of Justice action from the point of view of their own survival.

The greater majority cannot remain on the payrolls of the majors controlling theatres if the large departments operating the latter have to be given up, for it is likely that most of the men can shift with comfort, and at the same level of salary, to independent theatres or interests.

In addition to the general theatre operating heads at home offices, most of them are on the boards of their various companies and represent a spoke in the wheel of administrative manpower. There are hundreds of inter-departmental theatre heads, general buyers, theatre insurance heads, theatre real estate executives, tax experts in theatre work, attorneys specializing in this branch, advertising men, branch operating managers, city managers, etc. Some have spent the better part of their careers in this work and may not find it easy to shift.

All are in danger of losing their jobs, some of which are at excellent pay, there being no other recourse for such companies as Paramount, Loew's 20th-Fox, RKO and Warners in the event they must restrict themselves to making and distributing pictures. There are known cases where new plans are being curtailed now—view of the uncertainty of the future, financially and otherwise.

NOT A SMART GIRL, SHE GREW TOO FAST

Hollywood, Sept. 20.

Helen Parrish replaces Barbara Read as one of the girls in the Deanna Durbin starrer, 'Three Smart Girls Grow Up,' due to roll Oct. 3 at Universal.

Miss Read, who played in the original 'Three Smart Girls,' has grown up too fast. Nan Grey gets her old role as the third girl.

Goldwyn Readies Two

Hollywood, Sept. 20.

With 'The Lady and the Cowboy' in the cutting room after four months before the cameras, Samuel Goldwyn is preparing 'Wuthering Heights' for production and getting the script in shape for 'The Last Frontier.' Cast leads in 'Lady' are standing by for retakes.

Location scouting crew, headed by Gus Schroeder, is in the Santa Barbara area to pick a spot for 'Heights.' Col. William Shutan, onetime military governor of the Philippines, goes on 'Frontier' as technical advisor.

Garfield as Patriot

Hollywood, Sept. 20.

John Garfield is slated to star in 'The Story of Haym Salomon' at Warners, due to start Nov. 7. Screen play by Rowland Leigh is based on the life of the patriot who helped finance the American Revolution.

Minn. Agitating For Divorcement Law of Its Own

Minneapolis, Sept. 30.

President W. A. Steffes of Northwest Allied reports 'much encouragement' in the organization's campaign for the enactment of a Minnesota theatre divorcement law similar to the North Dakota measure, the constitutionality of which was upheld by a Federal court tribunal of three judges. Steffes claims to have sounded out 60 legislative candidates and reports that 57 of them have gone on record in favor of the divorcement bill to be introduced in the next session, following the November election. A proposed divorcement law which would have compelled the Paramount circuit to divest itself of its Minnesota theatres died in committee at the last session.

Only one of the 60 candidates said he'd oppose it, Steffes says. Two were 'luke warm,' according to the Northwest Allied head.

In the meanwhile, the Federal court has granted Paramount, et al, plaintiffs in the North Dakota divorcement suit, an appeal to the U. S. supreme court from the initial adverse decision validating the law, the first and only one of its kind passed anywhere in the U. S. Plans are to file the appeal in Washington next month.

Under the court order, plaintiffs are required to post a \$1,000 bond to cover costs of the action and another bond of \$1,000 to defray possible damages incurred by the state of North Dakota which is defending the measure against their attack. The petition for the granting of the appeal cited 20 specific errors in court rulings during the Fargo, N. D., hearing.

Until the U. S. Supreme Court passes on the law, a temporary injunction restraining its enforcement and thus enabling the Paramount circuit to continue in possession of its North Dakota theatres, will remain in effect.

FLOREY DIRECTS PAR JINX FILM, 'IMPERIAL'

Hollywood, Sept. 20.

Robert Florey gets the directorial job on 'Hotel Imperial,' an old 'jinx' picture scheduled to roll, on remake, next month at Paramount with Isa Miranda starring.

Picture was first made as a silent by Pola Negri. Marlene Dietrich turned it down as a talker and Margaret Sullivan, named as a substitute, broke her leg. It was Miss Miranda's first film for Paramount since her arrival from Europe last year.

AD AGENCIES TO BATTLE COMMERCIAL FILM PRODUCERS FOR U. S. SCREENS

Entrance of Advertising Men Into Comm'l Film Production Is on Basis of Films Free If Screens Free—Old Line Sponsors Pay for Exhibition Outlets

Entrance of J. Walter Thompson agency into the commercial picture field on an extensive scale, and possibility that McCann-Erickson and several other ad agency firms also invading the new field, along with Batten, Barton, Durstine & Osborne, augurs a battle for business between advertising agencies and the older established companies handling commercial screen product. Ad agencies thus far have figured their type of commercial pictures should be offered gratis to exhibitors, while the outright advertising film, because they believe theatres should be paid for handling them, the same as any other advertising matter.

Philosophy of new picture men, with the ad agencies, so far advanced, is that their institutional advertising or goodwill sponsored films deserve a break in picture houses, if the subjects are furnished free. Their slant is that the higher, more dignified variety of screen productions which they handle stress the entertainment value, because any minor or institutional plug for the industrial firm footing the bill on the film is usually subordinated or subtly concealed, such pictures belong on the screen of regular picture theatres.

While they do not count on any guarantee that such pictures will be run at every show or any specific performance, the advertising lads figure on getting into larger and higher-type houses, and thereby probably getting a big break on coverage as the smaller ad films spotted into smaller theatres where the exhibitors or circuits get paid according to seating capacity.

Old-line commercial film producers and distributors feel that their product is out-and-out advertising, even if subtly done. They contend that the exhibitor knows this and should get a specified amount of cash for play-dating the subjects. Majority of these are on to three-minute subjects. This type of commercial picture maker has been highly successful in gaining contracts from all sections of the country, even including quite a number of major company affiliate circuit houses in smaller cities and towns.

Exhibitors Must Decide

Struggle for screens between these two types of commercial film sponsors holds interest for the trade because, ultimately, it will be up to exhibitors to decide which type of picture, if any, he will permit on his screen.

The out-and-out ad film which is paid for by fee according to seating capacity, admission charged, etc., provides an added source of revenue though not filling out program much more than five to seven minutes, depending on the number of advertising brevities used. The other type, usually one to four reels in length, helps fill out a program and quite often provides added entertainment even though some are considered as too educational, scientific or dry to rate with the usual short feature. This represents a saving because it eliminates the need for one to four shorts for which the exhib would have to pay rental.

The Motion Picture Producers & Distributors' attitude for some time has been against any type of commercial film and has been outlined by Will Hays in various statements from time to time. While Haysian jurisdiction never has pretended to extend beyond affiliated companies, the MPPDA view on advertising films has been entirely ignored by affiliated circuits and subsidiary theatre operating companies in the past year and before that.

There have been instances recorded where lesser chain houses have been paid so much on the line for showing, films that were patently screened only because shouting the merits of industrial companies. In some spots, newspapers have retaliated by trimming down any picture publicity on the theory that the theatres were trying to horn in on the advertising

business, which should come to them. It is over screen ads even has been reflected in smaller spots by biting reviews of screen fare shown at the theatre in question.

With advertising agencies firmly convinced that they can get their semi-entertainment sponsored films into 5,000 to 6,000 houses regularly, and the outright ad film companies claiming entrance to possibly 9,000-10,000 theatres, use of the screen for other than entertainment pictures is likely to become an increasingly important question in the next several months.

Thus far major distributors and producers have refused to enter the commercial picture field. No major distrib and only one important independent distributor could be found in recent months willing to handle even the institutional type of commercial product. Nevertheless, they have managed to get on the screen in increasing numbers. A number of smaller Broadway theatres have put these institutional or scientific type sponsored films on their programs in recent months. Some have included the straight ad brief subjects on their screen.

Commercials on Sound-Tracks

The production of radio shows or attractions on film, with the advertising matter attached, as on the air, for release to exhibitors throughout the country in the same manner that other film is played, is a departure under a plan worked out by Audio Productions, Inc., at the Eastern Service Studios, Astoria, L. I., and ad agencies which will participate. Advertising agencies are said to have been largely instrumental in developing the idea and, within a month or so, production on the first of the experimental radio program films is expected to begin.

While a departure, both as to advertising and to film entertainment, the plan being developed is not radical. The thought of prime movers is that a new territory for both radio and film sources—in talent, production, exhibition and distribution—will be opened up on the ground, among others, that there is no reason why satisfactory musical films are not as good theatre fare as personal appearances of the big-time radio names in key city engagements, around which films will be made. The point stressed is that if Horace Heidt and his Alemite Band, for instance, (Alemite being the ad feature) are worth big money at Loew's State, N. Y., on a personal, the same outfit is also worth money to an exhibitor in Sioux City, Iowa.

If the resulting film features a group that has been made valuable as an attraction by radio and is thus

known to the public, it is argued very little commercial advertising is necessary in the actual filming to accomplish a supplementary advertising result. It is also held by proponents of the scheme that this advertising result will make sustained radio advertising more valuable to commercials and ad agencies by increasing audiences and in overcoming certain resistance between the two fields.

Another angle set down is that a large number of persons visit broadcasting studios throughout the country to see air shows. This represents lost revenue to the theatres, since all of those getting free broadcast tickets might be skipping a film theatre where admission would be obtained. Seen in the plan is a chance for the theatre to cash in on the value of radio through films of favorite radio programs or personalities which could be seen at the local picture house rather than in a studio or listened to at home.

ORIENTAL, CHI, RESTRAINER SUIT

Chicago, Sept. 20. Oriental theatre owners last week stepped into the shuttered house and restrained furniture, fixtures and properties valued at more than \$200,000 for back rent due from the theatre operating company, which is Balaban & Katz. Back rent due figures to slightly more than \$105,000.

Despite this restrainer, B&K continues to have a watchman in the house day and night and has not notified that it is giving up the theatre even though it has kept the house dark since June and has stopped paying rent, which is figured on a minimum of \$200,000 annually.

What disposition is to be made of the theatre, either by the owners or by Balaban & Katz, has not yet been decided. It is understood, however, that B&K has made offers of settlement on the lease. Several outside exhibitors have made bids for the takeover of the theatre for operation on an independent basis, both with straight films and on a vaudeville policy.

MEMPHIS VARIETY CLUB

Organization of a Memphis Variety Club has been completed. M. A. Lightman elected chairman. Other officers: Tom Young, 20th-Fox exchange manager, first assistant barkeeper; Albert Avery, RKO, second assistant barkeeper; Fred Ford, of Malco Theatres, sec. and Tom Kirk, Metro, treasurer.

Importance of Stage Shows, M-G's Move to Cut 'Letty Lynton' Award

Seeking to establish the part that stage shows play in creating grosses for pictures, along with which they are used, Metro is bombarding the recommendation that \$587,000 be awarded in the 'Letty Lynton' plagiarism by resorting to expert testimony at this point before Special Master Walser in New York. Award of \$587,000 was recommended to Mrs. Margaret Ayer Barnes and Edward Sheldon, authors of 'Dis-honored Lady,' which the courts have held was copyright-violated by 'Lynton.'

Robert M. Weitman, managing director of the Paramount, N. Y., which has been highly successful with a policy of pit band shows for nearly three consecutive years now, went on the stand before Walser Monday (19) to testify as to the value of stage shows, render what is considered expert opinion, etc. Others no doubt will also be called by Metro to refute any compilation on which the \$587,000 award is based

as having been earned entirely by 'Lynton.'

Weitman was before the special master for several hours rendering his opinion as to the percentage of business that stage shows account for, not only at his N. Y. Par but at other theatres; the importance of inter-personal entertainment, along with certain pictures; audience importance of stage shows, etc. He is said to have cited figures at the Par to show what stage shows have meant there, also giving comparison between grosses of the theatre when in straight pictures as against business done since then with pictures aided by stage or band personalities.

The N. Y. Par had been running as low as \$8,000 and \$10,000 a week in straight pictures in 1935, before the pit band policy. Since Christmas week, 1936, when the present policy was inaugurated the house has not had one losing week, in both '36 and '37, plus so far in '38, having gone into high profits, at \$30,000 to \$60,000 grosses.

Aggie Goes Philosophical So Lefty Goes to Legion Convensh

By Joe Laurie, Jr.

Coolacres, Cal., Sept. 20.

Dear Joe:

Here I am trying to hold my breath again so that my pants and coat of my uniform will fit. Yep, I've been elected to lead our Legion Post to the Convention in Los Angeles. We got over 30 of us going on account of L. A. being so near and everybody is going to make it in their cars. The wives are going along this time which to the boys is like draggins' an anchor. It's gonna cramp their style even though the women said they won't bother us and would see the town by themselves. Well, if you know L. A. you know that after the first hour the dames will have plenty of time on their hands. Aggie sez she don't want to go, but I'm laying odds that when I open my trunk card she'll pop. Of course Junior is coming along. It will be his first Legion Convention, and I hope to Gawd when he grows up he won't have no Army as an Almy Mater. Me and Aggie did enough fightin' for the whole family.

I'm gettin' kinda tired of parades and singing 'Mademisselle Parlyvous' and 'Long, Long Trail,' and my stomach turns up its nose after the fifth drink, so I'm gonna make this a sort of a business and pleasure trip. I'm going around and see how the radio stations are run—although I got my own ideas all set how I'm gonna run mine. I wanna get away from the set routine they got now. I don't expect to start right in with revolutionary ideas but little by little I'll get 'em in. The owner of our town's paper is not so hot about us opening a radio station; he claims it's gonna hurt his advertising and circulation, but he can't kick because the banker owns most of his paper, and as he owns my radio station too, all the editor can do is to write mind-editorials.

We got a load of new pupils for the dancing school. They all wanna un-learn the Big Apple and replace it with the Lamby Walk. 'Nip and Flo do it very well considerin' they never saw it done. The theatre is doing pretty good this week. Maybe the Better Picture Year campaign is helping. I had to send for more booklets; I think somebody is starting a library with them. They grab 'em as fast as I can stick 'em on the counter. It's funny how people grab anything that's for free.

Bring People's Minds Back

Was reading a lot of stuff about the Theatre Conclil they had in New York last week, how they're tryin' to get the road back and how everybody made speeches. It must have been interesting. Aggie sez that vaudeville, drama, pictures and regular business will all come back as soon as the people's minds come back. Everybody's minds are on wars and hate. The Republicans put on gas masks when they pass a Democrat and vice versa. The radio is sad all day with sketches that tell about people dying, and sick and run over, and going to jail. Even the comedians are sad. That's why Aggie says, when people's minds will come back and think of the nice things of life, then everybody will do business. Aggie ain't a bad philosopher at times. I said she could make a lot of dough writing that stuff for the magazines, but she sez she's waitin' for her mind to come back too.

Aggie is makin' a tiny uniform for Junior and he is gonna lead the Coolacres Division in the parade. There was a lot of others that wanted their kids to lead the parade, but our kid looks the best and is a showman. He walks as straight as a die, but not for long. I'm only gonna have him walk when we pass the grandstand and the photographers. I guess a lot of the fathers and mothers that lost out with their kids will be sore and won't come to the theatre until they get over their peeve or until I happen to get a good picture. But parents have got to make some sacrifices for their kid.

Remember us to the gang and tell 'em I wish the Convention was in New York instead of L. A. There's so many more places to hide there. Sez

Your Pal,

Lefty.

HELEN WESTLEY'S PLAY FOR GEO. ABBOTT LIKELY

Hollywood, Sept. 20. Helen Westley leaves this week for New York, possibly to return to the stage in George Abbott's forthcoming production of 'Primrose Path,' the Robert Buckner-Walter Hart dramatization of 'February Hill.'

Actress likes the play and the part, but has to talk terms.

S.E.C. REPORTS

Pathe Sells Some Mono—Old Universal Tradings.

Washington, Sept. 20. Pathe International has unloaded some of its Monogram stock, report to the Securities & Exchange Commission revealed this week. Only two other transactions in film paper, one over two years old, uncovered in latest semi-monthly statement on corporate insiders' operations. Tardy statement showed Pathe International early in July sold 800 Mono common tickets, retaining title to 65,887, as well as 6,017 options for common. Nature of the transaction not disclosed. Only other current deal was sale of 20 shares of Pathe Film common by T. P. Loach. He hangs on to 11 pieces.

Bewhiskered return showed Bob Cochrane and elder Carl Laemmle cut their interest in Universal Pictures back in April, 1936, by exchange and sale respectively. Cochrane showed he surrendered all interest in 22,746 shares of common held by an undisclosed intermediary and Laemmle reported sale of 166,887 shares of common, along with 15,707 shares of second preferred. Wiped out Cochrane's financial stake but

LORENTZ READIES ANOTHER U. S. FILM

Next Pare Lorentz film for the Government gets under way in a week or two, not for any special branch, but under the supervision of the National Emergency Council, representing all the departments. Lorentz is back in Washington, where decision will be reached on whether to go ahead with production at once. Picture would be another documentary, this time using a locale of the Grand Coulee and Bonneville dams. Hitch in production at this time, however, is that the rainy season normally starts in the northwest about Oct. 1. Lorentz is dickering at present for British release of his Resettlement Administration film, 'The River.' Although there is no authorization for such a deal, he is settling with Elsie Cohen, of Unity Films, Ltd., London, for a 50-50 split on the film. Although there is no precedent for the Government renting pictures, Lorentz figures the Treasury won't refuse any such coin deposited to its credit. As an employee of the Government, he will, of course, receive no money from the deal.

Besides the British releasing contract, deals are also being set for showing the pic in France, Switzerland, Belgium, Sweden and Australia. Pic has also been televised twice in London. In all non-English-speaking countries, superimposed titles will be used. When the film was prepared for entry in the Venice exposition a specially translated soundtrack was tried, but the tongue-twister names of western U.S. rivers nixed the attempt.

Laemmle was left with 7,016 shares of common and 1,145 shares of first preferred.

DELINQUENT DUES ISSUE

Newsreels Now Work Like Dailies, Grab the News As It's Happening

More to obtain headline news and further enhance coverage with live items has been taken by a majority of the newsreels in New York City with a chance that the arrangement will extend to other important cities throughout the country. Present alignment is a news tip service which gradually is developing into a news bureau to inform newsreel editors of important accidents, fires, crime outbreaks, etc., just as soon as flashed to police headquarters in Manhattan.

Group of former newsreel assignment men in New York has set up a small bureau at police headquarters. They maintain men on duty so that newsreels are informed as soon as any item is cleared through main headquarters. Recent instances of what this has been accomplishing is that the newsreel editors were able to get men on the scene of the recent east side subway crash shortly after it happened and do the same when a Bellevue hospital inmate attempted to take a fatal leap.

Idea back of this intensified contacting main police officers in big communities is to grab news as it is actually occurring. Newsreel editors would stress living news and actualities rather than staged stunts, aftermath news handling and staid speech-making. This clearing house of live items plan is now being mulled for Chicago with similar arrangement either in Los Angeles or San Francisco next in line for consideration.

Not only is the clearing house or bureau idea for police headquarters inexpensive thus far, but it represents actually smaller outlay in coin than currently is expended by many reels for tipster information. Difference is that the newsreels are assured thorough protection on virtually every live news event in time to grab it while it is actually happening. Not only do all police matters, covering multitude of subjects, clear through main headquarters but tab also is kept on all big configurations, bad accidents and many other items.

SUNDAY FILMS BRIBE CHARGES UP ANEW IN PA.

Philadelphia, Sept. 20.

Charges that the film industry passed a \$100,000 bribe for passage of the bill by the 1935 Legislature legalizing Sunday play were repeated by former Attorney General Charles J. Margiotti last week. Margiotti reiterated to the House Committee investigating graft charges against Governor Earle and other prominent Democrats the statements he originally made in his campaign for the Democratic nomination for governor, which he lost.

Exactly who paid the money or who got it has still not been made clear by Margiotti, although the inference is that it went into the Democratic war chest.

Potter's 'Castles' Bid

Hollywood, Sept. 20.

RKO is dickering with Samuel Goldwyn for the services of Henry C. Potter as director of 'The Castles,' co-starring Fred Astaire and Ginger Rogers.

Currently Potter is winding up production of 'The Lady and the Cowboy.'

SAVING ON RANGERS

Hollywood, Sept. 20.

'The Lone Ranger Returns' replaces 'The Texas Rangers Are Coming' as one of Republic's four serials for the 1938-39 releasing program.

Serial will be the second based on a radio cliffhanger of the same name, rights to which were purchased recently from George W. Trendle of Detroit.

Henie Set Chi Icing

Chicago, Sept. 20.

Sonja Henie in town yesterday (Monday) to sign new personal appearance contract with the Chicago Stadium. Deal calls for exclusive exhibitions under Stadium management.

Stadium organization handled the Henie appearances across the country last year.

Par's Subsid Cos. To Coincide With MPTOA Conclave

Efforts are being made to concentrate theatre conventions in Oklahoma City concurrently, before or directly after the annual powwow there this year of the Motion Picture Theatre Owners of America, set for three days starting Oct. 30. In addition to individual circuit conventions, Oklahoma City may mark the site of a conclave of Paramount's theatre department for all its various partners and home office executives as held in Miami two years ago at the same time the MPTOA was there. Par had planned holding its second annual meet last spring, but at that time postponed it until this fall.

One of the advantages of dating a Par convention with that of the MPTOA, so that they overlap or are held during the same week, is that many of those active in the MPTOA are partners or operating associates of Par. These include one of Par's biggest partners, Bob Wilby, as well as Sam Pinanski, important New England operator who is a member of the radio competition committee of the MPTOA.

Each year various circuits hold individual conventions such as Interstate, Malco and Griffith Amusement. These are also being induced to schedule their annual get-togethers for Oklahoma City around Oct. 30.

Ed L. Kuykenall, MPTOA president, is now in New York discussing arrangements for this year's convention, slate of which will include many items for consideration, such as chain divorce suit, U. S. anti-trust suit against majors, blockbooking, the Neely bill, other legislative dangers, trade practices, self-regulation, etc.

Indiana Meets Nov. 1-2

Indianapolis, Sept. 20.

Associated Theatre Owners of Indiana will come to town Nov. 1-2 for their 12th annual convention. Antlers hotel has been chosen as the spot where plans for 1939 will be formulated.

Marc Wolf is in charge of the convention, assisted by Ernest Miller, Carl Niesse, I. R. Holycross and Don Rossiter, secretary of the association.

Long Time in Saddle

Hollywood, Sept. 20.

Charles E. Ford has four Roy Rogers westerns lined up for shooting at Republic as soon as the singing star returns from his current p.a. tour of the northwest.

First to go is 'Colorado Sunset,' to be followed in order by 'Cheyenne Saddles,' 'Frontier Express' and 'Headin' for Texas.'

'SHOW ME' LATER

Hollywood, Sept. 20.

Paramount postponed shooting of the Bob Burns starrer, 'I'm From Missouri,' until next January. Burns, instead, goes into Cecil B. DeMille's 'Union Pacific,' which rolls in two weeks.

DIRECTORS MAY LOSE MAJORITY

Labor Board Looks Into Charge Many in Arrears, Therefore Not Members—Pilots Ask 60-Hour Week, Submit Platform to Producers

ACTORS NEGOTIATE

Hollywood, Sept. 20.

Delinquent member list submitted to the Labor Board Monday revealed a severe setback for directors if the Board tosses out those not paid up. On such determination the SDG will lack bargaining majority in five major studios.

Delinquents outnumbered paid-up members, on dates at issue, at Warners, 20th-Fox, Columbia, RKO and Universal. The Guild holds a slim margin of one at Metro.

Delinquent dues of film directors will be one of the deciding factors in determining whether the Screen Directors Guild is entitled to certification by the National Labor Relations Board as collective representative for directors, unit managers and assistant directors. It also will be considered by the NLRB in its analysis of producer contentions that the Guild is not a properly constituted bargaining unit.

This became certain when William R. Ringer, NLRB trial examiner, mixed plea of the Guild to strike from the records testimony that many directors have never paid dues and that others are delinquent from three months to two years. If the board holds delinquent members are not actually members of the Guild in good standing, the SDG will experience trouble in showing a membership majority at any of the major studios.

In turning down the Guild plea, Examiner Ringer said:

'There is enough relevancy to this testimony that it may have a bearing on the issues pertinent to the hearing. If it is legally immaterial, it will not prejudice either the trial examiner or the board. I believe the safest thing is to leave it in the record for whatever weight it has. The motion to strike is denied.'

Testimony disclosed that many members who resigned are still listed as members, the Guild contending they cannot withdraw until all delinquent dues are paid. In one instance a director is still listed as a member although he withdrew his original application for affiliation and has never refiled.

Dues are divided into three classes: \$50 year for directors receiving \$15,000 year or less; \$100 for those receiving between \$15,000 and \$30,000; and \$250 for those paid more than \$30,000.

Want 60-Hour Week

Simultaneous with this ruling it was disclosed that directors are seeking a 60-hour week, overtime for holidays, minimum of \$150 week for first assistant directors, and \$80 for second assistants and unit managers.

Platform of the Senior Screen Directors Guild, as originally submitted to the Producers, follows:

'In the development of the art and industry of making motion pictures, although many brains and many talents have contributed to the final products, the director has been and is the central creative force controlling and coordinating these brains and talents and translating them into the final achievement on the screen.

'The making of a motion picture has three consecutive steps: preparation, photographing and editing. In all these steps the creative contribution of the director is essential. Realizing and accepting the responsibility of his position, the director, through the Screen Directors Guild, presents the following platform for inclusion in a minimum basic contract.

(Continued on page 21)

Disintegration of the Academy Seen in Irreconcilable Stance Of Screen Guilders and Producers

They Can't Mean Us

Hollywood, Sept. 20.

'Words and Music,' based on piracy of the classics by popular songwriters, goes into production next month at Warners with Dick Powell and Rosemary Lane in the lead roles.

Jerry Wald and Richard Macaulay wrote the original and are working on the screenplay. Picture gets away as soon as Powell finishes his current job in 'Going Places.'

Producers-SWG Confab Breaks Up; an Impasse

Hollywood, Sept. 20.

A meeting Monday night on neutral ground at the Beverly Wilshire hotel between producers and Screen Writers' Guild broke up when the scribes refused to continue negotiations unless the studio heads immediately cancelled their contract with Screen Playwrights and recognized SWG as the exclusive bargaining agent.

Producers insisted there was some doubt as to the legality of such action and even so would be reluctant to close out the Playwrights, as its contract was negotiated in good faith. Guild negotiators demanded the following clause be inserted in SWG contracts as a condition for continuing negotiations:

'Screen Writers' Guild is recognized by producers and each of them as exclusive collective bargaining agent for all persons who are employed to write material which is intended to be used in making of motion pictures.'

When Darryl Zanuck and other execs explained such an agreement is impossible because of prior contractual commitments the Guild negotiators withdrew. In replying to the remark of a SWG negotiator, 'So you won't bargain any more,' Zanuck shot back, 'I never said anything of the kind.'

In a counter-proposal to Guild demands, the producers stated they could not agree to any form of Guild shop; were disinclined to approve minimum standard contract for writers; vetoed proposal anent liquidated damages for unfair labor practices, and refused to guarantee that agents of writers would not be barred from offices of producers.

The studio heads offered to conduct a survey of salaries paid and then enter into discussions pertaining to minimum wage for scribes, but also denied was the request that no writer be loaned to another producer without the written consent of the scenarist. Producers declared unwillingness to extend required notice to two weeks in case of employment over 52 consecutive weeks.

The Counter-Proposals

Other counter-proposals to writers include: Refusal to extend any provision relating to plagiarism beyond those now in effect that no separate contract be drawn for screen writers to script for radio, television or stage presentation; that in determination of credits it is absolutely essential that whatever machinery adopted it must not delay or interfere with prompt release of any photoplay or advertising material.

Most of the other turndowns to SWG proposals were covered by reference to certain paragraphs in the Guild document.

Hollywood, Sept. 20.

Wholesale withdrawals from the Academy are expected to follow W. S. Van Dyke's resignation, announced in a page advertisement in Daily Variety Monday (19).

Members affiliated with the Screen Directors and Screen Writers Guilds are dissatisfied with the alleged producer influence in the Academy and claim the cultural advancement is being espoused, rather than economics.

Van Dyke, who was committee chairman to reorganize the Academy, gave as his reason the 'antagonism of guilds to the Academy, and I feel the first allegiance is due to my economics colleagues.'

Frank Capra, proxy of both Screen Directors Guild and the Academy, recently addressed a letter to producers urging them to quit the Academy and leave its reorganization to guilds and other film workers. He said the guilds mistrusted the presence of producers and he felt disinclined to carry the torch any further unless producers withdrew from the Academy.

In his reply to Capra's attack on producers affiliated with Academy, Darryl Zanuck said, 'Request for resignations is so basically unfair and the tone of the letter itself so unreasonable, I cannot help but come to the conclusion that the actual desire for harmony and peace in our industry is but a fantasy.'

Zanuck placed the blame for the threatened collapse of the Academy on the short-sightedness of guild leaders and other individuals.

RALPH MORGAN PREZ OF S.A.G.

Hollywood, Sept. 20.

Ralph Morgan was elected president of the Screen Actors Guild over Melvyn Douglas by a 4-1 margin with 537 votes cast. Morgan carried the regular slate into office with him. Officers are James Cagney, Joan Crawford, Edward Arnold, vice-presidents; Porter Hall, treasurer; board of directors comprise Arnold, Beulah Bondi, Ralph Byrd, Douglas Hall, Paul Harvey, Hugh Herbert, Howard Hickman, Peter Loree and Gloria Stuart.

Morgan was the nominating committee's candidate.

PIZOR AN EXEC NOW ALSO OF COMERFORD

Philadelphia, Sept. 20.

Lewen Pizor, president of the United Motion Picture Theatre Owners of Eastern Pennsylvania, Southern New Jersey and Delaware, was named an executive last Thursday (15) of the Comerford chain. Comerford, reputedly a Paramount subsid, controls almost 200 theatres in the Pennsylvania territory east of the Alleghenies.

His new post, Pizor said, will not interfere with operation of 14 houses in and around Philly in which he has a personal interest. Within the past month, in association with another prominent exhibitor here, Charles Segall, chairman of UMPTO's board, he opened two additional houses which the pair recently acquired and completely renovated. They are skedged to open another new house, the Chelton, tomorrow (Wednesday).

THEN THE BATTLE

Hollywood, Sept. 20.

Final location trip of RKO's 'Gunga Din' troupe to Lone Pine is deferred until Sept. 30 to clean up interior shots at the studio.

Battle scenes, requiring 700 extras for about three weeks, will complete the picture.

Legion's Biz Lift Pounded Down By Heat, 'Boys Town' Leads L.A., \$32,300; 'Sons of Legion' with P.A.s NSG 15G

Los Angeles, Sept. 20. Extreme heat is keeping grosses down generally, although 'Boys Town' is enjoying a hefty play at the day-date State and Chinese, accounting for a big \$32,300 combined take, while some others are also benefiting from Legionnaire crowds. Paramount strategy of rushing in 'Sons of the Legion' to cash in on the American Legion's annual convention failed to attract the attention expected, despite fact that Par studio contributed most of its name players for full week of nightly appearances in conjunction.

Only other new bill is at the Pantages-Hollywood, topped by 'I Am the Law,' okay.

Estimates for This Week

Chinese (Grauman-F-WC) (2,024; 30-40-55-75)—'Boys Town' (MG) and 'Speed to Burn' (20th), dual. Looks like very good \$13,800 on the stanza. Last week, 'Nancy' (MG) and 'Rich Man' (MG) okay \$11,200.

Downtown (WB) (1,800; 30-40-55-65)—'Four Daughters' (FN) (2d week). Holdover will not hang up any records, fair \$6,500 probably the answer. First week finished with smart \$10,500.

Four Star (F-WC-UA)—'Algiers' (UA) (10th-final week). Wound up 10 sensational weeks by grossing another \$2,000 to bring total take past the \$40,000 mark, new house record. Ninth stanza finished with surprising \$2,300.

Hollywood (WB) (2,756; 30-40-55-65)—'4 Daughters' (FN) (2d week). Holdover hitting for fair \$7,000, after big \$11,300 on opening week.

Pantages (Par) (2,812; 30-40-55-65)—'I Am the Law' (WB) (MG) and 'Rich Man' (MG), dual. Weekend debut was to better than average and week should finish with \$8,700. Last week, second stanza of 'Carefree' (RKO) and 'Young Fugitives' (U), fair \$6,000.

Paramount (Par) (3,595; 30-40-55)—'Sons of Legion' (Par) and stage show. Presence of most of the Paramount player roster on stage throughout the week, with Martha Raye and Stroud Tins holding for entire seven days, failed to create expected strength and despite American Legion convention will have to be satisfied with \$15,000. Last week, 'Spawn of North' (Par), final nine days good \$18,000.

RKO (2,872; 30-40-55)—'I Am the Law' (WB) (MG) and 'Rich Man' (MG), dual. Legion convention crowds help and stanza will wind up with \$8,000. Last week, 'Carefree' (RKO) and 'Young Fugitives' (U), \$6,100, less than expected.

State (Loew-Fox) (2,414; 30-40-55-75)—'Boys Town' (MG) and 'Speed to Burn' (20th), dual. Mighty healthy returns as \$18,500 indicates. Last week, 'Nancy' (MG) and 'Rich Man' (MG), okay \$13,500.

United Artists (F-WC) (2,100; 30-40-55)—'Nancy' (MG) and 'Rich Man' (MG), dual. Moveover not so forte with \$2,700 best in sight. Last week, 'Lucky Star' (20th) and 'Safety in Numbers' (20th), on moveover fair \$3,100.

Wilshire (F-WC) (2,296; 30-40-55-65)—'Nancy' (MG) and 'Rich Man' (MG), dual. Hitting over average pace on moveover and will finish with probable \$6,200. Last week, 'Lucky Star' (20th) and 'Safety in Numbers' (20th), satisfactory \$5,600.

'BOY, GIRL-VAUDE' GOOD 10G IN DENVER

Denver, Sept. 20. Business here is on the upbeat. All first-runs doing average or better.

Estimates for This Week

Aladdin (Fox) (1,400; 25-40)—'Lucky Star' (20th), dual. First week at the Denver. Nice \$3,500. Last week, 'Alexander' (20th), good \$4,000. Showing day and date with Rialto, film was in second week here, besides a week at each the Denver and Paramount.

Broadway (Fox) (1,100; 25-40)—'Carefree' (RKO) and 'Rockets' (RKO), after a week at the Orpheum. Good \$3,000. Last week, 'Antoinette' (M-G), after two weeks at the Orpheum, nice \$2,500.

Denham (Cockrill) (1,750; 25-35-50)—'Spawn' (Par) (3d wk). Very big \$6,000. Last week, second, good \$7,500.

Denver (Fox) (2,525; 25-35-50)—'Boy Girl' (WB) and stage show. Good \$10,000. Last week, 'Lucky Star' (20th), good \$10,000.

Orpheum (RKO) (2,800; 25-35-40)—'Has Nancy' (M-G) and 'Fugitives' (RKO), good \$10,000.

Broadway Grosses

Estimated Total Gross
This Week.....\$276,200
(Based on 11 theatres)
Total Gross Same Week
Last Year.....\$351,300
(Based on 14 theatres)

(RKO). Swell \$10,000. Last week, 'Carefree' (RKO) and 'Rockets' (RKO), good \$7,800.

Paramount (Fox) (2,200; 25-40)—'Lady Objects' (Col) and 'Reformatory' (Col), Big \$4,000. Last week, 'Racket Busters' (WB) and 'Speed to Burn' (20th), good \$3,000.

Rialto (Fox) (878; 25-40)—'Letter' (U), after a week at each the Denver and Aladdin, and 'Highway Patrol' (Col). Good \$2,000. Last week, 'Alexander' (20th), good \$2,000, showing day and date with Aladdin, besides a week at each the Denver, Paramount and a first week at the Aladdin.

TRACY-ROONEY SMASH 17G IN PROV.

Providence, Sept. 20. 'Boy's Town' at Loew's State is really going to town with banner \$17,000. Other stands, however, falling off considerably in comparison with recent biz.

Strand giving four-day holdover to 'Sing You Sinners' to catch up with usual opening date. Fay's, city's only vaude house, lowered top admission to 40c.

Estimates for This Week

Albee (RKO) (2,200; 25-35-50)—'Letter' (U) and 'Smashing Rackets' (RKO). Juggling along to fair \$7,500. Last week, 'Carefree' (RKO) and 'Prison Break' (U) (2d wk), so-so \$5,000.

Carlton (Fay-Loew) (1,400; 25-35-50)—'Has Nancy' (M-G) and 'Chaser' (M-G). Holding for fair \$4,500. Last week, 'Alexander' (20th) (4th wk), swell \$5,000.

Fay's (2,000; 25-35-40)—'Million' (20th) and vaude with Helen Morgan. Stage show helping for \$7,000, okay. Last week, 'Cowboy' (WB) and vaude, pulled house to nice \$7,500.

State (Loew) (3,200; 25-35-50)—'Boy's Town' (M-G) and 'Lady Objects' (Col). Zowie \$17,000. Last week, 'Alexander' (20th) (4th wk), swell \$5,000.

United Artists (F-WC) (2,100; 30-40-55)—'Nancy' (MG) and 'Rich Man' (MG), dual. Moveover not so forte with \$2,700 best in sight. Last week, 'Lucky Star' (20th) and 'Safety in Numbers' (20th), on moveover fair \$3,100.

Wilshire (F-WC) (2,296; 30-40-55-65)—'Nancy' (MG) and 'Rich Man' (MG), dual. Hitting over average pace on moveover and will finish with probable \$6,200. Last week, 'Lucky Star' (20th) and 'Safety in Numbers' (20th), satisfactory \$5,600.

Wishire (F-WC) (2,296; 30-40-55-65)—'Nancy' (MG) and 'Rich Man' (MG), dual. Hitting over average pace on moveover and will finish with probable \$6,200. Last week, 'Lucky Star' (20th) and 'Safety in Numbers' (20th), satisfactory \$5,600.

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'Racket Busters' (WB) and 'Mr. Chump' (WB). Public's general apathy hurt, stand, poor \$5,000. Last week, 'Lucky Star' (20th) and 'Speed Burn' (20th), stumbled in closing stanza, drawing only fair \$7,000.

Strand (Indie) (2,200; 25-35-40)—'Sinners' (Par) and 'Desperate Adventure' (Rep). Four-day holdover to straighten opening-day sked getting fair \$3,000. First seven-day run drew strong \$4,000.

DETROIT MILD; 'CO-ED' \$17,500

Detroit, Sept. 20. Dull is the word, fall weather and \$250,000 picture drive quiz notwithstanding. Product just doesn't have it on the box curve.

Town's surprise continues in the form of 'Alexander's Ragtime Band', holding for its third second-run session at the Adams, following two lively stanzas at the Fox. 'Boy's Town' not doing any sensational work at the United Artists.

Estimates for the Week

Adams (Balaban) (1,700; 30-40)—'Alexander' (20th) (3d wk) (2d run), plus 'Speed Burn' (20th), dual. Three sessions here after two big weeks at the Fox is something to cheer about; good \$4,400 due this week. Irving Berlin musical, coupled with 'Gladiator' (Col), clipped off nice \$5,800 last stanza, preceded by wow \$7,100 first session at this house.

Fox (Indie) (5,000; 30-40-65)—'Co-Ed' (20th) plus stage show. Slightly better than previous week, though nothing to crow about at \$17,500, mild. Last week, only \$16,000, n.s.g. for 'Am Law' (Col) and stage show.

Michigan (United Detroit) (4,000; 30-40-55)—'Has Nancy' (M-G) and 'Rich Man' (M-G), dual. So-so \$9,300 coming up. Last week about \$10,000, better, for 'Boy Girl' (WB) and 'Actress' (WB).

Palms State (United Detroit) (3,000; 30-40-55)—'Smashing Rackets' (RKO) plus 'Painted Desert' (RKO), dual. Will hit around \$5,000, okay. Last stanza slightly better at \$5,300 for 'Sinners' (2d) (2d run) and 'Crime Ring' (RKO).

United Artists (United Detroit) (2,000; 30-40-55)—'Boy's Town' (M-G). Faced for \$10,000, not up to expectations. Third session of 'Antoinette' (M-G) drew good \$6,500 last week, following \$11,500 and \$16,000 takes, in first two weeks.

Henie Smooth \$6,800 In Port, Town' H.O. OK

Portland, Ore., Sept. 20. 'Lucky Star' at the Paramount is a good enough winner, while 'Little Tough Guy' at the Broadway is only fair. 'Ragtime Band' went into the list of long-run perennials, now in sixth week at the Mayfair.

Estimates for This Week

Broadway (Parker) (2,000; 30-35-40)—'Foghorn' (WB) and 'Actress' (WB), Fair, \$4,500. Last week, 'Has Nancy' (M-G) and 'Rich Man' (M-G) (2d wk), good \$4,700. First week big \$6,000.

Mayfair (Parker-Evergreen) (1,500; 30-35-40)—'Alexander' (20th) (6th week). Still good at \$2,500. Fifth week, still good at \$2,500.

Portland (Parker) (2,000; 30-35-40)—'Foghorn' (WB) and 'Actress' (WB), Fair, \$4,500. Last week, 'Has Nancy' (M-G) and 'Rich Man' (M-G) (2d wk), good \$4,700. First week big \$6,000.

Portland (Parker) (2,000; 30-35-40)—'Foghorn' (WB) and 'Actress' (WB), Fair, \$4,500. Last week, 'Has Nancy' (M-G) and 'Rich Man' (M-G) (2d wk), good \$4,700. First week big \$6,000.

Portland (Parker) (2,000; 30-35-40)—'Foghorn' (WB) and 'Actress' (WB), Fair, \$4,500. Last week, 'Has Nancy' (M-G) and 'Rich Man' (M-G) (2d wk), good \$4,700. First week big \$6,000.

Portland (Parker) (2,000; 30-35-40)—'Foghorn' (WB) and 'Actress' (WB), Fair, \$4,500. Last week, 'Has Nancy' (M-G) and 'Rich Man' (M-G) (2d wk), good \$4,700. First week big \$6,000.

Portland (Parker) (2,000; 30-35-40)—'Foghorn' (WB) and 'Actress' (WB), Fair, \$4,500. Last week, 'Has Nancy' (M-G) and 'Rich Man' (M-G) (2d wk), good \$4,700. First week big \$6,000.

Portland (Parker) (2,000; 30-35-40)—'Foghorn' (WB) and 'Actress' (WB), Fair, \$4,500. Last week, 'Has Nancy' (M-G) and 'Rich Man' (M-G) (2d wk), good \$4,700. First week big \$6,000.

Portland (Parker) (2,000; 30-35-40)—'Foghorn' (WB) and 'Actress' (WB), Fair, \$4,500. Last week, 'Has Nancy' (M-G) and 'Rich Man' (M-G) (2d wk), good \$4,700. First week big \$6,000.

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Portland (Parker) (2,000; 30-35-40)—'Foghorn' (WB) and 'Actress' (WB), Fair, \$4,500. Last week, 'Has Nancy' (M-G) and 'Rich Man' (M-G) (2d wk), good \$4,700. First week big \$6,000.

Pitt Team Scrams, B.O. Ups; 'Boys' Sock \$29,000, Garber-'Giants' \$20,000

Key City Grosses

Estimated Total Gross
This Week.....\$1,654,000
(Based on 25 cities, 168 theatres, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year.....\$1,598,400
(Based on 22 cities, 152 theatres)

\$3,300. First four weeks grossed great \$22,000.

Orpheum (Hamrick - Evergreen) (1,800; 30-35-40)—'Sinners' (Par) and 'Murder' (20th) (2d week). Fair, \$3,500. First week better than average, \$5,000.

Paramount (Hamrick - Evergreen) (3,000; 30-35-40)—'Lucky Star' (20th) and 'Rockets' (RKO). Good \$6,800. Last week, 'Spawn' (Par) and 'Speed to Burn' (20th), closed good second week at \$4,800.

Rivoli (Indie) (1,100; 20-25)—'Dracula' (U) and 'Frankenstein' (U). Duo of horror pic revival okay \$2,000. Last week, 'Dr. Rhythm' (Par) and 'Yellow Jack' (M-G), average \$1,600.

United Artists (Parker) (1,000; 30-35-40)—'Boys Town' (M-G) and 'Freshman Year' (U) (2d week). Good \$5,000. First week piled up swell \$7,000.

'TOWN' BUSY \$10,000 IN L'VILLE

Louisville, Sept. 20.

Nice lineup of product in town this week. Couple of standouts, 'Boys Town' at Loew's, and 'Carefree' at Rialto, will grab grosses of near smash proportions. 'Boys Town' is surprising at Loew's, particularly as there is no love interest to intrigue the femmes. Exploitation and national ads gave the pic a buildup.

'Carefree' doing all right at Rialto, although not up to standards of previous Astaire-Rogers films.

State Fair ended Saturday (17) but apparently had no adverse effect at theatre b.o.s. Rainy, cool weather was a break for the film houses.

Estimates for This Week

Brown (Loew's-Fourth Ave.) (1,000; 15-30-40)—'Has Nancy' (M-G) and 'Rich Man' (M-G), dual. Still drawing 'em after profitable first week at Loew's State. Okay \$2,400. Last week, 'Antoinette' (M-G), tallied nice \$2,900, after successful stanza at Loew's.

Kentucky (Switow) (900; 15-20)—'My Bill' (WB) and 'Cowboy Brooklyn' (WB) (dual), split with 'Little Women' (RKO) and 'Penrod' (WB). Romping along with \$2,000. Last week, 'Wonderful Time' (RKO) and 'Give Million' (20th) (dual), split with 'King Kong' (revival) and 'Always Goodbye' (20th), fine \$2,100.

Loew's State (Loew's) (3,100; 15-30-40)—'Boys Town' (M-G) and 'Lady Objects' (Col) (dual). Work of Mickey Rooney putting this one over to near-smash proportions. Probably \$10,000, high. Last week, 'Has Nancy' (M-G) and 'Gladiator' (Col) (dual), good, \$9,000 and transferred to Brown for additional week.

Mary Anderson (Libson) (1,000; 15-30-40)—'Daughters' (WB). Sharing in general upturn at the week but should rate better play. Looks like oke \$4,000. Last week, 'Actress' (WB), medium \$2,800.

Ohio (Seltos) (900; 15)—'True Confession' (20th) and 'Honolulu' (U) (dual), split with 'Missing Girl' (Indie) and 'Love Work' (20th). Probably \$1,500, fine. Last week, 'College' (20th) and 'Ebb Tide' (Par) (dual), split with 'Missing Girl' (Indie) and 'Love Under Fire' (20th), okay \$1,400.

Rialto (Fourth Ave.) (3,000; 15-30-40)—'Carefree' (RKO) and 'Smashing Rackets' (RKO) (dual). Critics lukewarm on pic and b.o. trade while satisfactory, could be better. Looks like fair \$8,000. Last week, 'Lucky Star' (20th) and 'Speed to Burn' (20th) (dual), proved Sonja Henie still potent b.o. factor here, pulling swell \$12,000.

Strand (Fourth Ave.) (3,000; 15-30-40)—'Breaking Ice' (RKO) and 'Sky Giant' (RKO) (dual). Standing out as potent combo, but opposit will keep the take from hitting big figure. Probably \$3,500, much better than past few weeks. Last week, 'Alexander' (20th), wound up fourth downtown stanza to big \$3,800.

Pittsburgh, Sept. 20.

With pennant-bound Pirates out of town, cooler weather prevailing and Allegheny County's Sequenecennial continuing to pull in flock of out-of-towners, pic biz is definitely on the upgrade again. Generally admitted here that industry's quiz contest is helping considerably, too, since request for booklets is terrific and b.o. inquiries as to whether current flicker is a 'quiz entry' indicates mounting interest.

Penn leading the field by a wide margin this week, 'Boys Town' topping 'Marie Antoinette' and other recent big grosses and heading for a fourth week at Brown County's draft is keeping 'Valley of the Giants' out of the red at Stanley and 'My Lucky Star' looks good enough at Fulton to rail a second week. Twin-bill spots, however, are taking it on the chin, 'Gladiator' and 'Reformatory' staggering through at Alvin and Rich Man, Poor Girl' and 'Boo!oo' ditto at Warner.

Estimates for This Week

Alvin (Harris) (1,850; 25-35-50)—'Gladiator' (Col) and 'Reformatory' (Col). Got its chunk on opening two days (Bank Nites) and easing along uneventfully on getaway draft. Critic gave it a B. Brown County's fourth send-off, hailing it as his best since leaving 'Warners' but creaky vehicles in last two years have made price tag tough for him to make up the deficit so quickly. Doesn't look like much more than \$5,300, red. Last week 'Am Law' (Col) wound up pretty vigorously at \$7,800, not bad at all here.

Fulton (Shea-Hyde) (1,700; 25-40)—'Lucky Star' (20th). Doing fairly well but not up to past Henie takes. In fact, biz for each succeeding picture has been falling off around 10%.

Around \$7,800 in prospect, profitable, but about \$3,000 under 'Thin Ice's' opening stanza and killing any idea management might have had that this would duplicate 'Ice's' month run. 'Star' sticks second week, but that's all. Last week, second of 'Letter' (U) off to around \$4,200.

Penn (Loew's-UA) (3,300; 25-35-50)—'Boys Town' (MG). Nothing like it since 'Snow White' at this spot. Opened sensation and no let-up at all, with every day record, expect around \$28,000, or even better. Only reason this may not top 'Snow White' is that latter had more showings daily. Moveover to Warner Friday and will likely stay there at least two weeks. Last week 'Daughter' (WB), overestimated; hit hard last three days by bad weather but still good enough to pull \$14,800, okay but not up to expectations.

Stanley (WB) (3,800; 25-40-60)—'Giants' (WB) and Jan Garber's 'Marie Antoinette' (WB). Always a big bave here and only thing that's keeping WB deluxer's head above water. Around \$20,000 in prospect. Last week, 'Breaking Ice' (RKO) and 'Zany Writs on Stage' with Schnickel-friz Band, very poor, \$14,500.

Warner (WB) (2,000; 25-40)—'Rich Man' (M-G) and 'Boo!oo' (Par). Just another twinner and that all. 'Boo!oo' has been doing well here. Has to stick eight days because 'Boys Town' won't move over until Friday and will be happy to get \$4,000 even with the extra day. Last week second of 'Antoinette' (M-G), after previous eight days at Penn, good \$5,000.

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Chi Houses Get Exploitation Bug;

'Service' Big 27G, 'Co-Ed' Neat 5½G, 'Spawn'-Sullivan-Rubin Slow 29G

Chicago, Sept. 20. While many loop-hounds are of the opinion that Herb Eilsburg has gone nutty as a fruitcake since taking over management of the Woods for the Essanex circuit, they also must admit that he has lived up to the main stem by putting all the competition on their toes and making them sweat. Eilsburg has taken his subsequent-run spot and gone overboard on barkers, spiliers, walk-around, street gags and rather general hula, label. Coppers have stepped in to halt many of these stunts, due to squawks from various sources, but the street has gone somewhat carney, nevertheless, with the other houses being enticed into exploitative practices. Result is that the town is suddenly overrun with bandwagons, street gags and marquee flag waving. Best in the loop currently is 'Room Service'; the most disappointing is 'Spawn of the North'. Marx Bros. picture is doing early morning and evening trade with the matrons after afternoon shoppers passing it up. Over at the Chicago, 'Spawn' is a considerable headache, dumping the house's gross below the \$200 mark for the first time in months. House is trying a bit of swing stuff on the stage again this week, and the receipts again show the swing is not for that theatre. Picture getting the men, but not the femmes, as elsewhere.

For the younger element, 'Hold That Co-Ed' is earning a neat bundle of cash in the Garrick. Rest of the loop is generally weak.

Estimates for This Week

Apollo (B&K) (1,200; 35-55-75) — 'Alexander' (20th). Fifth week now and still getting the matrons, this time \$4,500, neat, after snatching fine \$6,900 last week.

Chicago (B&K) (4,000; 35-55-75) — 'Spawn' (Par) and stage show. In the rostrum under the name of Benny Rubin heading what's skedded as a 'swing show' and that jitterbug implication is enough to divert traffic away from this box office, where they are unquestionably ad in tastes. Also no smash pull from the flicker, and the result is the lowest take house has had in months, two weeks, but profitable. Will end at \$29,000 or so, mild. Last week Benny Goodman orchestra finished second session with 'Four's a Crowd' (WB) to fair \$38,200.

Garrick (B&K) (900; 35-55-65-75) — 'Co-Ed' (20th). Getting snappy coin as the season's first footballer, engaging neat \$5,500 last week, 'Boy Girl' (WB), okay \$4,500.

Palace (RKO) (2,500; 35-55-65-75) — 'Room Service' (RKO) and vaude. On the strength of 'Room Service', the house looks for wallowing initial session of \$27,000. Last week, 'Carefree' (RKO), finished good three-week stand to fair \$12,300.

Roosevelt (B&K) (1,500; 35-55-65-75) — 'Am Law' (Col). Opened in midweek but not getting anywhere and will be yanked tomorrow (Wed.) and replaced by 'Three Loves a Lady' (WB).

United Artists (B&K) (1,700; 35-55-65-75) — 'Antoinette' (M-G) (4th and final week). Goes out Thursday (22), with 'Algie' coming in. Finishing to good \$9,000 after taking satisfactory \$11,800 last week.

VAUDE BOOSTS B'KLYN

Strand's Debut Stage Show With 'Boy-Girl' Big \$15,000.

Brooklyn, Sept. 20. Considerable amount of live talent on view in various theatres throughout this area. Fabian Strand got off to wallowing start with array of vaude and 'Boy-Girl' on screen. Polly theatre is now featuring flesh acts plus flickers and is using considerable display copy in local dailies to attract attention. Coney Island's Grand Gras Week last Saturday (17) with plenty rain and scant biz.

Estimates for This Week
Albee (3,274; 25-35-50) — 'Alexander' (20th) (2d week). Will bring splendid \$18,000. Last week, first, big \$21,000.
Fox (4,089; 25-50) — 'Am Law' (Col) and 'Higgins Family' (Rep). Peaky \$18,000 and will go second week. Last week, 'Sinners' (Par), and 'Desperate Adventure' (Ind) (2d week), \$14,000, good.
Met (3,618; 25-50) — 'Has Nancy' (M-G) and 'Safety Numbers' (20th). Okay \$15,000. Last week, 'Rich Man'

(M-G) and 'Moonlight Sonata' (Ind.), nice \$5,000.
Paramount (4,126; 25-50) — 'Daughters' (WB) and 'Kid' (Rep) (2d week). Will do magnificent \$20,000. Last week, dealers derived socko \$28,000.
Strand (2,870; 25-50) — 'Boy Girl' (WB) and first week of vaude featuring Andrew Sisters, Art Frank. Big \$15,000. Last week, 'Carine Over London' (CB) and 'Discontent Parents' (Ind.), moderate \$4,500.

'NANCY' TORRID

\$33,000 IN 2 HUB SPOTS

Boston, Sept. 20. "Three Loves Has Nancy" has prospects of tallying high gross this week at the Orpheum and State. My 'Lucky Star' is strong at Keith's, but 'Four's a Crowd', at Met, is on pale side.

Estimates for This Week

Fenway (M&P) (1,332; 25-35-40-55) — 'Spawn' (Par) and 'Safety Numbers' (20th), dual (2d week). Good \$6,500. Last week 'Boy Meets Girl' (WB) and 'Kid' (Rep), double, satisfactory \$5,500.
Keith Memorial (RKO) (2,907; 25-35-40-55) — 'Lucky Star' (20th) and 'Meet Girls' (20th), dual. Headed toward big \$24,000. Last week, third frame of 'Carefree' (RKO) and 'Smashing Rackets' (RKO), okay \$12,000.

Metropolitan (M&P) (4,367; 25-35-40-55) — 'Four's a Crowd' (WB) and 'Sons Legion' (Par), dual. So-so \$15,000. Last week 'Sinners' (Par) and 'Actress' (WB), double, \$16,000, fair.
Orpheum (1,100; 25-35-40-55) — 'Has Nancy' (M-G) and 'Chaser' (M-G), double. Strong \$18,000, or better. Last week 'Antoinette' (M-G) (2d week), good \$17,000.
Paramount (M&P) (1,797; 25-35-40-55) — 'Spawn' (Par) and 'Safety Numbers' (20th), dual. Okay \$8,500. Last week 'Boy Girl' (WB) and 'Kid' (Rep), double, good \$5,500.
Scollay (M&P) (2,539; 25-35-40-55) — 'Boy Girl' (WB), 3rd run, dual. Fair \$6,000. Last week 'Alexander' (20th) and 'Keep Smiling' (20th), double, \$7,000.
State (Loew) (3,600; 25-35-40-55) — 'Has Nancy' (M-G) and 'Chaser' (M-G), double. Good \$18,000. Last week, 'Antoinette' (M-G) (2d week), very good \$14,500.

Lincoln B. O. Stronger;

'Spawn' Okay \$3,800

Lincoln, Sept. 20. When biz gets so good here it takes an extra house opening to take care of it, that's big news. But 'Alexander's Ragtime Band' did the trick. 'Alexander' (WB), dark since Aug. 1, opened Friday (16) to take an extra week of the pic. House will now stay open for another month to run off some second-runs and will then darken for the predicted remodeling.

'Spawn' is doing a little more than average. At the Lincoln, Little Bazaar Broadway, dualled with 'Love, Honor and Behave', is the probable winner of the new attractions. Biz generally is better.

Estimates for This Week

Liberty (Loew) (1,200; 10-15) — 'Black Bandit' (U) and 'Paradise Express' (Rep), split with 'Mexicali Kid' (Mono) and 'Blockheads' (M-G). Fair, \$900. Last week, 'Lost Racket' (Vic) and 'Love, Honor and Behave' (WB), showing the way to very nice \$3,100. Last week, 'Clitterhouse' (WB) and 'Freshman Year' (U), exceptional \$3,500.
Orpheum (Cooper) (1,350; 10-25-40) — 'Alexander' (20th). Taken here for extra week after date at Stuart. Likely to get okay \$2,000.
Stuart (Loew) (1,200; 10-25-40) — 'Spawn' (Par). Will do around \$3,800, okay. Last week, 'Alexander' (20th), established new record of \$6,000, beating 'Snow White' mark.
Variety (Loew) (1,300; 10-15) — 'On a Weekend' (CB) and 'Gangs New York' (Rep). Nice \$1,000. Last week, 'Convicted' (Col) and 'Always Woman' (Col), fair \$900.

First Runs on Broadway

(Subject to Change)

Week of Sept. 22
Astor — 'Marie Antoinette' (MG) (6th wk).
Capitol — 'Boys Town' (MG) (3rd wk).

Criterion — 'Campus Confessions' (Par).
(Reviewed in VARIETY, Sept. 14)
Globe — 'Wanted by the Police' (Mono) (24).

Music Hall — 'Carefree' (RKO).
(Reviewed in VARIETY, Aug. 31)
Paramount — 'Spawn of the North' (Par) (3d wk).

Rivoli — 'Fugitives for a Night' (RKO) (20).
Rivoli — 'Room Service' (RKO).
(Reviewed in VARIETY, Sept. 14)

Roxy — 'Hold That Co-Ed' (WB) (23).
Strand — 'Garden of the Moon' (WB) (25).
(Reviewed in Current VARIETY)

Week of Sept. 29
Astor — 'Marie Antoinette' (MG) (7th wk).
Capitol — 'Too Hot to Handle' (MG).
(Reviewed in Current VARIETY)

Criterion — 'Sons of the Legion' (Par).
Music Hall — 'Drums' (UA) (28).
Paramount — 'If I Were King' (Par) (28).

Rivoli — 'Room Service' (RKO) (2d wk).
Roxy — 'Straight, Place and Show' (20th) (30).
Strand — 'Garden of the Moon' (WB) (2d wk).

TRACY - ROONEY

PACE INDPLS. \$11,000

Indianapolis, Sept. 20. 'Boys Town' at Loew's is top money picture of the week. Business continues good among first-runs in downtown sector.

'Carefree', at Circle, is turning in good gross, while 'Four's a Crowd' and vaude, at the Lyric, also a winner. Smaller Apollo, with 'Racket Busters', trails the procession of money-makers with moderate, good figure.

Estimates for This Week
Apollo (Katz-Dolle) (1,100; 25-30-40) — 'Racket Busters' (WB). Played up in sensational style in ads and front, but results are only modest at \$3,200. Last week, fourth, 'Alexander' (20th), \$2,500, okay.

Circle (Katz-Dolle) (2,800; 25-30-40) — 'Carefree' (RKO) and 'Sky Giant' (RKO). National assist ads on former pic were used heavily and take is very good at \$8,500. Last week, 'Lucky Star' (20th) and 'Safety Numbers' (20th), strong \$8,400.

Loew's (Loew's) (2,400; 25-30-40) — 'Boys Town' (M-G) and 'Lady Objects' (Col). Tracy-Rooney combination given big buildup in lavish ad campaign, with socko results at \$11,000. Last week, 'Has Nancy' (M-G) and 'Gladiator' (Col), very good \$9,000.

Lyric (Olson) (1,900; 25-30-40) — 'Four's a Crowd' (WB) and vaude. Picture billed over close three times. Schnickelfritz band, but both share credit for good \$10,200. Last week, 'Actress' (WB) and Jan Garber orch on stage, \$13,000, excellent.

'Boys Town'-Barn Dance' Smash 33G

In Wash.; Bernie Ups 'Giants' to 18½G

Washington, Sept. 20. 'Boys Town', aided by radio rep of 'National Barn Dance' revue, is sending Capitol, town's biggest house, into biggest gross of season and one of highest in its history. Opening day Friday (16) broke all records exclusive of holidays. Approximately 14,000 customers got in and the box office was forced to close three times.

Biz generally good elsewhere, with prolonged cold spell, plus fact that Cap is spilling its overflow, the answers. Early is bidding for good figure, with most of credit due Ben Bernie's orch for boosting 'Valley of the Giants'.

Estimates for This Week
Capitol (Loew) (3,434; 25-35-40-60) — 'Boys Town' (M-G) and vaude. Tracy-Rooney plus radio rep of 'National Barn Dance' smashed opening day record and is aiming at sockeroo \$33,000. Last week 'Co-Ed' (20th) and vaude, slipped to satisfactory \$18,000.
Columbia (Loew) (1,242; 25-40) — 'Alexander' (20th) (2d run). Third

Flock of N. Y. Holdovers but Biz Good; 'Can't Take' Big \$90,000 3d, 'Spawn'-Duchin 40G 2d, 'Boys' 23G 2d

Holdover pictures dominate the downtown Broadway scene, most of them running extremely well. Gross total on the week is held down materially because of this fact, though the holdover levels are considerably above average for second and third weeks. Uninviting weather over the weekend for outdoor activity swelled takes everywhere but Monday night (19) the dip was sharp, due to the heavy rain. Tuesday's downpour also no help.

'Can't Take It With You' is on its third week at the Music Hall and powerful at \$90,000 or better after a first week of \$121,000 and a second of \$103,000. Were not the Music Hall well set on product, it could easily hold the Columbia comedy hit a fourth leg. 'Carefree', which is on the same waiting to get started, tees off tomorrow (Thurs.).

Three other holdovers are exhibiting plenty of driving strength. 'Spawn of the North', with the Eddie Duchin band and Three Stooges as the Par, pitched to the pin on its second week last night (Tues.) for a championship \$40,000 and today (Wed.) a third week is in the making. At the Strand, 'Valley of the Giants', with Nelson, at the Harriett Hilliard and Johnnie 'Scat' Davis, are holding up very soundly for a second (final) week's pot of \$27,000 or better. The first week ended a \$27,000, the 14 days meaning a nice profit.

'Boys Town' went to around \$33,000 on its first week and is maintaining such a good grip on the second (current) at a likely \$23,000. It will carry another week. Running fifth as a holdover is 'My Lucky Star' at the Roxy. It was okay, though under the Sonja Henie average here, at \$24,500 last week (1st) and on the second will be under \$30,000, a little disappointing. On the two weeks, however, a satisfactory profit is shown.

At the bottom of the heap among pictures that tarried was 'Letter of Introduction', forced into a third week at the Rivoli. This ended better than night last week (1st) at \$5,000. Marx Bros. in 'Room Service' make a stab at it here today (Wed.). 'Marie Antoinette', \$2 twice-a-dayer at the Astor, last week on its fifth ended a strongly at \$15,200. It remains.

The new pictures of the week are 'Mysterious Mr. Moto' at the Globe, a satisfactory \$10,000; 'Come On, Leatherneck' (Criterion) slender hope for success, only \$5,000; and 'Painted Desert', which ended at the Rialto Monday night (19) at \$5,500, mild. Last week, 'Fugitives for a Night' yesterday morning (Tues.).

Loew's State got 'Sing, You Sinners' nine days after its run at the Palace. Paramount's against using protection to latter of 14 and with it plus Duke Ellington, will do about \$24,000. This may be considered a little disappointing despite agreeable profit.

'Palace started off a little slowly with 'Alexander', due probably to a way it was milked at the Roxy, plus the big 'Boys Town' and 'Boys' in neighborhoods but will be approximately \$11,500 here, good.

Estimates for This Week
Astor (1,012; 55-110-115-52-20) — 'Antoinette' (M-G) (2d week).
Capitol (4,520; 25-40-55-55-115-25) — 'Boys Town' (M-G) (2d week). Main-

taining good pace, looking \$23,000 or thereabouts and will stick a third week, with 'Too Hot to Handle' set back. First week was \$33,000.

Criterion (1,662; 25-40-55) — 'Come On, Leatherneck' (Rep). This one isn't cutting any ice, \$5,000 appearing too low, second for '10th Ave. Kid' (Rep), \$7,500, excellent, after first week's \$13,500.

Globe (1,274; 25-40-55) — 'Mr. Moto' (20th). \$5 box office, will handle about \$10,000, very good. Last week, 'Juvenile Court' (Col) ended at \$7,800, oke.

Palace (1,700; 25-35-55) — 'Alexander' (20th) (2d run). RKO is playing this one singly here and in most of its other houses; day-and-dating in nabs is possibly affecting take here but good at \$11,500 or bit over. Last week, 'Room Service' (WB) (2d run) and 'Speed in Burial' (20th) (1st run), \$8,100, only fair.

Paramount (3,664; 25-35-55-55-99) — 'Spawn of the North' (Par) and Eddie Duchin, plus Three Stooges (3d-final week). Starts final round today (Wed.) after smashing through to \$53,000 the first week and \$40,000 the second end last night (Tues.). 'If I Were King' and 'Tommy Dorsey' follows Wednesday (22). House is seemingly not affected by the new Strand policy patterned after its own.

Radio City Music Hall (5,980; 40-60-84-99-115-55) — 'Can't Take It' (Col) and stage show (3d-final week). This picture could go four weeks on the strength of its draught; this week (3d) it will strike \$90,000 or over, as against \$103,000 last week (2d) and \$121,000 the first week (1st). RKO opens tomorrow (Thurs.).

Rialto (750; 25-40-55) — 'Fugitives of Night' (RKO). Opened here yesterday (Tues.), replacing 'Painted Desert' (RKO) which failed to finish at only \$5,500. Tuesday now seems to be Arthur Meyer's favorite change day here.

Roxy (5,836; 25-40-55-75) — 'My Lucky Star' (WB) and stage show (2d-final week). Henie slips a little with this picture at \$24,500 the first week and less than \$30,000 on the holdover but good profit is shown. The end at the Roxy, 'Co-Ed' (20th) goes on the Simplex Friday (23).

Strand (2,767; 25-55-75) — 'Valley of the Giants' (WB) and stage show. Ozzie Nelson, Harriett Hilliard and Johnnie 'Scat' Davis (2d-final week). Substantial net under new policy provided at \$37,000 last week (1st) and stout second week's pace of \$27,000 or over for total of \$64,000. This show, the second under the policy, costs less than the first and not so much was spent in advertising. Ben Bernie's singing having had a strong advance campaign.

State (3,450; 35-55-75) — 'Sing You Sinners' (Par) (2d run) and Duke Ellington (2d run). \$24,000, sight, good but a bit under hopes. Picture came in on nine days' protection to the first run Par, usual clearance being 14. Last week, first for 'Crowd Racket' (WB) (2d week) \$2,000.

Sullivan and Harvest Moon dancers, topped \$30,000, big.

'SINNERS' NICE \$5,500, 'TOWN' \$5,300 IN O. C.

Oklahoma City, Sept. 20.

'Sing You Sinners' will cop blue ribbon this week, getting \$5,500 at Criterion. 'Boys Town' will hit around \$5,300 at the Midwest, with no other big picture coming in. Weather okay, last week's rains putting the skids under high temperature.

Estimates for This Week

Criterion (Stan) (1,500; 25-35-40) — 'Sinners' (Par). (Col) ends over the average mark for \$5,500. Last week, 'Antoinette' (M-G), good \$6,200.

Liberty (Stan) (1,200; 20-25) — 'Poor Man' (M-G) and 'Prison Break' (U), split with 'Born' (WB) and 'Meet Girl' (20th). Will get average \$2,500. Last week, 'From City' (RKO) and 'Gulping Drums' (20th), split with 'Missing Guest' (U), average \$2,500.

Midwest (Stan) (1,500; 25-35-40) — 'Boys Town' (M-G). Good catholice draw will swell take to \$5,300, mild. Last week, 'Lucky Star' (20th), failed to meet expectations, but came in for average \$4,500.

State (Nelson) (2,000; 25-35) — 'Star is Born' (UA) and 'Come on Leathernecks' (Rep). No better than \$2,000, below average. Last week, 'Army Girl' (Rep) with 'Arson Racket' (Col), week \$2,000.

Tower (Stan) (1,000; 25-35) — 'Antoinette' (M-G) (2d run). Slightly over average at \$3,000. Last week, 'Alexander' (20th) (3d week), fell hard at \$2,000.

Punchy Pix Click Philly Wickets; Kyser-'Freshman' Very Big \$30,000

Philadelphia, Sept. 20. With product powerful in the delivery, grosses swarmed skyward this week to the best figures in months. Two houses coming close to cracking records.

Most sensational thing in town is Kay Kyser's orch. at Earle with 'Freshman Year'. Combo is garnering \$30,000.

Topping the solo flickers is 'Boys Town' at the Aldine with terrific \$19,500. This is best b.o. since 'House of Rothschild' rang up \$20,000 in 1932. Aldine is regular UA showcase here, Metro reels going in only because of lack of UA product.

Fox, which just three weeks ago returned to flesh, is the only deluxer below par. It is mired at \$15,500 with 'Valley of the Giants' screening and 'Harriet Hoctor on boards. 'Army Girl' at Stanton also very weak at \$3,500.

Estimates for This Week

Aldine (WB) (1,303; 42-57-68-75) 'Boys Town' (M-G). Hitting sizzling pace and at \$19,500 reaching for the house record set six years ago by 'House of Rothschild', \$20,000, last week. 'Algiers' (UA) (3d wk), petered out pretty well with the lengthy stay, but ok at better than \$7,000.

Boyd (WB) (2,350; 37-57-68-75) 'Daughters' (WB) (2d wk). Continuing fifty gallop began last week and should break tape with better than \$12,500. Opening sesh v.g. at almost \$10,000.

Earle (WB) (2,758; 25-37-47-69-69) 'Freshman Year' (U). Kay Kyser's orch on stage. Surprisingly powerful at \$30,000. Last week 'Annabel' (RKO) and Larry Clinton's orch, hit fairish \$19,500.

Fox (WB) (2,423; 37-57-68-75) 'Giants' (WB) (2d wk). Harriet Hoctor and Albertina Rasch Girls on stage. Getting weak \$18,500. Last week 'Am Law' (Col) and Connie Boswell p.a.ing, likewise below par at \$15,500.

Karlton (WB) (1,086; 37-42-57-68) 'Carefree' (RKO) (2d run). Swinging along much better on this engagement, in comparison to first-run, with good \$4,400. Last week 'Nancy' (M-G) (2d wk) so-so \$4,000.

Keith's (WB) (1,870; 37-42-57-68) 'Alexander' (20th) (2d run; 2d wk). Still pacing along at rapid gait with \$4,500 on its third week in midtown. Last sesh, upon moving from de luxe Stanley, it got good \$5,500.

Stanley (WB) (2,918; 37-42-57-68-75) 'Hot Handle' (M-G). Although greeted lukewarmly by critics, marquee names still drawing v.g. \$16,500. Last week 'Carefree' (RKO), just couldn't get up any steam, low \$13,500.

Stanton (WB) (1,457; 37-42-57-68) 'Army Girl' (Rep). Hardly the stuff to withstand all the tough competition in town and showing it at little better than \$3,500. Last week 'Lucky Star' (20th) (2d run), nice \$5,000.

OK Pix, Goodman Orch Overcome Strong K. C. Jubilesta; Tower, 18½G

Kansas City, Sept. 20. It's a big week for entertainment in K. C. with the town's annual Jubilesta in full swing and exceptional attractions in all theatres, notably Tower and Midland. Benny Goodman's orchestra drew the assignment of drawing some biz to the Tower in face of the Jubilesta, and the house is likely to see a new record hung up.

Midland leads straight film houses by far, with 'Boys Town' doing outstanding biz despite opposition. Noteworthy is 'Alexander', Ragtime Band, which holds over in the Up-town for third week in this house after previous three weeks in downtown Equire.

American Association also enters the opposition picture with Blues in the payoff for the baseball title.

Estimates for This Week
Equire (Fox-Midwest) (90-10-25-40-55) 'Letter' (U) (2d wk). Although first week ordinary, figured second week will be little off from first and worthwhile on L.A. basis. Currently \$3,800; \$4,000 first week.

Midland (Loew's) (3,573; 10-25-40) 'Boys Town' (M-G) and 'Danger Air' (U), dual. Tracy-Rooney socko and approaching figures of Antoinette, which at \$10, \$16,000 indicated, very good. Last week 'Has Nancy' (M-G) and 'Kid' (Rap), \$12,000, strong.

Newman (Paramount) (1,900; 10-25-40) 'Boy Girl' (WB). Opened Wed. and likely to hold nine days, though returns disappointing. Extended run may see \$7,000, light. Last week 'Spaw' (WB) (2d wk), 3d holdover could hold out only five days; \$3,500.

Orpheum (RKO) (1,500; 10-25-40) 'Clitterhouse' (WB) with March of

Time added. Headed for \$7,000, okay, in nine days. Last week, 'Carefree' (RKO) moved out after only five days of holdover week; fair \$3,800.

Tower (Fox-Midwest) (2,200; 10-25-35-55) 'Freshman Year' (U) with Benny Goodman orch on stage. Last year house took it on chin from Jubilesta and this season figured to fight an attraction with an attraction. Jitterbugs jamming in to six shows daily over weekend and five through week. Continual pounding can see \$18,500, a new house record. Last week, 'Gateway' (20th) and vaude, played eight days for \$9,000, so-so.

Uptown (Fox-Midwest) (1,200; 10-25-40) 'Alexander' (20th) (3d wk). Fifth consecutive week in town one of which was played day and date Equire and Midland. Good \$3,000 this week, after last week's \$3,800.

Henie Mild 4½G, But Morris Ups 'An'bel' in Balto

Baltimore, Sept. 20. Fairly steady going here, with downtowners holding over or stretching out stronger film entries and shifting openings for possible b.o. advantages. Combo Hipp laying low on extra heavy hallyhoo for curvaceous portion headed by p.a. of Chester Morris. Will send 'Annabel' into town's lead with solid \$14,000.

'Lucky Star', at New, not gathering momentum of previous Sonja Henie films.

Estimates for This Week
Century (Loew's-UA) (3,000; 15-25-35-40-55) 'Antoinette' (M-G) (2d wk) coupled to new Steamlined Divertissement, musical stage far introduced last week. Holding up in excellent style to nice \$10,000 after socko opener of \$18,900, biggest here in months.

Hilpodeome (Rappaport) (2,205; 15-25-35-40-55-66) 'Annabel' (RKO) plus vaude headed by p.a. of Chester Morris. Attracting steady trade to good \$14,000. Last week, second of 'Carefree' (RKO) and vaude, mid \$9,400 after fairish first round to \$11,400.

Keith's (Schanberger) (2,480; 15-25-35-40-55) 'Sailing Along' (G-B). Opened last night (Mon.) after three weeks of first-run run to satisfying total of \$17,800 for run.

New (Mechanic) (1,558; 15-25-35-55) 'Lucky Star' (20th). Getting mid daytime trade and not building, with possible \$4,500 indicated. Last week, first of four-week run of 'Alexander' (20th), added nice \$3,900 to previous total of \$24,600.

Stanley (WB) (3,250; 15-25-35-40-55) 'Daughters' (WB) (2d wk). Holding good pace to \$9,000 after briskly building opener to rosy \$14,200.

Cleve. Vaude Booms 'Annabel' to Sock \$19,000; 'Boys Town' Terrific 22½G

Cleveland, Sept. 20. Between vaude's comeback at the RKO Palace and quartet of high-powered pics, all houses are doing the first week of four-week run, even better than that of Labor Day week, the 'Boys Town' making loudest noise for State, which smashed down records of last ten days. Last week, 'Carefree' (RKO) (2d wk), \$19,000, phenomenal figure passed record held by Jack Benny's flesh-pie combo several years ago.

It looks like a sizzling \$22,500, setting up a new solo film mark.

ZaSu Pitts, in Palace's first autumnal splurge of vaude with 'Annabel', getting another socko play, heading for \$19,000, which would be more but for strong indication of policy of stage names putting RKO deluxer on map again after a very tough summer.

Four Daughters' going way over Hipp's usual gross. Observers say tremendous pick-up in general business conditions reflected in increased theatre grosses.

Estimates for This Week
Allen (RKO) (3,000; 30-35-42-55) 'Lucky Star' (20th). Move-over from Hipp excellent here at \$8,500. Last week, 'Carefree' (RKO), on similar

'Has Nancy' Dual Big \$7,000 in Seattle

Seattle, Sept. 20. Liberty has 'Algiers' with great campaign, while Paramount has 'Three Loves Has Nancy'. Both comprise town's b.o. toppers.

Estimates for This Week
Blue Mouse (Hamrick-Evergreen) (850; 32-37-42) 'Alexander' (20th) (8th wk). Indicates good \$3,000. Last week, same film, \$4,400, great.

Coliseum (Hamrick-Evergreen) (1,900; 21-32) 'Angel' (M-G) and 'Fast Company' (M-G) dual, split with 'Way's Goodbye' (20th) and 'Lord Jeff' (M-G). Anticipate only fair \$3,000. Last week, 'Tropic Holiday' (Par) and 'Seven Seas' (M-G), \$3,200, okay.

Colonial (Sterling) (800; 10-21) 'The Girl' (Par) and 'Night Spot' (RKO) dual, split with 'Arizona' (Col) and 'Miss Thoroughbred' (WB). Expect good \$2,300. Last week, 'Marriage Business' (RKO) and 'Fanny' (Col), same film, split with 'Beloved Brat' (WB) and 'Air Devils' (U), dual, so-so \$2,000.

Fifth Avenue (Hamrick-Evergreen) (2,349; 32-37-42) 'Antoinette' (M-G) (2d wk). Looks for good \$6,000. Last week, same film, reached \$7,700, big.

Liberty (J.V.H.) (1,800; 21-32-42) 'Algiers' (UA). Nice campaign; looks to hit income \$9,500. Last week, 'Am Law' (Col), second week, \$3,600, okay.

Music Box (Hamrick Evergreen) (850; 32-37-42) 'Sinners' (Par) and 'Keep Smiling' (20th), dual. Indicated \$2,600, good. Last week, same films, \$3,800, good.

Orpheum (Hamrick-Evergreen) (2,600; 32-37-42) 'Giants' (WB) and 'Keep Smiling' (20th), dual. Hopeful of good \$5,800. Last week, 'Boy Girl' (WB) and 'Boo!oo' (Par), \$4,800, slow.

Palmer (Sterling) (1,350; 16-27-37) 'Billy Kid' (WB) and 'Under Suspicion' (U) with Roy Rogers p.a. opening night, plus vaude. Expects good \$4,200. Last week, 'Mr. Chumley' (WB) and 'Boys Town' (M-G) and vaude, no dice \$3,100.

Paramount (Hamrick-Evergreen) (3,038; 32-37-42) 'Has Nancy' (M-G) and 'Prison Break' (U), dual. Paced at \$7,000, big. Last week, second, 'Lucky Star' (20th) and 'Rackets' (RKO), \$5,800, good.

Roosevelt (Sterling) (850; 21-32) 'Maytime' (M-G) and 'Treasure Island' (M-G), dual. Okay \$2,500. Last week, 'Paris' (U) and 'Banners' (WB), \$2,100, fair.

SHEARER FORTÉ 11G IN BUFFALO

Buffalo, Sept. 20. Business off from recent peaks, but still holding to good general levels.

'Sinners', 'Antoinette' and 'Law' are running neck and neck in the upper brackets.

Estimates for This Week
Buffalo (Shea) (3,500; 30-35-55) 'Sinners' (Par). Around \$12,000 indicated, nice. Last week, 'Has Nancy' (M-G), good \$13,300.

Century (Shea) (3,000; 25-35) 'Kid' (Rep) and 'Fugitives for Night' (RKO). Not much in sight here at \$5,000. Last week, 'Antoinette' (RKO) and 'Penrod' (WB), only fair \$4,400.

Alhambra (Printz) (1,200; 10-20-35) 'Kid' (Rep) and 'Week-End' (GB), dual. No angles to boost here, but combo enough for \$2,200 in four days. Last week, 'Antoinette' (RKO) and 'Tough Guy' (U), stayed for seven days, pulling neat \$4,400.

Hipp (WB) (3,700; 30-35-42-55) 'Daughters' (WB). Yanking in sentimental family crowd to sweet note of \$14,500. Last week, 'Lucky Star' (20th), \$12,500, neat.

Palace (RKO) (3,200; 30-35-42-55) 'Annabel' (RKO) with ZaSu Pitts and Buf Davis copin' vaude. Fresh rejuvenating this spot and opening bill packs enough solid entertainment to offset mild pic. Sweeping to grand \$19,000. Last week, 'Actress' (WB) fair \$10,000.

State (Loew's) (3,450; 30-35-42-55) 'Boys Town' (M-G). Making house look like good old days. Parochial school turning out in force; raves from pulpit and press. Last week, \$22,500, great. Last week, 'Spaw' (Par), nice \$14,500.

Stillman (Loew's) (1,972; 30-35-42-55) 'Spaw' (Par) transported from State for second stanza. While at \$7,000. Last week, the fourth h.o. for 'Antoinette' (M-G), fine \$9,500.

'Antoinette' Big \$12,000 in Mpls., 'Algiers' \$7,500, 'Carey' Mild \$4,000

Great Lakes (Shea) (3,000; 30-50) 'Antoinette' (M-G). May get around \$11,000, good. Last week, 'Carefree' (RKO), under expectations at \$9,700.

Hipp (Shea) (2,100; 25-40) 'Actress' (WB). Only \$5,000, fair at best. Last week, 'Alexander' (20th) (4th wk), good \$6,700.

Lafayette (Ind.) (3,300; 25-35) 'Am Law' (Col) and 'Snow' (G-B). Headed for fine \$10,000. Last week, 'Letter' (U) and 'Danger on Air' (U) (2d wk), bettered estimates for good \$7,000.

DAUGHTERS' OK \$16,100 IN OMAHA

Omaha, Sept. 20. Wickets continue to click at both first-runs and nabes, aided by a combination of good product and clear, cool weather. There's a bit of competition from the roller derby, expected to end three-week run here shortly.

'Four Daughters' has the help of an advance campaign and tie-up with Omaha World-Herald. Brannan started a midline preview of film with proceeds going to the newspaper's free shoe and milk fund. 'Boys Town', made at Father Flanagan's home near Omaha, looks set for a third week.

Estimates for This Week
Avenue - Dundee - Military (Goldberg) (950-50-810; 10-25) 'Kidnapped' (20th) and 'Seven Seas' (M-G), dual, split with triple bill, 'Stolen Heaven' (Par), 'Sky Giant' (RKO) and 'Devil's Party' (U). Very good \$2,300. Last week 'Paris' (U) and 'Crime School' (FN), dual, split with triple, 'Frankenstein' (M-G), 'Battle Broadway' (20th) and 'Limberlost' (Mon). Well satisfied with \$2,200.

Brandels (Singer-RKO) (1,250; 10-25-35-40) 'Daughters' (FN) and 'From City' (RKO), dual. Prosperous \$6,100. Last week 'Am Law' (Col) and 'Penrod' (FN), dual, so-so \$4,200.

Omaha (Blank) (2,200; 10-25-40) 'Boys Town' (M-G) (2d wk). Very fancy \$9,900 and probably will hold for third stanza. Picture smashed all house records for socko \$16,700 last week.

Orpheum (Blank) (3,000; 10-25-40) 'Singers' (Par) and 'Million' (20th), dual. Headed for extra good \$10,400. Last week 'Lucky Star' (20th) and 'Chaser' (WB), dual, very good \$9,300.

Town (Goldberg) (1,250; 10-20-25) 'Heroes of Hills' (Rep), 'Held for Ransom' (GN) and 'Rose of Rio Grande' (M-G), all 1st run, split with triple, 'Plains' (GN), first-run; 'Kidnapped' (20th) and 'Rage of Paris' (U). Fairish \$1,500. Last week 'Main Event' (Col), first-run, 'Bad Man' (20th) and 'Battle of Broadway' (20th), split with triple, 'Frankenstein' (U), 'Crime School' (FN) and 'Tropic Holiday' (Par), midding \$1,400.

Picket New Balto Indie; First Time in 10 Years

Baltimore, Sept. 20. First theatre picketing in 10 years greeted opening of the new Linden, 800 seat nabe erected by Milton Schwaber at North and Linden avenues, Saturday (17). Located on main drag of business sub-center and flanked on each side by Loew's Parkway and the Rome chain's Met, new house is first theatre venture of Schwaber, hitherto identified only with the construction of filling stations. Projectionists are carrying the banners.

Town has two unions of operators, the regular A.F.L. branch and an indie unit now supplying 55 local houses. Failing to negotiate for men from the indie combo, Schwaber tried to make a deal with A.F.L. affiliate, which agreed to supply men but specified minimum of four men in the booth.

Lottery Violator Fined
Birmingham, Sept. 20. H. W. Roberts, manager of the Five Points theatre here, was fined \$50 and costs in Police Court on a charge of violation of the city and state lottery laws. City detective testified the theatre offered to purchase photographs from patrons, but the purchases were kept up to the holding of certain 'lucky seats'.

Dave Solomon, attorney for the theatre manager, filed notice of appeal.

Minneapolis, Sept. 20. With Horace Heidt just having begun by draining local exchequers to the tune of \$25,000, purses are left in a somewhat bedraggled condition and a natural reaction is in order. But one attraction, 'Marie Goodman', at the State, is demonstrating plenty of resistance to the letdown which otherwise has the loop in its grip.

'Algiers' is doing well, but 'Mother Carey's Chickens' and 'Romance of the Limberlost' are not faring so well and final results will leave much to be desired. Biggest thing on the horizon is Benny Goodman, coming into the Orpheum Sept. 30.

Estimates for This Week
Aster (Par-Singer) (900; 15-25) 'Gladiator' (Col) and 'Sky Giant' (RKO). Dual first-runs in for entire week. Good combo for this spot and heading for nice \$17,000. Last week, 'Keep Smiling' (20th) and 'Old Mexico' (Par), dual first run, \$1,600, good.

Century (Par-Singer) (1,600; 25-35-40) 'Mother Carey' (RKO). Confict of opinion regarding this one and b.o. response is mild; mild \$4,000. Last week, 'Give Me Sailor' (Par), \$2,500, bad.

Orpheum (Par-Singer) (2,800; 25-35-40) 'Algiers' (UA). Beam of publicity showered on Hedy LaMarr undoubtedly helping this one. Well received, too, and rush of customers means big take. \$7,500. Last week, 'Rich Man' (M-G) and Horace Heidt on stage, with latter entirely responsible for shattered box-office record, skyrocketing to sensationally big \$25,000, last for four days, far exceeding expectations and total going \$9,000 above previous estimate.

State (Par-Singer) (2,300; 25-35-40) 'Marie Antoinette' (M-G). A bar-hopping hit and up and turnstiles are clicking merrily; total \$16,000, word-of-mouth boosting and strong publicity all contributing to highly pleasing gross, big \$12,000 in prospect for third week. Moves to century for a second week. Last week, 'Sing You Sinners' (Par), \$4,400, good.

Stretch (Berger) (950; 15-25) 'Down the Stretch' (M-G) (reissue). Trading on the Andy Hardy series' popularity and Mickey Rooney vogue, going along nicely toward \$700. Last week, 'FP 1' (G-B) (reissue), \$600, fair.

Uptown (Par) (1,200; 25-35) 'Yank at Oxford' (M-G) and 'Love Time' (M-G), dual, split. First neighborhood showing, putting toward good \$3,000. Last week, 'Always Goodbye' (20th), \$2,300, fair.

World (Steffes) (280; 25-35-40-55) 'Romance of the Limberlost' (M-G). Wrong type of picture for this house, only \$300, poor, on four days. Last week, 'South Riding' (UA), disappointing \$1,200 for eight days.

Cincy Biz Up As Temp. Falls; 'Nancy' OK 12½G

Cincinnati, Sept. 20. Early autumn weather tingling b.o. of main line cinemas above average market for the season.

Current frontier is 'Four Daughters' at the Albee. 'Three Loves Has Nancy' at the Palace is the next best bringer-inner for a comfy figure. Keith's has a fair magnet in 'Give Me a Sailor.' Other major stands are doing okay on hold-over product.

Estimates for This Week
Albee (RKO) (3,300; 35-42) 'Daughters' (WB). Excellent \$16,000. Last week, 'Antoinette' (M-G), \$18,500, socko.

Capitol (RKO) (2,000; 35-42) 'Antoinette' (M-G) (2d run). Fine \$6,000. Last week, 'Carefree' (RKO) (2d wk), fair \$5,500.

Family (RKO) (1,000; 15-25) 'Smashing Rackets' (RKO). 'Chaser' (M-G), split. Average \$2,100. Same last week on 'White Trail' (Ind.). Last week, 'Passport' (WB), 'Passport Husband' (20th), singly.

Grand (RKO) (1,200; 25-40) 'Carefree' (RKO) (3d run). N.s.h., \$2,500. Ditto last week with 'Four's Cross' (WB).

Keith's (Libson) (1,500; 35-42) 'Sailor' (Par). Fair \$4,500. Last week, 'Gladiator' (Col), swell \$5,800.

Lyrie (RKO) (1,400; 35-42) 'Lucky Star' (20th) (2d run), evening \$4,500. Last week, 'Actress' (WB), poor \$3,000.

Palace (RKO) (2,800; 35-42) 'Has Nancy' (M-G). Good \$12,500. Last week, 'Lucky Star' (20th), okay \$12,000.

Shubert (RKO) (2,150; 35-40-55) 'Alexander' (20th) (5th wk). Dandy \$5,500. Last week, fourth, hotly-totzy \$7,500. Sticking sixth week.

FRENCH DIRECTORS AS B.O.

U. S. Picture Industry May Pull Out All Distrib from Italy Due to Severe Restrictions; Decree Hits All Nations

Nationalization of foreign picture distribution by Italy last week is expected to result in a united front by the American picture industry and probably will bring complete withdrawal of all distribution by its companies in Italy unless there is considerable modification of the original decree. Meeting of the Hays office directors in New York tomorrow (Thursday) may determine future steps.

Importance of the film business acting in concert and maintaining a firm stand on Italian distribution is seen in the fact that the Motion Picture Producers and Distributors Assn. directors took up the nationalization decree in full at the quarterly session last Friday (16). Understood that industry leaders feel that the issue raised by the Italian government is so vital that it cannot be met waveringly.

Huddle with Officials
Majority of European managers of major American companies this week were in Rome huddling with government officials there to see what could be done in modifying Italy's decree. Meantime, effort is being made through the state department to secure full clarification and to ease the order. However, few foreign picture department officials were overly optimistic over the outcome and were inclined to believe the nationalization order to mean American companies would be forced to abandon distribution setups in Italy and possibly submit only a few pictures annually to the Italian government.

Decree took care of all foreign countries, including U. S., covering those with branches in Italy, those selling to Italian distribution companies and those making sales direct to Italy.

Officials in New York described the Italian order as simply being a desire to control the whole film business in that country.

Many picture officials say the
(Continued on page 55)

Ronacher, Vienna, Reopens

Vienna, Sept. 13.
Manager and lessee of the now 50-year-old Ronacher variety building has reopened. It remains to be seen if he will be luckier than his predecessors. Admission fee lowered in comparison to former schilling, now a reichsmark.

Bob Weil, ropewalker; Fey Tacay, dancer; John Morocco and Julia, jugglers; three Cirios, trapeze; Adith and Aldino, barrel jumpers; Elida Sisters, dancing; Chick Finks & Co., roller skaters; three Soundrys, bicycle act, and the Five Solweigs are the reopening bill.

Othmar Rauscher directs as usual.

Current London Plays

(With Dates When Opened)

"French Without Tears," Criterion-Nov. 23.
"Robert's Wife," Globe-Nov. 23, '37.
"And My Girl," Victoria Palace-Dec. 1.
"Nine Sharp," Little-June 26, '38.
"Miss's Delight," Apollo-March 22, '38.
"Wild Out," Princess-June 19, '38.
"Ransom Ride," Strand-April 27, '38.
"Glorious Morning," Whitehall, May 26, '38.
"Spring Meeting," Ambassador-May 31, '38.
"To the Wire," Alhambra-June 10.
"Comedienne," Haymarket-June 16.
"Golden Boy," St. James-June 21.
"East Train South," St. Martin's-Aug. 11.
"She Too Was Young," Wyndham-Aug. 16.
"The Fleet's Lit Up," Hippodrome-Aug. 17.
"George and Margaret," Piccadilly-Aug. 20.
"Thou Shalt Not," Playhouse-Aug. 31.
"Running Riot," Gaiety-Aug. 31.
"Blushing Street," Little-June 1, '38.
"Can We Tell," Comedy-Sept. 6.
"Serenade," New-Sept. 7.
"Serenade," Gaiety-Sept. 19.
"Four Orleans," Queens-Sept. 14.
"Dorinda," Her Majesty's-Sept. 15.
"Henry V.," Deury Lane-Sept.

Hear B. A. Exhib Suit

Defense in the suit brought by a Buenos Aires exhibitor against American distributors is now being submitted, according to information received in New York. Criminal actions in the case were dismissed last year but civil action still is pending.

Suit is one brought by a minor, subsequent-run theatre in Buenos Aires to force American distributors to supply film. The distributors refused pictures on the grounds that previous experience with the house involved indicated the exhibitor as too big a credit risk.

NO STIFF QUOTA ENFORCEMENT, PROBABLE

London, Sept. 12.
This is the first year of the new quota regulations, and it's reported there will be no prosecutions for evasion of its terms.

It is understood the authorities realize the acute shortage of quota material and are very sympathetic to exhibitors. They are, therefore, said to be shutting their eyes to minor evasions and there is a general feeling that any infraction would have to be a blatant one before there would be a prosecution.

ARGENTINA'S CROP HIKE HELD AS BOOM TO BIZ

Film theatre business in Argentina is satisfactory, according to John Nathan, Paramount's manager for that country, who is in New York for a month on a visit. Biggest city for cinemas, of course, is Buenos Aires. Nathan pointed out, where about 180 theatres are operating in a metropolis of about 2,500,000 population.

Every indication points to good crops this year in Argentina, he says, grain-growing, surpassed only by the choice cattle raised, probably, meaning better film business.

Par's C. A. Changes

Reassignment of managers in Central America was announced last week by John W. Hicks, Jr., vice-president in charge of foreign distribution for Paramount. Henry Gordon, formerly manager for Trinidad, was appointed to job in Panama. He supplants S. E. Pierpoint, former manager, who will be promoted to some post in Central or South America.

Saul Jacobs becomes Trinidad manager, being transferred from Guatemala. Robert L. Graham, in Australia on special assignment for two years, will be Gordon's assistant in Panama.

Hicks sails today (Wed.) for Europe on a survey of sales and business conditions at this time. He usually goes over twice a year. Par's head of foreign distribution will visit London, Stockholm, Berlin, Rome and Paris offices, returning to N. Y. in about six weeks.

U. S. PIX EXIT AUSTRIA

Vienna, Sept. 9.
American pictures have almost done a fadeout from Austrian screens.
Replaced by UFA and other German releases.

MEAN A LOT TO AUDIENCES NOW

Clair, Renoir, Duvivier Are Akin to the Name of Frohman or Belasco on a Legit Production in America, in Former Years—The Director Is Absolute

GALLIC PIX'S PROGRESS

New approach to production of French language features, with box-office appeal predicated on the fame and record of name director-producers, rather than the players or stars, promises to go far in the progress of the French film industry. This idea of regarding the producer's name as the keynote already has caught on in France, and is beginning to do likewise in America. Pictures are starting to be classed according to director-producer credits, not unlike the high regard held for a Frohman or Belasco production of yesteryear.

Economically, it is a favorable move. It means that capable directors can turn out good grossers without having to expend large amounts for high-salaried stellar personalities. In this trend towards abandoning the practice of employing stars and using any new talent, the French industry is aided by the setup on director-producers. The new French director is in absolute command of production on a feature, not being just paid to turn out a picture. His word is law, and this works for savings and intensified development of the story which long has been held to be the keynote to a French-made film's success in the U. S.

Typical of this new practice and success which has marked the effort are the productions handled by Jean Duvivier, Jean Renoir, Abel Gance, Rene Clair and in lesser degree to (Continued on page 55)

LeBaron Gets Going

Hollywood, Sept. 20.
Eddie LeBaron Productions starts work this week on "The Life of Simon Bolivar," based on a biography written by Jose Vasconcelos, Mexican educator.

Picture will be made here in the Spanish language.

London Hears of New \$20,000,000 Underwriting for Odeon Cinemas

London, Sept. 20.
Eagle Star and Dominion Insurance Co., it is understood, is among the principals who are considering advancing \$20,000,000 in new underwriting and recapitalization to Odeon Cinema Holdings, Ltd. (Odeon Deutsch). United Artists is a partner in Odeon.

Odeon Cinema controls Odeon Theatres, Ltd., which firm operates approximately 300 houses in England, one of the three top chains. Present capitalization of OT consists of \$10,000,000 mortgage debentures; \$7,500,000 6% preference shares, and \$4,500,000 ordinary shares.

OT is understood to be doing nicely, having earned on its first year somewhat in the neighborhood of \$1,800,000.

The circuit comprises approximately 100 various subsidiaries, of which the biggest is County Cinemas, which alone may be worth around \$15,000,000 and controls around 55 theatres.

London & Southern is another OT unit, possibly worth around \$4,000,000, comprising approximately 15 theatres.

A deal in prospect, covering \$10,000,000, and in which such promi-

Aussie Pushed to Pass Steeper Tax on U. S. Distribs; N. Z. Tieup Would Include Aid to Home Prod.

London Casino Starts Okay; Also Sherek Show

London, Sept. 20.
London Casino's new edition of the "Folies Superbes" opened Wednesday night (14) and went over big. Consists of a former production which has been on tour, plus new acts, including Andre Randall, from Folies Bergere; Marion Daniels, New York; Four Craddockes, Christiane and Duroy, and Ben Dova.

Henry Sherek's new show, consisting of Nick Long, Jr.; Naumton Wayne, Bobby May and Chester Hale girls, was up to usual standard at Dorchester hotel, opening Sept. 14.

COMPULSORY TO ATTEND THEATRES

Vienna, Sept. 9.
Despite alleged forcing of white-collar class factory workers to frequent bogged-down theatres, audience is microscopic. Vienna Nazis now envision compulsory attendance. Not only must they pay coin, but prove attendance.

Nazi Strength-Through-Joy organization distributes 1,000,000 cut-rate legit and opera tickets for coming season at approximately 50c per, but obliging recipients to take 15 tickets.

Ahearns Click in London

London, Sept. 20.
Will and Gladys Ahearn scored on the new bill at the Palladium despite the fact that they followed Billy Bennett, local favorite.

Bob Bromley is doing fine at Trocadero cafe. Returns after tour, following two weeks here.

Sydney, Sept. 20.
Additional political pressure is being exerted in Australia this week to get the federal government to tax American distributors according to earnings made on each picture shown on the Continent. Though present plans call for replacing the current customs duty on all film imports with this tax on film rentals, the new levies promise to be much more severe than the present duty of 16c per foot on negative and 8c per foot on positive film stock. Campaign for this new taxation is not confined to Australia alone but a similar alignment is being worked out in New Zealand.

In addition to this move for direct tax on distributor gross income, another suggestion has been made that local governments tax distributors a certain percentage to go towards assisting home production. Background for this stir on taxing U. S. distribution companies is the statement that eight major American distributors grossed \$4,000,000 in Australia last year.

In political circles this is seen as a repercussion from Sir Victor Wilson's statement of several months ago. The head of the Motion Picture Distributors Assn. placed American earnings at \$4,000,000 though it is understood that this was gross income rather than net profit. Unfortunate as far as the distributors are concerned is that apparently it has given a definite, rather official, figure at which to shoot.

Wilson statement was given in good faith and obviously was made only to discount reports to the effect that Americans collected \$15,000,000 to \$25,000,000 in this country last season. It has provided ammunition, however, for some politicians since they realize that even a moderate percentage tax on this gross amount would produce much more than present import duty on film footage.

Virtually all U. S. companies only ship in negative prints for features, making positive prints here, and thereby eliminate the need for paying any duty on positives. Some companies also ship in one positive for comparison with positive prints turned out in Australia.

With distributors only sending in a negative and paying 16c per foot in tax, this means that American companies pay import duty of about \$1,120 on a 7,000-foot print, average length of a feature. Distributors in this market long have regarded it as a form of taxation and discriminatory as compared with what other countries have to pay.

Hutchinson Sets S. Africa Tour After S. America

Buenos Aires, Sept. 6.
W. J. Hutchinson, 20th-Fox director of foreign distribution, has arrived here from New York on the start of his visits to key cities in South America. He goes from here to Rio de Janeiro.

Hutchinson originally planned to start from Rio or Sept. 10, but now contemplates leaving Oct. 4 for South Africa. His visit to S. African key spots will occupy his attention for the greater part of October. He'll get back to U. S. sometime in December.

The 20th-Fox foreign chief will glimpse the company's distribution organization in South Africa, set up a short time ago. Company also has an interest in a theatre at Durban.

Taxes Hit Budapest Cafes

Budapest, Sept. 12.
Of the 400 cafes in Budapest at the close of the World War 250 have gone dark in the last 15 years. The rest recently complained to the Minister of Industries that they can't keep out of the red unless something is done to alleviate the innumerable taxes on them.

Garden of the Moon

STORY BUY

Reviewed in This Issue

TOO HOT TO HANDLE

TOUCHDOWN, ARMY

FRESHMAN YEAR

BAR 20 JUSTICE

Production isn't filled with too many outdoor scenes but makes up for it with a few indoor ones. The suspense in underground episodes. Picture has been given excellent musical backgroundings.

Backed, again Hopalong Cassidy, is the same, quick-thinking western hero without unnecessary heroics. He has fair love interest episodes to augment his usual cowboy work. He is teamed with a widowed wife of his friend, however, seems quite inadequate for the outdoors girl role. George Hayes and Randolph Scott are good. William Ward, Paul Sutton, secondary villain is miscast while talented Walter Long, top crook of outdoor episodes, is another one of the important characters. Superiorly fun for a year.

Bob Baker is in this picture twice as much as he has been in any other picture because he's twins. 'Black Bandit' is a singing actioner, a little slow, but otherwise a good enough bronc-buster for the trade. Baker warbles a few Fleming Allan tunes, none of them different than the fireside walls.

(Continued on page 25)

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.)

(R) REISSUES

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WEEK OF RELEASE	TITLE	PRODUCER	DISTRIB.	TYPE	TALENT	DIRECTOR	TIME	WHEN REVIEWED
							MINS.	BY VARIETY
7/1/38	CITY STREETS	W. MacDonald	Col	Meller	Carrillo-E. Bellovs-H. J. Eddy	Al Rogel	68	7/27
	EVERGREEN (R)	V. Saville	GB	Musical	J. Matthews-B. Mackay	Victor Saville	82	1/15/35
	HAVING WONDERFUL TIME	P. S. Berman	RKO	Comedy	G. Rogers-D. Fairbanks, Jr.	Al Santell	70	6/15
	ARMY GIRL	Sol Siegel	Rep	Rom-Dr	M. Evans-P. Foster	Arno d. Schaefer	90	7/20
	ALWAYS GOODBYE	Ray Griffith	20th	Rom-Dr	B. Stanwyck-H. Marshall	Sid Lanfield	75	6/29
	SOUTH RIDING	Alex Korda	UA	Meller	R. Richardson-E. Best	Vic Saville	84	7/27
	DANGER ON THE AIR	Irving Starr	U	Mystery	D. Woods A. Grey	Olis Garrett	65	7/20
	RAGE OF PARIS	B. G. DeSylva	U	Com-Rom	D. Darrieux-D. Fairbanks, Jr.	Henry Koster	83	6/15
	MEN ARE SUCH FOOLS	David Lewis	WB	Rom-Com	W. Morris-P. Lane	Busby Berkeley	69	6/22
7/8/38	FAST COMPANY	F. Stephani	MGM	Rom-Com	M. Douglas-F. Rice	Eddie Buzzell	75	6/29
	MAN'S COUNTRY	Mono	MGM	Western	Jack Randall	Robert Hill	53	8/3
	CRIME RING	Cliff Reid	RKO	Com-Dr	A. Lane-F. Mercer	L. Goodwins	70	7/27
	LITTLE WOMEN (R)	K. MacGowan	RKO	Rom-Dr	Hepburn-J. Bennett-F. Dee	Geo. Cukor	117	11/21/33
	DURANGO VALLEY RAIDERS	A. W. Hackel	Rep	Western	Bob Steele-L. Stanley	Sam Newfield	60	8/10
	PANAMINT'S BAD MAN	Sol Lesser	20th	Western	S. Ballew-N. Beery	Ray Taylor	68	8/10
	ALGIERS	Walter Wanger	UA	Rom-Mel	C. Boyer-S. Gurle-H. Lamarr	John Cromwell	55	6/28
	MY BILL FLOY	Bryan Foy	WB	Drama	K. Francis	John Farrow	60	6/15
7/15/38	PIONEER TRAIL	Col	Col	Western	J. Loden-J. Barkley	Jos. Levering	54	9/21
	SHOWDOWN ANGEL	J. L. Munkiewicz	MGM	Rom-Dr	M. Sullivan J. Stewart	H. C. Potter	85	7/13
	PRIDE OF THE WEST	Harry Shegman	Par	Western	Bill Boyd	Les Selander	55	8/17
	GOLD MINE IN SKY	C. E. Ford	Rep	Western	G. Autry-S. Burnette	Joe Kane	60	7/9
	PASSPORT HUSBAND	Sol Wurtzel	20th	Com-Dr	P. Moore-S. Erwin	Jas. Tinsling	74	7/27
	PRISON BREAK	Treche	U	Mel	G. Farrell-B. McNamee	Harry Rubin	72	7/20
7/22/38	REFORMATORY	Col	Col	Drama	J. Holt-C. Wynlers	Lew D. Collins	61	6/29
	LOVE FINDS ANDY HARDY	Hal Roach	MGM	Com-Dr	M. Rooney-J. Garland	Geo. Seitz	90	7/13
	TROPIC HOLIDAY	A. Hornblow, Jr.	Par	Musical	D. Lamour-Burns-Raye	Theodore Reed	77	7/6
	BOO-LOO	C. E. Elliott	Par	Adv-Dr	C. Tapley-S. Asmara-A. Lane	C. E. Elliott	60	8/3
	SKY GIANT	Robert Sisk	RKO	Com-Dr	R. Dix-C. Morris-J. Fontaine	Lew Landers	80	7/13
	I'LL GIVE A MILLION	K. MacGowan	20th	Drama	W. Baxter-M. Weaver	Wm. Marshall	70	7/13
	LITTLE TOUGH GUY	Ken Goldsmith	U	Drama	Dead End Kids	Herold Young	85	8/24
	PENKOP'S DOUBLE TROUBLE	Bryan Foy	WB	Com-Dr	Mauch Twins	Lew Siller	65	7/27
7/29/38	SOUTH OF ARIZONA	Col	Col	Western	C. Starrett-L. Meredith	Sam Nelson	60	8/3
	STRANGE BOARDERS	Geo. B. Mason	GB	Mystery	T. Walls-R. Saint Cyr	George Mason	75	8/10
	THE CHASER	Frank David	MGM	Com-Dr	D. O'Keefe-A. Morris-L. Stone	E. L. Martin	90	7/13
	PROFESSOR BUREAU	Harold Lloyd	RKO	Comedy	H. Lloyd-F. Welch	Elliott Nugent	90	7/27
	MOTHER CAREY'S CHICKENS	P. S. Berman	RKO	Drama	R. Keeler-A. Shirley	Rowland V. Lee	82	7/27
	HEROES OF THE HILLS	Wm. Berke	Rep	Western	Three Mesquiteers	Geo. Sherman	55	8/3
	LITTLE MISS BROADWAY	D. Hempstead	20th	Rom-Com	S. Temple-G. Murphy-Durante	Irving Cummings	70	7/6
	AMAZING DR. CLATTERHOUSE	Anatole Litvak	WB	Com-Dr	E. Robinson-C. Trevor	Anatole Litvak	60	6/22
8/5/38	THE CROWD	A. Hitchcock	MGM	Rom-Dr	R. Taylor-M. O'Sullivan	R. Thorpe	87	8/3
	BAREFOOT BOY	Sam Zimbalist	Mono	Drama	J. Moran-M. M. Jones-R. Morgan	Karl Brown	63	8/31
	BULLDOG DRUMMOND IN AFRICA	Harold Hurley	Par	Mystery	J. Howard-H. Angel-H. B. Warner	Louis King	60	8/31
	I'M FROM THE CITY	Wm. Sistrom	RKO	Comedy	J. Penner-L. Krueger	Ben Holmes	71	8/10
	COME ON, LEATHERNECKS	Herman Schlom	Rep	Sports	R. Cromwell-M. Hunt	Jas. Cruze	65	8/24
	MAN FROM MUSIC MOUNTAIN	Chas. E. Ford	Rep	Sports	G. Autry-S. Burnette	Joe Kane	54	8/14
	PAIS OF THE SADDLE	Wm. Berke	20th	Western	3 Mesquiteers	Geo. Sherman	55	9/14
	GATEWAY	Samuel G. Engel	20th	Drama	D. Ameche-A. Whelan-Ratoff	Al Werker	73	8/10
	LETTER OF INTRODUCTION	John Stahl	U	Rom-Dr	A. Leeds-A. Menjou-Bergen	John Stahl	100	8/3
	MR. CHUMP	Bryan Foy	WB	Com-Rom	Johnnie-Lola Lane	Wm. Clemens	60	8/10
8/12/38	THE GLADIATOR	David L. Loew	Col	Comedy	J. E. Brown-J. Travis	Ed Sedgwick	70	8/31
	RICH MAN, POOR GIRL	Edw. Chodorov	MGM	Com-Dr	R. Young-B. Bussey	Ed Schunzel	70	8/17
	THE TEXANS	Lucien Hubbard	RKO	Outdoor	J. Bennett-R. Scott	Jas. Hogan	90	8/3
	PAINTED DESERT	Bert Gilroy	RKO	Western	G. O'Brien-L. Johnson	David Howard	59	9/21
	KEEP SMILING	Sol Wurtzel	20th	Com-Rom	J. Witheus-G. Stuart	Herbert I. Leeds	65	8/17
	THE MISSING GUEST	B. Sarecky	U	Mystery	P. Kelly-C. Moore-Lundigan	John Ballins	65	9/14
	RACKET SISTERS	Sam Pleshoff	WB	Mel	H. Lloyd-Gloria Dickson	Leo McCarey	65	8/17
8/19/38	CONVICTED	Col	Col	Mel	R. Hayward-C. Quigley	Leon Barsha	50	8/24
	BLOCK-HEADS	Hal Roach	MGM	Comedy	Laurel and Hardy	John Blystone	55	8/31
	GIVE ME A SAILOR	Jeff Lazarus	Par	Comedy	M. Raye-B. Hope-B. Grable	Elliott Nugent	80	7/27
	SMASHING THE RACKETEERS	B. P. Fineman	RKO	Mel	C. Morris-F. Mercer	Lew Landers	68	8/10
	A ROMANTIC ROGUE	John H. Auer	Rep	Rom-Dr	P. Novak-S. March	John H. Auer	68	8/10
	ALEXANDER'S RAGTIME BAND	H. J. Brown	U	Musical	T. Power-A. Faye-Ameche	Wm. Marshall	105	6/1
8/26/38	MARIE ANTOINETTE	H. Stromberg	MGM	Drama	N. Shearer-T. Power	W. S. Van Dyke	160	7/13
	SPAWN OF THE NORTH	Al Lewin	Par	Outdoor	G. Raft-H. Fonda-Lamour	Henry Hathaway	110	8/24
	BREAKING THE ICE	Sol Lesser	RKO	Musical	B. Green-C. Ruggles	Edward Cline	80	9/7
	TENTH AVENUE KID	Harry Grey	Rep	Mel	B. Cabot-B. Roberts	Edvard Vonhaus	55	8/31
	SPEED TO THE TOP	Jerry Hoffman	20th	Sports	M. Wherry-M. Barri	Otto Browne	60	8/31
	BOY MEETS GIRL	Sam Bischoff	WB	Comedy	Cagney-O'Brien-M. Wilson	Lloyd Bacon	86	8/31
9/2/38	PHANTOM GOLD	Col	Col	Western	J. Loden-B. Marlon	Joe Levering	99	8/31
	I AM THE LAW	Everett Riskin	Col	Mel	E. G. Robinson-W. Barrie	Al Hall	67	9/7
	THREE LOVES HAS NANCY	Norman Krasna	MGM	Rom-Dr	Montgomery-Gaynor-Tone	R. Thorpe	67	9/7
	UNDER THE BIG TOP	Wm. T. Lackey	Mono	Rom-Dr	A. Nagel-J. LaRue	Karl Brown	63	9/14
	SING, YOU SINGERS	Wesley Ruggles	Par	Com-Rom	B. Crosby-F. MacMurray	Wesley Ruggles	88	8/17
	CAREFREE	Pandro Berman	RKO	Musical	F. Astaire-G. Rogers	Mark Sandrich	83	8/31
	THE HIGGINS FAMILY	Sol C. Siegel	Rep	Comedy	J. Gleason-L. Gleason	Gus Meins	62	9/7
	BILLY THE KID RETURNS	Chas. Ford	Rep	Western	R. Rogers-S. Burnette	Joe Kane	56	9/21
	MY LUCKY STAR	Harry J. Brown	20th	Mel-Rom	Hale-R. Greene-Romero	Roy Del Ruth	98	9/14
	FRESHMAN YEAR	Geo. Bischoff	20th	Com-Dr	D. Dunbar-E. Truex-Lundigan	Frank McWhorter	93	9/21
	FOUR'S A CROWD	David Lewis	WB	Com-Rom	R. Russell-E. Flynn	Michael Curtiz	95	8/17
9/9/38	THE LADY OBJECTS	Wm. Perlbear	Col	Com-Rom	G. Stuart-L. Ross	Erle C. Kenton	60	9/14
	COLORADO TRAIL	Col	Col	Western	C. Starrett-L. Meredith	Sam Nelson	108	9/21
	BOY'S TOWN	John Considine	MGM	Drama	S. Tracy-M. Rooney-Hull	N. Taurag	67	9/7
	STARLIGHT OVER TEXAS	Ed Finney	Par	Western	Tex Ritter-L. LaRue	Al Herman	65	9/21
	IN OLD MEXICO	Harry Sherman	Par	Western	W. Boyd-G. Hayes	Edw. D. Venturi	60	8/10
	AFFAIRS OF ANNABEL	Lou Lusty	RKO	Comedy	J. Oakie-L. Ball	Ben Stoltz	60	8/10
	SAFETY IN NUMBERS	John Stone	20th	Com-Dr	J. Prouty-S. Byington	Mal St. Clair	60	9/7
	PERSONAL SECRETARY	Max H. Golden	U	Drama	W. Gargan-J. Hodges	Otis Garrett	70	9/7
	SECRETS OF AN ACTRESS	David Lewis	WB	Rom-Dr	Wm. Keighley	Wm. Keighley	60	9/14
9/16/38	JUVENILE COURT	Col	Col	Drama	F. Kelly-R. Hayward-Darbo	D. R. Lederman	60	9/14
	TOO HOT TO HANDLE	Col	Col	Com-Dr	Gable-Loy-Carrillo	Jack Conway	108	9/21
	MEXICALI KID	Robt. Tamey	Mono	Western	J. Randall-W. Barry	Wallace Fox	56	9/7
	KING ALCATRAZ	Par	Par	Drama	G. Patrick-L. Nolan-Nalsh	Robert Florey	60	9/7
	THE RENEGADE RANGER	Bert Gilroy	RKO	Western	G. O'Brien-R. Hayward	David Howard	60	9/21
	HOLD THAT GUN	D. Hempstead	20th	Rom-Com	J. Barrymore-G. Murphy	Geo. Marshall	60	9/21
	THE BLACK BANDIT	Trem Carr	U	Western	Bob Baker-M. Reynolds	Geo. Wagner	60	9/21
	VALLEY OF GIANTS	Lou Edelman	WB	Outdoor	W. Morris-C. Trevor	Wm. Keighley	75	8/17
9/23/38	STRANGER FROM ARIZONA	Monroe. Shaft	Col	Western	B. Jones-D. Fay	Elmer Clifton	55	9/21
	WANTED BY POLICE	Lindsay Parsons	Mono	Mel	Darbo-E. Knapp	H. Bretherton	65	9/14
	CAMPUS CONFESSIONS	Par	Par	Comedy	B. Grable-H. Lulsetti	G. Archambaud	65	9/14
	FUGITIVE FOR NIGHT	Lou Lusty	RKO	Comedy	F. Albertson-E. Lynn	Leslie Goodwins	65	9/14
	PRAIRIE MOON	Harry Grey	Rep	Western	G. Autry-S. Burnette	Ralph Staub	73	9/7
	TIME OUT FOR MURDER	Sol Wurtzel	20th	Mel	G. Stuart-M. Whalen	H.B. Humbrstone	73	9/7
	YOUTH TAKES FLING	Joe Pasternak	U	Com-Dr	J. McCrea-A. Leeds	Archie Mayo	90	8/17
	FOUR DAUGHTERS	Ben Glazer	WB	Com-Dr	Freddie-Rose-Lane	Michael Curtiz	90	8/17
9/30/38	GIRL'S SCHOOL	Samuel Marx	Col	Rom-Com	A. Shirley-N. Grey-Bellamy	John Brahm	128	9/7
	YOU CAN'T TAKE IT WITH YOU	Frank Capra	Col	Comedy	J. Arthur-L. Barrymore-J. Stewart	Frank Capra	128	9/7
	MAN WITH 100 FEARS	A. Hitchcock	GB	Drama	L. Palmer-T. Walls	A. Hitchcock	60	9/14
	VACATION FROM LOVE	MGM	MGM	Comedy	D. O'Keefe-F. Rice	G. Fitzmaurice	60	9/14
	SONS OF THE LEGION	P. S. Berman	RKO	Rom-Dr	D. O'Connor-B. Lee-B. Cook	Jas. Hogan	60	9/14
	OVERLAND STAGE RAIDERS	Wm. Berke	Rep	Western	J. Marx Bros.-C. Ball	Wm. Seiter	60	9/14
	DOWN IN ARKANSAS	Armand Schaefer	Rep	Drama	R. Wayne-R. Corrigan	Geo. Sherman	60	9/14
	STRAIGHT, PLACE AND SHOW	D. Hempstead	20th	Com	R. Byrd-Weaver Bros.	Nick Grinde	60	9/14
	DRUMS	Alex. Korda	UA	Drama	Ritz Bros.-R. Arlen	David Butler	101	4/20
	ROAD TO RENO	Ed Granger	Com-Dr	Drama	Sabu-R. Massey-R. Livesey	Zoltan Korda	68	9/21
	GARDEN OF THE MOON	Lou Edelman	WB	Musical	P. O'Brien-J. Payne-M. Lindsay	S. Sylvan Simon	68	9/21
10/7/38	CRIME TAKES HOLIDAY	Col	Col	Mel	J. Holt-M. Ralston	Lewis D. Collins	61	9/21
	STABLEMATES	Harry Rapf	MGM	Com-Dr	W. Beery-M. Rooney	Sam Wood	73	9/21
	TOUCHDOWN, ARMY	Par	Par	Football	J. Howard-R. Cummings	Kurt Neumann	65	9/21
	MR. DOODLE KICKS OFF	Bob Sisk	RKO	Com	J. Penner-J. Travis	Leslie Goodwins	75	8/31
	THE NIGHT HAWK	Herman Schlom	Rep	Drama	R. Livingston-J. Travis	Sidney Salkow	68	8/31
	MEET THE GIRLS	Howard J. Green	20th	Comedy	J. Lang-L. Earl-R. Allen	Eugene Forde	65	8/31
	THAT CERTAIN AGE	Joe Pasternak	U	Mus-Rom	D. Durbin-J. Cooper	Edw. Ludwig	63	8/31
	BROADWAY MUSKETEERS	Bryan Foy	WB	Comedy	M. Lindsay-M. Wilson-J. Little	John Farrow	63	8/31
10/14/38	FLIGHT TO FAME	Ralph Cohn	Col	Drama	C. Farrell-J. Wells	C.C. Coleman, Jr.	60	9/21
	LADY VANISHES	A. Hitchcock	GB	Rom-Dr	M. Lockwood-P. Lucas	Al Hitchcock	60	9/21
	LISTEN, DARLING	Jack Cummings	MGM	Rom-Dr	Barthelmew-J. Garland	Edw. Marin	60	9/21
	MR. WONG, DETECTIVE	W. T. Lackey	Mono	Mystery	B. Karloff-E. Brent	Wm. Nigh	60	9/21
	ARKANSAS TRAVELER	Geo. Arthur	Par	Com-Dr	B. Burns-F. Balner	Al Santell	60	9/21
	A MAN TO REMEMBER	Bob Sisk	RKO	Rom-Mel	E. Ellis-A. Shirley	Garson Kanin	60	9/21
	SUBMARINE PATROL	Gene Markey	20th	Rom-Mel	E. Greene-N. Kelly	John Ford	60	9/21
	THERE GOES MY HEART	Hal Roach	UA	Rom-Com	F. March-V. Bruce	Norman McLeod	60	9/21
	THE SISTERS	David Lewis	WB	Drama	E. Flynn-B. Davis-A. Louise	Anatole Litvak	60	9/21

Advance Production Chart

(Continued on page 17)

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Advance Production Chart

(Continued from page 15)

Ferdinand Reyher and John C. Moffitt; photographed by William Mellor. Cast: Akim Tamiroff, Frances Farmer, Laila Erikson, Lynne Overman, Vladimir Sokoloff, Wade Crosby, Dewey Robinson, William Newell, John Bliefer, Alex Woloshin, James Flavin.

'ILLEGAL TRAFFIC' (for 1938-39 release), general manager office production; directed by Louis King; no writing credits released as yet; photographed by Harry Shappe. Cast: J. Carroll Naish, Mary Carlisle, Robert Preston, Judith Barrett, Richard Stanley, Richard Denning, John Hart, Philip Warren, Dorothy Howe, Sheila Darcy, Dolores Casey.

'KING OF ALCATRAZ' (for 1938-39 season), produced by front office; directed by Robert Florey; original story and screen play by Irving Reis; photographed by Harry Fischbeck. Cast: Gail Patrick, Lloyd Nolan, J. Carroll Naish, Robert Preston, Virginia Dabney, Nora Cecil, Harry Carey, Porter Hall, Richard Denning, Dorothy Howe, Anthony Quinn, John Hart, Philip Warren, Harry Worth, Tom Tyler, Gustav von Seyffertitz, Eddie Marr, Paul Fix, John Harmon, Jack Knoch, Dick Rich, Emory Parnell.

'SUNSET TRAIL', formerly titled **'SILVER TRAIL PATROL'** (for 1938-39 season), produced by Harry Sherman; directed by Les Selander; screen play by Norman Houston, from story by Clarence E. Mulford; photographed by Russell Harlan. Cast: William Boyd, George Hayes, Russell Hayden, Charlotte Wynters, Jane Clayton, Robert Fiske, Catharine Sheldon, Maurice Cass, Anthony Nace, Kenneth Harlan, Alphonse Ethier, Glenn Strange, Jack Rockwell, Tom London, Claudia Smith.

'ZAZA' (for 1938-39 season), produced by Albert Lewin; directed by George Cukor; screen play by Helen Westley, Constance Collier, Gertrude Robinson, Rex O'Malley, Rex Evans, Walter Catlett, Robert C. Fischer, Ernest Cossart, John Sutton, Michael Brooke, Philip Warren, Alexander Lettich, Janet Waldo, Fred Astaire, Clara Kimball Young, Charles Hughes, Helaine Moler, Dorothy White, Duncan Renaldo, Hala Linda, Tom Ricketts.

'THANKS FOR THE MEMORY' (for 1938-39 release); executive producer, Harold Hurley; associate, Mel Schauer; directed by George Archambaud; from play by Albert Hackett and Frances Goodrich; photographed by Karl Struss. Cast: Bob Hope, Shirley Ross, Charlie Butterworth, Otto Kruger, Hedda Hopper, Roscoe Karns, Laura Hope Crews, Elizabeth Patterson, Patricia Wilder, Eddie Anderson, Jack Norton, Edward Gargan.

'FRONTIERSMAN', produced by Harry Sherman; directed by Leslie Selander; screen play by Norman Houston from original story by Clarence E. Mulford; additional dialog by Harrison Jacobs; photographed by Russell Harlan. Cast: William Boyd, George Hayes, Russell Hayden, Evelyn Venable, William Dunlop, Clara Kimball Young, Charles Hughes, Dickie Jones, Roy Barcroft, Emily Fitzroy, John Beck.

'SCOTLAND YARD VS. BULLDOG DRUMMOND' (for 1938-39), produced by Stuart Walker for Harold Hurley unit; directed by James Hogan; original story by H. C. 'Sapper' McNeile; photographed by Ted Tetzlaff. Cast: John Howard, Heather Angel, H. B. Warner, Reginald Denny, E. E. Cline, Elizabeth Patterson, George Zucco, Jack Fenwick, Leonard Mudie, Clyde Cook, David Clyde, Ferdinand Munier, John Rogers.

Paramount Pix Now in Production

'ST. LOUIS BLUES' (for 1938-39 release), produced by Jeff Lazarus; directed by Raoul Walsh; screen play by John C. Moffitt and Malcolm Stuart Boylan; based on adaptation by Frederick Hazlitt Brennan of story by Eleanor Griffin and William Rankin; additional dialog by Virginia Van Upp; photographed by Tedor Sparkuhl. Cast: Lloya Nold, Dorothy Lamour, Tito Guizar, Jessie Ralph, Maxine Sullivan, William Frawley, Punks Parker, Jerome Cowan, Matty Malneck and His Boys.

'SAY IT IN FRENCH', produced and directed by Andrew Stone; screen play by Frederick Jackson from play by Jacques Deval; photographed by Victor Milner. Cast: Ray Milland, Olympe Bradna, Irene Hervey, Janet Beecher, Evelyn Keyes, Erik Rhoads, Robert H. Kingsford, Holmes Herbert, Gertrude Sutton, Forbes Murray, Billy Daniels.

'TOM SAWYER, DETECTIVE', produced by Harold Hurley; directed by Louis King; no writing credits yet; photographed by Ted Tetzlaff. Cast: Donald O'Connor, Billy Cook, Porter Hall, Philip Warren, Janet Waldo, Clara Blandick, Elisabeth Risdon, Edward Pawley, Hattie McDaniel, Oscar Smith, William Haade, Stanley Price, Harry Worth, St. Jenks.

'DISBARRED', produced by Harold Hurley; directed by Robert Florey; screen play by Lillie Hayward and Robert B. Freeman from story by Harry Sauber; photographed by Harry Fischbeck. Cast: Gail Patrick, Otto Kruger, Robert Preston, Sidney Toler, Helen MacKellar, Clay Clement, Edward Marr, Olin Howland.

RKO-Radio

	Number of Promised	Number Completed	Now Shooting	New Balance to Be Placed Stories in Cutting Before Prepara- tion	Rooms	Cameras	Stories in Preparation
Studio	50	6	2	3	39	39	39
Sol Lesser	3	0	0	0	2	2	2
Herbert Wilcox	1	0	0	0	1	1	1
Total	54	6	2	3	42	42	42

Pictures now in the cutting rooms or awaiting previews are:

'THE MAD MISS MANTON', produced by P. J. Wolfson; directed by Leigh Jason; screen play by Fred Finklehoffe from original story by Wilson Collison. Cast: Barbara Stanwyck, Henry Fonda, Eleanor Hansen, Sam Levene.

'ANNABEL TAKES A TOUR' (for 1938-39), produced by Lou Lusty; directed by Lew Landers; screen play by Olive Cooper and Bert Granet; photographed by Russell Metty. Cast: Jack Oakie, Lucille Ball, Frances Mercer, Ruth Donnelly, Ralph Forbes, Bradley Page, Pepita Chistera, Rafael Storm, Jean Rouffour, Donald MacBride, Alice White, Rita Gould.

'A MAN TO REMEMBER' (for 1938-39), produced by Robert Sisk; directed by Garson Kanin; screen play by Dalton Trumbo; original by Katharine Haviland-Taylor; photographed by J. Roy Hunt. Cast: Anne Shirley, Lee Bowman, Edward Ellis, Frank M. Thomas, Dickie Jones, Granville Bates, Harlan Briggs, Julius Tannen.

RKO-Radio Pictures Now in Production

'GUNGA DIN' (for 1938-39), produced and directed by George Stevens; screen play by Ben Hecht and Charles MacArthur; photographed by Joe August. Cast: Cary Grant, Victor McLaglen, Douglas Fairbanks, Jr., Joan Fontaine, Eduardo Ciannelli, Sam Jaffe, Montagu Love, Lumsden Hare.

'MIRACLE RACKET', produced by B. P. Fineman; directed by Les Goodwins; screen play by Saul Elkins and Joseph Pagano; original by Saul Elkins; photographed by Nick Musuraca. Cast: Sally Eilers, Ann Miller, Lee Bowman, Alma Kruger, Paul Guilfoyle, Jonathan Hale, Jack Arnold, Cecil Kellaway.

'PECK'S BAD BOY WITH THE CIRCUS', produced by Sol Lesser; associate producer, Leonard Fields; directed by Edward Cline; no writing credits released yet; photographed by Jack McKenzie. Cast: Tommy Kelly, Ann Gillis, Edgar Kennedy, Spanky McFarland, Benita Hume, Fay Helm, William Demarest, Wade Boteler, Grant Mitchell, Nana Bryant, Louise Beavers.

'LAW WEST OF TOMBSTONE', produced by Cliff Reid; directed by Glenn Tytler; screen play by John Twist and Clarence Young; photographed by J. Roy Hunt. Cast: Harry Carey, Anne Shirley, Tim Holt, Evelyn Brent, Allan Lane, Paul Guilfoyle, Bradley Page, Esther Muir, George Irving, Eleanor Hansen, Peggy Carroll, Robert Moya, Jane Woodworth.

Republic

	Number of Promised	Number Completed	Now Shooting	New Balance to Be Placed Stories in Cutting Before Prepara- tion	Rooms	Cameras	Stories in Preparation
Total	59	3	1	4	51	—	—

Pictures in the cutting rooms or awaiting previews:

'OVERLAND STAGE RAIDERS' (for 1938-39), produced by William Berke; directed by George Sherman; screen play by Luci Ward; photo-

graphed by William Nobles. Cast: John Wayne, Ray Corrigan, Max Terhune, Louise Brooks, Frank La Rue, Charles Whitaker, Duke R. Lee, Edwin Gaffney, Jr., Anthony Marsh, George Plums, George Sherwood.

'DOWN IN ARKANSAS', produced by Armand Schaefer; directed by Nick Grinde; original and screen play by Dorrell and Stuart McGowan; photographed by Ernie Miller. Cast: Weaver Brothers, Elvira, Ralph Byrd, June Storey, Pookie Tomlin, Guinn Williams, Berton Churchill, Gail Stiers.

'NIGHT HAWK', produced by Herman Schlom; directed by Sidney Salkow; original screen play by Earl Felton; photographed by Jack Marta. Cast: Robert Armstrong, June Travis, Robert Livingston, Joseph Downing, Roland Gott, Robert Homans, Paul Fix.

'FRAIRIE MOON', produced by Harry Grey; directed by Ralph Staub; screen play by Ben Burbridge and Stanley Roberts; photographed by William Nobles. Cast: Gene Autry, Smiley Burnette, Shirley Deane, David Gorcy, Tommy Ryan, Walter Tetley, Stanley Andrews, William Pawley, Rafael Bennett, Warner Richmond, Tom London.

Republic Pix Now in Production

'I STAND ACCUSED', produced and directed by John H. Auer; no writing credits yet; photographed by Jack Marta. Cast: Robert Cummings, Helen Mack, Lyle Talbot, Gordon Jones, Thomas Jackson, Leona Roberts, Tom Beck, Robert Paige, Robert Middlemass.

20th Century-Fox

	Number of Promised	Number Completed	Now Shooting	New Balance to Be Placed Stories in Cutting Before Prepara- tion	Rooms	Cameras	Stories in Preparation
Total	55	8	6	9	32	32	32

Pictures in the cutting rooms or awaiting previews are:

'STRAIGHT, PLACE AND SHOW' (for 1938-39 season), produced by David Hempstead; directed by David Butler; from Damon Runyon's story; photographed by Ernest Palmer. Cast: Ritz Brothers, Phyllis Brooks, Ethel Merman, Robert Allen, Sidney Blackmer, George Barbier.

'SUEZ' (for 1938-39 season), produced by Gene Markey; directed by Allan Dwan; screen play by Julien Josephson and Phillip Dunne; original by Sam Duncan; photographed by Ferverell Marley. Cast: Loretta Young, Tyrone Power, Annabella, Henry Stephenson, Thomas Beck, Sidney Blackmer, J. Edward Bromberg, Joseph Schildkraut, Sig Ruman, Leon Ames, Rafael Ottiano, Maurice Moscovitch, Nigel Bruce.

'GIRL FROM BROOKLYN', formerly titled **'BY THE DAWN'S EARLY LIGHT'** (for 1938-39 season), produced by Edward Kaufman; directed by Gregory Ratoff; original by Gene Markey; photographed by Karl Freund. Cast: Warner Baxter, Alice Faye, Charles Winninger, Keye Luke, Arthur Treacher, Willie Fung, Doris Lloyd, Leonid Snegoff.

'SUBMARINE PATROL', formerly titled **'WOODEN ANCHORS'**, formerly titled **'SPLINTER FLEET'** (for 1938-39 season), produced by Gene Markey; directed by John Ford; screen play by Rian James, Darrall Ware and Jack Yellen from story by Ray Millholland and Charles B. Millholland; photographed by Arthur Miller. Cast: Richard Greene, Nancy Kelly, George Bancroft, Slim Summerville, Douglas Fowley, Joan Valerie, Preston Foster, John Carradine, Warren Hymer, Elisha Cook, Jr., Ward Bond, Maxie Fiedler, Billy Vernon, Joseph Schildkraut, Charles Tannen, Dick Hogan, Henry Armetta, J. Farrell MacDonald, George E. Stone, George Humbert.

'SHARPSHOOTERS' (first Camera Daredavils series) (for 1938-39 season), produced by Sol M. Wurtzel; directed by James Tinning; screen play by Robert Ellis and Helen Logan; photographed by Barney McGill. Cast: Brian Donley, Wally Vernon, Lynn Bari, C. Henry Gordon, Douglas Dumbrille, Sidney Blackmer.

'FIVE OF A KIND' (for 1938-39 season), associate producer, Kenneth Macgowan; directed by Herbert I. Leeds; original screen play by Lon Breslon and John Patrick; photographed by Daniel B. Clark. Cast: Dionne Quintuplets, Jean Hershold, Claire Trevor, Inez Courtney, Cesar Romero, Slim Summerville, John Qualen, Henry Wilcox, John Russell, Jane Darwell, Joan Valerie.

'JUST AROUND THE CORNER' (for 1938-39 season), produced by David Hempstead; directed by Irving Cummings; screen play by J. P. McEvoy and Ethel Hill; original story by Kenneth Earle and Howard Smith; songs by Walter Bullock and Harold Spina; photographed by Arthur Miller. Cast: Shirley Temple, John Davidson, Bill Robison, Charles Farrell, Bert Lahr, George Barbier, Franklin Pangborn, Bennie Bartlett, Amanda Duff.

'DOWN ON THE FARM' (for 1938-39), Jones Family feature produced by John Stone; directed by Malcolm St. Clair; no writing credits released yet; photographed by Edward Snyder. Cast: Jed Prouty, Spring Byington, Louise Fazenda, Russell Gleason, Ken Howell, George Ernest, June Carlson, Florence Roberts, Billy Haman, Roberta Smith, Marvin Stephens, Eddie Collins, Dorris Bowdon.

'INSIDE STORY', formerly titled **'A VERY PRACTICAL JOKE'** (for 1938-39), produced by Howard J. Green; directed by Ricardo Cortez; screen play by Jerry C. Brown; based on a story by Ben Ames Williams; photographed by Virgil Miller. Cast: Michael Whalen, Jean Rogers, Chick Chandler, June Gale, Douglas Fowley, Jane Darwell, Theodore von Eltz.

20th-Fox Pix Now in Production

'JESSE JAMES' (for 1938-39, in Technicolor), produced by Nunnally Johnson; directed by Henry King; no writing credits released yet; photographed by George Barnes. Cast: Tyrone Power, Henry Fonda, Nancy Kelly, Walter Brennan, John Carradine, J. Edward Bromberg, Brian Donley, Douglas Fowley, Jane Darwell, Donald Meek, Ernest Whitman.

'MR. MOTO TAKES A VACATION', produced by Sol M. Wurtzel; directed by Norman Foster; no writing credits released yet; photographed by Charles Clarke. Cast: Peter Lorre, Virginia Field, John King, Joseph Schildkraut, Lionel Atwill, Al Stewart, George P. Huntley, Victor Varconi.

'THE ARIZONA WILDCAT', produced by John Stone; directed by Herbert I. Leeds; no writing credits released yet; photographed by Lucien Andriot. Cast: Jane Withers, Leo Carrillo, Pauline Moore, Henry Wilcox, Etienne Girardot, Douglas Fowley, William Henry, Henry Woods, Rogita Harlan.

'HARD TO GET', produced by Sol Wurtzel; directed by Alfred Werker; no writing credits yet; photographed by Robert Planck. Cast: Preston Foster, Phyllis Brooks, Tony Martin, Arthur Treacher, Bill Robinson, Slim Summerville, Jane Darwell, Eddie Collins, Alan Dinehart, Robert Allen, Sidney Toler.

'KENTUCKY', produced by Gene Markey; directed by David Butler; from novel, 'Look of Eagles', by John Duntire; photographed by Ernest Palmer. Cast: Loretta Young, Richard Widmark, Walter Brennan, Ralph Morgan, Willard Robinson, Douglas Dumbrille, James West, Charles Waldron, Karen Morley, Ward Robinson, Moroni Olsen.

'SAMSON AND LADIES', produced by Sol Wurtzel; directed by Joseph Santley; no writing credits yet; photographed by Virgil Miller. Cast: Lynn Bari, Robert Allen, Al Stewart.

United Artists

	Number of Promised	Number Completed	Now Shooting	New Balance to Be Placed Stories in Cutting Before Prepara- tion	Rooms	Cameras	Stories in Preparation
Samuel Goldwyn	2	0	1	1	0	2	2
Selznick	4	0	1	1	0	2	7
Walter Wanger	2	0	1	0	0	1	1
Chaplin	8	0	0	0	0	1	6
Roach	5	2	0	0	4	2	—
London Films	5	2	0	0	4	2	—
Total	28	2	4	2	21	19	—

Pictures in the cutting room or awaiting previews are:

'THE YOUNG IN HEART', produced by David O. Selznick; directed by Richard Wallace; screen play by Paul Osborne and Charles Bennett from novel by I.A.R. Wylie, 'The Gay Banditti'; photographed by Leon Shamroy. Cast: Janet Gaynor, Douglas Fairbanks, Jr., Paulette Goddard, Roland

(Continued on page 19)

Quiz Booklets Not Contingent On Ticket Buys

Theatre managers throughout the country are being instructed that issuance of booklets for the 'Films Are Your Best Entertainment' quiz must not be made contingent upon the purchase of admission. Explained that the U. S. postal laws require that all such booklets must be issued free. Requiring the applicant to purchase a ticket to the theatre makes the contest legally a lottery. Question first came to notice in Mobile, Ala., when patrons who were refused gratis booklets appealed to a newspaper, which printed an explanation of the law.

5 Errors Rules Out

Five errors involving answers on as many feature pictures entered in the Movie Quiz contest have been discovered in the contest booklet by the Motion Pictures' Greatest Year officials. Result is that Paul Gulick, campaign coordinator, has announced that the campaign committee has decided that no matter what answer is turned in by contestants on 'The Texans,' 'Crowd Roars,' 'Girls on Probation,' 'Give Me a Sailor' and 'Gateway,' they will be adjudged correct by the contest judges. It means that only 25 correct answers are needed, instead of 30.

Campaign headquarters is rushing out screen announcements making clear that any answer made on the five pictures in question will be judged as correct. Committee also is preparing a lobby poster listing the five pictures and explaining that any answers on them will be tabbed correct. Committee requests contestants to state name of the theatre where the pictures in question were viewed though explaining this is not necessary in order to qualify for entrance in the contest.

Drive headquarters sent bulletins to the managers in the campaign as to procedure to be followed in coming weeks of the drive. Short feature, 'The World Is Yours,' soon will be ready for distribution in the campaign. Another project planned is for National Music Week to devote part of its activities this year to Motion Pictures' Greatest Year.

In instructions to exhibitors, campaign committee is stressing how the Quiz Contest shall be developed to attract the eye of prospective patrons in ad matter and elsewhere. Advertising committee of the drive, consisting of Howard Dietz, Robert Gilliam and Charles E. McCarthy, is meeting this week with Donahue & Coe to discuss plans for the next phase of national advertising. Eleven three-quarter and full-page ads have been placed in some 2,000 daily newspapers in this country and in Canada.

G-B's Own Drive

Gaumont-British took steps to launch a 'greatest film year' drive of its own last week. It will not be launched until after new product has been tested as to campaign and drive contest possibilities in four medium-sized cities. At the same time, Gaumont laid plans for handling several features on a roadshow basis in very theatres. First is 'Paggiacci,' Tralfalgar Films production, based on the opera.

G-B claims it was overlooked by the 'greatest year' drive.

Another Crimer Away

Hollywood, Sept. 20. Warden Lewis E. Lawes' yarn, 'Crime Is a Racket,' went into production at Warners. Lewis Seiler is directing from script by Don Ryan and Kenneth Gemet.

Cast is headed by Humphrey Bogart, Gale Page, Billy Halop, John Littel and Henry O'Neill.

THE KING'S QUEEN

Hollywood, Sept. 20. Anna May Wong starred, 'King of Chinatown,' hit the cameras at Paramount yesterday (Mon.) with Nick Grinde directing.

Oriental star has three heavies, Akim Tamiroff, J. Carroll Naish and Anthony Quinn in support.



What America needs this week is flood control.

Such crying over "Boys Town."

Exhibitors tell us the folks stay for a second and third cry.

But there's no weeping when the receipts are counted.

Leo is very proud of "Boys Town" because it's a great box-office success that also has won additional friends, new praise for the industry.

Doing sensational business everywhere, topping such hits as "Test Pilot," held over in practically every situation for extra weeks, extra days.

And doing as well in its 2nd week as a normal first week!

Please keep your release schedule very elastic, Mr. Exhibitor, because Leo's on an extended-run rampage: "Marie Antoinette," "Boys Town," "Too Hot To Handle"—one after another.

In fact Mr. Exhibitor here's our tip:

HOLD EVERYTHING!



HOLDING "MARIE"!

Folks who returned to Broadway after Labor Day found the town's biggest hit at the Astor. "Marie Antoinette" is packing 'em in at \$2 (fancy) prices, 5th week! On other Broadways it's a happy hold-over at pop prices: 4th week Chicago; 3rd week Detroit, Pittsburgh, Cleveland, Salt Lake; 2nd week Portland, Boston (day—date State & Orpheum) St. Louis, Toledo, Columbus, Wilmington, Atlanta, Denver, Baltimore, Cincinnati, Washington, Louisville, etc., etc.

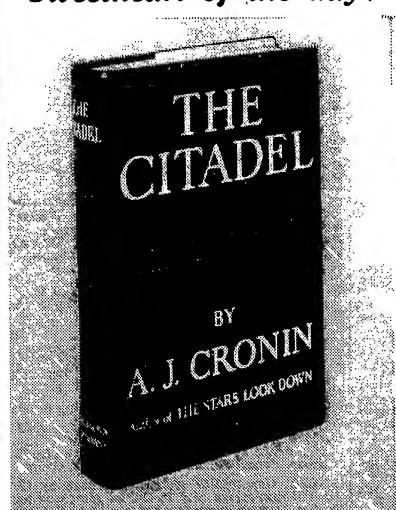
"BOYS TOWN" STARTS!

Spencer Tracy, Mickey Rooney keep 'em coming 3rd week Capitol, N.Y.; 2nd week Atlanta, Reading, Harrisburg, Wilmington, Houston, New Orleans, Omaha, Salt Lake and more hold-overs every minute!

EYES ON NEWSREEL!

Leo's very proud of the new streamlined issues of his "NEWS OF THE DAY." John B. Kennedy, famed radio voice speeds the news across in "The Front Page"; Bill Stern, N.B.C. sports authority covers "The Sports Page"; and Adelaide Hawley enlivens "The Woman's Page." Snappy newsreel! Largest world-wide coverage. Better than ever!

"Sweetheart of the day!"



WE HAVE JUST SEEN A GREAT PICTURE!

They ought to wire the seats for sound in M-G-M's projection room! If those chairs could talk, what an earful you'd get about the screening of "The Citadel." A great motion picture has come to your midst, gents, and from now until release in November you're going to hear a great deal about it, in the press, on the air, by word-of-mouth. Ten million people have read this best seller of a young doctor's dramatic fight for his ideals, of his surrender to the luxuries of a society doctor's life, of the girl who brought him back to the battle of humanity. Memorable scenes: heroism in the depths of a mine; the birth and almost death of a miner's baby; a society doctor and the women he knows. Powerful, tender, exciting... it's got the mixture that accelerates the box-office! But you'll soon know for yourself. Watch for NATIONWIDE TRADE SCREENINGS OF "THE CITADEL." (A bow to the stars Robert Donat, Rosalind Russell; and to the director, King Vidor.)



TOUCHDOWN, LEO!

A smart idea in shorts. Reviewing 8 gridiron classics of last year so that alumni in every territory will flock to see their college team. It's Pete Smith's "Football Thrills." Another Pete Smith subject "Grid Rules" and Robert Benchley's "How To Watch Football" launch the Fall Season. Book 'em while they're hot! (Aside to Leo, Jr.: "Gee whiz, kid, you sure make swell shorts!")

THANKS, KIND SIR!

"A Letter to Leo"

Dear Leo: That man's here again for the 15th time. It's the same story, coming for your product, the only product which spells continued success for me. I am grateful for the years it has been my pleasure to show M-G-M pictures, for they have been years of success, not only financially but also years of cordial and square business relations. Sincerely yours, August 11, Ohio Theatre, Lorain, Ohio.



KING AND QUEEN OF THE SCREEN!

Leo of M-G-M takes this MOTION PICTURES' GREATEST YEAR campaign very seriously. Here's another for the Big Drive!

"Too Hot To Handle" flamed into fame this week with Clark Gable and Myrna Loy delighting record-breaking openings everywhere. It's topping "Test Pilot." And that's nice topping!

The trade press told you in advance. Those lads know their stuff. (Read the trade papers! Advt.) For instance: Film Daily said: "A smash at the box-office." M. P. Daily said: "Better than any of the stars' six preceding pictures." M. P. Herald: "A natural. Lines in front of the box-office." Daily Variety: "Sure-fire big-money show." Hollywood Reporter: "One of the financial stand-outs of M.P.A.Y.G.E. campaign." Showmen's Trade Review: "Cinch box-office." The Exhibitor: "SRO attraction." Box-Office: "As torrid as its title at the turnstiles." The only complaint we anticipate is "too many to handle!"



IT ALL HELPS THE BOX-OFFICE!

Screenland's Honor Page for "Marie Antoinette." Few films have received so many tributes. They keep coming!

Here's a line that has become familiar in the trade press.

In fact we're quoting it this time from the PHILADELPHIA EXHIBITOR's review of "Boys Town," as follows:

"M-G-M made the picture, but it is a show of which the whole industry may be proud."

America said that editorially (and at the box-office) about "Marie Antoinette."

They'll say it again about "The Citadel."

M-G-M is the one company that consistently makes pictures "of which the whole industry" may be proud.

How fitting that as Motion Pictures' Greatest Year Campaign sweeps the country with an appraising press giving editorial support, it is M-G-M which delivers pictures of stature to merit such support.

May we be so bold as to say again:

ALWAYS THE LEADER!

Leo

Advance Production Chart

(Continued from page 17)

Young, Billie Burke, Richard Carlson, Minnie Dupree, Margaret Early, Charles Halton, Lya Lys, Elyse Marlowe, Henry Stephenson, Tom Ricketts.

'THERE GOES MY HEART' (for 1938-39 season), produced by Hal Roach; associate producer, Milton H. Bren; directed by Norman McLeod; original screen play by Eddie Moran and Jack Jevne; photographed by Norbert Brodine. Cast: Fredric March, Virginia Bruce, Patsy Kelly, Alan Mowbray, Nancy Carroll, Claude Gillingwater, Arthur Lake, Adia Kuznitz, Mary Field, Fred C. Goddard, Ethelreda Leopold, Marie DeForest, Harlan, Eugene Palette, Etienne Girardot, Irving Pichel, William Davidson.

United Artists Pix Now in Production

'LADY AND THE COWBOY' (for 1938-39 season), produced by Samuel Goldwyn; directed by H. C. Potter; screen play by Sam Behrman from an original story by Tay Garnett; photographed by Rudolph Mate. Cast: Gary Cooper, Merle Oberon, David Niven, Thomas Mitchell, Walter Brennan, Patsy Kelly, Mabel Todd, Fuzzy Knight, Henry Kolker, Emma Dunn, Harry Davenport.

'TRADE WINDS', produced by Walter Wanger; directed by Tay Garnett; screen play by Dorothy Parker, Alan Campbell and Frank R. Adams from original story by Tay Garnett; photographed by Rudolph Mate. Cast: Fredric March, Joan Bennett, Ralph Bellamy, Ann Sothern, Alan Baxter, Robert Emmett O'Connor, Patricia Farr, Wilma Francis, Jack Linaker, Dorothy Tree, Phyllis Barry, Walter Bryon, Wilson Benge, Harry Paine, Hooper Atchley, Franklin Parker, Lee Phelps, John Webb Dillon, Dick Rush, Mrs. Scott, Fred C. Goddard, Ethelreda Leopold, Marie DeForest, Earl Wallace, Princess Luana, Pauline Arbut, Iko Magara, Suzanne Kaaren, Lotus Liu, Robert Elliott.

'TOPPER TAKES A TRIP', produced by Milton H. Bren for Hal Roach; directed by Norman Z. McLeod; screen play by Jack Jevne and Eddie Moran from the Thorne Smith novel; photographed by Norbert Brodine. Cast: Constance Bennett, Robert Yoding, Billie Burke, Alan Mowbray, Irving Pichel, Alexander D'Arcy, Franklin Pangborn, Leon Belasco, Verree Teasdale, Alexander D'Arcy, Franklin Pangborn, Leon Belasco, Irving Pichel.

'MADE FOR EACH OTHER', produced by David O. Selznick; directed by John Cromwell; screen play by Jo Swerling; photographed by Leon Shamroy. Cast: Carole Lombard, James Stewart, Lucille Walker, Donald Briggs, Charles Coburn, Arthur Hoyt, Ruth Weston, Nella Walker, Harland Briggs, Mickey Rentschler.

Universal

	Number of Pix Promised	Number of Pix Completed	Now Shooting	New Balance to Be Placed in Rooms	Stories in Preparation
Total	48	6	3	7	32

Pictures in the cutting rooms or awaiting previews:

'RED BARRY' (serial) (for 1938-39 season), produced by Barney Sarecky; directed by Ford Beebe and Alan James; screen play by Ford Beebe, Norman Hall, Ray Trampe, photographed by Jerry Ash. Cast: Larry (Buster) Crabbe, Frances Robinson, Edna Sedgwick.

'YOUTH TAKES A FLING' (for 1938-39 season), produced by Joe Pasternak; directed by Archie Mayo; original story by Phil Epstein; screen play by Myles Connolly; photographed by Rudolph Mate. Cast: Joel McCrea, Andrea Leeds, Dorothea Kent, Frank Jenks, Granville Bates, Oscar O'Shea, George Olfman, Jr., Frank Scully, Eddie August, Isabel Jenks.

'SWING THAT CHEER' (for 1938-39), produced by Max Golden; directed by Harold Shuster; story by Thomas Ahearn and F. Maury Grossman; screen play by Charles Grayson; photographed by Elwood Reddell. Cast: Tom Brown, Andy Devine, Neil Wilcox, Constance Moore, Stanley Hughes, Samuel S. Hinds, Ray Parker, Ernest Truex, 'Doodles' Weaver, Margaret Early.

'PRAIRIE JUSTICE', produced by Trem Carr; directed by George Wagner; original screen play by Joseph West; photographed by Gus Peterson. Cast: Bob Baker, Hal Taliaferro, Dorothy Fay, Jack Rockwell, Carleton Young, Forrest Taylor, Glenn Strange.

'THAT CERTAIN AGE', produced by Joe Pasternak; directed by Edward Ludwig; original story by F. Hugh Herbert; screen play by Bruce Manning, Charles Brackett and Charles Brackett; photographed by Joe Valentine. Cast: Deanna Durbin, Jackie Cooper, Irene Rich, John Holliday, Melvyn Douglas, Jackie Searle, Juanita Quigley, Addison Richards.

'SERVICE DE LUXE' (for 1938-39), produced by Edmund Grainger; directed by Rowland V. Lee; no writing credits released yet; photographed by George Robinson. Cast: Constance Bennett, Vincent Price, Charles Ruggles, Mischa Auer, Helen Broderick, Joy Hodges.

'THE LAST EXPRESS', produced by Irving Starr; directed by Otis Garrett; screen play by Edmund L. Hartmann from novel by Baynard Kendrick; photographed by Charles R. Ames. Don Brodie, Greta Granstedt, Paul Hurst, Shaw and Lee, Edward Raquello.

Universal Pix Now in Production

'THE STORM', produced by Ken Goldsmith; directed by Harold Young; screen play by Hugh King and Daniel Moore and George Yohansen from original story by Hugh King and Daniel Moore; photographed by Milton Krassner. Cast: Charles Bickford, Barton MacLane, Preston Foster, Tom Brown, Andy Devine, Frank Jenks, Samuel Hinds.

'EXPOSED', produced by Max H. Golden; directed by Harold Shuster; screen play by Charles Kaufman and Franklin Coen; photographed by Stanley Cortez. Cast: Glenda Farrell, Otto Kruger, Herbert Mundin, David Oliver, Charles B. Brown, Lorraine Krueger, Chester Clute.

'STRANGE FACES', produced by Burt Kelly; directed by Ernest Taggart; screen play by Burt Kelly and Sid Hickox; photographed by Francis Reece and Arndt Giusti; photographed by Elwood Reddell. Cast: Dorothea Kent, Frank Jenks, Andy Devine, Leon Ames, Mary Trean.

Warners

	Number of Pix Promised	Number of Pix Completed	Now Shooting	New Balance to Be Placed in Rooms	Stories in Preparation
Total	52	1	7	13	41

Pictures in the cutting rooms or awaiting previews are:

'SECRETS OF AN ACTRESS', formerly titled **'WOMAN HABIT'**, formerly titled **'LOVELY LADY'**, produced by David Lewis; directed by William Keighley; original screen play by Rowland Leigh, Milton Krims and Julius Epstein; photographed by Sid Hickox. Cast: Kay Francis, George Brent, Ian Hunter, Gloria Dickson, Isabel Jeans, Dennie Moore, Gloria Blondell, Rosella Towne, John Ridgely, Penny Singleton, Larry Williams, Selmer Jackson, Herbert Rawlinson, Emmet Vogan, James B. Carson, Grace Hayle, Marion Alden, Paulette Goddard, Ray Cagney, Stuart Holmes, Jack Goodrich, Arthur Houtsman, Jack Mowbray, Olaf Hytten, John Harlan.

'BROTHER RAT', produced by Robert Lord; directed by William Keighley; screen play by Jerry Wald and Richard Macaulay from the play by John Monks, Jr., and Fred Finkelhoff; photographed by Ernie Hallor. Cast: Wayne Morris, Priscilla Lane, Jane Wyman, Johnny 'Scats' Davis, O'Neil, Ronald Reagan, Jessie Busby, Louise Beavers, William Tracey, Edward Albert, Gordon Oliver.

'ANGELS WITH DIRTY FACES', produced by Sam Bischoff; directed by Michael Curtiz; original story by Roland Brown; photographed by Sol Polito. Cast: James Cagney, Pat O'Brien, Ann Sheridan, Humphrey Bogart, Billy Hall, Bobby Jordan, Leo Gorcey, Bernard Punley, Gabriel Dell, Huntz Hall.

'CURTAIN CALL', produced by Bryan Foy; directed by John Farrow; screen play by Mark Young from a magazine story by Faith Baldwin; photographed by Jack Wolfe Howe. Cast: Kay Francis, Ian Hunter, Janet Chapman, Melville Cooper, Donald Crisp, John Littel, Ian Keith.

'TORCHY GETS HER MAN', formerly titled **'TORCHY FINDS OUT'**, produced by Bryan Foy; directed by William Beaudine; no writing credits

released as yet; photographed by Arthur Todd. Cast: Glenda Farrell, Barton MacLane, Tom Kennedy, Willard Robinson, George Gould.

'BLACKWELLS ISLAND', produced by Bryan Foy; directed by William McGann; original screen play by Crane Wilbur and Dave Marcus; photographed by Sid Hickox. Cast: John Garfield, Rosemary Lane, Morgan Conway, Peggy Shannon, Dick Powell, Lottie Williams, Stanley Fields, Charley, Fox Forman, Willis, Granville Bates, Raymond Barley, Jimmy O'Gatty, Wade Boteler, William Davidson, Walter Young.

'THE SISTERS', produced by David Lewis; directed by Anatole Litvak; no writing credits released yet for adaptation of novel by Myron Brinig; photographed by Tony Gaudio. Cast: Bette Davis, Anita Louise, Jane Bryan, Beulah Bondi, Henry Denpout.

'DEVIL'S ISLAND', formerly titled **'RETURN OF DR. X'**, produced by Bryan Foy; directed by William Clemens; no writing credits released as yet; photographed by George Barnes. Cast: Boris Karloff, Leonard Mudie, Frank Reicher, James Stephens, Pedro De Cordoba, Nat Carr, Tom Wilson, Sidney Bracy, Stuart Holmes, Dino Corrado, John Harman.

'HARD TO GET', formerly titled **'KISS AND RUN'**, formerly titled **'HOT HERESS'**, formerly titled **'HEAD OVER HEELS'**, produced by Sam Bischoff; directed by Ray Enright; no writing credits released yet; photographed by Charles Rosher. Cast: Dick Powell, Olivia De Havilland, Allen Jenkins, Charles Winninger, Isabelle Jeans, Bonita Granville, Melville Cooper, Patric Knowles, Penny Singleton.

'KING OF THE UNDERWORLD', formerly titled **'UNLAWFUL'**, produced by Bryan Foy; directed by Lew Seiler; screen play by George Baker; photographed by Ray Enright; no writing credits released yet; photographed by Charles Rosher. Cast: Dick Powell, Olivia De Havilland, Allen Jenkins, Charles Winninger, Isabelle Jeans, Bonita Granville, Melville Cooper, Patric Knowles, Penny Singleton.

'HEART OF THE NORTH' (in Technicolor), produced by Bryan Foy; directed by Lewis Seiler; screen play by Robert Rossen, Vincent Sherman and Lee Katz; from novel by William Byron Mowery; photographed by L. William Connelley. Cast: Dick Powell, Margaret Lindsay, Gloria Dickson, Janet Chapman, Patric Knowles, Allen Jenkins, James Stephenson, Alec Harford, Russell Simpson, Gordon Hart, Pedro de Cordoba, Jack Mower, John Harlan, Anthony Averill, J. Crawford.

'WINGS OF THE NAVY', produced by Lou Edelmann; directed by Lloyd Bacon; original screen play by Charles Friesel; photographed by Carl Arthur Edson. Cast: George Brent, Olivia De Havilland, James Cagney, Frank McHugh, John Ridgely, Henry O'Neill, John Littel, Regis Toomey, Donald Briggs, Max Hoffman, Jr., John Gallaudet.

'TORCHY IN CHINATOWN', produced by Bryan Foy; directed by William Beaudine; screen play by George Bricker; photographed by Warren Lynch. Cast: Glenda Farrell, Barton MacLane, Ian Hunter, Tom Kennedy, Janet Shaw, Dick Bond, Patric Knowles, James Stephenson, Andy Lawlor, Frank Shannon, George Guhl, Joe Cunningham, Jack Mower, Charles Hickman, Bruce Mitchell, John Harlan.

Warner Pix Now in Production

'GOING PLACES', produced by Barney Glazer; directed by Ray Enright; screen play by Maurice Leo, Jerry Wald, Sig Herzig; photographed by Arthur Todd. Cast: Dick Powell, Anita Louise, Allen Jenkins, Walter Catlett, Minna Gombell, Thurston Hall, Hal Huber.

'DOWN PAUL', produced by Robert Lord; directed by Edmund Goulding; original screen play by Seton I. Miller and Don Tothorpe. Cast: Errol Flynn, Melville Cooper, Basil Rathbone, Rodin Rathbone, David Niven, Barry Fitzgerald, James Stephenson, Michael Brooke, Stuart Hall, Norton Lovater.

'THEY MADE ME A CRIMINAL', produced by Benjamin Glazer; directed by Sig Herzig; screen play by Sig Herzig from story by Bertram Millhauser and Beulah Dix; photographed by James Howe. Cast: John Garfield, Gloria Dickson, Beulah Bondi, Claude Rains, Billy Halop, Huntz Hall, Leo Gorcey, Gabriel Dell, Bobby Jordan, Bernard Punley.

'WOMEN IN THE WIND', produced by Bryan Foy; directed by John Farrow; screen play by Lee Katz and Albert DeMond from novel by Francis Walton. Cast: Kay Francis, William Garg, Victor Jory, Maxie Rosenblum, Sheila Bromley, Harvey Stephens, Frankie Burke, Frank Fylen.

'UNFIT TO PRINT', produced by Sam Bischoff; directed by James Flood; screen play by Earl Baldwin, Niven Busch, Lawrence Kimble and Robert Buckner from original story by Saul Elkins and Sally Sandlin; photographed by Charles Rosher. Cast: Pat O'Brien, Joan Blondell, Bobby Jordan, Jack Baxter, Joe Cunningham, Douglas Dumbrille, Armand Kaliz, Ed Dearing.

'NANCY DREW—DETECTIVE', formerly titled **'PASSPORT TO LARKSPUR LANE'**, produced by Bryan Foy; directed by William Clemmens; no writing credits released yet; photographed by Lew O'Connell. Cast: Bonita Granville, Frankie Thomas, John Littel, John Ridgely, Richard Bond, Frank Mayo, Carl Mower, Helen Phillips Evans, Frank O'Rourke.

'CRIME IS A RACKET', produced by Sam Bischoff; directed by Lew Seiler; no writing credits yet; photographed by Sol Polito. Cast: Humphrey Bogart, Gale Page, Billy Hall, Henry O'Neill, John Littel, Harold Huber, Henry Travers, Harvey Stephens.

WB Golf Tournament Finales Divot Season; 110 at the Major's Club

Probably the last golf tournament of the year for pictures but one of the most successful and well-mannered affairs of its kind ever put on, the Warner Bros. nubilest-fest at the Old Oaks Country club, Purchase, N.Y., Friday (16) ended well in the black financially, with 110 contestants turning out in spite of the threat of bad weather. This is Major Albert Warner's club and although the major couldn't win a prize with his clubs, he was reported as having done well at bridge and was not entirely out of the picture otherwise by being voted the best-dressed of the fairway diggers.

Members of the hard-hitting sales staff at the Warner New York exchange grabbed honors away from all other departments of WB, with Lester Rieger bringing in lowest gross of 78, and Charlie Foder turning in the lowest net in the class A division. Second best low gross of 83 went to Leonard Palumbo of foreign publicity, while third, 84, was won by Pat Marcone of eastern production forces. In the Class A division, second low net was taken by Al Carpenter, also of the exchange, while third went to E. N. Ulberg of the tax department. In Class B it was Ray Kinney of publicity, first; Harold Rodin of publicity, second; and J. Lubin, music dept., third.

First in the putting contest to Charles Warren, also of the music division; second to W. A. Cannon (tax dept.), and third to Harry Rosenquest, theatres. Joe Hummel of the foreign department won the longest drive. The duffer was Mar-

tin Schiff, in foreign. Herman Starr got no prize for it but he had the distinction of being the only man shooting a golf ball into a tree and having it stick there.

In addition to the main prizes, including three sets of golf clubs and bag, kodaks, electric clocks, travel bags, cocktail sets, liquor, ice cube containers, clothing, etc., there were many lesser awards, including raincoat jackets to a dozen trade paper representatives who, being guests, were not eligible for prizes in play. Major Warner got a ladies' nightgown for being the best-dressed of the boys.

Although the prizes were numerous and the sales division did well, Eddie Schnitzer among other execs cashing in, the Warner eastern-Canadian sales chief, Roy Haines, who can shoot under par in an exhibitor's office, went home empty-handed. No reports as to whether his score of 104 was in dispute, since Raph Budd didn't assign any checkers for some of the boys. The score of Sid Rechnekin is probably still being audited and a derrick crew has been sent up to the club to rescue Gil Golden from a sand trap.

Golfers were sent off on both morning and afternoon rounds, with lunch at noon and a banquet at night, when prizes were awarded, with Leonard Palumbo acting as m.c. and getting many laughs, a lot of them at the expense of Rodner, Jerry Keyser was in charge of arrangements.

Rep's Serial Finale

Repubic started shooting yesterday (Monday) on 'Hawk of the Wilderness,' last of the serials on its 1937-38 program.

Jill Martin plays the femme lead opposite Herman Brix in a story of the Arctic. Cliffhanger will use background footage shot by the studio for its 'Call of the Yukon.'

Schading, St. L. IBEW Agent, Assassinated

St. Louis, Sept. 20. Arthur C. Schading, business agent of Local No. 1, IBEW, was assassinated by two unknown men Monday (19) as he was leaving the organization's hall, and his death marks the end of a long and turbulent career in local IBEW history. Gendarmes, investigating the killing, are trying to link the murder with Schading's declaration last week that IBEW members would replace the Furniture, Piano Movers and Helpers' Union in servicing approximately 3,000 coin photographs in local taverns and restaurants. Furniture, Piano Movers and Helpers' Union claimed jurisdiction on the photographs 'because they are called on when the machines are to be moved.'

At a meeting Friday (16) when Schading was asked 'What are you going to do about those photographs that the Teamsters' Union, an affiliate with the Furniture Movers' Organization, has been putting labels on?' Schading is reported to have replied 'I'll take care of that next week. I don't think I'll have any trouble with them.'

Schading beat an extortion rap preferred by Harry R. Wendt, Kirkwood (Mo.) motion picture theatre owner, May 26, last, when a jury found him not guilty of attempting to extort \$2,000 after Wendt's picture house was damaged after being visited by non-union jukeboxes.

Anged because a photo of the Post-Dispatch, a p.m. rag, and owner of radio station KSD, snapped his pic in the Civil Courts bldg., a year ago, Schading pulled a strike at the station that lasted 15 minutes until he reconsidered his action.

Schading has been arrested 21 times since 1927 and mostly for questioning into bombings and assaults.

FLEISCHER DEADLINE SET FOR TODAY (WED.)

Pending further negotiations on a renewal of the contract covering animators, artists, etc., Max Fleischer and Paramount, distributor of the Fleischer cartoons, has asked the United American workers of the C.I.O., to hold off its threat of a boycott.

Deadline for that had been set for today (Wed.), following breakdown of negotiations for a new six months' contract.

Make Way for Biggies

Hollywood, Sept. 20. Five production units get the go at Universal to clear the decks for special features scheduled in October, when high-budget pictures will need most of the studio's stage space.

Those put in work are 'Adam's Evening,' 'All in a Lifetime,' 'West Side Miracle,' 'Sky Police' and the Buck Rogers serial with Buster Crabbe in the title role.

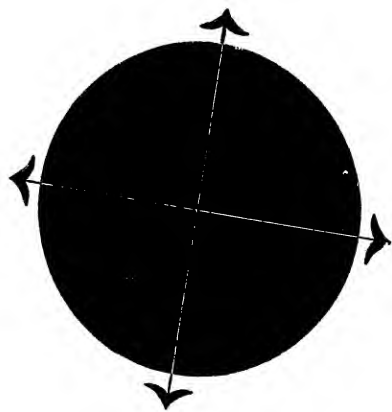
Specials coming up are 'Destry Rides Again,' 'Three Smart Girls Grow Up,' 'You Can't Cheat an Honest Man' and 'Rio.'

SMPE's Speechifiers

Detroit, Sept. 20. Speakers so far listed for Society of Moving Picture Engineers' annual convocation here Oct. 31-Nov. 2 are Dr. Charles F. Kettering, vice-president of General Motors Corp.; George W. Trendle, head of United Detroit theatres (Par); Jamison Handy, prez Jam Handy (commercial pix), and S. K. Wolf, N. Y. prez of Engineers. W. C. Kunzmann, of Cleveland, convention v.p., was in Detroit last week conferring with members of local committee, headed by Karl Brenkert, of Light Projection Co., on plans for meeting, which'll be held in Hotel Statler here. As usual, awards will be made for outstanding technical contributions made to film industry during past year.

Lily Cahill's Pio

Lily Cahill, legit player is set for a part in 20th-F's 'his London film production of 'So 'his is London.' She sails for L... n today (Wed.).



In all quarters...
no less than double the
normal playing time



FANNIE HURST'S GREAT STORY
"FOUR DAUGHTERS"
with
PRISCILLA LANE • ROSEMARY LANE
LOLA LANE • GALE PAGE
CLAUDE RAINS • JOHN GARFIELD
JEFFREY LYNN • DICK FORAN
Frank McHugh • May Robson
Directed by MICHAEL CURTIZ
Screen Play by Julius J. Epstein and Lenore
Coffee • From the Cosmopolitan Magazine Story
Music by Max Steiner • A First National Picture

WARNER BROS.,
Producers

Delinquent Dues Issue

(Continued from page 7)

tract with producers for the purpose of correcting certain abuses existing in the industry.

'Under the Wagner law, Screen Directors Guild is the collective bargaining agent for the motion picture directors. Its program is as follows:

'The Guild believes that the work of the director in the preparation of the script for shooting is of paramount importance to the final result achieved in the picture and the failure to take this into account in many instances affects adversely the quality of the final product. Accordingly, the Guild maintains, since the preparation period is varied, that the director should be allowed a reasonable preparation time and in no event less than two weeks.

Ask Right to Approve

'Believing the director's work is not completely represented on the screen unless his advice and judgment on the cutting and final editing are respected, therefore the director shall have the right to make or approve of the first cut of the picture, and he shall be retained on salary for a reasonable period of time to make the first cut and in no event less than two weeks.

'Believing that casting is essential part of the director's conception of any picture, therefore the director, before signing for any production shall be informed of all contractual obligations affecting that production and, in all cases, be consulted in regard to all casting.

'Recognizing the necessity on certain occasions for the function of a second unit, no second unit shall function except with the knowledge and approval of the director given at the time the second unit is to begin to function.

'There should be a six-day week except on location. On location not over 14 consecutive days.

'Although the Guild believes, under present conditions, that an eight-hour day is sufficient, it takes cognizance of the practice of the industry of working longer hours in emergency, but in no emergency whatever shall the hours to be worked be more than 60 hours a week, with a 12-hour rest period between calls.

'Directors shall not be required to render services on the following holidays except in an emergency, but if required to render services on New Year's Day, Decoration Day, July Fourth, Labor Day, Thanksgiving Day or Christmas, or if required to render services on either the Sunday immediately preceding or the Sunday immediately succeeding any such holiday shall be entitled to an additional one-sixth of the weekly rate of pay. The foregoing, however, shall not apply to directors whose contract provides the maximum number of pictures in which the director can be employed per year or other specified periods.

On Removing a Director

'If a director shall be removed from a picture without his consent an arbitration board will convene immediately with the director and his immediate producer and make findings in writing as to the reasons and justification or lack of justification for the removal.

'The director shall be properly credited as having directed the picture in all paid or controlled advertising and shall be given proper credit on a separate card which shall appear as the last of such credit cards.

'Should more than one director work on a picture and the directorial credits given by the producers be considered unfair by either of the directors, credit or credits shall be settled by arbitration.

'The Guild believes that a director should not be made responsible nor should his employment be suspended by causes beyond his control except: (A) by the usual Act of God clause which should have reasonable limitations; (B) his disability.

'Proper conciliation machinery for the settling of disputes. If conciliation fails, proper arbitration of all disputes.

'The suggested method for the above machinery would be an arbitration board of four men elected according to the by-laws, three from the Junior Guild and one man from the Senior Guild. Conciliation would be undertaken by one from the Senior Guild group of three who

would alternate in assuming the office.

Guild Shop

'If any other abuses develop there shall be machinery for conciliation to adjust such abuses and in the event of failure of committees to agree, arbitration.

'These terms are minimum and no waiver of the terms of a minimum contract shall be asked of the director or effective against him except through the consent of the Guild. But without the consent of the Guild the director may waive Paragraph 9 in the manner and at the time therein stated.

'Any director who violates the spirit of this agreement will be subject to discipline by the Guild. Realizing the necessity for an agreement between the producer and the director which will be of mutual benefit to each, we offer the above platform.'

Back for Amendments

During cross-examination of J. P. McGowan, executive secretary of the Guild, it was disclosed that the platform amended after negotiations started with the Producers. Clause on second units was amended to provide second unit would not function without cooperation of the directors, instead of his approval given at time shooting started.

Paragraph pertaining to removal of director from a picture was also amended to provide that if he was removed after first week of shooting an impartial board would determine reasons and justification or lack of justification for his removal. On motion of A. Edward Sutherland it also was provided that the director would have the right to change a script in an emergency during shooting. Should he be unable to agree with associates the executive head of the studio would have final say.

Platform of Junior Guild in addition to minimum pay, provides for overtime in excess of 60 hours per week at the rate of one-sixtieth of his salary per hour.

A first and second assistant also would be required on all full-length features and shorts. In addition a first and second assistant director would be required on all units of a feature, protection of major studio shots were to be made and all retakes and added scenes in both features and shorts.

First assistant would be given screen credits for each picture on which he works. Guild shop, conciliation and arbitration, etc., is also included.

Copies of correspondence between the Guild and Producers was introduced at hearing by William Walsh, NLRB counsel, in an effort to sustain charges of unfair labor practice filed against 10 major studios. Exhibits taken from records of Screen Writers Guild were also offered by Walsh to carry out his contention that film companies are engaged in interstate commerce.

The Guild has completed presentation of its evidence with the exception of examination of major studio executives which will include Darryl F. Zanuck, Hunt Stromberg, Harry Warner, E. J. Mannix, Harry Cohn.

Writers Give Take

With negotiations between the Producers and Screen Writers Guild just getting underway, membership meeting of SWG has been called for Oct. 9 in belief that tentative agreement will have been reached by that time. Writers presented a tentative contract to the Producer committee last week, and a counter-proposal was submitted by studio executives this week.

Producers are unwilling to grant a complete Guild shop to the screenwriters because of prior contract commitments and necessity of taking care of Screen Playwrights, Inc., most of whom have individual writing contracts with studios.

Studio executives are not opposed to minimum of \$125 a week for experienced writers, as proposed by the Guild, but want some provision for employment of beginners over a trial period. Guild probably would agree to eliminate beginners from minimum salary requirements. Plans for unemployment survey among extras is being mulled by the board of trustees of the Motion Picture Relief Fund. Tons believe survey might aid in solving economical problems now facing the extra player. J. P. McGowan, executive secretary of the Screen Directors Guild, is expected to head the committee that will make the survey in cooperation with the Screen Actors Guild. Others on the committee are B. B. Kahane, Walter Wanger, Irving Pichel, Mary McCall, Campbell McCulloch, Frances Farago and Arthur Eddy.

Actual negotiations between actors and the producers on amendments to present Producer-Screen Actors Guild's basic minimum contract get under way this week. Arbitration board is composed of Murray Kinell, assistant treasurer of SAG; B. B. Kahane, of Columbia, and Charles Baird, head of a legal publishing house, Committee has already established jurisdiction to represent 64 signatories to the labor agreement.

Junior Council of Screen Actors Guild has accepted resignations of Mel Forrester, Neil Hart and Jack Grant. Forrester and Hart quit because of differences with Council over Guild policies. Grant resigned to accept a job as studio checker for the SAG. Vacancies will be filled next week.

Thursday (22) has been fixed by the National Labor Relations Board as date for hearing the petition of the Screen Publicists Guild for verification as bargaining representative for studio facts.

SIT IATSE Attack

Dr. Towne Nylander, regional director of the NLRB, has ordered informal hearing Sept. 28 on charges of Jeff Kibre that the International Alliance of Theatrical Stage Employees is a 'company union' and producer-dominated. Notices were mailed out yesterday (Monday) summoning studio executives, IATSE tops and Kibre to hearing.

Dr. Nylander said if evidence warrants complaints of unfair labor practice will be issued against studios and a formal hearing ordered. In the meantime, IATSE tops have launched a move to return autonomy to the five West Coast Studio Locals and force them to clean their own houses by throwing out the Communists and trouble makers. Members of first local to receive autonomy. Sound Technicians Local 695, refused for three hours to nominate local officers and insisted on international officers retaining supervision of local affairs.

Following speeches by Fred Raul of Atlanta, personal representative of George E. Browne, IA international president; Harland Holmden, international v.p., and Harold V. Smith, international representative in charge of West Coast, executive members agreed to act. They insisted, however, on adopting a resolution expressing confidence in President Browne, and William Bloff, who recently resigned as personal representative of the president.

Local officers finally were nominated, elected and installed. Officers who take over local reins are:

Harold V. Smith, business representative; Joe Aiken, 20th-Fox president; Robert Prichard, Universal, first v.p.; Richard Van Hesse, RKO-Radio, second v.p.; Gordon Rayburn, Paramount, secretary-treasurer; Elmer L. Smith, recording secretary.

Trustees: Chairman, Dave Forrester; Warners; Willard W. Starr, public address classification, Earl Craine, Republic, sergeant-at-arms. Frank McKenna, Executive Board: Herman, 20th-Fox; Jackson Brook, Metro; Tom Lambert, Darnour; John Tribby, RKO-Radio; Art Blinn, Walt Disney; Joe Edmundson, Metro; George Dutton, Paramount; Arthur Johns, United Artists; Lodge Cunningham, Columbia; Earl Sitar, General Service; William Montague, Columbia; John Kemp, Universal.

SCHAYER BACK AT M-G; ZION MYERS CHECKS OUT

Hollywood, Sept. 20. E. Richard Schayer is back on the Metro writing staff attached to Hunt Stromberg's unit on 'Northwest Passage.' He has been at the plant most of the past 11 years.

Zion Myers checked out as a Metro producer on his contract expiration last week, after a year on the lot. He's negotiating with another major plant for a berth.

Karns Breaks Long Par Stretch to Rest

Hollywood, Sept. 20. Roscoe Karns checks out of Paramount Oct. 1 after six consecutive years. He wants more leisure between pictures and will freelance after a long vacation. During his stay at Paramount, Karns played in 40 films on the home lot and 10 under loan.

'Birth of Baby' Appeal May Further Disrupt N. Y. Censorial Decisions

Hounded

Hollywood, Sept. 20.

Call for one dog at Metro was answered by 200 barking actors, all seeking the canine friend in 'A Man's Greatest Friend,' Pete Smith specialty.

Director Joe Neuman picked the winner and got away without a tooth-mark.

A. H. Schwartz Estate, 'More Than \$20,000,' To His Widow and 3 Sons

Minneapolis, N. Y., Sept. 20.

Abraham H. Schwartz, president of the Century Circuit, Inc., who died suddenly at Lake Placid, N. Y., Sept. 9, left an estate of 'more than \$20,000' to his widow and three sons, according to the will on file in surrogate's court here.

According to the terms of his will, which he drew up on Feb. 1, 1931, Mr. Schwartz directed the executors and trustees of the will to divide the estate in nine shares. One and a half shares to his widow, Minnie Schwartz, for the remainder of her natural life. He left her an additional one and a half shares for the remainder of her natural life, or until she remarried. The residue of the estate, in trust, goes to his three sons, Frederick, Leslie and Milton Schwartz. They will receive the principal when they reach the age of 35.

E. A. Hovell, of Brooklyn, and Milton Weil, of Manhattan, are trustees and executors.

The decedent resided at 492 Broadway, Cedarhurst, L. I.

Miner Succeeds as Prez

H. Clay Miner, former president of the Century circuit in Brooklyn and Long Island, who became chairman of the board three years ago, is returned to the presidency by the board following the death of A. H. Schwartz, who founded the chain with Miner. The board also elected Fred Schwartz, son of the late head of Century, to the directorate to fill the vacancy created there, but otherwise no switches were made.

Miner and Albert A. Hovel, v.p. and general counsel of Century, will run the circuit together under the policy determined. Hovel has been with Century for many years.

Consequent upon the election of Miner to the presidency—he also retains chairmanship of the board—Local 306, Moving Picture Machine Operators of New York, resumed picketing of 17 Century Brooklyn houses in its campaign to force a merger with Empire operators. The union has hopes of coming to an early settlement.

The murder during the past week in which an operator killed another with a fire extinguisher in a personal feud occurred in a Queens Village theatre operated by the Century circuit. The ops were members of the Empire union.

Call Off Par Suits

Los Angeles, Sept. 20.

Independent exhibitors of Southern California dropped 18 fraud actions against Paramount which had been dragging through local courts for more than a year.

Suits grew out of the film company's failure to deliver six features contracted for on the 1938-39 program, but carried over to the following year. Litigation was called off at a joint meeting of the Independent Theatre Owners and the Mass Exhibitors Committee, representing the plaintiffs.

HOMICIDE ALOFT

Hollywood, Sept. 20.

'Murder Plane,' first of the Secret Service series featuring Ronald Reagan, got the gun at Warners, with Noel Smith piloting.

Anita Louise has the femme lead; James Stephenson and Roselle Towne in featured spots.

Albany, Sept. 20.

'The Birth of a Baby'—cause celebre credited with effecting a change in the 10-year-old policy under which Education Commissioner Frank P. Graves, rather than the Board of Regents, was the department's court of appeals, in cases where the motion picture division directed by Irwin Esmond denied licenses—may be the means of throwing another and bigger wrench into the censorship machine. At a hearing in special term of Supreme Court before Justice Pierce H. Russell of Troy, former Justice Ellis J. Staley of Albany, counsel for Sam Gitron and the American Committee on Maternal Welfare, Inc., demanded that a jury be permitted to decide whether 'Birth' is 'indecent' within the meaning of the law. This is what Esmond, Commissioner Graves and the Board of Regents successfully held. Charles A. Brind, Jr., chief of the law division of the Education Department, argued long and strenuously against a jury determination. Claimed the special term had authority only to dismiss the proceedings. It has the case on to Appellate Division.

Heretofore appeals from Department decisions have been referred by supreme court justices to the Appellate Division. There, sometimes, have gone from there to the Court of Appeals. Thus, judges have always passed upon film appeal rulings, and Esmond, a lawyer, has never been reversed in the court of last determination. If juries of laymen—even the Board of Regents reviewing committee has a lawyer-member in Susan Brandeis, daughter of U. S. Supreme Court Justice Brandeis—were to decide whether appealed pictures were indecent, endless complications might ensue. Some observers say such a procedure might wreck the present system of censoring. Because of the powerful backing accorded to 'Birth' by health and welfare organizations, doctors and newspapers and because of the tremendous publicity which the controversy over its public exhibition in New York State has created, both sides are prepared to fight the matter up to the Court of Appeals. The most important picture case the Education Department has handled, it is likely to act a precedent.

Opening his argument, former Justice Staley claimed that Justice Francis Bergan of Albany erred in ruling, in another film appeal, that the matter should be referred to the Appellate Division. He cited a section of the law which he claimed provided such a question should be passed upon by a court and jury. At this time, stated Staley, neither the merits of the proposition should be discussed nor a determination upon those merits obtained. Only the procedure by which they should be determined was up; applicants requested a court order for trial of issue by a jury.

Deputy Commissioner Ernest C. Cole, in the formal reply, emphasized that the Board of Regents last April had commended 'Birth' for educational purposes and promised to issue a permit for such a showing. No one had since applied for this type of permit, continued Cole. Applicants, he stated, want to use the picture only for general amusement purposes, to which the Regents firmly object under the education law. After lengthy argument, Justice Russell reserved decision and directed both sides to file briefs.

Philadelphia, Sept. 20.

'Uncivilized' pic being distributed here by Allied Exchange, has been nixed by the Pennsylvania board. Official censors termed it 'immoral.'

Ejected, Awarded \$500

Corning, N. Y., Sept. 20.

LeRoy Cummins won a \$500 verdict in supreme court here last week against George Oliver, manager of the State. Cummings claimed he was injured when ejected from the theatre by Oliver.

MRS. PALMER STRICKEN

Philadelphia, Sept. 20.

Mrs. A. Mitchell Palmer, chairman of the Pennsylvania censor board, was stricken ill in her office last Tuesday and had to be removed to her hotel. She is suffering from quinsy, but is expected back reviewing in a few days.

IF YOU WANT TO SEE A TOUCHING DRAMA SPUN
OF FRAGILE DREAMS AND HOPES AND BUDDING
ROMANCE... **DON'T STOP HERE!**

They were made for each other—
the mad Marx Brothers and
Broadway's biggest comedy hit!
... They blend on the screen to
form a combination whose box-
office value can be measured only
by the capacities of the theatres
that play this laugh sensation
of a generation!

THE MARX BROS.

**"ROOM
SERVICE"**



WITH
LUCILLE BALL
ANN MILLER
FRANK
ALBERTSON

PANDRO S. BERMAN IN CHARGE OF PRODUCTION
DIRECTED BY WILLIAM A. SEITER
Screen Play by Morrie Ryskind



War and the Show Business

(Continued from page 1)

from abroad is covered in the radio section.

A dispatch, in the radio section, treats with Washington's possible radio reaction if a diplomatic crisis, or possibility of political embarrassment, should eventuate. The capital's stations are on a 24-hour "emergency basis."

As for live talent, that's always a hazard. Already acts are looking askance at Paris and London bookings for this fall.

Fair Optimists

Threat of general European war or actual outbreak of hostilities will not interfere with opening of New York World's Fair next year. It is indicated at exposition headquarters this week. Fair officials also are encouraged by the optimistic expressions of opinion by various World Fair Commissioners, from the different foreign nations, now in New York supervising construction and exhibit activities.

There are now 22 foreign nations signed up for participation which have made appropriations of coin for buildings and opening of their country's exhibit at the New York show. These also have commissioners on the ground looking after details connected with the exhibits. Much of the coin commitment has already been paid in.

Although admitting that any widespread warfare in Europe might temporarily cripple plans for operating these various nationalistic exhibits, N. Y. expo officials anticipate no difficulty in going forward with any of them. Actual operation of different European exhibits, if hampered by any lack of financing, probably would be handled by nationals of the countries involved now living in the U. S.

Attendance from European countries doubtlessly would be cut to a minimum by a European war but this is estimated to be negligible in comparison with the 60,000,000 gate anticipated the first year of the fair's operation.

Construction work at the fair has increased more than 55% in recent weeks as compared with three months ago. Work is nearly completed on the IRT-BMT station near the . . .

French officials have withdrawn from all cinemas in France the issue of 'March of Time' dealing with the Czechoslovakian crisis. Louis de Rochemont, M. of T. producer, attributed action in France to protests lodged by German officials. Release was not touched in England.

American refs for Paris and London newspapers, heading home on annual confabs, don't know whether to place their affairs in shape, in case of war, or not.

A few of them are doing so, since they're English or Frenchmen, and likely to be mustered into service.

London's Bog-Down

The European war scare has sent London's West End leg it tumbling to its lowest depth in five years, barely five shows weathering the storm with some profit out of the two score currently on the boards.

Even the film attendance has been hard hit, most notable of the skidders being 'Rage of Paris' (RKO), which was expected to do \$20,000 during the past week at the Leicester Square after big hit at the opening, but probably ended with half that. 'Golden Boy,' whose New York company opened at the St. James June 21, to be followed subsequently by another Gotham troupe, when the

original was sent back to the States for road commitments, has been feeling the jitters. Show, which had been doing excellent b.o., is now due to fold Saturday (24) under a provisional notice.

After receiving mostly uncomplicated notices following its opening at the New on Sept. 7, 'Can We Tell?' with Edna Best and Jack Hawkins, folds Saturday (24).

The new Jack Warner-Bobby Howes musical, now trying out in Glasgow, due at the Adelphi here tonight (20), has been postponed for nine days due to the Continent's changing scene. Gertrude Niesen is also among the featured performers.

'Serena Blandish,' S. N. Behrman's play from the novel of the same name, featuring Vivien Leigh, opened at the Gaiety theatre Sept. 13 and showed itself to be outmoded.

Dodie Smith's new play, 'Dear Octopus,' with John Gielgud, Marie Tempest, Valerie Taylor and Leon Quartermaine, was well received at its opening last Wednesday (14) at the Queen's theatre. It's a delightful story of a family dominated by a matriarch (Miss Tempest), with clever character drawings, but unoriginal plot. Mazo de la Roche's 'Jalna,' prize novel of several years ago, and her play, 'Whiteoaks,' produced on Broadway and in London within the past year, had similar themes.

At Her Majesty's, 'Paprika,' beautifully caparisoned musical, opening Thursday (15), showed itself to possess most of the ingredients for successful musicals, but criticisms were mixed at the preem.

Ivor Novello in Shakespeare's 'Henry V' opened at the Drury Lane theatre Sept. 17. Magnificent production was well received.

Tin Pan Alley Feels It

The war scare is also cutting into tin pan alley. British music publishers refuse to give any advance sums now for American songs and songwriters, on the theory there's no telling what a war would precipitate in their own business. (What, no 'war' or 'peace' songs.)

War Pic Bally

Indianapolis, Sept. 20. With war in Europe making the headlines, Rex Carr, manager of the Cozy, downtown second-run house, has jumped on the bandwagon with current booking of Hendrik Willem Van Loon's 'The Fight for Peace,' which is an indictment of war, nevertheless garners the shekels of Mussolini, Hirohito, Franco, Chiang Kai-shek, Anthony Eden, Goebbels, the war-minded, picturing Hitler, et al.

Front of house is decorated with blowups showing men in trenches and other shots of martial conflict.

Anything for a Plug

Denver, Sept. 20. After screening the latest March of Time—'Prelude to War'—Mickey Gross, Orpheum manager, became worried for fear the war in Europe might break out before he could show the short. So, believing he should do what he could to get Der Fuehrer to hold off as long as possible, he cabled Hitler:

'RKO Orpheum theatre, Denver, Colo., shows the new March of Time starting Sept. 21. Subject is about the important question, 'Will Czechoslovakia Survive?' We earnestly ask you to refrain from any invasion until this subject has had its run here. Mickey Gross, manager.'

Upstate N. Y. Foreclosures

Rochester, N. Y., Sept. 20. Schine-Riviera Corp. of Gloversville gained title to the Riviera here Thursday (15) for \$120,000 at a foreclosure sale. The corporation was the only bidder and the amount was the minimum set by the Court for sale clear of all liens. Fulton County National Bank & Trust Co. brought the action against the Rochester-Riviera Corp., also a Schine company.

East Side Savings Bank of Rochester took title to the site of the former Victoria theatre with a nominal bid of \$10,000. The bank had brought foreclosure proceedings against the Auditorium Theatre Corp. on a \$300,000 mortgage executed in 1925.

Rooney Reissues

Minneapolis, Sept. 20. Everybody's doing it hereabouts—replaying the Andy Hardy pictures in order to cash in on the sudden Mickey Rooney vogue and the boost given the series by 'Love Finds Andy Hardy,' latest in the series.

In Minneapolis currently two loop subsequent run houses and a half dozen neighborhood houses are running reissues of the earlier Hardy films.

UA Withdrawal Of Six Pix Ires Philly Exhibs

Philadelphia, Sept. 20.

Exhibs here are up in arms against United Artists with receipt of registered letters announcing that the distrib had yanked out of release six pictures which were promised. Films were removed from the list under terms of a clause in the contract which says the company doesn't have to deliver any pictures which aren't delivered by Sept. 15.

Inasmuch as UA is asking more percentage deals for next season, it is far from in the good graces of exhibs anyway. New action is deemed a last straw. A year ago it would probably have resulted in some plain and fancy boycotting of the exchange by exhibs. Today, however, the exhib organization, United Motion Picture Theatre Owners, is split by internal strife and there is no sort of action possible. Execs are even fearful of calling a meeting because of the explosion that may occur on the floor.

Another thing that is saving UA from exhib reprisals is the personal popularity of George J. Schaefer, sales manager. Despite the fact that most exhibs are peeved at the exchange, they are very fond of and get along well with Schaefer.

Indies all assert they are certain of UA reason for failing to deliver the six films. They claim these six are now being sold at flat rental and the object is to resell them next season on a percentage. They consider that UA has backed out of the deal it has made with them and is unfair.

Pix named in the letter are 'The Lady and the Cowboy' Over the Moon, 'Four Feathers,' 'Mutiny in the Mountains' and two unnamed Selznick films.

MPLS. LOOP REMAINING 40c, THE 'SUMMER' B.O.

Minneapolis, Sept. 20.

Summer reduced prices of 40c, top for first-runs downtown apparently are to remain in effect during the fall and winter season which has started with the scale remaining unchanged at the three leading loop houses, the State, Orpheum and Century. John J. Friedl, Paramount circuit general manager, says he has no plans at present for putting the top back up to 55c, where it was before the summer' cut. He asserts, however, they may be raised again.

Twin City independent exhibitors protested against the admission price cut when it was made. Their complaint, however, was to no avail.

For stage shows plus films at the Orpheum the ante is always raised to 55c after 5 p. m., with such special attractions as Rudy Vallee and Benny Goodman, for example, commanding 60c.

2 Pa. Burgs Get Cinemas, Now Must Vote Sun. OK

Pittsburgh, Sept. 13.

Two nabe municipalities here, Mt. Lebanon and Edgewood, which have never voted on Sunday film question simply because there was no theatres in those districts, will go to the polls in November to vote on the seven-day week.

Since last election, Harris Am. Lo. Co. has opened the Denis in Mt. Lebanon and indie exhibs Mike Shapiro and Archie Fineman have launched the Regent Square in Edgewood. Drives already under way to get the vote out and indications point to the measure carrying in both places by a fairly comfortable majority.

Dick Watts Found War-Torn Spain And China Partial to War Films

Despite nightly air raids and frequent artillery bombardments, show business in the war-torn areas of Spain and China continues virtually uninterrupted. That report is brought back by Richard Watts, Jr., New York Herald-Tribune drama critic, who recently returned from a trip around the world. He attended both films and legit shows in Madrid, Barcelona, Valencia and Hankow.

Watts was gone about three months. He flew into Loyalist Spain and left on a British warship without getting into Rebel territory. He flew from Marseilles to Calcutta, where he spent a week; then planned to China, visiting Hankow, Hongkong and Canton. Returned to the U. S. via the Clipper, stopping in Manila for a day and a half. He saw some actual fighting in Spain, but didn't get near the front in China.

According to Watts, audiences still crowd picture houses in the besieged cities of Spain and China. Madrid is comparatively quiet, he found, but Valencia and Barcelona are being battered almost constantly by air raids. The cities are entirely darkened about 9 o'clock every night, when the first of the evening's bombings are expected. People on the streets after dark must make their way by flashlight.

No theatres or public places are open at night in the besieged Spanish cities, but film houses begin their programs early in the afternoon and continue as long as the light lasts. Pictures are mostly oldies, and Watts saw the same features this trip that he saw in Spain a year ago.

Admission is the equivalent of about 20c in U. S. money and the same is true in China. Both in Spain and China there are many legit theatres open, offering principally propaganda, recruiting and similar war plays. Native playwrights in the two countries are active, but are turning out only the topical works.

Kidding the Screen Film audiences in both Spain and China seem to prefer war pictures, Watts observed, particularly those showing plane battles and air raids. However, they take the air raid sequences as a joke, because they have all learned the proper way to seek safety from bombs and are amused at the ludicrous actions of the film characters. They usually laugh and shout instructions to the people in the picture, Watts said.

Legit acting in the Chinese theatres has largely gotten away from the old formalized technique of the traditional Chinese 't'eatrs. Watts noted. He attributes that to the effect of U. S. films as well as to the fact that productions on war subjects and other current themes require naturalistic acting. Productions in both Spain and China are simple and require little expense.

The critic saw several native Chinese films, but none was good. He didn't attend any films in India, although there is some production there as well. He saw about 20 films during the trip, one of which, Deanna Durbin's 'Mad About Music,' he witnessed twice. Tourists rarely shop for pictures in the Far East, he explained, but just go to see whatever happens to be playing.

Night Life There is virtually no night life in any of the cities Watts visited. Danger from air raids prevents lighting, so nearly everyone stays at home at night, he explained. There is plenty of drinking in the besieged Spanish cities, with an ample supply of whiskey remaining of that left behind when hostilities drove away the foreign colony.

Watts didn't see any night clubs or cabarets in India. Prohibition is gaining ground rapidly there, he says, and only the English residents drink. They go in for gin during the day and switch to scotch in the evening. The only legit theatres in India are the amateur outfits composed of English residents giving Noel Coward and similar plays. Watts visited a few of the remaining cabarets in Hankow, but found them pretty desolate affairs. The only hostesses still there are a few bedraggled white Russians, all the passably good-looking women having long since gone. There is little entertainment, but the usual amount of drinking.

Watts found the Chinese people as

a whole much more closely united than on his last trip there two years ago. There is wide variance in morale, he noted. In some places the people are wildly enthusiastic and determined, while in others there is despair. The Chinese government and army officials he talked to were of a single mind, however. All agree they will win if they can only hold out another year against the Japs. And all declare their determination to do so.

10TH STICKUP IN PITT BELT

Pittsburgh, Sept. 20.

Wave of theatre stickups here, which has reached proportions of epidemic recently, continued last week when a lone bandit pushed a gun in face of cashier at Garden, nabe house on Northside, and made away with \$80 in cash.

It's the 10th reported burglary in this section in last couple of months, all of them believed to have been staged by same robber, a well-dressed young man. Authorities have strengthened police protection in areas where theatres are thickest but without results so far.

'Girl in Fishbowl' Goes Santa Claus As a Holiday Gag

Yermi Stern, operator of the defunct Casino de Paree, first of the elaborate theatre-cabarets in the Broadway sector, and Mike Todd, Chicago-New York producer, are promoting a 'Cute Kris Kringle' gimmick as a trade-show for department stores and theatres. Thus far, the Stern-Todd combo claim 143 stores tied up, plus several theatres.

'Kris Kringle' idea is basically the 'girl in the fishbowl,' a live person reduced to minute proportions, though Stern and Todd deny it's done with mirrors. 'Kringle' is ensconced in a doll's house, with a phone on the outside permitting the kiddies to talk to Santa. It's being leased to stores and theatres for the five-week Xmas shopping period beginning Thanksgiving Day at \$600 for the term.

Theatres thus far tied up are the Fox, Detroit; Riverside, Milwaukee; Hippodrome, Baltimore; Pickwick, Greenwich, Conn.; and Palace, Stamford, Conn. The deal is also in development with Balaban & Katz, L. & I. (Illinois & Indiana) and Kincey-Wilby chains.

MULTI-PRINTS FROM COLOR, NEW PROCESS

Sound Masters, New York company, has developed a system for developing motion picture stock whereby by any number of positive prints can be taken from a 16-millimeter color stock. Reported to be about 80% as good as the original color negative. Heretofore, experts claimed that only a few prints could be obtained from color stock such as Kodachrome. In the trade, the next development anticipated by independent research labs is the perfection of a 35-mm. color stock adequate to handle the reproduction of any number of positive prints. Saving on such would be tremendous if it is found feasible on a big scale.

\$65,000 Blaze

Regina, Sask., Sept. 20.

Causing \$65,000 loss, Rex theatre burned down just after midnight Friday (16). Short circuit in ventilating equipment motor blamed. Steve Margo, caretaker, narrowly escaped death by suffocation as he was asleep in his quarters on the second floor when aroused by Marcus Bloom, manager, who was called by friends.

Film house, built in 1912, was owned by W. W. Armstrong and J. Watson and operated by H. A. Bercoch. It was fully insured. Question of rebuilding undecided.

B. & K. would like to forestall any such panic in prices, but there is a growing likelihood that the circuit may be forced into the move by a general move on the part of the other and indie loop houses to reduce prices to meet the competition of the Woods reduction. This means such houses as the big McVickers, LaSalle, Monroe and Clark which also run subsequent release films. It is not considered probable that these houses will sit back and take it calmly.

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CANADIAN'S WARNED OVER THE AIR THAT GERMANY'S SHORTWAVES ARE 'SINISTER'

Canadian Chief Radio Inspector Broadcasts Warning to Dominion That Hitler Is Assembling Tremendous List of Contacts in North America

By R. A. MONTAG

Toronto, Sept. 20.

On the charge that Germany is in the process of establishing a 'radio spy system' on the North American continent, a warning to Canadian listeners was broadcast throughout the Dominion over the past week-end advising of the dangers of propaganda inherent in daily Berlin programs heard here, and threatening Federal censorship of so-called 'fan mail' addressed to Berlin stations.

Spokesman revealing the surprising, and generally unknown situation, was Samuel Ellis, chief radio inspector for the Ontario and Great Lakes region of Canada's nationalized radio setup, who warned that Hitler is assembling a tremendous list of contacts in Canada. Under the guise of 'greetings,' two powerful short-wave broadcasts from Berlin are invading the Canadian ether daily; on one of these, the English-speaking announcer asks for 'chatty, newsy letters' and, on the other, for 'entries in a photographic contest.'

Inspector Ellis believes that the motivation for these 'thinly disguised' programs is the assembling of every scrap of information that Hitler can secure regarding Canada and the United States. In broadcasting his warning, Inspector Ellis pointed out that continued sending of fan mail or photographs to the two Berlin stations may wind up in the establishment of Canadian censorship of mail to Germany.

'Sinister Aspect'

'These Berlin broadcasts are so subtle that many an unsuspecting listener never imagines their more sinister aspect,' said Inspector Ellis. 'Germany is playing on the fact that people like to hear their names mentioned over the air. Apart from the innocent divulging of valuable information embodied in fan mail to Berlin, anyone whose name is mentioned by the station might be expected to feel friendly toward Germany.'

In a sample weekend Berlin program, 10 minutes were devoted by the announcer to 'greetings to Adolf B— of Brooklyn; in Germany wish you many happy returns of the day; you must write again and give us all the news,' etc., followed by other personal messages to listeners from the sub-Arctic to the Rio Grande. Two Canadian names were mentioned in the program caught, one Toronto listener and one located in Halifax.

Full details of the photographic contest, which closes Dec. 31, include the announcement that 'all pictures must be realistic representations of the is-a-r native environment,' that these would be filed away according to zones in the special station archives 'to make up a complete pictorial reference library.'

While the warning and threat of censorship might otherwise be put down to pre-war hysteria and spy-scare, the situation has been deemed of sufficient importance to warrant a general trans-Canadian admonition, which reflects on the seriousness of the current European scene and the propagandic force of radio.

Sig Spaeth Due Back

Sigmund Spaeth, tune detective, is returning from a chore in music dept. of the University of Hawaii in Honolulu to go back into American radio.

Spaeth joins the 'Information Please' show on CBS, Sept. 27.

Jack Berch's New Time

Jack Berch, who recently faded off CBS with his 'Get Together' program, starts a new sustaining series on WABC, N. Y., Friday (23). Singer will do 15 mins. at 10:30 p.m. backed by the Leith Stevens orch and the Four Clubmen.

CBS will double the time Oct. 4 with another 15 min. at the same hour, and with the same setup.

Realism

Lynchburg, Sept. 20.

WLVA here is splurging heavily on a serial buildup. Story, aired every evening, deals with the romance of a young couple who fell in love and decided to build a honeymoon house in a new Lynchburg subdivision.

To make the story more real, station is actually building a house in the suburbs. Ground was broken yesterday (19). Serial will continue as house is built, with description of progress, windup to come when brick bungalow is completed and ready for occupancy.

Program is sponsored by subdivision owners, building 'material' dealers, etc. Station plans to sell house—already named 'Millivolt'—when serial runs out.

Ross A. Hull, QST Editor, Accidentally Electrocuted

Hartford, Sept. 20.

Ross A. Hull, editor of QST, publication of the American Radio Relay League, and an experimenter in ultra shortwave radio and television, was killed Tuesday night (13) by electrocution at his home in Vernon. His body is believed to have come into contact with one of the terminals of a radio transformer and that 6,000 volts of electricity passed through him.

Hull had been conducting television experiments at his home. Born in Melbourne, Australia, in 1902, he had been technical editor of the Wireless Weekly in that country. This spring and summer he had been cooperating with radio experts at Harvard in the collection of data on abnormal radio conditions in the below the five-meter band.

RCA's Church Show

Chicago, Sept. 20.

Sponsored presentation of church services has been arranged by RCA here, which is buying, time on WIND, Ralph Atlass outlet, for the broadcast of services from the Holy Name Cathedral Oct. 3-4-5.

Will run on each of the three days for 30 minutes at 11 a.m. Cathedral services will be held for a Polish religious festival.

New Delay in Non-Web Pact

Meanwhile Stations Bring Up Point That Wax Scale Will Be Passed Along to Men

With negotiations for contracts between stations and local unions still going on in many spots, it is expected that when the committee representing the non-network outlets meets with Joseph N. Weber, American Federation of Musicians prez. this Friday (23) it will ask and receive another extension on time in which to complete the settlement plan for increased musician employment. Recent upping of wage scales for musicians employed in recording transcriptions and phonograph discs will likely be made an issue of lively discussion at this gathering.

Some of the non-network affiliated broadcasters have contended to Weber that the Federation wasn't playing fair with them in raising wages at this time, since the tilt will be passed on to them through their costs for recorded program libraries. Weber's answer to this charge is that at no time has he or anybody in the Federation assured the broadcasters that there would be no increase in wage scales in any industry catering to broadcasting. Federation, he says, had the choice of either eliminating

STOKI TO BATON 4 WKS. IN PHILLY; ORMANDY 16

Philadelphia, Sept. 20.

Four weeks of Philadelphia Orchestra concerts this season have been set aside for Leopold Stokowski to direct on his assurance to Reginald Allen, orchestra manager, that he will return to Philly. Dates reserved for the stickless maestro are weeks of March 13, 20, 27 and April 3.

Five conductors in all are skedded to take the podium with Philly's crew during the coming season, starting Oct. 7 and winding up April 28. Eugene Ormandy will assume the major part of the burden, as he did last year, with 16 weeks.

NEW YORK AFRA HOLDS ANNUAL MEET 29TH

Annual meeting of the New York local, American Federation of Radio Artists, will be held next Thursday night (29) at the Hotel Edison, N.Y. Main business of the session will be the election of 21 members of the local board, 28 delegates and 28 alternates to the national convention in St. Louis Nov. 14.

Directors elected at the meeting next week will take office Nov. 1. Another meeting will be held at that time to choose from among the directors officers of the local for the ensuing year. Nominations for directors have been made, but will not be announced until the nominating petitions have been checked.

Preliminary discussion meeting of the local will be held at the Hotel Edison tomorrow (Thursday) night. Matters to be taken up at the convention will be considered and report will be made on the progress of negotiations with the advertising agencies.

Phelan Quitting Yankee

Boston, Sept. 20.

Charles W. Phelan will resign as sales director of Yankee network and WNAC, effectiveness Dec. 31, according to announcement by John Shepard, 3rd, president.

Linus Travers, recently elected v.p. of Yankee net, will take over sales division and continue in charge of production.

all recording or raising the scale and that since the broadcasters have agreed to go along with the union in solving its employment problem the international in convention voted to revise the rates for recording work.

Meanwhile all recording companies are operating on AFM licenses which expired Sept. 15. It is understood that no permanent license will be issued until the deal with the non-network affiliated broadcasters have been completely settled.

Phonograph and transcription men still harbor hope of inducing the AFM to revise its new scale which became effective Sept. 15. Weber the week before last refused to act on a plea for downward revision as submitted by representatives for various recording firms, but the group was advised that it would be free to state its case again when the AFM's executive board meets in New York Oct. 20. Manufacturers will by that time have had a month's experience from the new scale and, if possible, be able to show that it has caused reduced employment among recording musicians.

35 All-Time Best Selling Songs

(Many requests from radio stations, broadcasting artists, etc., prompted this chronological sequence of pop song best sellers. Original copyright owner, and also the owner of the copyright renewal, where such obtains, are listed. No attempt made to totalize number of copies sold, due to the steady selling of many of these all through the years. List is as complete as the music trade, in general, knows; each having sold well in excess of 1,000,000 copies. There may be some others near the 1,000,000 copy bracket, but these titles, for obvious reasons of merit, longevity or special association with a certain period, have been most staple. Also listed below are the few non-copyrights conceded enjoying the widest popularity through sheet sales, performances, etc.)

YEAR	TITLE	PUBLISHER
1892	After the Ball.....	Chas. K. Harris
1901	Hiawatha.....	Whitney-Warner
1905	In the Shade of the Old Apple.....	Remick
1906	Love Me and the World Is Mine.....	Witmark
1907	I Wish I Had a Girl.....	Remick
1907	School Days.....	Gus Edwards Pub. Co.; Mills
1910	Down by the Old Mill Stream.....	Tell Taylor; Forster
1912	That's How I Need You.....	Felst
1913	Marcheta.....	John Franklin Music Co.
1913	The Trail of the Lonesome Pine.....	Shapiro-Bernstein
1913	There's a Long, Long Trail.....	Witmark
1914	Missouri Waltz.....	Forster
1915	Keep the Home Fires Burning.....	Chappell
1915	Memories.....	Remick
1917	For Me and My Gal.....	Waterson; Mills
1917	Joan of Arc, They Are Calling.....	Waterson; Mills
1917	You.....	Remick
1917	Smiles.....	Shapiro-Bernstein
1918	Beautiful Ohio.....	Waterson; Mills
1918	Just a Baby's Prayer at Twilight.....	Remick
1918	Till We Meet Again.....	Remick
1919	I'm Forever Blowing Bubbles.....	Remick
1919	Oh! What a Pal Was Mary.....	Waterson; Mills
1920	Whispering.....	Sherman-Clay
1921	My Mammy.....	Irving Berlin, Inc.
1921	Tuck Me to Sleep in My Old.....	Irving Berlin, Inc.
1922	Tucky Home.....	Remick
1922	My Buddy.....	Leo Felst, Inc.
1922	Three O'Clock in the Morning.....	West's, Ltd. (London)
1924	I Wonder What's Become of.....	Sally?
1925	Always.....	Irving Berlin, Inc.
1927	Among My Souvenirs.....	DeSylva; Crawford
1927	My Blue Heaven.....	Felst
1927	Ramona.....	Felst
1928	Carolina Moon.....	Joe Morris
1928	Sonny Boy.....	DeSylva; Crawford
1929	When It's Springtime in the.....	Rockies
		Villa Moret, Inc.

NON-COPYRIGHTS

Aloha	Merry Widow Waltz
Blue Danube	Home on the Range
Silver Threads Among the Gold.	

PEDDLING PATRIOTIC PROD. PLAN GRATIS

Cleveland, Sept. 20. WHK has copyrighted its 'We Americans' program, originated here as a civic enterprise to Americanize the town's foreign settlements, and is peddling it free to other stations for only a courtesy credit-line.

United Broadcasting Co. is collaborating with station in distributing copies of production outline, names of national and state authorities who have endorsed the series as well as guest-speakers. Give-away angle sets up a precedent for a program of this nature and is a new angle in good-will station merchandising on a country-wide scale.

Stunt was worked up by Stanley Aitschuler, Russell W. Richmond and H. Carpenter, WHK manager, with fourteen other staff members. Weekly half-hour programs glorify the U.S. constitution, operation of various governmental bureaus and rights of citizens, aiming to get aliens to take out citizenship papers. Idea behind it is to break up solid groups of foreigners who come to America and refuse to be assimilated.

WHK has got backing of U.S. senators, state and civic executives, and religious groups, who make five-minute speeches between concerts of music by American composers. Four out-of-state stations, according to Carpenter, have already agreed to set up 'We Americans' series, patterned after the Cleveland original.

Weed Reps New KKOK

KKOK, St. Louis, which went on the air for the first time Monday (19) has appointed Weed & Co. as its national sales rep.

Outlet is owned by the St. Louis Times.

PAGING CUFFO ACTORS

Philadelphia, Sept. 20. WIP again on the loose for cuffo talent. Has begun to advertise for 'all types—heavies, leads, ingenues, etc.'

Anyone interested in joining Dramatic Staff gets an audition.

NAB Will Map Fight Vs. ASCAP At Special Sesh

Washington, Sept. 20. Campaign plans for the copyright war will be aired at a strategy session of the National Association of Broadcasters' executive committee next week. Meeting is slated for Sept. 28-29 to evaluate numerous suggestions for winter fighting.

Reaction to the trial balloon about inviting the Congressional Departmental monopoly probes to ogie American Society of Composers, Authors and Publishers is conflicting. There's some applause, but also considerable cold water. Letter President Neville Miller contemplated sending the committee remains shelved, pending outcome of the inner circle discussions.

Variety of ideas and differing points of view are due for airing at the session. Some of the insiders see no reason for trying to force the issue with plenty of time to spare, pointing out it may be wisest to let ASCAP make the first move about renewing the contracts expiring two years hence. Contrary thinkers advocate immediate mobilization, on theory that it will be difficult to preserve a solid front if the industry waits until the last minute.

Conglomeration of proposals includes renewal of the drive for legislation overhauling the antiquated 19th Century copyright statute—despite the lack of encouraging signs from the House of Representatives side of Congress—and prodding the Justice Department into pressing the pigeon-holed anti-trust suit.

Doyle West Again

Dinty Doyle, radio columnist of the N. Y. Journal-American, leaves for the Coast Sept. 28.

Commentator goes west to report on new and revised shows scheduled to be aired from there.

DST SKED-SHIFTING COSTLY

Station Reps vs. WBS

Station reps holding exclusive contracts declare that they will hold their outlets accountable for the regular commissions regardless of the third 15% they are under obligation to pay to the World Broadcasting System for the privilege of being affiliated with the latter's free commercial recording plan. While some observers in the trade regard the WBS plan as presaging the breakdown of the current system of exclusive spot representation, several reps are urging that the rep firms forget their competitive differences and organize along self-protection lines.

World last week disclosed the list of 28 stations which it stated have already subscribed to paying it 15% commission for all transcription business it creates through its plan of free recording. Only one Edward Pety station is included in the list. Among the reps, Free & Peters has the largest group of outlets, numbering eight. John Blair is next with six. International Radio Sales (Hearst Radio) has five, the Katz Agency two, and George P. Hollingsberg, a like number.

World also revealed that under its new plan the advertiser is free to select whatever markets he wishes, but if there's a World station in one of these markets it's the World station that must be used. Costs of recording and pressing will be absorbed in proportion to the use of World stations. A. J. Kendrick, World v.p., has been transferred from Chicago to the New York office to handle this phase of the company's operations.

Stations which World claims to have signed the 15% commission contract, and their respective regular national sales reps, are as follows:

KOMA, Oklahoma City	International Radio Sales
WCAU, Philadelphia	None in east
WCAE, Pittsburgh	International Radio Sales
KOIN, Portland, Ore.	Free & Peters
WHAM, Rochester, N. Y.	G. P. Hollingsberg
KDYL, Salt Lake City	John Blair
KTSA, San Antonio	International Radio Sales
KGB, San Diego	John Blair
KFRC, San Francisco	John Blair
KDB, Santa Barbara	John Blair
KIRO, Seattle	Katz Agency
KWK, St. Louis	Paul H. Raymer
KHQ-KGA, Spokane	Edward Pety
WFBL, Syracuse	Free & Peters
WOKO, Albany	John Blair
WBAL, Baltimore	International Radio Sales
WGR-WKBW, Buffalo	Free & Peters
WCKY, Cincinnati	Free & Peters
WHK, Cleveland	Free & Peters
WHKC, Columbus	Free & Peters
WIS, Columbia, S. C.	Free & Peters
KGKO, Ft. Worth-Dallas	None
KMBC, Kansas City	Free & Peters
KHJ, Los Angeles	John Blair
WREC, Memphis	Katz Agency
WIOD, Miami	G. P. Hollingsberg
WISN, Milwaukee	International Radio Sales
WLAC, Nashville	Paul H. Raymer

Boake Carter Will Air 'Free Speech' On Lecture Tour

Philadelphia, Sept. 20. Boake Carter, who left the air Aug. 26, when his term with General Mills expired, will start on a lecture tour Oct. 8. He has been booked for 40 talks throughout the country, winding up about Dec. 15. Carter will deliver two speeches, "Free Speech in the News" and "Understanding America." First topic is considered particularly applicable, for, although the official reason for his being off the air is that GM couldn't get the time it wanted, Carter is privately of another opinion.

CIO clamped a boycott on his sponsor's product and made him cease attacking the labor organization on the air, which Carter believes is a violation of the right of free speech.

Grimm, Ex-Cub Mgr., Gets 3-Yr. Extension

Chicago, Sept. 20. Charlie Grimm, ex-manager of the Chicago Cubs ball club and at present a baseball play-by-play speller for WBBM, has been signed for three additional years as baseball commentator for the station.

Likely that Grimm will work with two other regular announcers on baseball, Pat Flanagan and John Harrington.

Bennett TSN V. P.

Fort Worth, Sept. 20. Sam H. Bennett, manager of KTAT, local MBS outlet and alternate TSN key station for five years, was appointed TSN v.p. in charge of station operations by Elliott Roosevelt, v.p. proxy. Neal Barrett, also boss of KOMA, Oklahoma City, is exec TSN v.p. Bennett will continue at his KTAT post.

2 N. Y. AGENCIES ON HUNT FOR WRITERS

Two of New York's leading ad agencies are on the hunt for radio writing talent to augment their regular staffs. Blackett, Sample & Hummert and Batten, Barton, Durstine & Osborne are pair showing interest in this direction.

B. B. D. & O. is scouting several outside freelance writers to handle scripts on assignment. Doesn't want them in the office, but work from their own locations. B. S. & H. is in the market for writers on its raft of daytime script and serial shows. They'll create around characters and plot supplied by agency idea boys.

WMCA Displacing WHN On Ship Interviewing

WMCA, New York, displaces WHN Sept. 26 as gangplank interviewer for French Line. WMCA has secured exclusives on French and also the Cunard lines, except for special events.

WHN dropped into the gangplank early this summer when WMCA pulled its lines out for seasonal rest, but only went after the French Line. WMCA's gangplank by Frankie Basch and Martin Starr are recorded versions broadcast from platters after boats dock.

Harry Smith a Suicide

Seattle, Sept. 20. Harry Ray Smith, 53, former San Francisco radio commentator, ended his life in his hotel room here by taking poison. Coroner is trying to locate relatives.

Garner with Blair

Chicago, Sept. 20. Richard Garner, formerly with Procter & Gamble and the Kestor agency, has joined the John Blair rep firm here as station promotion manager.

ADVERTISING LOSS UP IN MILLIONS

Affiliates Claim NBC and CBS Disrupt Entire Industry Via Semi-Annual Sked Shifts to Follow Time Changes in Only a Few Large Keys—Losing 8 Weeks of Commercials Yearly

SPOT BIZ SUFFERS

As the broadcasting business approaches the return to standard time (28), when it must subject program schedules to their twice-annual upheaval, various independent station operators are raising the squawk that through this device the networks are costing themselves and their affiliates millions of dollars a year. These broadcasters contend that the practice of shifting program schedules every April and September, to conform to the status of daylight saving time, has created a psychology in the advertising field that bodes to make it increasingly tough for radio when it comes to getting its share of appropriations.

This critical element declares that it cannot yet understand why NBC and Columbia must disrupt the entire industry just because New York and a few other large cities have adopted daylight saving. The railroads, it is pointed out, haven't found it necessary to conform, and there is no reason why the webbs shouldn't start taking count of the financial harm that these two yearly changes entail and abandon the practice altogether.

By shifting, its argued, broadcasting loses five weeks of business in the spring and another three weeks in the fall. Advertisers and their agencies have got into the habit of pulling or holding off the starting dates of campaigns according to the time shifts. This attitude puts radio at a disadvantage when it has to compete with magazines, newspapers and other media.

An advertiser does not consider the daylight savings angle when charting out the opening and closing dates of a print campaign, but it's common for him to instruct his agency to defer starting a radio program until the schedules are back on standard time.

Because NBC and Columbia want to make it convenient for themselves in home office operations, there is no reason why, say these local broadcasters, that 300 stations throughout the country must go into twice-annual handings, and at the same time imperil a large amount of national spot business. They say that the growing tendency toward shorter campaigns in radio makes it imperative that the broadcasting industry do something about it.

NBC Loses Two Commercials

San Francisco, Sept. 20. Inability to deliver the time wanted cost NBC's Coast Red network two quarter-hour commercials, the Cardinet Candy Co.'s 'Night Editor,' a dramatic narrative written and presented by Hal Burdick, and S. & W. Fine Foods, Inc.'s 'I Want a Divorce' campaign in radio makes it imperative that the broadcasting industry do something about it.

Both programs shift to CBS' Coast web starting Oct. 16, the 'Divorce' drama being set for the 7:30 p.m. PST spot over KSFO, KNX, KOIN, KARM, KIRO, KPFF, KVI, KSL, and the 'Night Editor' program following at 7:45 p.m. over KSFO, KNX, KOIN, KARM, KIRO, KPFF, KVI, KSL, KJLZ, KOY, KGGM.

Cardinet recently signed a year's renewal with NBC and Sunday (18) celebrated the completion of its fourth consecutive year of sponsorship of the 'Night Editor' program on NBC's Coast Red chain. When the regular Sunday night spot at 9 p.m. became unavailable because of the shift back to Standard time in the east Sept. 24 and the resultant upset in Coast radio schedules, Cardinet

Spot Biz Picks Up; Esty Agcy. Uses Old Gag in Buying Up Time for Camel

BRADY'S SOAP SPOT

Sweetheart Cleanser Sponsoring Bway Producer in Original Sketches

William A. Brady, legit producer, has been signed for a radio commercial set to start Oct. 5 on NBC Red. Brady will do two 15-min. spots weekly on Wednesday and Friday nights at 7:30, sponsored by Sweetheart Soap.

Producer will be surrounded by a group of Little Playhouse Players, presenting original sketches produced by Ed Wolf. Agented by William Morris.

'Missus' Title Dispute Ends When Chi WBBM Sells Rights for WGN

Chicago, Sept. 20.

Though the Fitzpatrick Bros. firm for Kitchener Klenzer now has the 'Meet the Missus' interview program on WBBM for a schedule of nine appearances weekly, the Columbia station here called in its attorneys yesterday (Monday) when the Kitchener Klenzer outfit set plans to use the same program title for a similar show on WGN.

WBBM claims that the 'Meet the Missus' title is its own creation and will not permit its use on other stations without authorization. However, yesterday the parties had gotten together on a tentative plan for the purchase of the show from WBBM and then pipe it from WBBM to WGN across the street.

Both WBBM and WGN have tie-ups with the Home Arts Guild, through which the interviews with housewives and women's clubs are arranged. Show is scheduled for a three-week ride on WGN. Show itself is rated among the tops in Chicago, having listening ratings up to 30%.

Later sponsor will use different name for show on WGN and will also pick up interview from groups other than Home Arts Guild, which represents an acknowledgment of WBBM right to name and Guild pickups.

WITHYCOMB QUILTS WFIL G. M. POST; CLIPP IN

Philadelphia, Sept. 20.

Don Withycomb, g.m. of WFIL for the past three years, resigned yesterday. Poor health was given as the reason. Sam Rosenbaum, WFIL prez, said Withycomb was 'taking an extended leave of absence and will remain available to the station in an advisory capacity.'

Effective at once, Roger W. Clipp, business manager of WFIL since 1935, has been named general manager. Margaret C. 'Mike' Schaefer, production manager, has been promoted to assistant general manager, and will be in charge of programs, production and personnel. Jack Stewart, sales director, will continue in his present capacity. Rosenbaum said, although reports current here were that he would also exit.

agreed to take a Tuesday period. However, when the new Tuesday spot was also taken over by a coast-to-coast commercial, Cardinet made the move to CBS. Tomaschke-Elliott agency of Oakland handles the account.

S. & W. likewise would have had to give up its Sunday time for a nationwide commercial after Oct. 6. Producer Van Fleming, who has also authored or adapted many of the 'Divorce' scripts, has submitted his resignation to NBC execs here, effective Oct. 10. He will go on the payroll of Emil Brischacher & Staff, agency which originated the program idea. Also the 'Divorce' dramas are copyrighted by Brischacher.

Placement of spot business picked up decidedly last week, with Camel leading the money campaigns by a wide margin. Ciggle company is buying all sorts of announcement niches for a concentrated slogan that the William Esty agency hopes to make the biggest thing of its kind in tobacco merchandising. To cover its designs while lining up available time, Esty had advised station reps that the product which it had in mind was George Washington Tobacco. This bit of guile hadn't been used in the business for some time.

Same agency released contracts for its Hinds Honey and Almond Cream campaign. It also involves spot announcements, at the rate of two-a-day, five days a week, over a period of 10 weeks.

Marvel, 'c. cigaret, closed for sports review and news periods on stations in the east and midwest. In some spots, the agency on the account, Altlin-Kynett, of Philadelphia, bought two shows a night for every night in the week but Sunday. On other stations it tied up all available news programs and sports commentators. One latter case in point was WBBM, Chicago, where the contract calls for a monopoly of the outlet's three sports commentators, John Harrington, Pat Flanagan and Charlie Grimm.

Ray Perkins Will M.C. 46-Station Participant On Mut'l; No Jessel Spot

Mutual net's giant participating program of 40 stations and 40 sponsors resumes Sept. 25. Agented by Redfield-Johnstone, which reserves time and then peddles to local sponsors from coast to coast.

Ray Perkins will m.c. show, which is to be labeled 'Band of the Week and Song of the Week,' timed for 6:30 to 7 p.m. every Sunday for 13 weeks. Howard Clothes is bankrupting the New York end on station WOR.

Bands already lined up for session through Music Corp. of America are Richard Himber, George Olsen, Red Norvo-Mildred Bailey, Eddy Duchin, Al Goodman, Peter Van Steden, Ozzie Nelson, Vincent Lopez, Kay Kyser, Bunny Berigan, Buddy Rogers, Larry Clinton and Leo Reisman. Vocalists with bands will handle 'Song of Week' gag.

Attempts were made to sell preceding half hour, from 6 to 6:30, on the band with George Jessel handling show, but there weren't sufficient bites from sponsors. Jessel conducted program last year.

RADIO FOLLOWUPS ON CURRENT B'WAY PLAY

Series of comedy sketches about Henry Aldrich, leading character in 'What a Life,' at the Biltmore, N. Y., will be heard on the Kate Smith show for 13 weeks beginning Sept. 29. Ezra Stone, Betty Field, Leah Penman and Clyde Fillmore will be in the radio cast.

Clifford Goldsmith, author of 'Life,' is writing the series, which confounds the activities of the characters in the play.

Boice Quits CBS

H. K. Boice, v.p. in charge of sales for CBS, resigned yesterday afternoon (Tuesday). No successor named.

He joined CBS in 1930 as sales manager, coming from Lennen & Mitchell agency. He was made a v-p in 1931.

FOOTBALL STARTS

Book Paramount's "TOUCHDOWN, ARMY" close to your local college

ALABAMA Opponent. Place. Oct. 1. Southern California. Los Angeles. Oct. 8. North Carolina State. Birmingham. Oct. 15. Tennessee. Birmingham. Oct. 22. Kentucky. Lexington. Oct. 29. Georgia. Atlanta. Nov. 5. Vanderbilt. Birmingham. Nov. 12. Alabama. Birmingham.	BOWDOIN Oct. 1. Massachusetts State. Brunswick. Oct. 8. Wesleyan. Middletown. Oct. 15. Williams. Middletown. Oct. 22. Colby. Waterville. Oct. 29. Bates. Lewiston. Nov. 5. Maine. Brunswick. Nov. 12. Tufts. Brunswick.	CLEMSON Oct. 1. Presbyterian. Clemson. Oct. 8. Tulane. New Orleans. Oct. 15. Tennessee. Knoxville. Oct. 22. Wake Forest. Winston-Salem. Oct. 29. George Washington. Greenville. Nov. 5. Kentucky. Lexington. Nov. 12. Furman. Greenville.	DUKE Oct. 1. P. V. P. Greensboro. Oct. 8. Davidson. Durham. Oct. 15. Wake Forest. Winston-Salem. Oct. 22. North Carolina State. Chapel Hill. Oct. 29. North Carolina State. Durham. Nov. 5. North Carolina State. Durham. Nov. 12. North Carolina State. Durham.	HARVARD Oct. 1. Brown. Cambridge. Oct. 8. Cornell. Ithaca. Oct. 15. Army. West Point. Oct. 22. Princeton. Princeton. Oct. 29. Chicago. Chicago. Nov. 5. Virginia. Charlottesville. Nov. 12. Yale. New Haven.	LA SALLE Oct. 1. Niagara. Niagara Falls. Oct. 8. St. Mary's. Baltimore. Oct. 15. St. Mary's. Baltimore. Oct. 22. St. Mary's. Baltimore. Oct. 29. St. Mary's. Baltimore. Nov. 5. St. Mary's. Baltimore. Nov. 12. St. Mary's. Baltimore.
ALBANY Oct. 1. Temple. Philadelphia. Oct. 8. Pennsylvania State. Harrisburg. Oct. 15. Maryland. College Park. Oct. 22. Delaware. Newark. Oct. 29. Delaware. Newark. Nov. 5. Delaware. Newark. Nov. 12. Delaware. Newark.	BROOKLYN COLLEGE Oct. 1. Port Hamilton. Port Hamilton. Oct. 8. Port Hamilton. Port Hamilton. Oct. 15. Port Hamilton. Port Hamilton. Oct. 22. Port Hamilton. Port Hamilton. Oct. 29. Port Hamilton. Port Hamilton. Nov. 5. Port Hamilton. Port Hamilton. Nov. 12. Port Hamilton. Port Hamilton.	COAST GUARD ACADEMY Oct. 1. Worcester Tech. Worcester. Oct. 8. Worcester Tech. Worcester. Oct. 15. Worcester Tech. Worcester. Oct. 22. Worcester Tech. Worcester. Oct. 29. Worcester Tech. Worcester. Nov. 5. Worcester Tech. Worcester. Nov. 12. Worcester Tech. Worcester.	DUQUESNE Oct. 1. Wayne State. Detroit. Oct. 8. Wayne State. Detroit. Oct. 15. Wayne State. Detroit. Oct. 22. Wayne State. Detroit. Oct. 29. Wayne State. Detroit. Nov. 5. Wayne State. Detroit. Nov. 12. Wayne State. Detroit.	HAYFORD Oct. 1. Susquehanna. Havertown. Oct. 8. Susquehanna. Havertown. Oct. 15. Susquehanna. Havertown. Oct. 22. Susquehanna. Havertown. Oct. 29. Susquehanna. Havertown. Nov. 5. Susquehanna. Havertown. Nov. 12. Susquehanna. Havertown.	LEBANON VALLEY Oct. 1. Lehigh. Bethlehem. Oct. 8. Lehigh. Bethlehem. Oct. 15. Lehigh. Bethlehem. Oct. 22. Lehigh. Bethlehem. Oct. 29. Lehigh. Bethlehem. Nov. 5. Lehigh. Bethlehem. Nov. 12. Lehigh. Bethlehem.
ALFRED Oct. 1. Hartford. Alfred. Oct. 8. Hartford. Alfred. Oct. 15. Hartford. Alfred. Oct. 22. Hartford. Alfred. Oct. 29. Hartford. Alfred. Nov. 5. Hartford. Alfred. Nov. 12. Hartford. Alfred.	BROWN Oct. 1. Connecticut State. Providence. Oct. 8. Connecticut State. Providence. Oct. 15. Connecticut State. Providence. Oct. 22. Connecticut State. Providence. Oct. 29. Connecticut State. Providence. Nov. 5. Connecticut State. Providence. Nov. 12. Connecticut State. Providence.	COLBY Oct. 1. Bates. Waterville. Oct. 8. Bates. Waterville. Oct. 15. Bates. Waterville. Oct. 22. Bates. Waterville. Oct. 29. Bates. Waterville. Nov. 5. Bates. Waterville. Nov. 12. Bates. Waterville.	FLORIDA Oct. 1. University of Florida. Gainesville. Oct. 8. University of Florida. Gainesville. Oct. 15. University of Florida. Gainesville. Oct. 22. University of Florida. Gainesville. Oct. 29. University of Florida. Gainesville. Nov. 5. University of Florida. Gainesville. Nov. 12. University of Florida. Gainesville.	HOBART Oct. 1. Hobart. Hobart. Oct. 8. Hobart. Hobart. Oct. 15. Hobart. Hobart. Oct. 22. Hobart. Hobart. Oct. 29. Hobart. Hobart. Nov. 5. Hobart. Hobart. Nov. 12. Hobart. Hobart.	LEHIGH Oct. 1. Lehigh. Bethlehem. Oct. 8. Lehigh. Bethlehem. Oct. 15. Lehigh. Bethlehem. Oct. 22. Lehigh. Bethlehem. Oct. 29. Lehigh. Bethlehem. Nov. 5. Lehigh. Bethlehem. Nov. 12. Lehigh. Bethlehem.
ALLEGHENY Oct. 1. Allegheny. Meadville. Oct. 8. Allegheny. Meadville. Oct. 15. Allegheny. Meadville. Oct. 22. Allegheny. Meadville. Oct. 29. Allegheny. Meadville. Nov. 5. Allegheny. Meadville. Nov. 12. Allegheny. Meadville.	BUCKNELL Oct. 1. Bucknell. Lewisburg. Oct. 8. Bucknell. Lewisburg. Oct. 15. Bucknell. Lewisburg. Oct. 22. Bucknell. Lewisburg. Oct. 29. Bucknell. Lewisburg. Nov. 5. Bucknell. Lewisburg. Nov. 12. Bucknell. Lewisburg.	COLGATE Oct. 1. Cornell. Ithaca. Oct. 8. Cornell. Ithaca. Oct. 15. Cornell. Ithaca. Oct. 22. Cornell. Ithaca. Oct. 29. Cornell. Ithaca. Nov. 5. Cornell. Ithaca. Nov. 12. Cornell. Ithaca.	FRANKLIN AND MARSHALL Oct. 1. Franklin and Marshall. Lancaster. Oct. 8. Franklin and Marshall. Lancaster. Oct. 15. Franklin and Marshall. Lancaster. Oct. 22. Franklin and Marshall. Lancaster. Oct. 29. Franklin and Marshall. Lancaster. Nov. 5. Franklin and Marshall. Lancaster. Nov. 12. Franklin and Marshall. Lancaster.	HOLY CROSS Oct. 1. Holy Cross. Worcester. Oct. 8. Holy Cross. Worcester. Oct. 15. Holy Cross. Worcester. Oct. 22. Holy Cross. Worcester. Oct. 29. Holy Cross. Worcester. Nov. 5. Holy Cross. Worcester. Nov. 12. Holy Cross. Worcester.	LOUISIANA STATE Oct. 1. Louisiana State. Baton Rouge. Oct. 8. Louisiana State. Baton Rouge. Oct. 15. Louisiana State. Baton Rouge. Oct. 22. Louisiana State. Baton Rouge. Oct. 29. Louisiana State. Baton Rouge. Nov. 5. Louisiana State. Baton Rouge. Nov. 12. Louisiana State. Baton Rouge.
AMERICAN INTERNATIONAL Oct. 1. American International. Springfield. Oct. 8. American International. Springfield. Oct. 15. American International. Springfield. Oct. 22. American International. Springfield. Oct. 29. American International. Springfield. Nov. 5. American International. Springfield. Nov. 12. American International. Springfield.	BUFFALO Oct. 1. C. C. N. Y. Buffalo. Oct. 8. C. C. N. Y. Buffalo. Oct. 15. C. C. N. Y. Buffalo. Oct. 22. C. C. N. Y. Buffalo. Oct. 29. C. C. N. Y. Buffalo. Nov. 5. C. C. N. Y. Buffalo. Nov. 12. C. C. N. Y. Buffalo.	COLORADO Oct. 1. Colorado State. Fort Collins. Oct. 8. Colorado State. Fort Collins. Oct. 15. Colorado State. Fort Collins. Oct. 22. Colorado State. Fort Collins. Oct. 29. Colorado State. Fort Collins. Nov. 5. Colorado State. Fort Collins. Nov. 12. Colorado State. Fort Collins.	FURMAN Oct. 1. Furman. Greenville. Oct. 8. Furman. Greenville. Oct. 15. Furman. Greenville. Oct. 22. Furman. Greenville. Oct. 29. Furman. Greenville. Nov. 5. Furman. Greenville. Nov. 12. Furman. Greenville.	ILLINOIS Oct. 1. Illinois. Champaign. Oct. 8. Illinois. Champaign. Oct. 15. Illinois. Champaign. Oct. 22. Illinois. Champaign. Oct. 29. Illinois. Champaign. Nov. 5. Illinois. Champaign. Nov. 12. Illinois. Champaign.	LOWELL TEXTILE Oct. 1. Lowell Textile. Lowell. Oct. 8. Lowell Textile. Lowell. Oct. 15. Lowell Textile. Lowell. Oct. 22. Lowell Textile. Lowell. Oct. 29. Lowell Textile. Lowell. Nov. 5. Lowell Textile. Lowell. Nov. 12. Lowell Textile. Lowell.
AMERICAN UNIVERSITY Oct. 1. American University. Washington, D. C. Oct. 8. American University. Washington, D. C. Oct. 15. American University. Washington, D. C. Oct. 22. American University. Washington, D. C. Oct. 29. American University. Washington, D. C. Nov. 5. American University. Washington, D. C. Nov. 12. American University. Washington, D. C.	CALIFORNIA Oct. 1. California. Berkeley. Oct. 8. California. Berkeley. Oct. 15. California. Berkeley. Oct. 22. California. Berkeley. Oct. 29. California. Berkeley. Nov. 5. California. Berkeley. Nov. 12. California. Berkeley.	CONNECTICUT STATE Oct. 1. Connecticut State. Providence. Oct. 8. Connecticut State. Providence. Oct. 15. Connecticut State. Providence. Oct. 22. Connecticut State. Providence. Oct. 29. Connecticut State. Providence. Nov. 5. Connecticut State. Providence. Nov. 12. Connecticut State. Providence.	GEORGE WASHINGTON Oct. 1. George Washington. Washington, D. C. Oct. 8. George Washington. Washington, D. C. Oct. 15. George Washington. Washington, D. C. Oct. 22. George Washington. Washington, D. C. Oct. 29. George Washington. Washington, D. C. Nov. 5. George Washington. Washington, D. C. Nov. 12. George Washington. Washington, D. C.	IOWA Oct. 1. Iowa. Iowa City. Oct. 8. Iowa. Iowa City. Oct. 15. Iowa. Iowa City. Oct. 22. Iowa. Iowa City. Oct. 29. Iowa. Iowa City. Nov. 5. Iowa. Iowa City. Nov. 12. Iowa. Iowa City.	MAINE Oct. 1. Maine. Bangor. Oct. 8. Maine. Bangor. Oct. 15. Maine. Bangor. Oct. 22. Maine. Bangor. Oct. 29. Maine. Bangor. Nov. 5. Maine. Bangor. Nov. 12. Maine. Bangor.
AMHERST Oct. 1. Amherst. Amherst. Oct. 8. Amherst. Amherst. Oct. 15. Amherst. Amherst. Oct. 22. Amherst. Amherst. Oct. 29. Amherst. Amherst. Nov. 5. Amherst. Amherst. Nov. 12. Amherst. Amherst.	CANISUS Oct. 1. Canisius. Buffalo. Oct. 8. Canisius. Buffalo. Oct. 15. Canisius. Buffalo. Oct. 22. Canisius. Buffalo. Oct. 29. Canisius. Buffalo. Nov. 5. Canisius. Buffalo. Nov. 12. Canisius. Buffalo.	CORNELL Oct. 1. Cornell. Ithaca. Oct. 8. Cornell. Ithaca. Oct. 15. Cornell. Ithaca. Oct. 22. Cornell. Ithaca. Oct. 29. Cornell. Ithaca. Nov. 5. Cornell. Ithaca. Nov. 12. Cornell. Ithaca.	GEORGETOWN Oct. 1. Georgetown. Washington, D. C. Oct. 8. Georgetown. Washington, D. C. Oct. 15. Georgetown. Washington, D. C. Oct. 22. Georgetown. Washington, D. C. Oct. 29. Georgetown. Washington, D. C. Nov. 5. Georgetown. Washington, D. C. Nov. 12. Georgetown. Washington, D. C.	IOWA STATE Oct. 1. Iowa State. Ames. Oct. 8. Iowa State. Ames. Oct. 15. Iowa State. Ames. Oct. 22. Iowa State. Ames. Oct. 29. Iowa State. Ames. Nov. 5. Iowa State. Ames. Nov. 12. Iowa State. Ames.	MARYLAND Oct. 1. Maryland. College Park. Oct. 8. Maryland. College Park. Oct. 15. Maryland. College Park. Oct. 22. Maryland. College Park. Oct. 29. Maryland. College Park. Nov. 5. Maryland. College Park. Nov. 12. Maryland. College Park.
ARIZONA Oct. 1. Arizona. Tucson. Oct. 8. Arizona. Tucson. Oct. 15. Arizona. Tucson. Oct. 22. Arizona. Tucson. Oct. 29. Arizona. Tucson. Nov. 5. Arizona. Tucson. Nov. 12. Arizona. Tucson.	CATHOLIC UNIVERSITY Oct. 1. Catholic University. Washington, D. C. Oct. 8. Catholic University. Washington, D. C. Oct. 15. Catholic University. Washington, D. C. Oct. 22. Catholic University. Washington, D. C. Oct. 29. Catholic University. Washington, D. C. Nov. 5. Catholic University. Washington, D. C. Nov. 12. Catholic University. Washington, D. C.	DAVISON Oct. 1. Davison. Charlotte. Oct. 8. Davison. Charlotte. Oct. 15. Davison. Charlotte. Oct. 22. Davison. Charlotte. Oct. 29. Davison. Charlotte. Nov. 5. Davison. Charlotte. Nov. 12. Davison. Charlotte.	GEORGIA Oct. 1. Georgia. Athens. Oct. 8. Georgia. Athens. Oct. 15. Georgia. Athens. Oct. 22. Georgia. Athens. Oct. 29. Georgia. Athens. Nov. 5. Georgia. Athens. Nov. 12. Georgia. Athens.	MASSACHUSETTS COLLEGE Oct. 1. Massachusetts College. Boston. Oct. 8. Massachusetts College. Boston. Oct. 15. Massachusetts College. Boston. Oct. 22. Massachusetts College. Boston. Oct. 29. Massachusetts College. Boston. Nov. 5. Massachusetts College. Boston. Nov. 12. Massachusetts College. Boston.	MISSISSIPPI Oct. 1. Mississippi. Oxford. Oct. 8. Mississippi. Oxford. Oct. 15. Mississippi. Oxford. Oct. 22. Mississippi. Oxford. Oct. 29. Mississippi. Oxford. Nov. 5. Mississippi. Oxford. Nov. 12. Mississippi. Oxford.
ARKANSAS Oct. 1. Arkansas. Fayetteville. Oct. 8. Arkansas. Fayetteville. Oct. 15. Arkansas. Fayetteville. Oct. 22. Arkansas. Fayetteville. Oct. 29. Arkansas. Fayetteville. Nov. 5. Arkansas. Fayetteville. Nov. 12. Arkansas. Fayetteville.	CENTENARY Oct. 1. Centenary. Nashville. Oct. 8. Centenary. Nashville. Oct. 15. Centenary. Nashville. Oct. 22. Centenary. Nashville. Oct. 29. Centenary. Nashville. Nov. 5. Centenary. Nashville. Nov. 12. Centenary. Nashville.	DAVIS-ELKINS Oct. 1. Davis-Elkins. Itasca. Oct. 8. Davis-Elkins. Itasca. Oct. 15. Davis-Elkins. Itasca. Oct. 22. Davis-Elkins. Itasca. Oct. 29. Davis-Elkins. Itasca. Nov. 5. Davis-Elkins. Itasca. Nov. 12. Davis-Elkins. Itasca.	GEORGIA TECH Oct. 1. Georgia Tech. Atlanta. Oct. 8. Georgia Tech. Atlanta. Oct. 15. Georgia Tech. Atlanta. Oct. 22. Georgia Tech. Atlanta. Oct. 29. Georgia Tech. Atlanta. Nov. 5. Georgia Tech. Atlanta. Nov. 12. Georgia Tech. Atlanta.	MINNESOTA Oct. 1. Minnesota. Minneapolis. Oct. 8. Minnesota. Minneapolis. Oct. 15. Minnesota. Minneapolis. Oct. 22. Minnesota. Minneapolis. Oct. 29. Minnesota. Minneapolis. Nov. 5. Minnesota. Minneapolis. Nov. 12. Minnesota. Minneapolis.	MISSOURI Oct. 1. Missouri. Columbia. Oct. 8. Missouri. Columbia. Oct. 15. Missouri. Columbia. Oct. 22. Missouri. Columbia. Oct. 29. Missouri. Columbia. Nov. 5. Missouri. Columbia. Nov. 12. Missouri. Columbia.
ARMY Oct. 1. Army. West Point. Oct. 8. Army. West Point. Oct. 15. Army. West Point. Oct. 22. Army. West Point. Oct. 29. Army. West Point. Nov. 5. Army. West Point. Nov. 12. Army. West Point.	CHICAGO Oct. 1. Chicago. Chicago. Oct. 8. Chicago. Chicago. Oct. 15. Chicago. Chicago. Oct. 22. Chicago. Chicago. Oct. 29. Chicago. Chicago. Nov. 5. Chicago. Chicago. Nov. 12. Chicago. Chicago.	DELAWARE Oct. 1. Delaware. Newark. Oct. 8. Delaware. Newark. Oct. 15. Delaware. Newark. Oct. 22. Delaware. Newark. Oct. 29. Delaware. Newark. Nov. 5. Delaware. Newark. Nov. 12. Delaware. Newark.	GEORGETOWN Oct. 1. Georgetown. Washington, D. C. Oct. 8. Georgetown. Washington, D. C. Oct. 15. Georgetown. Washington, D. C. Oct. 22. Georgetown. Washington, D. C. Oct. 29. Georgetown. Washington, D. C. Nov. 5. Georgetown. Washington, D. C. Nov. 12. Georgetown. Washington, D. C.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.
ARNOLD Oct. 1. Arnold. Arnold. Oct. 8. Arnold. Arnold. Oct. 15. Arnold. Arnold. Oct. 22. Arnold. Arnold. Oct. 29. Arnold. Arnold. Nov. 5. Arnold. Arnold. Nov. 12. Arnold. Arnold.	CITADEL (THE) Oct. 1. Citadel. Charleston. Oct. 8. Citadel. Charleston. Oct. 15. Citadel. Charleston. Oct. 22. Citadel. Charleston. Oct. 29. Citadel. Charleston. Nov. 5. Citadel. Charleston. Nov. 12. Citadel. Charleston.	DETROIT Oct. 1. Detroit. Detroit. Oct. 8. Detroit. Detroit. Oct. 15. Detroit. Detroit. Oct. 22. Detroit. Detroit. Oct. 29. Detroit. Detroit. Nov. 5. Detroit. Detroit. Nov. 12. Detroit. Detroit.	GEORGETOWN Oct. 1. Georgetown. Washington, D. C. Oct. 8. Georgetown. Washington, D. C. Oct. 15. Georgetown. Washington, D. C. Oct. 22. Georgetown. Washington, D. C. Oct. 29. Georgetown. Washington, D. C. Nov. 5. Georgetown. Washington, D. C. Nov. 12. Georgetown. Washington, D. C.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.
AUBURN Oct. 1. Auburn. Auburn. Oct. 8. Auburn. Auburn. Oct. 15. Auburn. Auburn. Oct. 22. Auburn. Auburn. Oct. 29. Auburn. Auburn. Nov. 5. Auburn. Auburn. Nov. 12. Auburn. Auburn.	CHATTANOOGA Oct. 1. Chattanooga. Chattanooga. Oct. 8. Chattanooga. Chattanooga. Oct. 15. Chattanooga. Chattanooga. Oct. 22. Chattanooga. Chattanooga. Oct. 29. Chattanooga. Chattanooga. Nov. 5. Chattanooga. Chattanooga. Nov. 12. Chattanooga. Chattanooga.	DETROIT Oct. 1. Detroit. Detroit. Oct. 8. Detroit. Detroit. Oct. 15. Detroit. Detroit. Oct. 22. Detroit. Detroit. Oct. 29. Detroit. Detroit. Nov. 5. Detroit. Detroit. Nov. 12. Detroit. Detroit.	GEORGETOWN Oct. 1. Georgetown. Washington, D. C. Oct. 8. Georgetown. Washington, D. C. Oct. 15. Georgetown. Washington, D. C. Oct. 22. Georgetown. Washington, D. C. Oct. 29. Georgetown. Washington, D. C. Nov. 5. Georgetown. Washington, D. C. Nov. 12. Georgetown. Washington, D. C.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.
BATES Oct. 1. Bates. Waterville. Oct. 8. Bates. Waterville. Oct. 15. Bates. Waterville. Oct. 22. Bates. Waterville. Oct. 29. Bates. Waterville. Nov. 5. Bates. Waterville. Nov. 12. Bates. Waterville.	CHATTANOOGA Oct. 1. Chattanooga. Chattanooga. Oct. 8. Chattanooga. Chattanooga. Oct. 15. Chattanooga. Chattanooga. Oct. 22. Chattanooga. Chattanooga. Oct. 29. Chattanooga. Chattanooga. Nov. 5. Chattanooga. Chattanooga. Nov. 12. Chattanooga. Chattanooga.	DETROIT Oct. 1. Detroit. Detroit. Oct. 8. Detroit. Detroit. Oct. 15. Detroit. Detroit. Oct. 22. Detroit. Detroit. Oct. 29. Detroit. Detroit. Nov. 5. Detroit. Detroit. Nov. 12. Detroit. Detroit.	GEORGETOWN Oct. 1. Georgetown. Washington, D. C. Oct. 8. Georgetown. Washington, D. C. Oct. 15. Georgetown. Washington, D. C. Oct. 22. Georgetown. Washington, D. C. Oct. 29. Georgetown. Washington, D. C. Nov. 5. Georgetown. Washington, D. C. Nov. 12. Georgetown. Washington, D. C.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.
BAYLOR Oct. 1. Baylor. Waco. Oct. 8. Baylor. Waco. Oct. 15. Baylor. Waco. Oct. 22. Baylor. Waco. Oct. 29. Baylor. Waco. Nov. 5. Baylor. Waco. Nov. 12. Baylor. Waco.	CHATTANOOGA Oct. 1. Chattanooga. Chattanooga. Oct. 8. Chattanooga. Chattanooga. Oct. 15. Chattanooga. Chattanooga. Oct. 22. Chattanooga. Chattanooga. Oct. 29. Chattanooga. Chattanooga. Nov. 5. Chattanooga. Chattanooga. Nov. 12. Chattanooga. Chattanooga.	DETROIT Oct. 1. Detroit. Detroit. Oct. 8. Detroit. Detroit. Oct. 15. Detroit. Detroit. Oct. 22. Detroit. Detroit. Oct. 29. Detroit. Detroit. Nov. 5. Detroit. Detroit. Nov. 12. Detroit. Detroit.	GEORGETOWN Oct. 1. Georgetown. Washington, D. C. Oct. 8. Georgetown. Washington, D. C. Oct. 15. Georgetown. Washington, D. C. Oct. 22. Georgetown. Washington, D. C. Oct. 29. Georgetown. Washington, D. C. Nov. 5. Georgetown. Washington, D. C. Nov. 12. Georgetown. Washington, D. C.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.
BOSTON COLLEGE Oct. 1. Boston College. Chestnut Hill. Oct. 8. Boston College. Chestnut Hill. Oct. 15. Boston College. Chestnut Hill. Oct. 22. Boston College. Chestnut Hill. Oct. 29. Boston College. Chestnut Hill. Nov. 5. Boston College. Chestnut Hill. Nov. 12. Boston College. Chestnut Hill.	CHATTANOOGA Oct. 1. Chattanooga. Chattanooga. Oct. 8. Chattanooga. Chattanooga. Oct. 15. Chattanooga. Chattanooga. Oct. 22. Chattanooga. Chattanooga. Oct. 29. Chattanooga. Chattanooga. Nov. 5. Chattanooga. Chattanooga. Nov. 12. Chattanooga. Chattanooga.	DETROIT Oct. 1. Detroit. Detroit. Oct. 8. Detroit. Detroit. Oct. 15. Detroit. Detroit. Oct. 22. Detroit. Detroit. Oct. 29. Detroit. Detroit. Nov. 5. Detroit. Detroit. Nov. 12. Detroit. Detroit.	GEORGETOWN Oct. 1. Georgetown. Washington, D. C. Oct. 8. Georgetown. Washington, D. C. Oct. 15. Georgetown. Washington, D. C. Oct. 22. Georgetown. Washington, D. C. Oct. 29. Georgetown. Washington, D. C. Nov. 5. Georgetown. Washington, D. C. Nov. 12. Georgetown. Washington, D. C.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.
BOSTON UNIVERSITY Oct. 1. Boston University. Boston. Oct. 8. Boston University. Boston. Oct. 15. Boston University. Boston. Oct. 22. Boston University. Boston. Oct. 29. Boston University. Boston. Nov. 5. Boston University. Boston. Nov. 12. Boston University. Boston.	CHATTANOOGA Oct. 1. Chattanooga. Chattanooga. Oct. 8. Chattanooga. Chattanooga. Oct. 15. Chattanooga. Chattanooga. Oct. 22. Chattanooga. Chattanooga. Oct. 29. Chattanooga. Chattanooga. Nov. 5. Chattanooga. Chattanooga. Nov. 12. Chattanooga. Chattanooga.	DETROIT Oct. 1. Detroit. Detroit. Oct. 8. Detroit. Detroit. Oct. 15. Detroit. Detroit. Oct. 22. Detroit. Detroit. Oct. 29. Detroit. Detroit. Nov. 5. Detroit. Detroit. Nov. 12. Detroit. Detroit.	GEORGETOWN Oct. 1. Georgetown. Washington, D. C. Oct. 8. Georgetown. Washington, D. C. Oct. 15. Georgetown. Washington, D. C. Oct. 22. Georgetown. Washington, D. C. Oct. 29. Georgetown. Washington, D. C. Nov. 5. Georgetown. Washington, D. C. Nov. 12. Georgetown. Washington, D. C.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.	MISSOURI STATE Oct. 1. Missouri State. Springfield. Oct. 8. Missouri State. Springfield. Oct. 15. Missouri State. Springfield. Oct. 22. Missouri State. Springfield. Oct. 29. Missouri State. Springfield. Nov. 5. Missouri State. Springfield. Nov. 12. Missouri State. Springfield.

The week's big football picture, Paramount's "TOUCHDOWN, ARMY"

FOOTBALL SCHEDULE

or high school games and pack the football fans into your theatre

MISSISSIPPI STATE Opponent. Place. 1-Howard. State College. 2-Howard. State College. 3-Louisiana Tech. State College. 4-Louisiana Tech. State College. 5-Durham. Durham. 6-Durham. Durham. 7-Louisiana Tech. State College. 8-Louisiana Tech. State College. 9-Southern. Memphis. 10-Mississippi. State College.	NOTRE DAME Opponent. Place. 1-Kansas. South Bend. 2-Georgia Tech. Atlanta. 3-Illinois. South Bend. 4-Cornell. South Bend. 5-Texas Tech. El Paso. 6-Navy. Baltimore. 7-Minnesota. South Bend. 8-Northern. South Bend. 9-Southern. South Bend. 10-Southern. South Bend.	RENSSELAER P. I. Opponent. Place. 1-Hamilton. Troy. 2-Rochester. Rochester. 3-Brooklyn College. Troy. 4-Union. Troy. 5-East Grand Acad. New York. 6-Worcester Tech. Worcester. 7-Massachusetts State. Worcester. 8-Buffalo. Buffalo. 9-Buffalo. Buffalo.	SOUTH CAROLI Opponent. Place. 1-Eskine. Columbia. 2-Georgetown. Columbia. 3-Wake Forest. Wake Forest. 4-Durham. Durham. 5-Clemson. Clemson. 6-Williamson. Orangeburg. 7-Durham. Durham. 8-Purdom. Columbia. 9-Columbia. Columbia. 10-Columbia. Columbia.	TRINITY Opponent. Place. 1-Vermont. Burlington. 2-Union. Hartford. 3-Worcester. Worcester. 4-Coast Guard Acad. Hartford. 5-Middleton. Middletown. 6-Amherst. Amherst. 7-Amherst. Amherst.	WASHINGTON Opponent. Place. 1-Minneapolis. Minneapolis. 2-Idaho. Seattle. 3-Oregon State. Portland. 4-Southern. Seattle. 5-Stanford. Palo Alto. 6-Southern. Seattle. 7-Washington State. Seattle. 8-Washington State. Seattle.
MISSOURI Opponent. Place. 1-Fraser. Columbia. 2-Columbia. Columbia. 3-Kansas State. Manhattan. 4-Iowa State. Ames. 5-Missouri. Columbia. 6-Missouri. Columbia. 7-Missouri. Columbia. 8-Missouri. Columbia. 9-Missouri. Columbia. 10-Missouri. Columbia.	OHIO UNIVERSITY Opponent. Place. 1-Morio Harvey. Athens. 2-Indiana. Cincinnati. 3-Xavier. Cincinnati. 4-Western Reserve. Cleveland. 5-Ohio Wesleyan. Dayton. 6-Wayne. Athens. 7-Miami (Ohio). Oxford. 8-Kent. Dayton. 9-Marshall. Athens. 10-Marshall. Athens.	RHODE ISLAND STATE Opponent. Place. 1-Holy Cross. Worcester. 2-American International. Kingston. 3-Massachusetts State. Amherst. 4-Providence. Providence. 5-Worcester Tech. Worcester. 6-Connecticut State. Storrs. 7-Providence. Storrs.	SOUTHERN CALIFORNIA Opponent. Place. 1-Alhambra. Los Angeles. 2-Ocean State. Los Angeles. 3-Corona. Los Angeles. 4-Stanford. Palo Alto. 5-Corona. Los Angeles. 6-Stanford. Palo Alto. 7-Stanford. Palo Alto. 8-Stanford. Palo Alto. 9-Stanford. Palo Alto. 10-Stanford. Palo Alto.	TULANE Opponent. Place. 1-Clemson. New Orleans. 2-New Orleans. New Orleans. 3-New Orleans. New Orleans. 4-New Orleans. New Orleans. 5-New Orleans. New Orleans. 6-New Orleans. New Orleans. 7-New Orleans. New Orleans. 8-New Orleans. New Orleans. 9-New Orleans. New Orleans. 10-New Orleans. New Orleans.	WASHINGTON (ST. LOUIS) Opponent. Place. 1-Vanderbilt. St. Louis. 2-Drake. St. Louis. 3-Idaho. St. Louis. 4-Southern. St. Louis. 5-Southern. St. Louis. 6-Southern. St. Louis. 7-Southern. St. Louis. 8-Southern. St. Louis. 9-Southern. St. Louis. 10-Southern. St. Louis.
MONTCLAIR TEACHERS Opponent. Place. 1-Montclair. Montclair. 2-Montclair. Montclair. 3-Montclair. Montclair. 4-Montclair. Montclair. 5-Montclair. Montclair. 6-Montclair. Montclair. 7-Montclair. Montclair. 8-Montclair. Montclair. 9-Montclair. Montclair. 10-Montclair. Montclair.	OKLAHOMA Opponent. Place. 1-Rice. Houston. 2-Texas. Dallas. 3-Texas. Dallas. 4-Texas. Dallas. 5-Texas. Dallas. 6-Texas. Dallas. 7-Texas. Dallas. 8-Texas. Dallas. 9-Texas. Dallas. 10-Texas. Dallas.	RICHMOND Opponent. Place. 1-Maryland. College Park. 2-Maryland. College Park. 3-Maryland. College Park. 4-Maryland. College Park. 5-Maryland. College Park. 6-Maryland. College Park. 7-Maryland. College Park. 8-Maryland. College Park. 9-Maryland. College Park. 10-Maryland. College Park.	SOUTHERN METHODIST Opponent. Place. 1-Arlington. Dallas. 2-Arlington. Dallas. 3-Arlington. Dallas. 4-Arlington. Dallas. 5-Arlington. Dallas. 6-Arlington. Dallas. 7-Arlington. Dallas. 8-Arlington. Dallas. 9-Arlington. Dallas. 10-Arlington. Dallas.	TULSA Opponent. Place. 1-Texas A. & M. Tyler. 2-Texas A. & M. Tyler. 3-Texas A. & M. Tyler. 4-Texas A. & M. Tyler. 5-Texas A. & M. Tyler. 6-Texas A. & M. Tyler. 7-Texas A. & M. Tyler. 8-Texas A. & M. Tyler. 9-Texas A. & M. Tyler. 10-Texas A. & M. Tyler.	WASHINGTON AND JEFFERSON Opponent. Place. 1-Marietta. Washington, Pa. 2-Lafayette. Easton. 3-Dickinson. Carlisle. 4-Greene. Washington, Pa. 5-Joburg. Gettysburg. 6-Woodstock. Washington, Pa.
MORAVIAN Opponent. Place. 1-Bethlehem. Bethlehem. 2-Bethlehem. Bethlehem. 3-Bethlehem. Bethlehem. 4-Bethlehem. Bethlehem. 5-Bethlehem. Bethlehem. 6-Bethlehem. Bethlehem. 7-Bethlehem. Bethlehem. 8-Bethlehem. Bethlehem. 9-Bethlehem. Bethlehem. 10-Bethlehem. Bethlehem.	OKLAHOMA A. AND M. Opponent. Place. 1-Central (Okla. Tex.). Stillwater. 2-Southern. Stillwater. 3-Baylor. Waco. 4-Texas Tech. El Paso. 5-Texas Tech. El Paso. 6-Texas Tech. El Paso. 7-Texas Tech. El Paso. 8-Texas Tech. El Paso. 9-Texas Tech. El Paso. 10-Texas Tech. El Paso.	ROCHESTER Opponent. Place. 1-Rochester. Rochester. 2-Rochester. Rochester. 3-Rochester. Rochester. 4-Rochester. Rochester. 5-Rochester. Rochester. 6-Rochester. Rochester. 7-Rochester. Rochester. 8-Rochester. Rochester. 9-Rochester. Rochester. 10-Rochester. Rochester.	SPRINGFIELD Opponent. Place. 1-Amherst. Amherst. 2-Amherst. Amherst. 3-Amherst. Amherst. 4-Amherst. Amherst. 5-Amherst. Amherst. 6-Amherst. Amherst. 7-Amherst. Amherst. 8-Amherst. Amherst. 9-Amherst. Amherst. 10-Amherst. Amherst.	UPAL Opponent. Place. 1-Columbia. Columbia. 2-Columbia. Columbia. 3-Columbia. Columbia. 4-Columbia. Columbia. 5-Columbia. Columbia. 6-Columbia. Columbia. 7-Columbia. Columbia. 8-Columbia. Columbia. 9-Columbia. Columbia. 10-Columbia. Columbia.	WASHINGTON COLLEGE Opponent. Place. 1-Janata. Chesterstown. 2-Western Maryland. Westminster. 3-Southern. Chestertown. 4-Johns Hopkins. Chestertown. 5-Mount St. Mary's. Emmahouse. 6-Mount St. Mary's. Emmahouse.
MOUNT ST. MARY'S Opponent. Place. 1-St. Joseph. Philadelphia. 2-St. Joseph. Philadelphia. 3-St. Joseph. Philadelphia. 4-St. Joseph. Philadelphia. 5-St. Joseph. Philadelphia. 6-St. Joseph. Philadelphia. 7-St. Joseph. Philadelphia. 8-St. Joseph. Philadelphia. 9-St. Joseph. Philadelphia. 10-St. Joseph. Philadelphia.	OREGON Opponent. Place. 1-Washington State. Pullman. 2-Oregon. Corvallis. 3-Oregon. Corvallis. 4-Oregon. Corvallis. 5-Oregon. Corvallis. 6-Oregon. Corvallis. 7-Oregon. Corvallis. 8-Oregon. Corvallis. 9-Oregon. Corvallis. 10-Oregon. Corvallis.	ST. ANSELME'S Opponent. Place. 1-Providence. Providence. 2-Providence. Providence. 3-Providence. Providence. 4-Providence. Providence. 5-Providence. Providence. 6-Providence. Providence. 7-Providence. Providence. 8-Providence. Providence. 9-Providence. Providence. 10-Providence. Providence.	STANFORD Opponent. Place. 1-Palo Alto. Palo Alto. 2-Palo Alto. Palo Alto. 3-Palo Alto. Palo Alto. 4-Palo Alto. Palo Alto. 5-Palo Alto. Palo Alto. 6-Palo Alto. Palo Alto. 7-Palo Alto. Palo Alto. 8-Palo Alto. Palo Alto. 9-Palo Alto. Palo Alto. 10-Palo Alto. Palo Alto.	UNION Opponent. Place. 1-Schenectady. Schenectady. 2-Schenectady. Schenectady. 3-Schenectady. Schenectady. 4-Schenectady. Schenectady. 5-Schenectady. Schenectady. 6-Schenectady. Schenectady. 7-Schenectady. Schenectady. 8-Schenectady. Schenectady. 9-Schenectady. Schenectady. 10-Schenectady. Schenectady.	WESTERN MARYLAND Opponent. Place. 1-Western Maryland. Westminster. 2-Western Maryland. Westminster. 3-Western Maryland. Westminster. 4-Western Maryland. Westminster. 5-Western Maryland. Westminster. 6-Western Maryland. Westminster. 7-Western Maryland. Westminster. 8-Western Maryland. Westminster. 9-Western Maryland. Westminster. 10-Western Maryland. Westminster.
MUHLBERG Opponent. Place. 1-Allentown. Allentown. 2-Allentown. Allentown. 3-Allentown. Allentown. 4-Allentown. Allentown. 5-Allentown. Allentown. 6-Allentown. Allentown. 7-Allentown. Allentown. 8-Allentown. Allentown. 9-Allentown. Allentown. 10-Allentown. Allentown.	OREGON STATE Opponent. Place. 1-Cornell. Corvallis. 2-Cornell. Corvallis. 3-Cornell. Corvallis. 4-Cornell. Corvallis. 5-Cornell. Corvallis. 6-Cornell. Corvallis. 7-Cornell. Corvallis. 8-Cornell. Corvallis. 9-Cornell. Corvallis. 10-Cornell. Corvallis.	ST. BOVAVENTURE Opponent. Place. 1-Randall Island. Randall Island. 2-Randall Island. Randall Island. 3-Randall Island. Randall Island. 4-Randall Island. Randall Island. 5-Randall Island. Randall Island. 6-Randall Island. Randall Island. 7-Randall Island. Randall Island. 8-Randall Island. Randall Island. 9-Randall Island. Randall Island. 10-Randall Island. Randall Island.	SUSQUEHANNA Opponent. Place. 1-Harford. Harford. 2-Harford. Harford. 3-Harford. Harford. 4-Harford. Harford. 5-Harford. Harford. 6-Harford. Harford. 7-Harford. Harford. 8-Harford. Harford. 9-Harford. Harford. 10-Harford. Harford.	UPAL Opponent. Place. 1-Columbia. Columbia. 2-Columbia. Columbia. 3-Columbia. Columbia. 4-Columbia. Columbia. 5-Columbia. Columbia. 6-Columbia. Columbia. 7-Columbia. Columbia. 8-Columbia. Columbia. 9-Columbia. Columbia. 10-Columbia. Columbia.	WEST VIRGINIA Opponent. Place. 1-Pittsburgh. Pittsburgh. 2-Pittsburgh. Pittsburgh. 3-Pittsburgh. Pittsburgh. 4-Pittsburgh. Pittsburgh. 5-Pittsburgh. Pittsburgh. 6-Pittsburgh. Pittsburgh. 7-Pittsburgh. Pittsburgh. 8-Pittsburgh. Pittsburgh. 9-Pittsburgh. Pittsburgh. 10-Pittsburgh. Pittsburgh.
NORTH CAROLINA Opponent. Place. 1-Chapel Hill. Chapel Hill. 2-Chapel Hill. Chapel Hill. 3-Chapel Hill. Chapel Hill. 4-Chapel Hill. Chapel Hill. 5-Chapel Hill. Chapel Hill. 6-Chapel Hill. Chapel Hill. 7-Chapel Hill. Chapel Hill. 8-Chapel Hill. Chapel Hill. 9-Chapel Hill. Chapel Hill. 10-Chapel Hill. Chapel Hill.	PENN. MILITARY COLLEGE Opponent. Place. 1-West Chester. West Chester. 2-West Chester. West Chester. 3-West Chester. West Chester. 4-West Chester. West Chester. 5-West Chester. West Chester. 6-West Chester. West Chester. 7-West Chester. West Chester. 8-West Chester. West Chester. 9-West Chester. West Chester. 10-West Chester. West Chester.	ST. JOSEPH'S Opponent. Place. 1-Annapolis. Annapolis. 2-Annapolis. Annapolis. 3-Annapolis. Annapolis. 4-Annapolis. Annapolis. 5-Annapolis. Annapolis. 6-Annapolis. Annapolis. 7-Annapolis. Annapolis. 8-Annapolis. Annapolis. 9-Annapolis. Annapolis. 10-Annapolis. Annapolis.	SWARTHMORE Opponent. Place. 1-Swarthmore. Swarthmore. 2-Swarthmore. Swarthmore. 3-Swarthmore. Swarthmore. 4-Swarthmore. Swarthmore. 5-Swarthmore. Swarthmore. 6-Swarthmore. Swarthmore. 7-Swarthmore. Swarthmore. 8-Swarthmore. Swarthmore. 9-Swarthmore. Swarthmore. 10-Swarthmore. Swarthmore.	VERMONT Opponent. Place. 1-Burlington. Burlington. 2-Burlington. Burlington. 3-Burlington. Burlington. 4-Burlington. Burlington. 5-Burlington. Burlington. 6-Burlington. Burlington. 7-Burlington. Burlington. 8-Burlington. Burlington. 9-Burlington. Burlington. 10-Burlington. Burlington.	WEST VIRGINIA Opponent. Place. 1-Pittsburgh. Pittsburgh. 2-Pittsburgh. Pittsburgh. 3-Pittsburgh. Pittsburgh. 4-Pittsburgh. Pittsburgh. 5-Pittsburgh. Pittsburgh. 6-Pittsburgh. Pittsburgh. 7-Pittsburgh. Pittsburgh. 8-Pittsburgh. Pittsburgh. 9-Pittsburgh. Pittsburgh. 10-Pittsburgh. Pittsburgh.
NORWICH Opponent. Place. 1-Genoa. Genoa. 2-Genoa. Genoa. 3-Genoa. Genoa. 4-Genoa. Genoa. 5-Genoa. Genoa. 6-Genoa. Genoa. 7-Genoa. Genoa. 8-Genoa. Genoa. 9-Genoa. Genoa. 10-Genoa. Genoa.	PENNSYLVANIA Opponent. Place. 1-Philadelphia. Philadelphia. 2-Philadelphia. Philadelphia. 3-Philadelphia. Philadelphia. 4-Philadelphia. Philadelphia. 5-Philadelphia. Philadelphia. 6-Philadelphia. Philadelphia. 7-Philadelphia. Philadelphia. 8-Philadelphia. Philadelphia. 9-Philadelphia. Philadelphia. 10-Philadelphia. Philadelphia.	ST. LAWRENCE Opponent. Place. 1-Hanover. Hanover. 2-Hanover. Hanover. 3-Hanover. Hanover. 4-Hanover. Hanover. 5-Hanover. Hanover. 6-Hanover. Hanover. 7-Hanover. Hanover. 8-Hanover. Hanover. 9-Hanover. Hanover. 10-Hanover. Hanover.	TEMPLE Opponent. Place. 1-Philadelphia. Philadelphia. 2-Philadelphia. Philadelphia. 3-Philadelphia. Philadelphia. 4-Philadelphia. Philadelphia. 5-Philadelphia. Philadelphia. 6-Philadelphia. Philadelphia. 7-Philadelphia. Philadelphia. 8-Philadelphia. Philadelphia. 9-Philadelphia. Philadelphia. 10-Philadelphia. Philadelphia.	WESLEYAN Opponent. Place. 1-Middletown. Middletown. 2-Middletown. Middletown. 3-Middletown. Middletown. 4-Middletown. Middletown. 5-Middletown. Middletown. 6-Middletown. Middletown. 7-Middletown. Middletown. 8-Middletown. Middletown. 9-Middletown. Middletown. 10-Middletown. Middletown.	WEST VIRGINIA Opponent. Place. 1-Pittsburgh. Pittsburgh. 2-Pittsburgh. Pittsburgh. 3-Pittsburgh. Pittsburgh. 4-Pittsburgh. Pittsburgh. 5-Pittsburgh. Pittsburgh. 6-Pittsburgh. Pittsburgh. 7-Pittsburgh. Pittsburgh. 8-Pittsburgh. Pittsburgh. 9-Pittsburgh. Pittsburgh. 10-Pittsburgh. Pittsburgh.

TEXAS STATE NETWORK SALUTE
With Elliott Roosevelt, Gov. James V. Allred, Gov.-Elect W. Lee O'Daniel and His Hillbilly Boys, Gene Autry, Shirley Ross, Bob Hope, Lou Preston, Trio, John Crawford, George Fischer, Everett Marshall, Four Aces, Ernest O. Thompson, Negro Choir of 40, Ralph Rose's orchestra, Alfred Wallenstein, Morton Gould, William G. Mitchell, Ernie Fiorio, Edna Daniels, Benay Venuta, Bob Stanley, Allen Prescott, Jimmy Scribner, Charles Earl Funk, Jack Arthur

120 Mins.
Sustaining
Sept. 15, 7:30 p.
WOR, Newark

Broadcast involving all the aforesaid names came as a triple celebration. It officially ushered in Elliott Roosevelt's Texas State Network, dated the tieup between this new regional and the Mutual Broadcasting System, and, at the same time, celebrated the Mutual's 30th anniversary. The listeners were not only entertained, but they were treated to some choice quasi-political tub-thumping.

What makes Mutual different in intra-policy structure from other networks. The lesson was conveyed by the question and answer route, with Chas. E. Funk as moderator. On as head mentor. With Mutual, the listeners were informed, the affiliated stations remain independent local entities and co-operate in originating programs.

WOR's contribution to the celebration consisted of four staff batonists, two girl singers, a baritone, Jimmy Scribner's Johnson Family act, and a gag each from William G. Mitchell and Victor Moore. It was a nicely cooked up entry. Helene Daniels did a torch number; Benay Venuta went for the blues and Jack Arthur saluted Texas with the song of "The Rangers". The staff maestros were Alfred Wallenstein, Morton Gould, Ernie Fiorio and Bob Stanley, the first three each offered a minute's styles of musical fare, while Stanley accompanied the vocalists.

Broadcast at one point was switched to Washington so that an announcer at WOR could read a letter of best wishes from President Roosevelt.

Odece.

FL. TORO, Sept. 15.
With its prexy, Elliott Roosevelt, as m. c. the 20-station Texas State Network inaugurated from the Fort Worth Casa Manana stage and featured names from politics, screen and radio. Doing a neat take-off on his past efforts as "Dixie" on political big-wigs as Gov. James V. Allred, Gov.-Elect W. Lee O'Daniel and politico Ernest O. Thompson. Political ambish of all was noticeable.

Lou Preston's Trio, former holders of a late night spot via WFAA, delivered two range ballads; John Crawford, Fort Worth baritone, gave the control operators several bad minutes on his opener to "I Love Life"; Ralph Rose's orch maintained its rep for being on the brassy side, but got beyond control only once or twice during a creditable account of a Texas medley.

George Fischer introed Shirley Ross, Bob Hope and Gene Autry. Miss Ross warbled "Thanks for the Memory" with a side introduction. Autry's interpretation on "Ride Tenderfoot" was excellent. Baritone Everett Marshall sang "Another Mile" and "The Night Is Young".

Gov.-Elect O'Daniel, erstwhile flour peddler, was his usual effusive self in presenting his Hillbilly Boys for a rendition of "My Million Dollar Smile". Humorous angle developed when O'Daniel, as a star, began his radio career via KFJZ. His all-around having heard WBAP take that honor several weeks previous.

On the gab side, script afforded TSN audience good picture of the new web's advantages.

SID GARY
With Lee Grant Orch.
Songs, Music
15 Mins.—Local
Sally; 8:00 p. m.
WMA, New York

A romantic baritone voice offered at the right time to interest furniture buyers—women. Most recently worked at station WOR, where was apt to get lost in the rush on sustaining.

Nice pipes, with more than average warmth. Veers from the faster styles for such numbers as "Dixie", "Without a Song", and ultra smooth renditions of pop "So Help Me". Also went ultra with "My Own" from latest Deanna Durbin film. Announced a few numbers without any folderol and could stand a little dressing in that respect.

Grant's house crew furnish background and accompaniment that enhances his voice. Occasionally he goes out for a chorus solo themselves, which also registers as better-than-average house stuff.

Commercially, program is the reverse. Succession of three windy commercial announcements in a quarter hour show that offers few songs, including band solo, must cut into the quality of the program. It is 7:30 p. m. One in the middle of Linns should be the first to go.

GAUMONT OPENING

With Jessie Matthews, Will Fyfe, Will Hay, Graham Moffat, Moore Marriott, the Two Leslies, Teddy Brown, Gene Becke, Gerry Filsa, The Georgettes, Brian Michie and Louis Levy and his Orchestra.

Monday (5), 8:30 p. m.

45 Mins.

B.C.C. London

A thing that is as difficult of solution in England as in America is how far competition from radio hurts theatre business, and whether theatre folk are justified in providing air shows that keep customers glued to their domestic hearths. It's a big controversy in London, anyway, and Gaumont-British is most prominent in trying to get the best of both worlds. Whether picture or theatre biz likes it or not, the fact remains a broadcast of this type ranks among the best of either entertainment BBC offers.

This was part of stage show at opening of 3,000-seater Gaumont theatre in Holloway (uptown north London), and introduced some radio and musical acts. Show started at a gallop and not only aroused the theatre audience in a frenzy, but also made grand listening. There was Jessie Matthews singing songs from Noel Coward's "Operette", and that was okay for her fans; there was Will Fyfe doing his famous Ship's Engineer character, which was okay for his fans; there was Gene Becke and Gerry Fitzgerald, who were doing a song and dance number, which was okay for their fans; and there was Teddy Brown, whose xylophone rendition of "The Lambeth Walk" panicked the audience and came across the ether with dynamite effect.

Show also included comicker Will Hay, with his stooges Moore Marriott and Graham Moffat, in a sequence from their current Gainsborough picture, "Old Bones of the River", but this was not so happy for broadcast, relying largely on stage business that the mike couldn't pick up. Spaces were held by Louis Levy's well-drilled orchestra, with vocal effects by Eve Becke and Gerry Fitzgerald, and Brian Michie made a brief return to the mike to m.c. the broadcast, doing a reasonably straight job and helping to keep attention alive.

THE ONWARD ROAD

30 Mins.

Sustaining

Sundays, 8 p. m.

KMOX, St. Louis

A new twist to this program was made when Jerry Hoekstra, of KMOX's Public Affairs Dept., came to the aid of inviting excess of all rival stations in the St. Louis area to give their interpretation on the advancement of radio. After denouncing the move, Hoekstra reconsidered his decision the day before the broadcast and joined the round-table discussion. The absence of Rev. Herman Hohenstein prevented the assemblage from being 100%.

Program was m.c.'d by Walter G. Head, prez of the General American Life Ins. Co. Its usual 15 min. pep talk was pulled because of the presence of seven radio execs, all of whom acquitted themselves o.k. as radio speakers.

Merle S. Jones, gen. mgr. of labor union, discussed the wage issue. He was pulled because of the presence of seven radio execs, all of whom acquitted themselves o.k. as radio speakers.

William H. West, v.p. of WTMV, said television is a proven success but not yet commercially practical because today's equipment may be obsolete tomorrow. Albert S. Foster, gen. mgr. of WEW, declared that just as radio has hurt but bolstered picture attendance, it appeared to him that radio news broadcasting merely whets the appetite for longer newspaper stories.

George M. Burbach, of KSD, said his station plans its first live broadcast within the next 30 days. Burbach gave a technical explanation of how television broadcasting is accomplished. John C. Roberts, one of the owners of KXOK, St. Louis Star-Times new station that began operation Monday (19), said the fact that it keeps in constant touch with the public during all waking hours and thus is able to perform a public duty.

Program went off without a hitch and there were a few technical points that dialers probably could not understand, was a nice piece of showmanship by the station. *Sahu.*

SPOTLIGHT PARADE

With Rupert Caplan, Elinor Stewart, Charles Jordan, Roy Campbell's Royalists, Allan McIver & Orch., Freda Felsa.

Dramatic and Musical

30 Mins.

STANDARD BRANDS

Tuesday, 8 p. m.

CBM, Montreal

(J. Walter Thompson)

Indications are that this production will be generally liked by Canadian listeners. Show caught was the story of a group of material towards the close. Otherwise, it was well-paced.

Roy Campbell's Royalists, added to the show. Seven, three girls and four men. Excellent delivery strengthens show appreciably.

Rupert Caplan, directs, acts as m.c. and is featured in the one-act plays specially written for the show. Play caught was titled "Gratitude" and, although ending on an unhappy note with the death of a character, who has saved his employer's life, narrative was handled capably.

Flowery speech by announcer introducing Caplan, possibly intended as comedy, was superfluous and slightly ridged. Starr said that without Caplan the program would be like a song without lyrics, or a rose without a thorn. Copy of this type required: drastic blue-pencilling. Frank Starr, announcer, has clear, pleasant delivery.

Charles Jordan, featured warbler, was okay with one solo, "You Go To My Head", and could be used advantageously for another, time permitting. Allan McIver's orch. is smooth and orchestrations are satisfactory.

Krushen.

BLACK FLAME OF THE AMAZON

Serial

7:30 p. m., Four Times Weekly

2 CH, Sydney

American entertainment in wax form runs on the usual thriller lines but carries good fare for those who favor this type of air stuff. Nicely played by Americans and holding interest from needle start to stop. Set on the 7:30 p. m. run it is assured entrance at the right playing time for indoor consumption. Commercial plug is minor in running time. Aussie announcer takes up at point where last production ceases as provided by wax producer.

Although transcriptions are gradually fading from the night-time spots, this one should stick around for quite a spell without becoming tiresome. *Rick.*

JERRY COOPER

Songs

15 Mins.

Tues.-Thurs., 7:15 p. m., EDST

WEAF, New York

(Dolan & Doane)

Jerry Cooper, featured warbler for the first time since he left the Hollywood Hotel program last season, baritone himself impressively into his Tums-sponsored initial Thursday (19) outlet through WLW, Cincinnati.

Cooper sang only two numbers, of romantic type, when caught, best being "Lullaby, Lullaby, Please" and "A Chorus of Voices". Latter had a couple of tunes to itself.

Commercial plugs could be tempered.

Follow-Up Comment

Bernie Armstrong's "Time Out for Fun" show on KDKA, Pittsburgh, (19) was pulled because of the comedy half-hour of promise. Hasn't hit the groove yet, but shows improvement in last few weeks. Screwball timing is off as well as script should be scissored more carefully. Armstrong's also making a mistake in trying to make another Keuny Baker of his new singer, Ken Ward. Dialog with him is patterned exactly after the Benny-Baker lines and character is likewise developed the same way. Says "Time Out for Fun" openers could be made into a more favorable comparison. Musical interludes by Maurice Spitalny's staff had all out of top drawer and general tone of show is bright enough to indicate an eventual click.

Ethel Merman guested Thursday (19) on Radio Rialto's session over WOR. She was interviewed about about how much fun she had making "Alexander's Ragtime Band" with Tyrone Power, Alice Faye and Don Ameche, when it came about her newest "Straight, Place and Show" was inclined to be pretty much fun-mag stuff. Fact that Miss Merman was a note seemed like sorry programming. And the recorded applause was worse than a dead silence at that point.

In her film review portion of the program, she got off a pair of boners. Spoke of Belja and Sam Spewack and referred to "Room Service" as their stage play. It was "Room Service" that was the play. And Allen Boretz, Morrie Ryskind, did the screen play. She also stated the film rights were purchased by RKO for \$225,000. Correct figure was \$200,000. Correctly, the week from 6:45 p. m. to 7:15 p. m. Thursdays.

OSWALD AND STANTON

Comedy

8 Mins.

ROYAL GELATIN

Thurs., 8 p. m.

WEAF-NBC, New York

(J. Walter Thompson)

Recently formed partnership of Oswald and Stanton, of the one standard team of Val and Ernie Stanton, made its air debut last Thursday (15) via the Royal Gelatin show window. Outside of the circumstance that Oswald dominates the proceedings, the act's routine sounded just about the same as the one that Oswald used to do with Murray, except that Murray used to spray the lines with more giggles.

The studio audience seemed to get a big kick out of Oswald and Stanton's exchanges. They went heavily for riddles and puns and Oswald spotlighted himself for some playing on the Jew's harp and imitations. The jokes were very faint, but the act will sound funny. After a measure of teamwork experience, the new act should make a crack bet for a regular assignment on a network commercial.

Odece.

DON'T YOU BELIEVE IT

With Alan Kent

Disc

10 Mins.

WOR, Newark

(Lennen & Mitchell)

Waxers, spotted on various stations to catch the September 21st and 22nd, were spotted on WOR. The thing is kept moving at a rapid pace. Entertainment is of high quality and should hold and add listeners. Regular entertainers and announcers, aside from Battersea and the orchestra, are Elsa Kauerz, lyric soprano; Janet Bible, contralto; Lester Harding, baritone; Men of the West, quartet; Gilbert Verba, KOA announcer.

CURTAIN AT 8:30

With Robert Emmet Dolan, Otto Harbach, Genevieve Rowe, Joe Little Chorus

30 Mins.

Sustaining

Thursday, 8:30 p. m.

WJZ-NBC, New York

(Offshoot of the "Port of Missing Hits" program, which Dolan conducted for several years, but for lack of material, "Curtain" has ready-made appeal. It features tunes, most of which were hits from Broadway plays and musicals.

The innate appeal of the tunes is aided considerably by the arrangements laid out for Dolan's crew. Program selected the New Amsterdam theatre to lead off and used "The Great Waltz" as a starter. 30 Mins. from Broadway, "Roberta" and others.

BOONE COUNTY JAMBOREE

With Pa and Ma McCormick, Brown County, Deane Sisters, The Plainsmen, Boone County Choir, Ralph Woods and His Southern Stars, Charlie Wayne, Jimmy Leonard, Freddie Roehr, Hoosier Hotshots, Helen Diller

30 Mins.

INTERNAT. HARVESTER CO.

Friday, 8 p. m., EST

WLW, Cincinnati

(Aubrey, Moore & Wallace)

Program caught was second in a weekly series and the first one originating before a paid audience in a regular studio downtown, which is to be regular studio for balance of run. House seats 2,200 and admittance is 25-40c.

It's de luxe hillbilly opey over-weighted with commercials, long on music, streamlined with choral offerings, and plenty short on comedy, despite fast tempo. Hoosier Hotshots, borrowed from the WLS Barn Dance troupe in Chicago, provided the barnyard hotcha. Helen Diller, the Canadian Cowgirl, their guesster, was another solo, a la yelling.

One of stanza's best chorus was performed by the choral group of 40 voices, announced as the Boone County Choir. Quality harmony. Group had two songs, one of which was a gem by the De Vere Sisters (3), bolstered with hummin' background. Beautifully entwined was a "Hoosier" chorus, led by Charlie Wayne (Dameron) did creditably as m.c.

George C. Biggar, newcomer to the Crosley fold, and Harold Garr handled the production end. After a 45-minute lapse a quarter hour of the stage show is picked up by WLW as a sustainer.

JERRY COOPER

THE FAMILY MAN

Talk, Music

15 Mins.

Monday-Thru-Friday, 9:15 a. m.

WEAF, New York

Deft blend of a light story with incidental romantic touches, organ music, and a pointed poetry is interesting enough for female listeners. As told by a man (as here), who relates experiences of his motherless children, and tells of his role as a mother, the act is a gem. "Life is good so let's make the most of it," is the theme. Anonymous narrator's voice will help women re-live their own little dilemmas and help them to see the Candy-coated advice and poetry-readings drip with femme appeal in able hands. Organ music effectively plays up moods and emotions expressed by the narrator. Formerly on WTMV, East St. Louis, for eight months last year. *Hurl.*

COLORADO'S HOUR

Wesley Battersea, Elsa Kauerz, Janet Bible, Lester Harding, Men of the West (4), Gilbert Verba, Milton Shrednik, conductor

Variety

60 Mins.

CHAIKIN STORES OF COLORADO

KOA, Denver; KGHF, Pueblo

(Lord & Thomas)

Easily the most pretentious program and part of one of the largest political advertising campaigns ever to be co-operatively sponsored in the state, the chain stores are leaving no stone unturned in an effort to have the chain store box voted down at the coming fall election. Large newspaper space being used to corral listeners for the radio offering, with some also giving \$1,000 in prizes for short paragraphs on "What the Chain Store Means to Me."

To date no tax talk propaganda has been spread over the air. They're saving that for the closing week, when it will no doubt be poured on plenty. Right now the plan is to build up goodwill for the chain stores and make as large a profit as possible. Airings are held in the Lincoln Room at the Shirley hotel, with 1,000 capacity. Program originates over KOA and is remoted to KGHF, Pueblo.

The 'salutes' to various portions of the state are being written by Mary Coyle Chase. Show is m.c.'d by Wesley Battersea, Milton Shrednik director. The program is heavily faded for those last weeks. Airings are held in the Lincoln Room at the Shirley hotel, with 1,000 capacity. Program originates over KOA and is remoted to KGHF, Pueblo.

CURTAIN AT 8:30

With Robert Emmet Dolan, Otto Harbach, Genevieve Rowe, Joe Little Chorus

30 Mins.

Sustaining

Thursday, 8:30 p. m.

WJZ-NBC, New York

(Offshoot of the "Port of Missing Hits" program, which Dolan conducted for several years, but for lack of material, "Curtain" has ready-made appeal. It features tunes, most of which were hits from Broadway plays and musicals.

The innate appeal of the tunes is aided considerably by the arrangements laid out for Dolan's crew. Program selected the New Amsterdam theatre to lead off and used "The Great Waltz" as a starter. 30 Mins. from Broadway, "Roberta" and others.

Opener was nicely scripted, giving the impression of a Broadway premiere. With Genevieve Rowe, Joe Little chorus contributed vocals of various numbers. Show presents a pleasing half hour.

'OUTWARD BOUND'

Columbia Workshop

Drama

30 Mins.

Sustaining

Thursday, 10 p. m., EDST

WABC, New York

Columbia Workshop players and production crew swung into action for new season with every promise that their dramatic achievements will at least equal those of the past. The new season, which is a star, is an admittedly difficult piece to prepare for radio presentation and equally difficult to project clearly for airway listeners. That it was a facile production and a good follow-up indicates the infinite care given the 30-minute sketch.

"Outward Bound," which was done on the English stage in 1922 and on Broadway shortly thereafter, also was made as a picture by Warner Bros. Consequently, the story of the young married couple who attempt suicide and start off on the queer journey to find the ethereal kingdom is not unfamiliar.

Success of Columbia Workshop production in holding interest was in no small part due to effective direction, understandable lines and trim individual performance. Back credits, but outstanding was the work of the young Englishman who took his wife with him in the suicidal attempt. He was measured up, indicating careful casting.

Producers did skillful job in showing the manner in which the two escape from death and the "Outward Bound" ship when Jocko, their pet dog, is killed. Jocko is then suddenly gas out of the room in which they sought escape from life. While allowing for development of different characters on this strange boat, attention is kept on the main theme. Back ground effects, however, were inclined to blast through lines near the finish of playlet. Charles R. Jackson credited with the adaptation and Martin Gosh with direction. *Wear.*

AIR'S CRACK WAR COVERAGE

FEARS GRIP ARGENTINE STATIONS

Buenos Aires, Sept. 4.

Program quality is getting steadily worse and stations are falling into greater disrepute due to pulling of purse strings occasioned by recent government threats. Since Argentine government threatened to revoke licenses of nationalized radio, owners are sitting back afraid to move and unwilling to spend coin against uncertain future with consequence that things are going from bad to worse.

All stations can be disfranchised at a moment's notice since they operate without government concession with only a permit. Radio El Mundo is the only station with a concession and has that for 15 years. However, that also could be revoked if the government decided to nationalize radio a la British Broadcasting.

Threat first came in July when government voiced its concern over poor quality of majority of programs emanating from Argentine stations and stated that permits would be revoked unless something was done by way of improvement. Since that time a move to nationalize radio has taken foot. Rampant stealing of each other's programs for rebroadcast in more remote areas, general sloppiness of equipment, uninteresting presentation of uninteresting artists, over-lapping of frequencies and time, etc., all have had to do with present activity.

A graphic illustration of station El Mundo (LR3), Buenos Aires, will be distributed among agencies, etc., throughout U. S. by Melchor Guzman, New York rep of the station. Guzman returned from B. A. last week where he had been for two months studying station and other local radio situations. Aim now is to impress U. S. radio and advertising circles with importance of El Mundo in S. A. field.

A complete set of pictures of physical equipment and staff will be used along with accompanying literature. It's first time such an attempt has been made. El Mundo's idea is to gain some good will here in view of government threats to all stations, as well as for business reasons.

NAZIS CHECKING ON CZECHS VIA RADIO

Vienna, Sept. 11.

Having a Czech minority numbering almost 100,000, Austria Reichsleiter decided to add broadcasts in Czech language. Nightly at 7 p.m., for 15 minutes, the latest political developments are sent from new, Argentinierstrasse studio to Czech listeners, living mostly in the workers' districts, to counteract Czech news emanating from Prague. Title of the program is, 'Truth Succeeds.'

U. S. SET EXPORTS UP

Total Sales to Foreign Customers at \$675,285 in July

Washington, Sept. 20.

Healthy foreign demand for U. S. radio sets was noted during July, with total exports hitting \$675,285. Commerce Department reported last week. Five small countries took more than half the shipments.

Belgium was best U. S. market for tubes, buying \$31,854 worth; Canada, United Kingdom and Brazil were principal destinations of receiving set parts; France and Canada bought most accessories. Leading customers for complete receivers were Union of South Africa, \$104,052; Brazil, \$99,982; United Kingdom, \$56,438; Cuba, \$50,691; and Venezuela, \$47,059.

Prolog to Crisis

Prague, Sept. 10.

With the possibility that radio communication may prove to be the only reliable means of contacting the western world in the event of a second World War, Czechoslovakian authorities have completed preparations to meet an emergency. While only two stations are working at present, there are six others in reserve, located in various parts of the country.

Recent shortwave broadcasts by William Shirer, CBS' Continental rep, from Czechoslovakia to the United States were a complete success and caused great satisfaction in official quarters here.

ENGLISH RADIO TALENT 94% NATIVE

London, Sept. 13.

Talent employed in BBC programs are 94% British. Fact was revealed in statement by an official, replying to a complaint from secretary of Royal Society of St. George that too many aliens and too much foreign music appeared in programs.

As regards music, BBC angle is that in current series of Promenade Concerts (long-hair stuff), local compositions have outnumbered foreign by more than 10 to 1—excluding, of course, accepted classics. During present series 56 works of home composition have been presented, six being first performances. St. George Society looks somewhat screwy on the racial angle, and in its official magazine discriminates between English and other British listeners. Argues that native talent should get first call. Also claims there are too many Scottish musicians and an excess of Scottish music.

2 Full-Length Operas To Get English Airing

London, Sept. 13.

Long-hair music broadcasts during the fall are set to include two full-length studio productions of opera, with first to be aired Oct. 28. It will be Vaughan Williams' 'Hugh the Drover' and will be hardly cut at all for the ether.

Another idea is to present arias and orchestral items from unfamiliar operas, from series compiled by Max Robertson after soaking himself in European opera. Robertson has heard over 250 different pieces in various capitals, and specializes in picking up Continental broadcasts so as to spot any likely material.

Vox Pop in England

London, Sept. 13.

BBC is planning a little vox popping for the fall and winter season. Variety director John Fatt and producer Mike Meehan are putting new feature into resumed Saturday night 'In Town Tonight' series, reopening Oct. 8. Gag is to have a commentator planted at some busy spot with a mike to take snap interviews from passers-by on any topic that might occur.

Mike will be in hands of Michael Standing, son of late Sir Guy Standing.

CAN. STATION LEASED

Yorkton, Sask., Sept. 20.

For years operated by James Richardson & Sons, Ltd., as a market outlet into northwestern Saskatchewan and northeastern Manitoba, CJGX here has been leased to Dawson Richardson, of Winnipeg. Fred Ball, formerly of Winnipeg Tribune, was named commercial mgr.

Station studios remain in Winnipeg.

COMPREHENSIVE AND IMPARTIAL

Networks Distinguishing Themselves in Picking Up First-Hand Reports from European Nerve-Centers—Those Foreign Reps for U. S. Radio Doing Swell Jobs

ON 'EMERGENCY BASIS'

NBC, Columbia and Mutual, the trade agrees, did a crack job at covering the European crisis during the past week. The nets' sensitive alertness to news values and sources, deft marshalling of experts, wherever and whenever the occasion required, and keen exercise of impartiality and temperateness drew much favorable comment. Apparently because of the panoramic bigness of the event there were hardly any scoops scored. NBC picked up Premier Chamberlain on his return to England as a solo rebroadcast, but that was due to CBS' dropping out just a few minutes before to take care of some commercial commitments.

Concerted bombardment of news and views from the other side didn't actually get under way until last Tuesday (13). NBC had purposely laid off from heavily airing the European jitters until then because it wanted to avoid anything that smacked of war-mongering. But as soon as Chamberlain's proposed visit to Hitler was revealed, NBC chucked its hush-hush policy overboard and threw its facilities wide open to the European crisis.

Mutual delivered the most novel touch of the week late Saturday night (17), when it broadcast instantaneous recordings of news bulletin programs aired in English earlier that same evening by German and Czechoslovakian government-operated stations. While both news periods were larded with propaganda, the Nazi version offered American listeners a startling object lesson in unstinted venom and home-office journalism. Practically every item from the German transmitter, DJB, was preceded by 'it is reported.'

Both NBC and Columbia went on a 24-hour coverage basis of news from the Sudeten area and European capitals. Programs were frequently broken into with bulletins, and H. V. Kaltenborn spiced up Columbia's output by being on hand either to translate, give resumes or comment on what had just been heard from the other side.

Among CBS' pickups from abroad were William Shirer, its Continental rep; Edward Murrow, its European director; John Whitaker, of the Chicago Daily News; and Kenneth Downs, of the International News Service, in Paris; Melvin White-leather, of the Associated Press; and Pierre Huss, of the INS, in Berlin; Matthew Halton, of the Toronto Star, in Prague; and Sir Frederick Whyte, English lecturer and novelist, in London.

As the international crisis increased in acuteness, the points of origin of the NBC and Columbia broadcasts spread over a wider area. On Friday and Saturday the news bulletins and resumes were coming direct from as many as five places on the European map. NBC's parade of foreign experts included Fred Baer and Max Jordan, its own European rep; Alistair Kerr, freelance correspondent; Karl H. von Wiegand, of the International News Service, from Prague; Harold Eitlinger, Paris correspondent for the Chicago Daily News; Walter B. Kerr, Prague correspondent for the N. Y. Herald Trib; Walter Deuell, of the Chicago Daily News, in Berlin; Vernon Bartlett, freelancer; Gordon Lennox, of the London Daily Telegraph; and M. W. Fodor, of the Chicago Daily News' Prague bureau.

Mutual had its staff European commentator, John Steel, from Lon-

BBC's Visio of Feature Pix Gets Hypo, But Exhibs May Stymie Future Plans

London, Sept. 13.

BBC's idea of using pictures in television programs got further stimulation following Olympia radio exposition, when two of Gaumont-British's old epics were played alternately every day for a week. Showings evoked such comment from lookers, BBC now plans more pic revivals.

Problem, though, is whether it will get the pictures. Special permission was obtained from distributors for the two G-B films, but BBC will have to begin over again with Kinematograph Renters' Society if they are to hope to get other reissues for ethering. Society so far has stood out against releasing films for visio, and in this have had 100% support of Cinematograph Exhibitors Ass'n.

It's not certain that KRS would agree to lift its ban—a distributors assume, if there is still life in the old product, it will earn them more revenue in the theatres than BBC could afford to pay.

When BBC started off recently with a Continental picture, 'The Student of Prague,' that was okay with distributors, because KRS has no jurisdiction over that type of subject, but latest idea is that owners of visio receivers would take more kindly to reissues of English-speaking hits than to foreign language versions with subtitles.

Exhibs' Meeting

English exhibs are getting the jitters on account of visio, especially in view of reports BBC is angling for film product to trick out its programs. Matter is going to be threshed out by General Council of Cinematograph Exhibitors Assn., meeting in Glasgow tomorrow (Wed.), and meanwhile territorial groups have already gone to bat on the situation.

Idea promulgated at important Portsmouth centre was to have all motion picture interests combine in joint committee to resist approaches by BBC for permish to ether reissues, and this will be laid before the Glasgow meeting. CEA members aver all trade concerns should determinedly refuse to release either material or equipment to BBC which might in any way conflict with the theatres.

Possible BBC's approach to distributors meantime hasn't got any place, due to the fact Kinematograph Renters' Society has not been in session since July, though expected to meet again before this month is out.

already has convinced officials of the value of piping hot news directly to listeners. At present stations are interrupting regular programs to deliver the latest bulletins on Czechoslovakia and Germany, with frequent round-ups used to summarize developments.

Station officials in all Washington studios are holding daily and nightly conferences on the handling of current war stuff, and on the extremely delicate situation into which they will be plunged in the event of a foreign explosion.

Canadian Breaks

Saskatoon, Sask., Sept. 20.

Anxious to broadcast every European flash on the networks and still carry their own commercials, CBC outlets are having a hectic time of it. Most have followed lead of CKCK, Regina, in appointing man to sit by with earphones and plug in any special announcement even while commercial is in progress.

FRENCH SOUP

Montreal, Sept. 20.

Campbell Soup is said to be mulling a French program to go over a regional network in this province. Eastern sales manager for Campbell, from Camden, N. J., has been reported negotiating for one of several productions.

Station's Newsroom

Newsroom broadcasts from WRC-WMAL will become a permanent feature of the NBC transmitters, whether or not war breaks in Europe. Success of the new setup

seen in orders to personnel of WJSV, CBS transmitter, to remain on call at any time of the day or night; installation of complete broadcast equipment in the WRC-WMAL newsroom to facilitate instant broadcasts of flashes from United Press, while WOL (Mutual) is keeping bigshots off the air as much as possible so that frequent cut-ins 'will not hurt anybody's feelings.'

Newsroom broadcasts from WRC-WMAL will become a permanent feature of the NBC transmitters, whether or not war breaks in Europe. Success of the new setup

Agencies-Sponsors

WOR, NEW YORK

Julius Grossman (Shoes) through Sterling Advertising placed quarter-hour program 'Lamplighter' starting Sept. 11. Heard Sundays 12:30 p.m.

Olson Rug Co. five-minute program, starting Sept. 20. Tuesdays, Thursdays and Saturdays at 8:20 a.m. Presba, Fellers and Presba set.

Regal Shoe Co. inked for Transradio News and football followup series via Dave Driscoll starting Sept. 24 at 4:15 p.m. Frank Presbrey Co. set.

Journal of Living Publications (V-Bev), 15-minute show, 'Moments of Relaxation', Sundays at 7:45 p.m., starting Sept. 25 through Franklin Bruck agency. Norman Brokenshire handling. Also set for second series on Mondays, Wednesdays and Fridays starting Sept. 12. Victor W. Lindharg program from 12 to 12:30 noon.

W. Warren Barbour Campaign Committee, Red Bank, N. J., signed for one shot, Nov. 7, 9:15 to 9:30 p.m. Schenck Advertising agency.

Firestone Tire and Rubber Co. 'Voice of the Farm', starting Sept. 13 at 12:15 to 12:30 p.m. every Tuesday and Thursday. Formerly heard Mondays and Fridays.

Pine Co. changed schedule to Tuesdays and Thursdays starting Oct. 4 from 4 to 4:15 p.m., presenting Transradio News with Frank Singler. Russel M. Seeds agent.

WOV-WHL, NEW YORK

General Mills, Inc. (Wheaties), 15-minute programs five times weekly, through Blackett-Sample-Hummert.

Continental Baking Co. (Wonder Bread), 35 spot announcements; through Benton & Bowles.

Health Products Corp. (Feen-a-Mint), spot announcements through William Esty.

Diamond Candle Co., Inc., three half-hour programs and three spot announcements weekly.

Rex Jewelry Co., half-hour weekly, through Carlo Vinti Advertising.

Planters Edible Oil Co. (All d'Italia Oil), 15-minute programs, six times weekly; through Pettinella Advertising Co.

Keystone Manufacturing Co. (San Giorgio Macaroni), half-hour weekly, through Alkin-Kynett.

Public Service Optical Co., three 15-minute programs weekly.

Mays 34th Street, N. Y., daily 15-minute programs.

New York School of Music, 15-minute weekly.

Rev. Glenn H. Davis, New York, one hour weekly.

KFRC, SAN FRANCISCO

General Mills, Inc., through Westco agency, is spotting its transcribed serial, 'Jack Armstrong', five days weekly starting Sept. 26 on KFRC and all Mutual-Don Lee outlets in California except KVEC. Contract expires April 21, 1939.

Marin Bell Milk Co., through Campbell-Ewald, has renewed for another year its Saturday night broadcasts of 'Budda's Amateur Hour.' Dean Maddox is m.c.

Hartz Mountain Products, Inc. (bird seed), through George Hartman, New York, signed for 10-minute participation in Tuesday broadcasts of 'Feminine Fancies' over KFRC, and all Mutual-Don Lee stations on Coast except KVEC. Contract for one year.

P. Lorillard Co. (Sensation cigarette), through Lennen & Mitchell, New York, has inked year's renewal for twice-weekly 'Don't You Believe It' programs conducted by Bob Bence over KFRC and the Mutual-Don Lee web (except KRKO and KGDM).

WGNY, NEWBURGH, N. Y.

Ford Motors (for special used car drive) set for 39 50-word announcements, starting Sept. 1.

Ralston-Purina, three quarter-hour periods weekly, commencing Sept. 12 and running Mondays, Wednesdays and Fridays for 17 weeks. Recorded by World Broadcasting, featuring WLS Barn Dance talent.

WNEW, NEW YORK

Siegel System Sales Corp. (voice culture), sharing 'Make Believe Ballroom' program for six quarter-hours weekly for four weeks, beginning Aug. 29.

Ford Motors, 25 spot announcements for 10 days, starting Sept. 1. Placed by McCann-Erickson agency.

C. F. Mueller (macaroni), Jersey City, participation in 'Morning Star' program, six times weekly for 39 weeks. Started Sept. 5.

O-Cedar Corp. (mops and polish), starts Sept. 12 with five spot an-

nouncements per week for eight weeks. John H. Dunham placed.

Peter Paul, Inc. (candy), 62 spot announcements, starting Sept. 12 and ending Dec. 16. Platt-Forbes, Inc., agency.

Philip Morris Co. (Paul Jones cigarettes), on Aug. 29 started index six times per week participation in 'Early Risers Club' program. Blow Co. placed.

Crowell Publishing Co., through Geyer, Cornell & Newell, New York, begins a weekly morning quarter-hour, 'Carolyn Pryor', home economics on KFRC and California Don Lee web on Sept. 16.

White Laboratories (Feen-a-mint), through William Esty, New York, spotting 100-word announcements five days weekly, starting Sept. 6 through June 5, 1939.

Oxo, Ltd. (bouillon cubes), through Platt-Forbes, New York, begins three-weekly spot announcements Sept. 26 through Dec. 30. Also five a week on KSFO through Dec. 6.

Peter Paul, Inc. (Ten Crown gum), through Emil Brischler & Staff, sponsoring three-weekly participating announcements on 'Don Lee World Reporter' programs over KFRC and Don Lee web in California. Through Jan. 14, 1939. Also signed with KSFO for five weekly broadcasts of 'Oddities in the News' for 26 weeks.

Standard Beverages, Inc. (Par-T-Pak), through Emil Reinhardt, Oakland, Cal., is spotting one-minute announcements on KPO. San Francisco, Sundays, starting Sept. 4.

McKoskey Airflex Mattress Co. switches its 'Sleep Serenade' quarter-hour from Sunday to Thursday starting Oct. 15 over KPO. San Francisco. Emil Brischler agency.

KSFO, SAN FRANCISCO

Lewis-Howe Co. (Tums), through H. W. Kastor & Sons, sponsoring 10 transcribed announcements weekly through June 9, 1939, in addition to a weekly quarter-hour transcribed variety show which debuts Sept. 25.

Beaumont Laboratories (cold tablets), through H. W. Kastor & Sons, signed for 10 transcribed announcements weekly starting Oct. 10. Contract expires March 10.

Chrysler Motor Corp. (Plymouth Autos), through J. H. Sterling Cetchel, Chicago, will air 10 night announcements weekly starting Sept. 22 over a 13-week period.

Gordon-Allen, Ltd. (Par soap), through Tomaschke-Elliott, Oakland, Cal., six weekly daytime announcements through Dec. 31.

Oneida Silver Co., through Batten, Barton, Durstine & Osborne, set for two announcements weekly beginning Sept. 12 for 13 weeks.

WJJD, CHICAGO

Sterling Insurance, 30 minutes daily, seven days weekly. 'Oklahoma Outlaws' singing western ballads. Contract to run 26 weeks. Direct.

Newart Clothing Co., 15 minutes weekly following pro football games of Chicago Bears. 'Dressing Room Interviews' with Red Grange. Malcolm-Howard agency.

Dr. Schell's Foot Comfort Shops. News broadcasts three 15-minute periods for 13 weeks. Presba, Fellers & Presba agency.

McKenzie Milling Co., 10 announcements weekly for 13 weeks. John Dunham agency.

Logan Laundries, 15 minutes weekly, recorded music on Sundays; 26 weeks. Robert Kahn agency.

Wildfire Oil's 'Full Over Neighbor' on KFL (Los Angeles) renewed for 13 weeks.

DON LEE COAST CHAIN

Wheaties 'Jack Armstrong' renewed for another 30 weeks.

Phillies (cheerleaders) ticketed Sam Balter as sports narrator.

Woman's Home Companion sponsoring shoppers' program. Contract for 30 weeks.

Norman Nesbitt's news cast taken for 13 weeks by Ten Crown gum. Early morning period tagged by Folianta dentrice.

'Calling All Cars', Rio Grande oil's cops-and-robbers opus, renewed for one year on Columbia Coast network.

Sawyer Biscuit Co., 'Adventures of Jimmy Allen', on WMAQ, Chicago, beginning Sept. 26. Five-a-week quarter-hours at 5:15 p.m. Neisser-Meyerhoff agency.

KDKA, PITTSBURGH

Carlton and Hovey (Father John's Medicine), weather reports nightly except Sunday for 26 weeks starting Oct. 3, through John W. Queen agency.

Duquesne Brewing Co., quarter-hour of music every Friday and Saturday evening for 52 weeks, through Walker-Downing.

Royal Typewriter Co., spot announcements nightly for 13 week, direct.

Air Conditioning & Training Corp., 'Music of Today' disc quarter-hour every Sunday night for 13 weeks, through National Classified.

Kellogg Co. (All-Brans), three participations weekly in Home Forum for 13 weeks.

Republican State Committee, three 15-minute spots weekly through Nov. 3.

Duquesne Light Co. has taken two new shows weekly on WCAE, Pittsburgh, for 13-week stretch. First hits every Wednesday night at 7:30 and features new rhythm combination under Max Adkins with singing trio of Jeanne Baxter and Henrietta and Dorothy Rosenberg. Other program is quarter-hour, every Monday and Thursday, with Anne Sutter, home economics expert.

Oldsmobile Co. will sponsor play-by-play accounts of Pittsburgh Pirates' away-from-home football games in National Pro League over WWSW, Pittsburgh. Joe Tucker at the mike and account was placed direct.

Atlantic Refining Co. has purchased time on WWSW, Pittsburgh, for broadcasts of nine football games this season; four Carnegie Tech clashes, three Penn State affairs and two involving Duquesne U. First time that WWSW has broken into the collegiate grid picture. Claude Haring, now in Buffalo broadcasting accounts of Buffalo baseball games in International League, will do the descriptions.

WAAB, BOSTON

Book Trade Assn., Boston (Publishers and Sellers), 13 15-minute programs, Saturdays p.m. Book Theatre with Mabel Cobb. Placed through Chambers & Wiswell, Boston.

Division of Savings Bank Life Insurance, Commonwealth of Mass., renewal, 52 participations in News Service, Sundays, noontime, from Sept. 26 through Sept. 17, 1939. Placed through A. J. Ellis Co., Boston.

Friend Bros., Inc., Boston (Baked Beans), 52 30-minute programs, Sundays, noontime. Friend's Student Radio Club. From August 28 through August 20, 1939. Ingalls-Advertising Co., Boston.

Pieroni Bros. & Co., Boston, 12 time signals, six weekly, noontime, through F. Lewis, Boston.

WNAC, BOSTON

Walker-Gordon Laboratory, Plainsboro, N. J. (Milk Products), renewal 117 100-word plugs, full week (daily) from Sept. 6 through Dec. 31. Young & Rubicam.

Pine Bros., Inc., Philadelphia (Oral Mouth Tablets), 60 30-word plugs, from Oct. 31 through Feb. 17, 1939, staggered schedule. McKee & Albright, Philadelphia.

First National Stores, Inc., Somerville, Mass., 234 fifteen-minute programs, daily Mon.-Sat., to preem. Sept. 26 and end June 24, 1939. (Also on WTIC, Hartford, WEAN, Providence, and WTSN, Portland). Badger & Brown, Boston.

Grove Laboratories, St. Louis, Mo. (Grove's Bromo Quinine), 308 100-word plugs, daily full week, staggered schedule, from Oct. 1 through March 3, 1939. Stack-Goble Agency, Chicago.

Rumford Chemical Works, Rumford, R. I. (Baking Powder), 116 30-word plugs, two daily except Sundays, a.m. and p.m., from Sept. 15 through Nov. 21. Atherton & Currier, N. Y.

Washburn Candy Co., Brockton, Mass., 60 30-word plugs, Mon.-Fri., from Sept. 12 through Dec. 2. Bennett & Snow.

KFRC, SAN FRANCISCO

Pacific Greyhound Bus Lines (renewal) through Beaumont & Hohman agency, San Francisco, 35 broadcasts of 'Tentacles on the Highways', 15-minute dramatic program, Starts Jan. 1 over Mutual-Don Lee network through California and Oregon.

Wheatena Corp., 78 times, starting Sept. 19 at 7-7:15 p.m., Monday, Wednesday and Friday with Ford Rush and his Tinkle Toy Band, an

et. show. Placed by Rahbraugh & Gibson, Philadelphia.

Remar Baking Co., 22 times with 'Show of the Week', live talent, starting Sept. 25, 3:30-4 p.m. Sundays, through Sidney Garfinkel, San Francisco.

Alders Bros. Milling Co. (Friskies), through Erwin Wasey & Co., Seattle, 26 broadcasts of 'Jimmy and Gyp', et. dramatic show, starting Sept. 27 from 5:15 to 5:30 p.m., Tuesdays and Thursdays.

Dr. Frank E. Robinson (renewal), 52 broadcasts starting Sept. 11 with 'Psychiana', et. talk at 10:45 a.m. Sundays for five minutes. Izzard Co. placed.

Fred T. Wood, Inc. (Real Estate), through Emil Reinhardt, Oakland, Cal., 13 times starting Sept. 11 at 10:15 a.m. Sundays. 'Moraga Melodies', et. music.

Calif. State Chamber of Commerce, San Francisco, 30 times for one minute et. announcements at varying times, starting Sept. 14.

Renault Wine has signed with WCAE, Pittsburgh, for three weekly 10-minute news broadcasts for next 13 weeks. Bob McKee, of station's staff, doing headlines-spiel. Program is aired for additional three-weekly periods at noon as sustainer.

Eastern Wine Corp. (Chateau Wine), through Alvin Austin, full-hour variety program on station WEVD, N. Y., starting Sept. 20. Aired 11 p.m. to 12 midnight. Maurice Hart will m.c.

Sawyer Biscuit Co. (United Biscuits), through Sherman K. Ellis, 'Air Adventures of Jimmy Allen', over WMAQ, Chicago, five times weekly starting Sept. 26.

WGY, SCHENECTADY

Quaker Oats Co. (animal feeds), 39 half-hour 'Man on the Farm' Saturday noon programs, with two 10-minute transcribed units and a 10-minute live talent agricultural interview handled by Announcer Chester D. Vadder, through Benton & Bowles, starting Sept. 24.

Ralston Purina Co. (livestock feed), 15-minute musical transcriptions, 'Checkerboard Time', thrice weekly, to June 2, 1939, through Gardner Advertising Co., St. Louis.

Kellogg Co. (All-Brans), participations in Market Basket, thrice weekly, to Dec. 22, through Kenyon & Eckhardt, N. Y.

Fowler's Department Store, Glens Falls, N. Y., participations in Market Basket, twice weekly to Dec. 22, through Hevenor Agency, Albany.

Good Luck Food Products, participations in Household Chats, once weekly to Dec. 15, through Hughes, Wolff & Co., Rochester.

Curtice Bros. (Blue Label Tomatoes), participations in Household Chats, once weekly, through Dec. 8.

Cobleskill Milling Co. (Kapple Pancake Flour), 20 participations in Market Basket.

Procion & Rossi, Auburn, N. Y. (macaroni and spaghetti), half-hour Italian musicals, Sundays, Oct. 2 through March 26, 1939, through Barlow Agency, Syracuse.

Fern Furniture Co., Albany-Schenectady, five-minute announcements twice weekly, Sept. 26 to Dec. 24, through Leighton & Nelson, Schenectady.

Mantle Lamp Co., quarter-hour transcriptions, Sundays, Oct. 16 to Jan. 8, 1939, through Presba, Fellers & Presba, Chicago.

Carlton and Hovey, Inc. (Father John's Medicine), daily weather reports, Oct. 3 to April 1, 1939, through John W. Queen, Boston.

Atlantic Refining Co., Saturday college football games, Oct. 1 to Nov. 26, through N. W. Ayer, N. Y.

Knox Gelatine, participations in Market Basket, twice weekly, to Dec. 7, through Kenyon & Eckhardt.

Maxfield Furniture Co., Albany, five-minute announcements, once weekly, Sept. 18 to March 12, 1939, through Hevenor Agency.

Riverbank Canning Co. (Madonna Tomato Paste), participations in Market Basket, twice weekly, to Oct. 26, through Sternfield-Godley, N. Y.

Rival Dog Food, participations in Market Basket twice weekly, Oct. 4 to July 1, 1939, through Charles Silver & Co., Chicago.

Ward Baking Co. (Soft-Bun Bread), quarter-hour transcriptions of 'Jane Arden', live times weekly, Oct. 10 to Jan. 6, through Sherman K. Ellis, N. Y.

Royal Typewriter Co., one-minute announcements, twice weekly, Sept. 21 to Dec. 16.

Rumford Baking Powder, one-minute announcements thrice daily,

to March 12, through Atherton & Currier, N. Y.

Saltessa Packing Co. (soup), one-minute announcements, through Livermore & Knight, Providence.

Williamson Candy Co. (O'Henry), one-minute et. announcements, five times weekly, to Sept. 1, 1939, through John H. Dunham, Chicago.

Beaumont Laboratories (Four-Way Cold Tablets), one-minute announcements, Oct. 10 to March 11, through H. W. Kastor, Chicago.

KDKA, PITTSBURGH

Campbell Cereal Co. (Malt-O-Meal), quarter-hour disc shows three times weekly for 26 weeks. Through H. W. Kastor.

Republican State Committee, 19 quarter-hour spots for political addresses. Through McLain.

John Morrell Co. (E-Z Cut Ham), spot announcements daily for 26 weeks. Through Henri, Hurst & McDonald.

Lewis-Howe Co. (Tums), two announcements daily five days a week for 39 weeks, and 15-minute disc programs once weekly for 39 weeks. Through H. W. Kastor.

Democratic State Committee, 18 quarter-hour political talks. Through Barnes & Aaron.

Beaumont Laboratories, 15-minute transcription show once weekly for 22 weeks. Through H. W. Kastor.

WMCA, NEW YORK

National Bowling Arena, N. Y., five-minute spot announcements five times weekly for 26 weeks starting Sept. 12. Direct.

Peter Paul, Inc., Naugatuck, Conn., five-minute program, 'Odd News Today', Monday through Fridays, starting Sept. 12 for 14 weeks. Through Platt-Forbes.

Man-O-War Publishing Co. (renewal), 'Turk Club', 6 to 6:15 p.m., Monday through Saturday, starting Sept. 12 for 52 weeks. Through Metropolitan Advertising Co.

Carlton & Hovey (Father John's Medicine), one-minute announcements Monday through Friday for 26 weeks, starting Oct. 3. John W. Queen, Boston, placed.

Communist Party, started Sept. 16 with 26 broadcasts through J. P. Muller agency.

WIN, NEW YORK

Royal Typewriter Co., through Buchanan & Co., 13-week contract for 15-minute participations in Charles McCarthy 'Early Bird' program six mornings per week. Also on five-minute break announcements twice weekly.

Famous Furriers, N. Y., through Midtown Advertising, placed participating announcements in Sam Taylor's 'Hollywood Sound Stage' program for 13 weeks.

P. J. LeRoy (home piano instruction) (renewal) of 13 weeks, effective Sept. 12 for two 15-minute periods daily, six days per week.

WOR, NEW YORK

R. H. Macy & Co., through Young & Rubicam, starts Sept. 19, Mondays through Fridays, 12:45 to 1:00 p.m., with 'Consumers' Quiz.' Also for Martha Manning, sales talk, starting Sept. 20 every Tuesday at 9:15 a.m. for 15 minutes.

Tide Water Oil Co., N. Y., through Lennen & Mitchell, renewal beginning Nov. 12, Stan Lomax, sports reporter, Mondays, Wednesdays and Fridays, 7 to 7:15 p.m.

Carl's Products, Inc. (Carter's Little Liver Pills), through Street & Finney, renews five-minute 'Dramatized Health Talks', et. starting Oct. 12, Monday through Friday.

Gas Appliance Society of California, through Jean Scott Frickelton agency, San Francisco, is planning another series of its periodic 10-day campaigns over stations in northern and central California. Oct. 5 to 15. Time will be bought for 100-word spot announcements and five-minute participations on home economics shows.

Electrical Appliance Society of Northern California will use KQW, San Jose, in a test campaign beginning Oct. 1, in which 100-word announcements will be used. Through Jean Scott Frickelton.

Dental Co. (dental plate cleanser), San Francisco, through Rufus Rhoades & Co., conducting spot announcement campaign on three Coast stations: KFRC, San Francisco; KFAC, Los Angeles, and KXA, Seattle.

Benjamin Franklin Life Insurance Co., San Francisco, sponsoring series of 130 quarter-hour musical programs on KQW, San Jose, relayed from KJBS, San Francisco.

68 Dailies Have Dropped Radio 100%, Others Retain Logs and Highlights

Total of 68 newspapers have dropped all phases of radio free space during the past eight months. Others have eliminated features, columns and photos, but retained logs and program highlights. Impression around the networks is that these moves were actuated more by a desire to economize on overhead than by a hostility to broadcasting as a competitive media. Also that as business picks up, most of these drop-outs will be back on the columnar space list.

Among the towns where the brooms swept clean when it came to radio are Los Angeles, San Francisco, Detroit and Hartford, Conn. In no instance was space shortage given as the reason for the elimination.

One radio p. a., who makes a practice of maintaining a record of papers devoting space to radio, declared last week that there are still 334 newspapers with over 20,000 circulation which still carry logs, best bits and gossip columns.

LANDIS WAITS FOR SPONSOR

No statement had been issued by Judge K. M. Landis, baseball czar, up to yesterday (Tuesday) as to the availability of the World Series on a sustaining basis. Series starts Oct. 5.

It is understood that he will call a meeting of the representatives of CBS, NBC and Mutual as soon as he becomes convinced that there isn't a chance of selling the series. No bites are reported by any of the networks.

It is reported that Landis is peeved because NBC and Mutual included the forthcoming series in promotional pieces put out by the nets.

WELI, N. H., DICKERING FOR CBS AFFILIATION

New Haven, Sept. 20. WELI, Postmaster Patrick J. Goode's indie, is set for full time by permission of the FCC. Station has options on three transmitter sites and construction will begin after commission okays location. Kilocycle, now 900, will switch to 930 with day-and-night schedule.

WELI is eighth of Connecticut's nine commercial exhalers to get full-time permit. WNLC, New London, newest of state stations, has been recommended grant by examiner.

Affiliation of WELI, covering New Haven and southwest Connecticut zone, with CBS is assured. Manager James T. Milne, huddling with Columbia execs in New York, has already been given alternative of becoming daytime ally until night operation begins, or of waiting until WELI makes full-fledged preem.

Other Connecticut airmers readying for full time are WATR, Waterbury indie and affiliated with WELI and WNBC, New Britain, as Connecticut Broadcasting System, and WNBC, which looms as a candidate for an NBC-Blue diploma. Blue net has no representation in Hartford area, which WNBC's new transmitters will blanket.

Bette Davis Leads Off In Texaco Drama Spot

Hollywood, Sept. 20. Dramatic spot on Texaco Star Theatre, initialing Oct. 5 over Columbia network, will be tenanted by Bette Davis, supported by players from the Reinhardt Workshop.

Producer Bill Bacher giving 18 minutes to the acting turn. Remainder of program will be music and comedy.

Bob Poole at WNEW

Bob Poole, formerly with WBIG, N. C., has been added to the announcing staff of WNEW, N. Y.

Spieler will double into a soloist slot as well as making announcements.

Injun Trouble

Salt Lake City, Sept. 20. KSL receptionist Parley Baer escorted a special tour of Navajo Indians through ether outfit, spicing a concise pitch for the copper-hued rubber-necks. After 40 minutes, Baer exclaimed 'If there are any questions, I shall be glad to answer them.'

Several minutes later, one of the tribe manifested courage to answer: 'No questions, no understand English.'

Fels Naptha Spotting Local Live Shows

Fels Naptha account is readying for a return to radio, but on a live show basis in various localities.

Hubbell Robinson, Jr., of Young & Rubicam, is again doing the scouting around in the eastern and mid-west sectors, while the agency's Hollywood office is doing like service in the Pacific area.

B.B. Rates in Midwest Have Hit Peak; Stations See Need for Price Cutting

Chicago, Sept. 20. Station operators in the midwest area are reported to be coming around to the view that their rates for play-by-play baseball broadcasts have about reached the peak and that a new selling arrangement should be developed for such programs. On practically all outlets, baseball time is sold at considerably above the rate card and it is the consensus of opinion among broadcasters that if the burden is permitted to become too onerous for this type of advertiser there's a chance of killing the proverbial goose. Besides the premium rates, the client's final bill includes the cost of the broadcast rights and the out-of-town wire pickups when rain or other factors

cancel home games. In Chicago, as an example of the nation-wide situation, cost of games runs from \$35,000 to \$150,000 for the season on the various stations, with the rights costing an additional one-third of those figures. Also most of the stations charge an additional one-half charge for games that must come in by wire. Thus, if the pro rata figure for each home game is \$1,000, the station gets an additional \$500 for those games which are brought in from out-of-town.

Advertisers have begun to squawk that a 200% increase is too much of a premium to pay for baseball, with the result that the baseball broadcast field is being narrowed down each year to a few dyed-in-the-wool baseball play-by-play advertisers such as Kellogg, General Mills, Texaco, Socony-Vacuum, Goodrich, Old Golds.

NOW 10 FALL COMMERCIAL NET WORK ORIGINATIONS ALREADY SCHEDULED FOR WLW

Leading agencies are finding new characterizations and original presentations for their script shows and productions NOT needing Broadway and Hollywood talent and are SAVING MONEY to buy additional stations. You too can get the most audience for your network appropriation by economical production with WLW's independent talent.

New voices—fresh personalities—tomorrow's stars—put sparkle in your script—save dollars in production.

BUY MORE STATIONS WITH MONEY SAVED!

More listeners—more sales! This is the point where appropriation dollars will stretch without weakening any part of the plan. WLW maintains the greatest independent source of talent in the country.

ABLE STAFF AND SPOT DRAMATIC CAST OF 50

If your show needs no big names you will find WLW staff dramatic and spot cast of 50 fits any script. Special talent to individualize your show is easily and economically added.

53 staff musicians provide any type background . . . Nationally known conductors, arrangers and directors.

Many agencies in New York and Chicago find that WLW originating facilities provide big time showmanship at half the cost of metropolitan production.

CINCINNATI
LARGEST INDEPENDENT
SOURCE OF TALENT

GET FREE AUDITION

WLW

Let us cast your script—furnish you with free recording. You'll be amazed when you listen and then look at the cost.

WLW is a constant source of NEW ideas. Several sustaining shows with audiences already built available for fall campaigns. Write, or wire or tune in

THE NATION'S STATION

Results
COUNT MOST

WJAR
5,000 Watts
NBC Red
Rhode Island's
Leading Station

WEED & COMPANY

**RADIO STATION
REPRESENTATIVES**
NEW YORK - CHICAGO
DETROIT - SAN FRANCISCO

Priest Attacks Chairman McNinch As Not 'Sincere' on Investigation

Washington, Sept. 20. Removal of FCC Chairman Frank R. McNinch, for asserted unfitness, was demanded Sunday (18) by Rev. Edward L. Curran, president of Catholic Truth Society, in telegram to President Roosevelt warning that immediate steps are necessary to guarantee that the forthcoming radio investigation is not a whitewash. No reply from New Deal quarters.

Reciting McNinch's political record, Father Curran, who was agitating last spring for a Congressional probe of the broadcasting industry and the regulators, charged the FCC leader with political treason and with seeking to purge the Commission staff of people who do not share his 'intolerance.'

Reported purge of 'loyal members of the Commission' is aimed at removing individuals who will not 'be a party to his subtle efforts to minimize and, if possible, to nullify your own public demands for a thorough and genuine investigation of the admitted unsavory conditions existing in radio broadcasting, Father Curran charged. McNinch's opposition to a Congressional look-see was brought to the President's attention with the priest accusing the FCC chief of lobbying around the House of Representatives 'to thwart the efforts of conscientious legislators in their attempt to present the truth

about radio monopoly to the American people.'

Although McNinch was named to conduct a clean-up of the FCC, he 'has done nothing to correct the admitted abuses in radio,' the cleric declared. 'Nor has he done anything about the charges made in Congress and never denied, that monies of a large national network, a holder of many valuable radio licenses, were used to bribe elected representatives of the people and to debauch Federal Court officials.'

EWU and WSAY, Roch., Sign Wage-Hour Pact

Rochester, Sept. 20. With the aid of Thomas M. Pfann, U. S. labor conciliator, WSAY here has reached an agreement with its five technicians, who three weeks ago went on strike, taking the station off the air for three hours.

Pact calls for a 44-hour week and 100 to 125% increases in pay. Present workers are to be retained and any new technicians added must be members of the Electrical Workers Union, which negotiated the agreement.

General Manager Gordon P. Brown represented the station in the negotiations.

New Indpls. Station

Indianapolis, Sept. 20. Indianapolis' new station, WIBC, will begin operation Sept. 25 from its studios on the ninth floor of the Indianapolis Athletic Club. Station will be on the air daily from 6 a. m. to sunset, operating on a frequency of 1,050 kilocycles with 1,000 watts power. Will use the old WIRE transmitter.

Glenn Van Auker, Indianapolis attorney, is president of the Indiana Broadcasting Corp., which will operate WIBC. McLaughlin, who will serve as general manager, is a former staff member of both the Indianapolis Star and the Indianapolis Times, and returns to Indianapolis from Cleveland, where he was general sales manager for the United Broadcasting Co. stations, WHK and WCLE.

FORESEE BOOM IN RADIO EDUC.

Washington, Sept. 20. Big boom in education by radio is expected this year by the U. S. Office of Education, which pointed out that all major webs are cooperating actively in providing better programs for school kids.

Number of groups producing educational programs, now about 350, is likely to double this year with the increased interest in possibility of hooking culture with broadcasting. State radio councils are making good progress and the industry seems inclined to play a larger part in the efforts.

Reservation of 25 ultra-high frequencies for non-profit educational stations is stimulating development of broadcasting for school purposes. Officials noted New York has received permission for one of these transmitters and Cleveland will operate an outlet this year. Score of other educational systems, colleges and universities are ogling the situation. Equipment companies are cultivating the prospective market.

Atlanta Outlets Go Heavily for Election Returns in Hot Race

Atlanta, Sept. 20. Four local stations really went to town with election coverage here last week. WSB was on air intermittently throughout the day with returns and at 8:15 p.m. cleared the decks for a continuous spasm straight through until almost 2 a.m. Thursday (15), with brief interludes for benefit of Amos 'n' Andy clearance. Ernest Rogers and Lambdin Kay droned out the figures, in which there was plenty of interest due to fact that Sen. Walter S. George, singled out for purging by President Roosevelt, was putting up fight for his political life. He was over ex-Gov. Eugene Talmadge and Federal District Attorney Lawrence Camp, who carried presidential blessings into race, but placed third.

WAGA, little brother of WSB, Journal-owned station, put on a competitive show, using United Press coverage, sponsored by General Electric. WSB used AP returns, as did WGST, which has newscast tieup with Constitution, morning sheet.

WATL, indie station, had a ball game to air during early part of evening, but managed to squeeze in returns and later miked election proceedings from Hearst's Georgian-American building, using INS dispatches.

Atlanta stations reaped a goodly harvest with the unprecedented amount of time bought by the candidates in the bitterly contested races. Even the small stations throughout the state got fat.

HOTEL STUDIOS

Charlotte, N. C., Sept. 20. Studios for Salisbury's new station, WSTP, will be located in the Yackin hotel, occupying a second-floor wing that consists of eight rooms and a hallway.

WSTP will have a daytime power of 250 watts and a night power of 100 watts, unlimited. It will operate on a frequency of 1,500 kilocycles.

Starting in October, BBC will present regular Wednesday night 'Swingtime' feature for jitterbugs, using recordings.

Monopoly Probe Due Oct. 24

Washington, Sept. 20. Federal Communications Commission today (Tuesday) issued a form letter addressed to all radio stations announcing that the start of its monopoly probe will be Oct. 24. 'Contracts, agreements and other arrangements with third parties' affecting station operation will be looked into.

Three national networks, NBC, CBS and Mutual, plus the regionals are specifically summoned to tell all. They must be prepared to reveal full info on their relationships, financial terms, corporate setups and their payments to A.T.&T. and others.

Campau Succeeds Ryan As CKLW's Gen. Mgr.

Detroit, Sept. 20. James E. Campau succeeds Frank Ryan this week as general manager of CKLW. Ryan, who's been g.m. of station for past three years, leaves to become public relations counsel for the Hudson's Bay Co. as contact man for company in U. S. and Canada.

Campau has been in charge of operations and staff at CKLW's Windsor (Ont.) studios since station hit ozone in May, 1932. Previously was a lawyer and served on several advertising publications.

'Ad-Lib' Back in Philly

Philadelphia, Sept. 20. 'Ad-Lib,' novel WIP show, returns to the airways Sept. 29 after a hot-weather layoff. Series is audience-participating, 12 persons being selected each show and asked to speak extemporaneously for one minute on a topic given them.

Program is conducted by 'Dr. Socrates,' nom-de-radio of Ben Mass, prof at Northeast High School, Philly.

Sandberg Vice Robbins

San Francisco, Sept. 20. David Sandberg has succeeded Don Robbins as San Francisco sales manager for the McClatchy radio chain and bay district representative for the California Radio System.

Sandberg was formerly with John Blair & Co., station reps and was previously commercial manager of KYA here. Robbins resigned recently.

Chi WJJD Sets Full Commersh Grid Schedule

Chicago, Sept. 20. WJJD is the first and probably the only station here to set a full commercial schedule for football this season. Has signed contracts for football broadcasts on Saturdays and Sundays, with 15-minute commercial periods both preceding and following the games.

On Sundays will take pro football games of the Bears, with General Mills as sponsor. Preceding for 15 minutes will be a comment period sponsored by the Harding Restaurants and 15 minutes following the games for Newart's clothing company.

WJJD cracked the college football arena late last week and will likely be the only station here accomplishing that trick. Will take Northwestern games at around \$200 per game for the rights, with Oldsmobile paying the way. Preceding, for 15 minutes, will be a period for Downtown Parking, with the post-game 15-minute slice for Old Heidelberg Restaurants.

Allee Maslin will conduct 'Woman of Tomorrow,' which NBC starts on WJZ Sept. 28 as a participation program, available to advertisers in the metropolitan New York area.

'Imagine the boys an' me coast to coast!'

"It happened one night at the Shore Club. Our new Lafayette five 'mike' sound system was working melody magic. Folks on the floor had stopped dancing to listen. At intermission a gent in white pants comes up to me beaming and says, 'I want you boys on my new radio show', and hands me his card. Now we're heard round the world."

Here's the Story

Lafayette's 30 Watt, 6 Channel Portable Sound System does things, to any band! Imagine having five microphones you can operate all at the same time, and still have complete control over each. Place one mike in the brass section, another in the woodwinds, and so on. What unusual arrangements an orchestra can devise! Entire system fits into two cases, complete with tubes and choice of one of six mikes at no extra cost. Lafayette Model 873-T is just one of a complete line of advanced sound systems offered in our new 1939 FREE catalog. Send for your copy today.



COMPLETE
READY TO
OPERATE
\$112.42

WHOLESALE RADIO SERVICE CO. INC.

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THIS NEW
188 PAGE
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IT WILL SAVE YOU MONEY!

Name.....
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City.....State.....

St. Louis'
Newest
Full Time Radio Station
KXOK
1000 WATTS
Nationally Represented by
WEED & COMPANY

KXOK offers a new approach to valuable sales in St. Louis, the nation's eighth biggest market. An entirely new station in this rich market giving St. Louis new entertainment, attracting new listeners—and making new sales for its advertisers. With the backing of a great publication, the St. Louis Star-Times, KXOK presents advertisers unequalled opportunities for reaching and holding the St. Louis audience.

OWNED AND OPERATED BY THE
ST. LOUIS STAR-TIMES
ST. LOUIS, MISSOURI

Inside Stuff—Radio

'Information Please,' NBC quiz, is being offered to advertisers for \$2,500 a broadcast. Under its present sustaining setup, Dan Golenpaul, the program's owner, collects a lump sum weekly from the network. Out of this he pays for the stanzas' permanent participants, occasional guests and a staff of research experts and clerical workers. He pays \$2 for every question used and \$5 for those not answered at the mike, with the two payoffs figuring on an average of \$60 a week. Along with Clifton Fadiman, inquisitor, Golenpaul has John Kieran, sports writer; Franklin P. Adams (FPA), columnist, and Oscar Levant, composer-pianist, under contract as the program's standby brain trust. The guest answerers get \$50 apiece. The permanent corps is reported payroll at from \$200 to \$350 each.

Program's staff of experts and clerks consists of six persons. All answers attached to the contributed questions are checked by these specialists in such subjects as science, history, music, contemporary events and whatnot. Golenpaul formerly conducted the 'Raising Your Parents' program on the NBC blue (WJZ) link and did the 'Magazine of the Air' session for Mutual in 1934.

Report that the Crosley Radio Corp., owner of WLW, Cincinnati, was contemplating entering the automobile manufacturing field was confirmed in a notice of a special shareholders' meeting sent out last week. Among the proposals listed in the notice was the dropping of the word 'Radio' from the corporation title and the revision of the company's 'purposes' to include the clause 'to engage in any kind of manufacturing business.' It was explained that the amendment would make it possible to enter the automobile manufacturing business, 'when and if such entry into the automotive industry appears desirable.'

It has been reported for some time in investment circles that Crosley is considering the manufacture of a two-cylinder car, similar to the type which has become popular in England because of high gasoline costs.

Station WNYC, municipally owned, is sticking out its chest as the station of 'the peepul,' although normally dishing out classical music and civic palaver.

Station made 12 announcements late Monday afternoon (19) within two hours calling on all striking truck drivers to attend emergency meeting at 69th Regiment Armory. Hall was packed at 8 p.m. without further announcements much to surprise of station. All union teamsters struck late last week.

Another six-month extension of the rule requiring frequency monitors for all types of broadcast stations was granted last week by Federal Communications Commission. Although originally effective Sept. 15, 1936, the regulation never has been applied because of lack of suitable equipment. Rule hits relay, international, television, facsimile, high frequency and experimental plants.

With its own newscast to publicize, KLZ, Denver, feels it should garner what publicity it can instead of plugging the dailies. So instead of the usual sign-off, 'for further details see your newspaper,' a KLZ announcer hops on to say, 'for further details listen to the voice of the news at—' and gives the time for the next newscast.

Radio Stars Magazine exists following the December issue, leaving only two radio fan sheets of the type in the field, Radio Mirror and Guide. Lester Grady, who edited Stars hops into a similar capacity on Film Fun. Grady has divided his time between the two sheets. Bill Vallee, brother of Rudy, is out.

Contract between Nat Shilkret and Ruppert beer stipulates that the bantist is not to get any billing on the program, which the account debuted on WEA, N. Y., last night (Tuesday). Ban also includes others in the cast. Brewer wants no other billing for the show but 'Ruppert's Relaxation Time.'

Gertrude Berg, of the Goldbergs' family serial, has signed Jan Pearce to sing the Rissotti arrangement of 'Kol Nidre' on the program on 'Yom Kippur' Oct. 4. This is the ninth year for the serial and on previous holiday programs the chant had been sung by a cantor.

Bea Wain, vocalist, was not signed for Old Gold program on CBS as part of Larry Clinton band. Singer was signed separately by the agency after she was skedded to leave the band with preem of Clinton's first commercial. She'll get a separate buildup on show.

Low Lehr, who returned Monday (19) from a European gadabout, did not know the name of his sponsor-to-be (Half-and-Half Tobacco), as the details of the deal signed for the Ben Bernie set-up did not reach him in transit. Just knew he was set for Oct. 2. Bernie had been phoning him to Berlin, etc., but just missed him each time.

Coughlin Buys Time On Atlans' WIND, WJJD

Chicago, Sept. 20. Father Coughlin will use both Ralph Atlans stations, WIND and WJJD, for his broadcast coverage in this area.

MORE Pop.

means more sales

(In other words, more Popularity and more Population.)

With power, Popularity and 5,000 watts, KGYL now reaches thousands of intermountain homes that formerly missed the great NBC Red Net-Work shows. Here's where popularity and population team up to work for you.

KGYL

SALT LAKE CITY

Representative: JOHN BLAIR & CO.

NBC RED NETWORK

CHEV. BUYS HALF-HOUR, 10-STATION WEB SHOW

Dallas, Sept. 20. Chevrolet Dealers, southwest division, bought half-hour show on WFAA, latter feeding to a 10-station network beginning Oct. 2. Title of show will be 'Chevarieties.' Web will be composed of WFAA-WBAP, Dallas-Ft. Worth; KPRC, Houston; WOAI, San Antonio; WSMB, New Orleans; KVOO, Tulsa; WKY, Oklahoma City; WJDX, Jackson, Miss.; KGNC, Amarillo, an KTBS, Shreveport.

Karl Lambertz will direct the program, which will feature an 18-piece orchestra; Jimmy Jeffries, m.c.; Roy Coven, announcer; Ranch Dudes; trio; Chevrolet Chanters quartet, and Ruth Bickford, soprano. Deal was handled through Dallas office of Tracy-Locke-Dawson.

Troy Tees Off Jan. 1

Albany, Sept. 20. Harry Wilder Angel says that construction will begin within one month on his new Troy station, with daytime broadcasting starting about Jan. 1. Claims station will be as large as any hereabouts, except WGY, and with one kilowatt will cover wider area than Albany stations which have Troy studio.

Troy is now the only city of size in N. Y. State without a commercial station.

Laments for Breakfast

Cleveland, Sept. 20. Green Derby, night spot, signed the oddest contract of the season with WHK, calling for broadcasts at the unusual time of 7:30 a.m., just to be different.

Derby hillbillies are forced to stay up all night to do their morning airings and ballyhoo their stuff as the 'only nightery music you can hear at sunrise.'

DEM. VS. REPUB. PUTS STATION IN MIDDLE

Philadelphia, Sept. 20. Sub-rosa struggle between Democrats and Republicans for time on WCAU on the final night of the present political campaign is putting the outlet right in the middle, no matter which way it decides. Dr. Leon Levy, prez of the station, cited situation this week as backing up still farther the contention of Neville Miller, new NAB chief, that new laws are necessary to cover political broadcasting.

As things stand now, the Democrats have signed for considerably more time than the Republicans. Democrats, however, are asking for more. Republicans likewise want additional time, but the only time available was requested first by the Democrats. GOP claims it should get the time, as Dems already have so much, while the Dems claim they should get it because they asked for it first. Republicans are citing clause in radio law specifying that 'equal facilities' shall be available to all parties.

Time in dispute is between 10:30 and 11 p.m. Republicans want the whole half hour, while the Democrats have already claimed 10:45 to 11. Democrats also have signed for 11:10 to 12 o'clock.

Casey Takes Globe

Globe News Service, publicity subsid of the Sherman K. Ellis agency in New York, has been taken over by John T. Casey. Latter has been acting director of office since it was opened early this year. He's a former newspaperman and author.

Anti-Catholic Speech Swamps Stations with Protests; Outlets Cut And Apologize on Air, in Dailies

Denver, Sept. 20. An organized drive by Catholics was made both in advance and after the broadcast of the hour-long address of Judge Joseph J. Rutherford, of the Witnesses of Jehovah, during which he especially attacked the Catholic church. The time, paid for by the Witnesses of Jehovah, of which Rutherford is the titular head, was contracted over station: KFKA, Greeley; KLZ and KVOR, Denver, as part of a 50-station hookup. KFKA let the speech run the full hour, but the other stations shut it off after about 23 minutes—shortly after the tirade against the Catholic church became exceptionally hostile.

Speech was also contracted over WKY, Oklahoma City, which along with KLZ and KVOR, is controlled by the Oklahoma Publishing Co. of Oklahoma City. With protests received in advance by all three stations against putting on the Rutherford talk, company and station executives were ready to take emergency action if conditions warranted. As soon as Rutherford began berating the Catholic church, Edgar T. Bell, general manager, called KLZ from Oklahoma City saying WKY had already cut and for KLZ and KVOR to do the same and put an apology on the air. Since the phones at KVOR were swamped with protests, manager Hugh Terry had cut out the phone and it was necessary for F. W. Meyer, KLZ manager, to use the teletype to reach KVOR. Besides the apology on the air, KVOR published a page one apology the next day in the Colorado Springs Gazette. The apology read:

'KVOR wishes to apologize to the members of the Catholic faith and to all religious and governmental bodies that were the object of statements by 'Judge' Rutherford on his international network radio broadcast. KVOR accepted the time reservation in good faith, and deeply regrets that the part of the broadcast carried by the station contained reflections on any person or faith.'

KLZ Offers Rebuttal

Apology given by KLZ when the broadcast was cut was along the same lines. Station, in addition, of-

ferred time to any who wished to answer Judge Rutherford.

On the day after the broadcast, KLZ manager Meyer called on Bishop U. J. Vehr to explain how KLZ had been in the Rutherford hookup, and to further apologize. That night the station gave the Cathedral of the Immaculate Conception a half-hour broadcast of the celebration of the birthday party of Monsignor Hugh L. McMenamin.

Board at KLZ was swamped with calls from Sunday through Wednesday. That it was a concerted drive was evidenced by the fact that scores who called after the broadcast were not aware that KLZ had cut the broadcast and had apologized. Most of those protesting seemed appeased when told that.

Meyer says the time was contracted through the Katz Agency, station's N. Y. representative, and that the stations had been assured the talk would be inoffensive. Meyer indicated no additional time would be sold Rutherford. KVOR as well as some Denver stations have been approached for time on Oct. 2 when the next Rutherford address will be originated from New Orleans.

Catholic members of the American Legion say they will attempt to have the Denver Legion chapters protest to the Federal Communications Commission because of the Rutherford broadcast, branding it 'un-American and anti-religious.'

MENNEN'S 'MEETING' ON MUTUAL OCT. 9

Mennen's will start its audience participation show, titled 'The People's Rally,' on Mutual Oct. 9. It will be m.c.'d by Bob Hawk, who has conducted quizzes over WGN, Chicago, and John B. Kennedy.

Program will be cleared to all stations but WOR, Newark, from 3:30 to 4 Sunday afternoons. Because of football commitments WOR will broadcast the show Monday nights (8-8:30). Hookup will take in Philadelphia, Baltimore, Pittsburgh, Cincinnati, Buffalo and Chicago.

WKY gets MAXIMUM

Jobber-Dealer Cooperation and Consumer Response In Oklahoma

WKY Sells ALL THREE

WKY • OKLAHOMA CITY

Representative — The Katz Agency, Inc.

Affiliated with The Oklahoma Publishing Company

RECORD NEWS TIME-BUY

STATION SHOWMANSHIP

(Attention-Getters, Tie-Ups, Ideas)

Americana

Cleveland. "We Americans" is tag of WKH's new civic series which smashed several precedents by getting not only backing of Mayor H. H. Burton and state officials, but also strong support from newspapers and churches. Weekly half-hour programs are unique in that they emphasize the U. S. constitution, operation of various governmental bureaus and rights of citizens. With politics being the talk of the day, five-minute speeches by political big-wigs hit a timely note. Mayor opened initial one Wednesday (7). For sugaring station is surrounding orators with 25 minutes of music by American composers by town's leading orchestras. Russell W. Richmond and Stanley Allshuler handling series, which got commendatory editorials from all newspapers.

'Wings' Over Mutual

Los Angeles. Don Lee network's KTLB collaborated with Paramount on a stunt for the 'Men with Wings' series that clicked handsomely with the downtown sheets, not too overly friendly with radio. Nine hostesses of American Airlines were brought here to receive trophies for outstanding accomplishments in aviation. Gals' heroism dates back the Ohio valley floods. They were marched up to the mike to accept their bauble and take a bow. It gave the 'Wings' program a nice lift and scored another enterprising beat for the Mutual outlet here.

Hunting New Ideas

San Francisco. In a search for new ideas in radio entertainment, a series of programs labeled 'For Your Approval' is being aired from the local National Broadcasting Company studios over the Blue outlet here. KGO. Each program is handled by a different producer, and listeners are invited to express their opinions concerning the offerings. Broadcasts are scheduled on Wednesday mornings from 11:15 to 11:30.

Mugging the Station

Philadelphia. Sixteen-page brochure, illustrating KYW's new building, its facilities and its staff, was issued this week. It shows general views of studios, auditorium, control rooms, client's audition room, transmitter, kitchen and facade. There are also pictures of the g.m., Leslie Joy, the musical director, plant manager, sales manager, program director, business staff and announcers. Separate folder, fitted into a pocket in the back cover of the booklet, shows publicity given the outlet upon the opening of the new building. Similar brochure is being issued shortly by WCAU. Station will at-

tempt to show that despite the fact its building is five years old, it is still more modern than studios of more recently-built outlets.

Good-Will Buildups

Spartanburg, S. C. Playing good-will angles heavily, WSPA again this fall has heavy community co-operation sked, main item being gratis tie-up with autumn-early winter drive to benefit local charity and such organizations as Salvation Army, Boy Scouts, Girl Scouts, etc. Plans announced whereby station will plug merchants donating windows for drive displays, with special plug for merchant providing window for winning entry. Station, with few changes, is following setup launched two seasons ago.

Song Title Contest

Boston. Georgia Mae, Yodeling Cowgirl, on WORL, is handing out prizes to listeners who are winners in the song title contest which she conducts on her thrice-weekly series. Gal warbles a quintet of ditties, unannounced.

To the person sending in the most correct list of titles, pony girl awards a small pocket camera complete with film roll, and the first picture on each roll is snapped prior to its mailing. Pic is that of Georgia Mae.

Straw Vote

Boston. WORL, indie outlet here, is conducting a straw vote of the Massachusetts political battle. Any listener listed in the Boston telephone tome can write the studio and vote for any candidate appearing in the preliminary list. Each evening, during the 6 p.m. news, results of the votes are announced.

After the primaries WORL will continue its straw vote through to election.

'Lone Ranger' Buildup

Baltimore. Advent of Lone Ranger participation here by 7-Up drink over WBAL is getting considerable ballyhoo under direction of Harold Burkston head. Nighttime parade with bands, floats and pageant of Robin Hoods through the ages to present day Lone Rangers has been tied into promotion via local News-Post, along with window displays, teaser spots and newspaper ad copy.

School Campaign

Oklahoma City. KOCY has started a long range school promotion campaign to create goodwill. Tie-up is with the Parent-Teacher Association of city's major high schools. And KOCY will not only air football games, etc., of the two schools, but has a daily students program coming in from schools' auditoriums.

Also scheduled once a week is a P. T. A. sponsored and directed drama serial dubbed 'Mr. and Mrs. P. T. A. Children'. Program is for 25 minutes in the forenoon, with first 15 minutes taken up with serial dramatization and last 10 minutes devoted to answering questions pertaining to children's problems mailed in by parents. Whole theme of the program is an attempt to bring the parent, teacher and student closer together. Marvin Krause worked out the details.

Bree's 'Radio Column' Tees Off Air Campaign

Chicago, Sept. 20. Bree cosmetic firm is starting an ether radio campaign Sept. 25. Going on six stations for a beginning and plans an increase to some 20 stations.

Spotted through the local Ruthrauff & Ryans agency, program will be a 'radio column of the air', giving news and highlights on personalities and programs. Hits come weekly for 15 minute.

KGW-KEX Shakeup

Portland, Ore., Sept. 20. Complete management shakeup at KGW-KEX has ousted Carey Jennings as manager. Charles Chatterton, formerly assistant business manager of the Oregonian, owner-newspaper, takes over the radio management.

Colonel Guy Viskniskki remains in top command as efficiency consultant.

SPONSOR TAKES ALL-DAY SKED

Philly Coke Co. to Air 3-Min. Newscasts Every Hour, 12 Hours Daily Except Sunday—Experimental Deal Totals 78 Broadcasts Weekly

3 TYPES OF AUDIENCES

Philadelphia, Sept. 20. In an unprecedented and experimental deal set here this week, WDAS has sold a three-minute newscast to a single sponsor every hour on the hour throughout virtually every broadcasting day. Broadcasts are for the Philadelphia Coke Company, placed through the N. W. Ayer agency.

There will be 13 three-minute periods every day except Sunday, starting at 8 a.m. and finishing at 8 p.m. This makes a total of 78 airings a week, believed to be the largest purchase of news by one sponsor on one station in the country.

Executives who closed the deal, at both the station and Ayer's, declared yesterday that they are experimenting with what they believe the surest way to guarantee coverage for the sponsor. They figure on getting three distinct types of listeners with this kind of advertising.

They are (1) the regular listeners to WDAS; (2) members of the radio audience who are specifically seeking news and know that they can get what they want on the hour at WDAS; and (3) the great audience to be found at hourly program changes. This latter is the group of listeners who twirl their dials at the conclusion of a program to seek another. Hearing a news flash, it is figured, they will pause to listen, even if they spin to another station afterwards.

Catering to Listeners Both station and agency have already done considerable surveying and experimenting on the broadcasts. Surveys disclosed that while newscasts were frequent, and presented with a certain amount of regularity, there was no means of affording the listener a news broadcast when he wanted it. He had to spend his entire time dialing one station after another or consult a log. Sponsor now feels that listeners will be guaranteed a definite news schedule with enough frequency to insure up-to-the-minute reports.

Experimentation decided the duration of broadcasts. It was found that the three-minute period was not enough to be boring, even if there are not hourly developments of really vital news, and it is long enough to give essentials. News is provided WDAS by International News Service.

Extensive advertising schedule in newspapers is being set by both sponsor and station to call attention to the newscasts.

KGKO'S DALLAS STUDIO

Fort Worth, Sept. 20. Dallas studios and offices were opened by KGKO, Fort Worth Star-Telegram station, with main studio here and in Wichita Falls. Six daily sustainers are originating from Dallas, with two commercial hours emanating daily from Wichita Falls. Howard Carraway, formerly of WMC, Memphis, is Dallas studio boss, with Bill Hood tending some task at the Wichita Falls set-up.

Goodkind-Morgan Tieup

Chicago, Sept. 20. Affiliation has been arranged between Lewis Goodkind, local ad agency, and the Raymond Morgan agency and program production firm of Hollywood.

Outfits will represent each other and their accounts in both territories. Goodkind was formerly radio chieftain here for Lord & Thomas agency.

\$360,000 Television Construction By General Electric Endorsed

Lens Bug Levy

Philadelphia, Sept. 20. Camera bug has taken a nip at Dr. Leon Levy, WCAU prez. Never content to do anything halfway, he has just completed a darkroom in his home. It is air-conditioned, has a telephone, five stainless steel sinks, latest type enlargers and equipment—and cost \$4,500.

Muriel Wilson Back

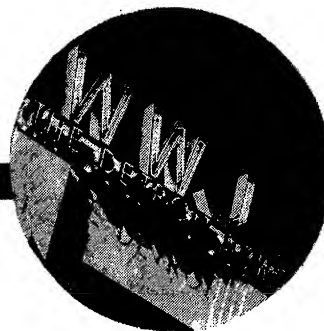
Muriel Wilson, formerly Mary Lou of the 'Showboat' program, is returning to radio after more than a year's retirement. Singer quit the airwaves after she married Fred Hufsmith, radio tenor. Several weeks ago she appeared on the Lucky Strike program in a guest shot and later for Harold Sanford's sustainer on station WJZ, N. Y. Now interested in getting in on large scale again.

Washington, Sept. 20.

Request of General Electric Co. for four experimental television broadcast stations approved last week by Examiner R. H. Hyde. Construction of high-powered transmitters at Albany, N. Y., and Bridgeport, Conn., to be used for both aural and visual transmission, should be okayed by the Commission, Hyde said, and smaller stations to be located at the firm's Schenectady plant also deserve a permit.

Cost of the project did not enter into the examiner's decision, with the financial backing of the company assuring the estimated \$360,000 construction cost and ample funds for operation and experimentation. Bridgeport transmitter, at \$195,000, would be the costliest unit, with Albany station requiring \$155,000, and two Schenectady stations only \$5,000 each. Latter would transmit only visual programs.

In Detroit It's



America's Pioneer Broadcasting Station
Basic Red Network Station

1st in Listener Interest
1st in Fine Programming
1st in Advertising Preference
1st in Advertising Results



Represented Nationally by

The George P. Hollingsbery Co.

New York : Chicago Detroit : Kansas City
San Francisco Atlanta

5000 Day-1000 Night

WBNS

Columbus

ALL YOU NEED IN CENTRAL OHIO

John Blair, rep.

In Baltimore, it's

WFBZ

ON THE NBC RED NETWORK

NATIONAL REPRESENTATIVES
EDWARD PETRY & CO.

WOULD DE-CLASS THEMES

Moret Vs. Vogel On 'Rose' Copyr't; 'Stream' Dispute

Villa Moret, Inc., of San Francisco, has served legal notice through Attorney J. T. Abeles on Jerry Vogel Music Co., Inc., over the oldtime song, 'Lay My Head Beneath the Rose,' authored by W. Madison and F. Falkenstein in 1908, and copyrighted by the latter. When Moret acquired the old-fashioned ballad from Falkenstein in 1926, the Frisco firm issued it as a foxtro, made a special pianoforte foxtro arrangement, and copyrighted it in 1926, or 10 years before the original copyright expired.

A novel point is involved in this claim in that when Vogel bought up the renewal rights to 'Lay My Head' in 1936—as he has been doing with many old songs—he published what is alleged to be an unauthorized version, of the foxtro arrangement, rather than of the old tune, including the modernized harmonics, etc.

Unlike the many present tin pan alley tiffs over pop song renewals, this suit stems from an alleged copyright infringement. Vogel claims that with the 1936 expiration of the basic 28 years' copyright protection to 'Lay My Head,' all rights expired. Villa Moret contends that the Register of Copyrights has approved protection on new arrangement; that Moret paid royalties on the new arrangement; that, thus, its 1926 copyright doesn't expire until 1954.

For the records, it's been held that a new orchestration constitutes a new copyright, and can be so protected, but the question of simply a pianoforte arrangement is something else again.

Falkenstein heads a music house in Fresno, Calif.

Still another claim involving Jerry Vogel arises from 'Down by the Old Mill Stream.' Both Forster, of Chicago, and Vogel have served notice on ASCAP and the MPPA over the tune, claiming credit. Forster originally took over this ballad by the late Tell Taylor, first copyrighted in 1910 by Taylor and Star Music Pub. Co., of Chi, his firm.

Among the first issues of what was destined to become a world classic, Tell Taylor's name was solo on the title-page, but within, Taylor's name was conspicuously billed, and underneath the name of Earl Smith was printed in smaller type, as a collaborator. Subsequently, Smith's name disappeared entirely from the sheet music. Mrs. Taylor transferred renewal rights to Forster (Taylor died last year), but Vogel, digging up the old copyright records, found Earl Smith billed as a co-author and made a deal with Smith for the renewal rights. Hence both firms have issued editions, and there the matter rests, with legalists in the background.

VICTOR GOING AFTER COIN-MACHINE TRADE

RCA Victor's recording division is under instructions to concentrate on getting its 35c label, Blue Bird, into the coin-operated machines. As an initial move in that direction, Victor has transferred Fats Waller from the 75c list to the Blue Bird section.

Opinion among RCA Victor highers-ups is that Decca has been getting a major share of the coin-machine business principally because it has been able to offer important names at the 35c level. The orders at RCA Victor now are to compete for this machine trade, even if it means losing money for a while.

Woods to London

Harry Woods is going to London next month to write for Cinephonic Music (Reg Connolly), and that music publisher is due to arrive in New York on a business trip in a week or so.

Connolly is the original publisher of 'Lambeth Walk.'

Bootleggers' \$1,500 Bail All-Time High in N. Y.

All-time high bail for persons arrested for peddling contraband songbooks was the \$1,500 which Magistrate William A. Farrell set last week in the case of two repeat offenders brought before him. He ordered the two, Murray Eisenberg and George Regan, held in that amount each for a hearing in Special Sessions Court. Duo later pleaded guilty in the latter court and were remanded for investigation and sentence.

Usual bail cited in such cases is \$500. The arrests were caused by Arthur Hoffman, investigator for the Music Publishers Protective Association.

Wins \$65,295 Award In 12-Yr. Suit Vs. Victor For 'Old 97' Royalties

Detroit, Sept. 20.

Ending a 12-year court battle, David Graves George, of Detroit, was awarded \$65,295 in royalties from Victor Talking Machine Co. for his 'The Wreck of the Old 97' ballad. Decision was handed down last week by Federal Judge J. Boyd Avis in Camden, N. J., district court.

George will get only half of the royalties from the sale of more than 1,000,000 records made of the ballad, since 'The Prisoner's Song' was carried on other side of records. Case had been fought to the U. S. supreme court and back, with George finally establishing himself as author of the lyric.

George repeated several times how he was inspired to write words after 'Old 97' was wrecked in 1903 at Franklin Junction, Va., where George then was a railroad mechanic. Victor had claimed that George merely copied the words from the record and then started suit.

LEADER ASKS STAY OF LOCAL'S FINE

Cleveland, Sept. 20.

Drive of musicians local No. 4 to stop under-scale jobbing by small bands received its first setback when Frank Matas, orchestra leader, filed an injunction suit against Milton W. Krasny, prez of union, and other officials to restrain them from collecting fines levied against him for allegedly accepting below-scale fees.

Cleveland and his four men had been fined from \$250 to \$1,000, union claiming they were working on a radio program for \$4 per man instead of the minimum rate of \$6 for each Sunday program tagged 'In Old Bohemia' over WGAR.

Mates, the first maestro to buck the local, claims he is being penalized unjustly and that he didn't break any rules. Sponsor of the WGAR show, he said, was pressed financially recently and planned to close Bohemia series. Rather than lose his job, he declares he accepted a \$4 rate, but also received a promissory note from sponsor for the remainder.

Such an arrangement doesn't violate any of the union's laws, he contended, in asking court to declare the fines levied illegal. Furthermore, he asked that WGAF be restrained from refusing to permit his band to air programs because of a contract demanded, too, that he be allowed to continue playing at Golden Goose Tavern, owned by Edward Svec, who said he has been paying band full scale.

Milt Krasny, who has suspended all five musicians, charges that Mates admitted working for reduced wages and said nothing about the promissory notes until recently.

George Brown, Irving Actman and Milton Berle wrote three new songs: 'Can't Stop Now,' 'Easy to Say But So Hard to Do' and 'Stop Me If You've Heard This Before.'

ASCAP AGITATION FOR POINT LIMIT

Call Performances of Identifying Songs Unworthy of Parity with Regular Plugs

RADIO SLANT

Movement has been launched among the directors of the American Society of Composers, Authors and Publishers to close down on performance credits for theme songs. The agitation is expected to meet with stiff resistance from publishers who have developed imposing lists of such programs associations. As an alternative the proponents of the ban, it is understood, will ask that the credit for theme usage be reduced to a 10th of a point.

What has prompted the move is the increasing practice among certain publishers of paying substantial prices to mike leaders and vocalists for themes that they have themselves composed or had written for them. Prime object of these acquisitions have been the ASCAP performance credits that would accrue from them.

Advocates of the shutdown on theme credits contend that these purchases also put the performers under obligation to favor the current releases of the publishers involved and the relationship can under the circumstances be construed as a form of plug payoff. The theme songs so acquired are rarely exploited. In some instances the publishing firm doesn't even go through the gestures of turning out a printed version.

Vanity Angle

Themer angle has become quite an angle with certain minor rating ASCAP writers also. As soon as they hear that a newcomer band is about to get a network outlet they go after him with solicitations to write his theme song. One of these writers has a pet sales speech. He points out to the newcomer that every time Paul Whiteman enters a spot he is greeted with the playing of 'Rhapsody in Blue' and that similar sales are accorded all leaders who have their own theme songs. The writer winds up his talk with the assurance that if the newcomer wants to become famous and popular he must have a tune that is closely and exclusively associated with him.

AFL 'Disgust' Put by Tomei As Quit-Cause

Philadelphia, Sept. 20.

'Disgust' with the leadership and 'reactionary tactics' of the American Federation of Labor is the real cause for his resignation as prez of the Philly Musicians' Local, A. A. Tomei declared here yesterday (Mon.). He is leaving the presidency with 'disgust and sickness,' he said, for the A. F. of L. and for the division of labor into two hostile camps.

Tomei's resignation was reported last week. He made official announcement Saturday of his intention to quit the top AFM post and join the Philly Symphony orch as a French horn player on Oct. 3.

A. F. of L. leadership was denounced by Tomei for 'attempting to shove down the throat of labor in Pennsylvania the Republican party.' Tootie prez declared he will resign as delegate to the A.F.L. convention in Houston Oct. 3, although he is the first member of the A.F.M. from Pennsylvania to be elected a delegate.

Dual Rights Conveyed by M.P.P.A. Under New Two-Part Licenses

Decca Gets Permit For New Stock Issue

Washington, Sept. 20.

Permit to peddle 150,000 shares of \$1 par common stock was given Decca Records, Inc., last week by Securities & Exchange Commission. Application became effective Thursday (15).

Stock will be offered via underwriters, Reynolds & Co. and associated houses, at \$5.25 per share, for purpose of bolstering working capital.

Chi Phono Firm Claims East St. L. Police Chief Is Barring It from Town

St. Louis, Sept. 20.

Suit for an injunction to prohibit A. P. Lauman, East St. Louis police commissioner, from interfering with the installation of electric phonographs in the town's taverns was filed last week in the Circuit Court at Belleville by the A.M.I. Distributing Co., Chicago. Petition charges that Lauman, whose son, A. P. Lauman, Jr., is agent for a rival concern, told an agent for A.M.I. that an exclusive privilege covering the town was held by another company.

Complaint also charges that on Aug. 29, while E. S. McKelvey, agent of the Chicago firm, was installing a machine in a tavern he was nailed by police and taken to the town's hoosegow, where the police commissioner allegedly told him another concern had exclusive rights to the city.

There are about 3,000 electric phonographs in operation in the St. Louis metropolitan area and the take has dwindled from \$10 for each machine a week in 1936 to about \$5.50.

J. P. SOUSA MEMORIAL SPONSORED BY ROLFE

Plan for a nationwide movement to erect a monument to the memory of John Phillip Sousa was announced today by B. A. Rolfe, the maestro, for many years an intimate friend of the 'march king.' The Sousa Memorial Home for aged and indigent American musicians was part of the campaign at first, but now decided to restrict it to a monument. A nationwide radio broadcast of one hour, followed by a series of half-hour programs, featuring a concert band of 60 under the direction of Rolfe and noted guest conductors, will touch it off.

All solicitations for funds will be confined exclusively to the radio and subscriptions limited to \$1. Executive board comprises Rolfe, Gene Buck, Joseph N. Weber, Arthur Pryor, Dr. George H. Gartin, Supervisor of Music of the Public Schools of New York, and James F. Gillespie, director of operations for Rolfe.

Dash Baptizes Hdqs.

London, Sept. 20.

Irwin Dash is holding his formal opening of the new headquarters of the Irwin Dash Music Co. tomorrow (Wednesday). It's the most pretentious layout of any pop publisher in London.

Also the first break in the old tin pan alley line-up on Denmark Street. Dash thinks that the pop publishers will eventually cluster around his new neighborhood, where several classical houses are already established.

Mechanical rights division of the Music Publishers Protective Association will start issuing twin licenses to phonograph record companies Oct. 1. One license will be for the long-established right to manufacture, while the other, a newly enforced right, will convey permission to make special arrangements of copyrighted works for records that will be used in the home only. Both rights will be cleared by Harry Fox, as agent and trustee.

Only 'major publishing firm or group that has not authorized Fox to handle the special arrangements right for it is the Metro-Robbins combine. Latter has advised Fox that it would prefer not to join in enforcing this right in the phonograph field at this time.

Both licenses will apply to the number of records manufactured. No fee will be asked for the present for the license involving the right to arrange music recorded for home use. For records used in coin-operated machine, there will be an entirely different set of licenses, but each covering the same ground. The latter is subject to future negotiations with the phonograph manufacturers, since it will take some time for both the MPPA and the recorders to collect the data that is necessary in developing a basis for the fees to be asked for records used in coin machines.

Law firms of Wattenberg & Wattenberg and Gilbert & Gilbert have been retained to do the MPPA's legal groundwork in the move to bring the licensing phases of the coin-machine business under the control of the musical copyright owner.

Silver-Parish Co-Writer Pact On the Rocks

Unusual issue for the music business is involved in the controversy now prevailing between Abner Silver and Mitchell Parish over a co-writing contract. Silver, following a conference with his attorneys, notified Parish yesterday (Tuesday) that he expects Parish to live up to the writing partnership they effected last year and that he was prepared to resume their collaborations.

Silver claims that on Nov. 9, 1937, he and Parish entered into a contract to write songs together, and that it was also agreed that they share equally all royalties accruing from works they wrote jointly or singly during the ensuing year. Included in the covenant was a clause which made the binder automatically effective for another year if either did not cancel in writing before the final three months of the original contract. Silver now contends that Parish is bound to him until November, 1939.

Parish has done hardly any collaborating with Silver during the past six months because, as Silver alleges, his contract-partner has been busy writing lyrics for two of Jack Robbins' firms, the Robbins Music Corp., and Leo Feist, Inc. The songs on which Silver is asking a split are 'Don't Be That Way' (Benny Goodman), 'It's Wonderful' (Stuart Smith), 'We Have Met Before' (Louis Prima) and 'Who Blew Out the Flame' (Sammy Fain).

Pluggers on the Hoof

A new ballroom, capacity of 5,500, will be opened by the Manhattan opera house for the gala benefit dance of the Professional Music Men on Oct. 9.

Six of the country's top bands will play for the affair.

Inside Stuff—Music

American Society of Composers, Authors and Publishers is permitting its district reps to remove the huge ASCAP insignias from their auto doors. The insignia on the door started out as a publicity idea, but it turned out a nuisance in more ways than one.

A tavernkeeper would spot the rep's car as it was being parked in front of his place and off he'd scam, with the result that the call was so much wasted time for the ASCAP man. Where the insignia on the door also worked to the discomfiture of the ASCAP rep were on the highspeed roads. Motorcycle cops, seeing the sign on the car, would immediately deduce that it was a commercial vehicle and wave it off to the less satisfactory highways.

Milkman's Matinee, owl session of recorded jive on WNEW, N. Y., dropped the playing of request numbers for a few days last week but quickly reinstated them when protests began pouring in. Stan Shaw had been criticized for too much talk between records and station heads cracked down on him and substituted 15 min. session of platters of various orchestras.

Omission of requests and reading of telegrams brought queries anent the change and Shaw explained. Promised it would be returned if listeners wanted it. Flood of protests forced its return in five days.

Signed extensions of membership contracts have been coming in in large number to the American Society of Composers, Authors and Publishers during the past week. The extensions are for 10 years. It is expected that the majority of the major pubs will turn in their approved contracts when the ASCAP board holds its first fall meeting next Thursday (29).

Swing-songster Billy Cover of Plaza cafe, Pittsburgh, has been invited by Pittsburgh's leading synagogue to sing the 'Kol idre' Oct. 4 at the Jewish Yom-Kippur services at Carnegie Music Hall. Cover is featured vocalist with Jimmy Peyton's band at the Plaza.

**OLD SONG SUGGESTIONS
FOR YOUR PROGRAMS
JIMMY McHUGH'S
Go Home and
Tell Your Mother**
ROBBINS MUSIC CORP.

Indpls. Spot Reopening

Indianapolis, Sept. 20.

Tom Devine, back from a season in California, will open the Indiana Ballroom here Friday (23). Charlie Agnew's orch booked for opening weeks.

SONGS FROM ROBBINS

From the New Universal Picture, "That Certain Age"

**MY OWN
YOU'RE AS PRETTY AS A PICTURE**
By Harold Adamson and Jimmy McHugh

From the 20th Century-Fox Picture, "Straight, Place and Show"

WITH YOU ON MY MIND
By Lew Brown and Lew Pollack

The Coming No. 1 Hit!
MY REVERIE
By Larry Clinton

The Sensation of The Century!
A-TISKET A-TASKET
By Ella Fitzgerald and Al Feldman

A Killer Diller!
WACKY DUST
By Stanley Adams and Oscar Levant

The Year's Foremost Production Hits!
**I MARRIED AN ANGEL
SPRING IS HERE**
By Lorenz Hart and Richard Rodgers
From the Musical Comedy, "I Married An Angel"

ROBBINS MUSIC CORPORATION
799 SEVENTH AVENUE • NEW YORK

Reinhardt's 'Faust' Drops 23¢ in L. A.

Hollywood, Sept. 20.
California Festival Assn.'s al fresco production of Max Reinhardt's 'Faust' in Pilgrimage theatre, high in the Hollywood Hills, proved a losing venture. Gross for the 25 performances was around \$42,000 against a nut of \$65,000. It was advertised as the first of the Salzburg-in-America festivals and the downtown sheets gave up space unenthusiastically.

Picco moves to San Francisco for a week at pop prices in Civic Auditorium, which seats 6,200. Pilgrimage amphitheatre has capacity of only 1,100.

Symphonies Under the Stars in Hollywood Bowl closed a highly successful season. Maria Jeritza and Kirsten Flagstad played to turnaway crowds while most of the others comfortably filled the 22,000-seat enclosure.

AGMA, Chorus Group Snag in Peace Moves

With the Grand Opera Choral Alliance still picketing the Center theatre, New York, where Fortune Gallo is presenting his San Carlo Opera Co., efforts have been resumed to merge the chorister group with the American Guild of Musical Artists. Reps of the two organizations met Monday night (19) but made little progress.

GCCA is picketing Gallo because it claims he 'locked out' its members. Gallo formerly used GCCA chorus members, but when the Associated Actors and Artists of America recently revoked the choral group's AFL charter, he signed a contract with AGMA, which now holds the jurisdiction.

Leo Fischer, executive-secretary of AGMA, leaves next week (29) to sign a contract with the Chicago Civic Opera. GCCA has a pact with the Chicago outfit for chorus singers for the present season, but AGMA expects its contract covering next season to include chorus members as well as principals and ballet, etc.

GCCA last week sought to take ads in the N.Y. dailies to present his side of the dispute with Gallo and AGMA. But the papers refused to accept the copy after consulting with the opera company and AGMA regarding the facts in the case.

Bryan Asks Particulars In S-B Copyright Suit

Counsel for Al Bryan, one of the defendants in the copyright renewal rights test suit brought by Shapiro, Bernstein & Co., yesterday (Tuesday) asked Judge Alfred Cox in the N. Y. Federal Court to order that the writer be furnished with a further bill of particulars. It was the first preliminary skirmish in the action, which seeks to have the court determine whether Al Bryan had a right to assign the renewal rights of his end of 'Come, Josephine, in My Flying Machine' to the Famous Music Corp. Shapiro-Bernstein claims that the tune was written and published under an employment-for-hire contract and that as such the song's copyright could only be renewed by the original publisher or his assignee. Also named in the action is the tune's co-writer, Fred Fisher. Later has retained his renewal rights and is publishing the song under his own firm name.

St. L. Muni Gets WPA Aid
St. Louis, Sept. 20.

Execs of the St. Louis Municipal Theatre Assn. have received word that the WPA has granted \$90,000 to the assn., which added to \$110,000 from the theatre's reserve, will be used for extensive improvements at the al fresco theatre in Forest Park.

MCA's Letouts

Reports of a shakeup at Music Corp. of America is denied by execs with explanation that group of employees dropped this week were only temporary workers.

MCA admits that extra girls and a few men, including Arthur Kenaga and William Von Zelle, latter in radio department, are out. They add that it's an annual house-cleaning just before the bonuses are passed out. Those released were in to handle 'extra summer biz' of Kansas City Jubilela, Michigan State Fair, etc.

'Snow White' Disc Sales Set All-Time Pic High at 450,000

Sales of phonograph record versions of the 'Snow White' score tops by a huge margin the disc turnover of any other music out of Hollywood. 'Snow White' records went around 450,000 for all labels, while Irving Berlin, Inc., the publisher, disposed of 800,000 copies of sheet music of the entire score.

RCA Victor put out a soundtrack series in album form which sold 40,000 sets, but, with Blue Bird sales, included, the output from this source figured 200,000 records. Decca disposed of 130,000 platters of the same score, while the American Record group put out around 120,000 waxes.

Wonders Back at R-O'K

Ralph Wonders has rejoined the Rockwell-O'Keefe agency and leaves this week to take charge of the Coast office. Appointment is effective as of Oct. 1. Mike Nidorf was until recently handling the Coast end, but returned to New York when F. C. O'Keefe resigned from the agency. Wonders formerly headed the CBS artists bureau.

Johnny Marvin and Fred Rose clefied three songs for 'Rodeo Buster' at Republic. Ditties are 'The Old Trail', 'Rodeo' and 'Old Ladies'. Larry Yoell and Glenn Brown wrote 'When Mother Sings a Lullaby' for the same picture.

AL GOODMAN DANCE GROUP WILL TOUR

Al Goodman, currently batoning the Lucky Strike Hit Parade, will form a dance band when the ciggy stint expires Oct. 29.

Outfit will shove off a one-night tour of the east and midwest, working through Music Corp. of America.

Dinty Moore band now holding forth at Cat and the Fiddle, Bronx (N. Y.) tavern.

**ABC Leads the Alphabet
and Leads the Music Field
WHILE A CIGARETTE
WAS BURNING**
(CHARLES & NICK KENNY)

LOVE OF MY LIFE
(TEDDY POWELL)

From the Columbia Picture
"The Lady Objects"
**A MIST IS
OVER THE MOON**

**HOME IN
YOUR ARMS**
(HAMMERSTEIN II-OAKLAND)

**I HADN'T ANYONE
TILL YOU**
(RAY NOBLE)

Two Novelty Dance Hits
THE GANDY DANCER

PEELIN' THE PEACH

From Walt Disney's Latest
of the Same Title
**FERDINAND
THE BULL**

ABC Music Corp.
799 Seventh Ave., New York
FRANK HENNIGS, Prof. Mgr.

BERLIN • BULLETIN

RKO's sensational musical production

"CAREFREE"

Starring FRED ASTAIRE and GINGER ROGERS

With four hits

By IRVING BERLIN

**I USED TO BE
COLOR BLIND**

**THE NIGHT
IS FILLED WITH MUSIC
CHANGE PARTNERS**

THE YAM

(The new dance novelty created by
Fred Astaire and Irving Berlin)

HARRY LINK, Gen. Prof. Mgr.

IRVING BERLIN, Inc., 799 Seventh Ave. N. Y.

ANOTHER BURKE AND LESLIE HIT!

SAILING AT MIDNIGHT

JOE MORRIS MUSIC CO., 1619 BROADWAY, NEW YORK

15 Best Sheet Music Sellers

(Week ending Sept. 17, 1938)

*Alexander's Ragtime Band	ABC
*I've Got a Pocketful of Dreams	Santily-Joy
A-Tisket, A-Tasket	Robbins
*Now It Can Be Told	Berlin
When Mother Nature Sings Her Lullaby	Santily-Joy
You Go to My Head	Remick
So Help Me	Remick
I'm Gonna Lock My Heart	Shapiro
Music, Maestro, Please	Berlin
*Small Fry	Famous
Stop Beating Around the Mulberry Bush	BVC
Change Partners	Berlin
*I've Got a Date With a Dream	Feist
*Garden of the Moon	Harms
What Goes on Here in My Heart	Paramount

* Indicates film musical song. † Indicates stage production song. The others are pops.

Rapp Hunts New Singer; Missus Retiring for Baby

Pittsburgh, Sept. 20. Barney Rapp, playing at New Penn here, staging series of auditions this week to pick a new femme vocalist for band. Ruby Wright (Mrs. Rapp) will retire temporarily to await stork when band leaves next month on series of one-nights. Rapp broached the Pittsburgh try-out idea to Darrell V. Martin, radio ed of Post-Gazette, asking latter to sponsor it. Martin went along with maestro and latter's grabbing off a lot of free publicity as a result in the morning sheet.

MORRIS AGENCY TEES OFF ITS BAND DEPT.

William Morris office officially opened its band booking department this week with creation of new office space, via expansion, and the sale of the Eddie De Lange band to Victor for a series of recordings. Ed Fishman, formerly with Radio Orchestra Corp. and Orchestra Corp. of America, is now in charge of the Morris band department. He negotiated the takeover of the band and sale. De Lange starts the Victor series Sept. 23.

Office has been proceeding slowly and will not actually get under way for about another week. No salesmen have been taken on and few properties acquired in slow buildup process which was first indicated by long mailing of possibilities by office before it finally stepped into the band picture. Several Music Corp. of America letouts may be added here. So far Noble Sissle, Joe Rines, Emery Deutsch and De Lange have been contracted. Office has had Jan Garber for radio for some time and also Jacques Renard.

Xavier Cugat, Arcadia-International, Philly, Sept. 26, following Clem Williams, who has two weeks in the spot.

Bill Hardy, Ray Noble's manager, back from London. Leader returns in about a month.

On the Upbeat

PAINE'S VISITS

In Canada to Cooperate on New Copyright Billings

John G. Paine, general manager of the American Society of Composers, Authors and Publishers, last week visited the organization's Boston office and the Toronto headquarters of the Canadian Performing Rights Society. Latter call was for the purpose of going over the new schedule of rates for music users which the CPRS must soon submit to the government's copyright rate board. Copies must also be furnished users in advance for study prior to the rate board's hearing.

Visit in Boston disclosed that the local federal court has 37 infringement suits against users listed for trial during the October calendar. Defendants are located in various parts of New England.

Skinney Ennis and band, after 22 weeks at Victor Hugo in Los Angeles, moved to San Francisco for eight weeks at the Mark Hopkins.

Frankie Trombair touring midwest after closing at Los Angeles Biltmore.

Lew Palmer, former drummer with Jan Garber, is lining up dates for his own band.

Harry Candullo orch moves into New Penn. Philadelphia, Oct. 1 for four weeks, succeeding Barney Rapp, who begins series of one-nights in tri-state area.

Jack Gamble band into Lincoln Terrace, Pittsburgh, for indef stay.

New season opens at Coliseum Ballroom Greensburg, Pa., Sept. 15 with one-nighter of Tommy Dorsey orch.

Baron Elliott, staff band leader at WJAS, Pittsburgh, and his dance crew go into new Riviera, near Pittsburgh, this week.

Artie Shaw settles for three weeks at the Chase hotel, St. Louis, commencing Sept. 30. Gets Mutual net wire from spot.

Dave Burnside at Ansley hotel, Atlanta, Ga., after a season at Ocean Forest hotel, Myrtle Beach, S. C.

Jack Wardlaw's band set for Dempsey hotel, Macon, Ga., for month of November after closing at Jefferson hotel, Columbia, S. C.

Jane Dover, formerly Will Hudson's vocalist, now with Bunny Berigan. Ditto George Bohn and Gus Bovana, saxophonists, last with Hudson.

Willie Farmer looking for a hot singer since exiting Radio City Promenade Restaurant in N. Y.

Title's Swingtette cut 20 electrical transcriptions for World Broadcasting.

Knights of Note, five-piece ensemble, current at the Radisson hotel, Minneapolis, after three years on KSTP sustainer.

Dave Burnside and orch, current at Hotel Ansley Rickeller, Atlanta, hit air Friday (16) night in first of two-a-week series of sustainers for CBS net.

Milton Davis' orch opens at Hamilton hotel, Washington, tonight (Wednesday). Skeeter Palmer also opening tonight at Seneca hotel, Rochester, N. Y.

Carl Tisen's orch at Troika, Washington, Oct. 1.

Walter Miller's orch goes into Copley Plaza, Boston, Sept. 29.

Ted Flo Rife's orch opens at Topsey's, Southgate, Cal., tomorrow (Thurs.), replacing Benny Meroff, who goes on a tour of one-nights.

Jimmy Dorsey, Earle theatre, Philadelphia, Nov. 11.

Sammy Kaye winds up one-nighters prior to its debut at the Commodore Hotel, N. Y., with dates at Johnson City, Pa., Sept. 23; Providence, Sept. 24; Ritz Ballroom, Bridgeport, Sept. 25; Worcester, Mass., Sept. 27, and North Adams, Mass., Sept. 28.

Emil Coleman plays a society dinner dance at Irvington-on-the-Hudson Sept. 24.

Lecturer Asks \$10,000

In Hotel Bathtub Injury

Detroit, Sept. 20. Suit for \$10,000 damages, filed against Hotel Fort Shelby here by Dr. Angelica Balabanoff, lecturer, will be aired in court here next week. Dr. Balabanoff claims she slipped in bathtub at hotel, while trying to dodge hot water from a cold-marked faucet, and injured her collarbone. As result, she says, she missed 28 weeks of lecturing.

Kellem Turns Agent

Philadelphia, Sept. 20. Milton Kellem, former orch batonier here, last week went into the band agency biz. Merged with Agent Tony Phillips to form the firm of Kellem-Phillips.

4 NAME ORCHS DREW 35G TO CAN. EXPO

Toronto, Sept. 20.

Complete boxoffice check-up shows that the Goodman-Lombardo-Rogers-Dorsey orchs grossed \$35,300 during their Dance Pavilion engagement at the Canadian National Exhibition. Special structure held some 5,000 people, with admission at \$2 a couple.

Benny Goodman did \$9,900 for the three nights, building from \$1,800 to \$3,000 to \$5,100; Guy Lombardo did \$9,000 for the three nights; Buddy Rogers, \$4,000; and Tommy Dorsey, \$12,400, latter getting the closing three nights when the Expo was packed.

Topper for any night of the two weeks (Sundays excluded in Canada) was Benny Goodman, who drew \$5,100 paid admissions.

BAND BOOKINGS

Grant Wood, Westwood Club, Richmond, Va., Sept. 23, two weeks.

Don Bestor, New Kenmore hotel, Albany, N. Y., Oct. 1.

Lou Blake, Atlanta-Biltmore hotel, Atlanta, Ga., Oct. 7.

Blue Barron, Hippodrome theatre, Baltimore, Nov. 4.

Gray Gordon, Syracuse hotel, Syracuse, Sept. 28.

Harry Candullo, New Penn Club, Pittsburgh, Oct. 1.

Hal Kemp, Drake hotel, Chicago, Oct. 3. Continues one-nighting until then.

Howard Gale, Democratic Ball, Ritz-Carlton hotel, Philadelphia, Oct. 28. Currently doing weekly series on WHP, Harrisburg, Pa.

Al Jahns opens Biltmore hotel, Providence, Oct. 30.

Lou Breese, Earle theatre, Pittsburgh, Sept. 30.

Billy Swanson, Lowry hotel, St. Paul, Minn., Sept. 29.

Joe Haymes, Club Palorama, Schenectady, N. Y., Sept. 28.

Marvin Frederie, St. Paul hotel, St. Paul, Sept. 22.

Guy Lombardo, Palmer House, Chicago, Sept. 29.

Harry Owens, Baker hotel, Dallas, Sept. 21.

Dick Stabile, Edgewater Beach hotel, Chicago, Oct. 15.

Buddy Rogers, College Inn (Sherman hotel), Chicago, Oct. 8.

Freddy Fisher (Schnickelfritz), Loew's State, N. Y., Oct. 20.

Swing Lawyer

Salt Lake City, Sept. 20.

Barrister chores are now just a sideline with Jerry Jones, youthful lawyer, who, in the past year, has become this burg's leading dance hall impresario.

Jones, who earned his jurisprudence sheepskin tooting a sax in his own outfit, has leased Rainbow Rendezvous and is spotting traveling bands in the modernistic site. Carl Ravazza's band opened Sept. 14, followed by Frankie Trombaur's. Plans to import bands throughout the fall and winter seasons.

Goodman Vs. Vallee At Hub Xmas Jamboree

Boston, Sept. 20.

Benny Goodman and Rudy Vallee will do a battle of music for jitterbugs at Boston Garden Oct. 24 under auspices of the Boston Evening American Christmas Basket Fund.

Dance contest prelims were begun at Brockton Fair last week and are being handled by Joe Rubin, local talent booker and producer. Admish to jitter jamboree in the Garden will be \$1, and the arena will be used for dance floor, while Vallee's sweet music competes with Goodman's swing.

Sam Wineeland doing the music score for Paramount's 'The Arkansas Traveler.'

Network Plugs, 8 A.M. to 1 A.M.

Following is a totalization of the combined plugs of current tunes on NBC (WEAF and WJZ), and CBS (WABC) computed for the week from Monday through Sunday (Sept. 12-18). Total represents accumulated performances on the two major networks from 8 a. m. to 1 a. m. In 'Source' column, * denotes film song, † legit tunes, and 'pop' speaks for itself.

TITLE	PUBLISHER	SOURCE	GRAND TOTAL
I've Got a Pocketful of Dreams	Santily-Joy	*Sing You Si	56
Stop Beating Around the Mulberry Bush	BVC	Pop	43
A-Tisket A-Tasket	Robbins	Pop	41
Change Partners	Berlin	*Carefree	40
What Goes on Here in My Heart	Paramount	*Give Me a Sailor	37
I've Got a Date with a Dream	Feist	*My Lucky Star	37
You Go to My Head	Remick	Pop	36
So Help Me	Remick	Pop	35
Small Fry	Famous	*Sing You Sinners	33
Bambina	Spier	Pop	31
Now It Can Be Told	Berlin	*Alexander's Ragtime Band	29
I Used to Be Color Eli	Berlin	*Carefree	28
Lambeth Walk	Mills	Pop	28
I'm Gonna Lock My Heart	Shapiro	Pop	28
There's a Faraway Look	Tenney	Pop	27
Little Kiss at Twilight	Paramount	*Give Me a Sailor	26
Lullaby in Rhythm	Robbins	Pop	24
When Mother Nature Sings Her Lullaby	Santily-Joy	Pop	23
At Long Last Love	Chappell	*You Never Know	22
No Wonder	Crawford	*Hell-a-Poppin	21
Alexander's Ragtime Band	ABC	*Alexander's Ragtime Band	21
There's Honey on the Moon Tonight	Miller	Pop	20
The Yam	Berlin	*Carefree	20
Don't Let That Moon Get Away	Santily-Joy	*Sing You Si	19
My Own	Robbins	*That Certain	19
How Can We Be Wrong	Crawford	Pop	18
I Hadn't Anyone Till You	ABC	Pop	18
Don't Cross Your Fingers	Ager-Yellen	Pop	18
You Never Know	Chappell	*You Never Know	18
I Married an Angel	Robbins	*I Married an Angel	17
Girl Friend of the Whirling Dervish	Harms	*Garden of the Moon	17
Love Is Where You Find It	Harms	*Garden of the Moon	17
Could You Pass in Love?	Feist	*My Lucky Star	16
There's Something About an Old Love	Exclusive	Pop	16
You're the Only Star in My Blue Heaven	Shapiro	Pop	16
Why Doesn't Somebody Tell Me Things	Shapiro	Pop	16
Garden of the Moon	Harms	*Garden of the Moon	16
Summer Souvenirs	BVC	Pop	16
If I Loved You More	Words-Music	Pop	16
Heart and Soul	Famous	*A Song Is	15
Who Blew Out the Flame	Feist	Pop	15
Teacher's Pet	Marks	Pop	15
Put Your Heart in a Song	Miller	*Breakin' the Ice	15
When a Prince of a Fella	Remick	Pop	15
When the Circus Came to Town	Shapiro	Pop	15
Where in the World	Feist	*Joette	13
I Have Chained a Thing	Mills	Pop	13
Love of My Life	ABC	Pop	13
Monday Morning	Witmark	Pop	13
Music, Maestro, Please	Berlin	Pop	12
My Walking Stick	Berlin	*Alexander's Ragtime Band	12
Night Is Filled with Music	Berlin	*Carefree	11
Says My Heart	Famous	*Cocoanut Grove	10
Toytown Jamboree	Red Star	Pop	10
Marilu	Fox	Pop	10

Philly Agents, Acts Settle Differences With Joint Move Against % Renegars

Philadelphia, Sept. 20.

More than 100 acts and agents got together Sunday (18) at Musicians Hall here and most of the differences between them were amicably ironed out. Joint gag session and feed, sponsored by the "Entertainment Managers Assn.", was the idea of its prez, Florence Bernard.

Principal grievance to be aired was that of the so-called "blacklist" sent around by the agents. She declared it wasn't a "blacklist", but an "unfair" list, similar to that which is sent out by unions to notify members that a certain party has committed a violation against them. If they can distribute such a list, Miss Bernard said, she didn't see why her group couldn't warn its members about acts which didn't pay commissions and broke contracts.

Attending the meeting were A. A. Tomei, retiring prez of the Musicians local; Tom Kelly, biz agent of the United Entertainers Assn.; Fredric Watson and Howard E. Wheeler, Jr., exec secretary and prez, respectively, of the EMA of New York. All promised co-operation.

Lynch, Gouraud Called In Philly Gambling Quiz

Philadelphia, Sept. 20.

Jack Lynch, Philadelphia nitery op, and Powers Gouraud, WCAU commentator, were witnesses last Thursday (15), before the special grand jury investigating gambling and vice here. Their presence stirred considerable comment in City Hall, but no explanation was given of why they were called.

Gouraud on Thursday (22) will become m.c. in Lynch's nitery atop the Walton hotel here.

**WILLIE and EUGENE
HOWARD**
"Hollywood Hotel" Revue
TOURING
Fuller Circuit, Australia
Per. Address
WM. MORRIS AGENCY
NEW YORK

**JACK and JUNE
BLAIR**
On Tour Fuller Circuit, Australia
with
"Hollywood Hotel" Revue

The THEATRE of the STARS

Marcus Loew
BOOKING AGENCY
GENERAL EXECUTIVE OFFICES
LOEW BLDG. ANNEX
160 WEST 46TH ST. NEW YORK
Bryant 9-7800

J. H. LUBIN
GENERAL MANAGER
SIDNEY H. PIERMONT
BOOKING MANAGER

Saranac Lake By Happy Benway

Myra Fox visited the Big Town.

Winter is here again; so it's red flannels, electric pads, earlaps, woolen mittens, heavy socks, extra-heavy pajamas and more woolen blankets.

Jack Phillips ex-ozoneer and nite club owner of prohib days, on Lake Colby for a general check. He looks good.

Mrs. Elizabeth Hayes holds open house for this Cactory Colony. Murray Salet, here for years, now pumping gas in the Bronx.

Eddie Vogt (Vogt and Hurst) is one year older. He's staged one real comeback.

Minna Morse and Jimmy Plunkett approved and back home to resume work.

Sid Stuart, British entertainer, who was checked here for his asthma, is bedding in a New York hospital due to same malady.

Harry Davies, ex-NVAite, who made the grade here, has been sent home.

Colony thanks Joseph Frieber and David Bines, of Scaroon Manor; Schroon Lake, N. Y., for sending the following artists to entertain the gang at the Will Rogers hospital: Manny King, Earl Root, Merrill Miller, West Moreland, Lee Sullivan, Ruth Cook, Gale Winters, Dot Canova, Red King, Dawn and Farrow, and Eddy Barry's orchestra.

Marion Green here for short vacash and yearly checkup.

Thanks from the gang here to Mrs. William Navin, of Schenectady, for the books.

The missus John, Joseph and James McCarthy left for their Bronx home after spending the summer with Joe McCarthy, ozoneing here.

Ned McGushion had the first stage of the rib operation. He's improving.

Garland Smith, a Will Rogersite, left for a month's vacash in Virginia, then back to the Big Town to resume work.

Tom McFadden Ern: Golcher, of Atlantic City, here eyeing Isabelle Rook, who's topping the ozone routine at the Will Rogers.

Buddy Emmett all keyed up over the news that his frau (Dorothy Bernier) made the grade with Max Gordon's new show, "Sing Out the News."

Jack Nichols, former NVA-ite and Miami special cop, here with his better half and daughter for a short vacash and check up.

Eddie (Four Carltons) Ross, who saw a long mess of this here, after a year of hard work, back here for that check up and fishing vacash. He looks swell.

Henry Wensch, of Atlanta, who did it up here, mitting the boys who roomed with him. Another successful comeback.

Write to those who are ill.

Givot Goes Vocal

George Givot, who returned Monday (19) on the Quee. Mary, spent four months being coached vocally in Italy in preparation for veering from comedy to serious baritone. Givot tried a serious song at his Palladium, London, appearance recently and also did a straight performance at the Queen Mary's concert.

DET. WARS ON NUMBERS GAME

Detroit, Sept. 20.

Police war on numbers racket here, which has cleaned out most of town's big policy houses past 10 days, is now hitting nite clubs.

Acting on numerous complaints, state rum board has warned niteries that licenses will be revoked if practice doesn't cease. Procedure in past has been to fine nitery operators \$25 if found in possession of numbers equipment and \$100 to \$150 if any employee is caught conducting numbers betting.

• 15 YEARS AGO •

(From VARIETY and Clipper)

Briethart, German strong man, opened at the Orpheum, Brooklyn, the previous week. Now came Kronas, doing much the same tricks, but opening at the Grand Opera house, N. Y. Copy act, but a good one.

Donald Brian, comic op fave, reversed the two pianists idea for his date at the Palace. He had two girls at the black-and-whites.

Only three comedy turns in the nine-act bill at the N. Y. Palace, the first laugh not coming until 8:15. Fight pictures with seats held for Jack Dempsey and Babe Ruth. Neither showed up and a film leader explained the actual fight could not be shown.

Eight acts at the Alhambra, N. Y., and six of them comedy turns. Moran and Mack the chief fun makers. Had been playing most of the N. Y. spots.

Eddie Cantor at the Riverside and stopped the newsreel, which was late there was to follow. Took four encores and called it a day in spite of further demand. Several people, including Benny Leonard, worked in with Cantor.

Prospect, Brooklyn, playing four or five local jazz bands each night. Winners went into the finals Friday. Three winners to be worked into an act later and presented as a house turn.

Jack Benny at the Jefferson, N. Y. Off to a bad start, but he won the crowd. Described as "the conversing violinist."

Palace screen announced the fight pictures could not be shown, but the Broadway had the Dempsey-Firpo bout to the last blow, and mopped at the b. o.

Three miniature revues on the Chi Palace bill. Headliner was Trixie Friganza, with Johnny Burke runner-up.

Sydney S. Cohen trying out stock at the McKinley Sq. Bronx. Said the cost of a 30 people show was less than the rental of two features on a split week, and paid better. Gave vaudeville concerts Sunday. Didn't last so long. Tryout of the idea for the exhib org he headed.

Owen Davis sued Harold Lloyd. Alleging that "Why Worry" infringed his "Nervous Wreck." Eventually won a verdict.

Pressmen on a strike on the N. Y. dailies, and no papers published. Put a terrific crimp into the shows opening without reviews. Agency sale particularly bad.

VARIETY sued by the Shuberts for \$100,000. Did not deny the correctness of the printed report, but said it was published maliciously. Aftermath of Shubert vaudeville.

Pix H.O. Shelve Orph Vaude, Lincoln; Maurice to Boss Loew's, Montreal

Lincoln, Sept. 20.

Decision to open the Orpheum here without remodelling to take care of the h.o. of 'Alexander's Ragtime Band' (20th) and to play off some top second runs, has shunted the vaude possibility for Lincoln back—probably until after Christmas, if then. Original plan was to have the house remodelled and open in late October for five-act bills on three-day week policy according to sources here. Billy Diamond would furnish the acts. Meanwhile, L. J. Finske, division manager; Joe Philipson, New York office manager; and J. H. Cooper, N. Y. head of the Lincoln Theatres Corp., are huddling about the plans for extensive renovation.

Wilbur Cushman, vaude booker, who sent \$150 daily units scampering by automobile all over the great plains area for several seasons, is still waiting for the green light for his new \$350-a-day idea, with 30 people and a name. He's currently in Hollywood.

Cushman says Oklahoma City, Wichita and Nashville have told him they're ready to go, but he wants more stopping places. He has plans for six shows, but will await more decisions and cooler weather.

Maurice Bosses Loew's, Montreal

Montreal, Sept. 20.

Phil Maurice, former night club impresario, has been appointed manager of Loew's here, with house scheduled to adopt vaudeville upon reopening Friday (23).

According to J. Arthur Hirsch, president of Consolidated Theatres, which operates Loew's under the pooling arrangement with Famous Players Canadian Corp., there will be eight acts in addition to film.

Difficulties with the American Federation of Musicians, local 406, have been adjusted to the satisfaction of Consolidated insofar as contract is concerned, it's reported. The new contract with AFM has a

BARTON'S LONDON BIDS

\$3,500 Doubling Date—But Can't Go at Present

Report from London that James Barton had signed to double from the Cafe de Paris and the Coliseum there for a joint salary of \$3,500 weekly is denied by the Broadway stage star. Stated that Barton had been signed for two weeks with options, date to start Oct. 24.

Barton, currently doubling from Broadway's perennial 'Tobacco Road' on the board for five years, to Billy Rose's Casa Manana, on Broadway, has been approached for London dates, he says, but has indicated that he isn't interested at present, due to the present European crisis.

Jeanne Bernhardt in K. C.

Comeback; 10 Mos. Hosp.

Kansas City, Sept. 20.

Jeanne "Bobby" Bernhardt of Kansas City, formerly member of a "cannonball" troupe, returned last week to present a dancing act in the town's annual Jubilesta. The "cannonball" girl's act here marks one of her early public appearances since her cannon misfired at a Canadian fair last year. As a result she spent 10 months in a Toronto hospital.

After seven months in the hospital, while learning to walk again, she slipped and suffered a fractured leg, necessitating another three-month hospitalization.

BRANDT SISTERS

WORLD'S FINEST SKATING TEAM

Headlining ICE REVUE, College Inn

NOW PLAYING 10th WEEK—SHERMAN HOTEL, CHICAGO

Management:

ICE SHOW PRODUCTIONS

180 N. Michigan Avenue, Suite 2310—DEAR 7146

Dr. Arthur Brandt, Producer

Harold Steinman, Manager

HILDEGARDE

NOW APPEARING AT

THE SAVOY PLAZA, NEW YORK

Personal Mgr. ANNA SOSENKO

American Rep. JACK BERTILL • European Rep. HENRY SHERER

two-week cancellation clause so that musicians may be laid off in the event that a change from the flesh policy should be decided. Last contract with AFM was for two years without privilege of cancellation. As a result Loew's was obliged to pay musicians weekly salaries while the theatre was closed for several months.

Understanding now is that 11 men will be used in the pit instead of 12 last year with same salaries to be paid as last year. Reported also that Jerry Shea may replace Eddie Sanborn as leader of the orchestra. Consolidated has also been toying with the idea of using another eight musicians on stage, but whether this plan will be adopted is problematical.

Johnnie Davis Seeks Band for 3-Week Tour

Johnnie ("Scat") Davis is seeking a band to lead on his vaudeville tour for Warner Bros.

Comic-trumpeter wants an already formed organization, which he can pick up and drop without qualms when three-week session is over. Tour will include Philadelphia, Pittsburgh and Washington, opening at latter Sept. 23.

CHALMERS' CHI P. A.

Chicago, Sept. 20.

Lynn Chalmers, radio warbler, set into the State-Lake for this coming week (23).

Was formerly on NBC and with the Henry Busse orchestra as a s. a. soloist.

CYRIL BERLIN

Dressed by

SIDNEY FISHER

75/77, Shaftesbury Avenue
PICCADILLY, LONDON, ENG.

FRANK PARIS

AND HIS MARIONETTES

HELD OVER STRAND, NEW YORK
(2nd Week)

Direction: INGALLS & DAVIES

Loew's Century, Baltimore, Presents:

THREE DREWS

IRENE—MORT—ED
Met. HERMAN FIALKOFF
NEW YORK

Best Coffee in England

QUALITY INN

Leicester Square

LONDON, WEST-END

MISSING HEIRS—

Esther and Edward Smalley

Communicate with LEON I. GREENBERG, Est., 607 Bankers Securities Building, Philadelphia, Pa.

Mpls. Groggy from Yen for Flesh; Heidt's \$24,848 Record at Orph

Minneapolis, Sept. 20. Stage shows' boxoffice revival here has everybody connected with the show biz goggle-eyed and dizzy. Nothing like the current public appetite for live talent has been seen in these parts since 1929, and the local trade considers it a most significant and surprising development.

With the depression still supposed to have pretty much of a stranglehold on commerce, and with the collapse of farm prices an adverse influence in this neck of the woods, flesh-and-blood is smashing b.o. records right and left currently, whereas up to a few months ago stage shows were deep in a rut and unable to arouse paying interest.

On the heels of the sensational \$20,000 chalked up by Rudy Vallee in five days and the healthy \$14,000 registered by Major Bowes' International revue at the Orpheum, Horace Heidt came along last week, and with practically no screen hit ("Poor Man, Rich Girl") shattered the Mort H. Singer house record, zooming through to a remarkable \$24,848 in seven days. Band did six shows a day, five on some of the others and four in a few, but there were enormous night overflows just the same. For the first three days—Friday to Sunday—takings were under \$12,000. The more than \$3,000 a day weekday average—Monday to Thursday, inclusive—amazed everybody here. Seldom has there ever been anything like it in this neck of the woods.

The Heidt \$24,847 is several hundred dollars in excess of the Orpheum runner-up for b.o. honors, the "Polies Bergere" show, two seasons ago when, however, the scale was 65c against 55c after 5 p.m. last week. However, Vallee a few weeks ago was hitting a \$4,000-a-day weekday average, indicating that if he had remained seven days the take would have been \$28,000 or more. Also, the Minnesota theatre in its heyday did from \$30,000 to \$45,000 with stage shows, a much larger seating capacity and higher scale being influences, however.

Harry Hirsch's Gayety (stock burlesque) is also feeling the stimulated effects of the voracious appetite for flesh and it, too, is hitting the biggest biz in the 15 years of Hirsch's tenancy. First week's figures, \$4,300, ran \$700 ahead of last season's opening week. Fair week's gross of \$6,200 set a new Hirsch high. Last week, with the Heidt opposition, house hit a very big \$5,000. House's approximate take of \$3,500 and theatre is scaled at 90c top with two performances a day, all seats reserved.

Orpheum underlines for Sept. 30 is Benny Goodman, his first Minneapolis visit. First Lyceum road-show will be "Pins and Needles" Oct. 6-8. A crowd of 45,000 at \$2.75 per ticket is indicated for the Minnesota-Washington football game, ushering in the gridiron season here Sept. 24.

ROSE SEEKS TO REPLACE TRAHAN; SAVO NIXES

With Al Trahan sailing for the Dorchester hotel, London, Billy Rose is still seeking a successor actor for the Casa Manana, New York. Jim Barton, Ted Lewis, Patricia Ellis, et al., hold over but another specialty is needed.

Jimmy Savo nixed the bid for a fortnight at the Broadway Casa, because of a prior suit over salary with Rose. It approximates \$1,800 and the comedian is still burning. Besides Savo is the new "Boy" from Syracuse, new George Abbott musical, and that producer, along with Rodgers and Hart, the authors, refuse to permit any doubling, during rehearsals or after the premiere.

Current Casa show, originally scheduled for four weeks, will stay for six. Layout, topped by James Barton-Ted Lewis' orchestra-Patricia Ellis, is currently in its third stanza.

Cass-Owen-Topsy Set

Loew's has booked the Cass, Owen and Topsy comedy threesome for the Capitol, Washington, Sept. 30, with the State, New York, to follow.

Deal, set by Max Tishman, also included the booking by Loew's of Vox and Walters, ventriloquial duo, for the State, Nov. 17, and Washington, Dec. 12.

Nabes Rescue Child From Fire While Parents Hoof

Syracuse, Sept. 20. While his parents, Mr. and Mrs. Irvine Meese, were going through their singing-dancing routine at Andy's Inn, local nitery, six-year-old Buddy Meese narrowly escaped death by fire last week.

Left in the care of neighbors while his parents work, Buddy was sleeping in the Meese apartment when a fire started. Neighbors, who discovered the blaze, broke in and carried the boy, still sleeping soundly, to safety.

PHILLY UEA, AFA TAKE 1ST STEP IN MERGER

Philadelphia, Sept. 20. First step in merging of the United Entertainers Assn. local talent union, into the American Federation of Actors, will take place next Sunday (25) when a mass meeting of acts will be held at Musicians' Hall. Ralph Whitehead, AFA executive secretary, will be on hand to accept the application of the 383 UEA members.

Although the acts won't become AFA members at once, by filing their applications they will obligate themselves. They will be issued cards later. Merger was affected only after months of haggling by Tom Kelly, UEA biz agent, and Whitehead. UEA was formerly in the AFA, but broke away about four years ago in a battle over autonomy. Under the present arrangement, UEA will continue to exercise considerable local autonomy.

In addition to Kelly and Whitehead, those scheduled to attend next Sunday's pep meeting include Warren D. Curry, president of the Central Labor Union; A. A. Tomei, retiring prez of the Musicians' Local; James McElroy, of the Bartenders' Union, and Harry Davis, of the Waiters' Union.

Pittsburgh, Sept. 20. George La Ray was elected executive representative of the American Federation of Actors, Pittsburgh local, this week. Others inducted were Gene Gossnell, recording secretary; Howard Elmer, treasurer, and Zoise Reeder, secretary. Advisory board will consist of Gertrude Howell, Margaret Reeder, Lonnie Fischer, Gertrude Patti, Billy Cover and Bob Beech.

Ralph Whitehead, executive secretary of national body, attended elections and returned to New York late today (Tuesday). Meeting with Charles Moscowitz, of the Loyce office, who's reping managers, will be called later in the week to discuss closed shop agreements for N.Y. vaudeville houses.

Andrews Sis to Hop To Cleve. from B'klyn Date

Andrews Sisters will jump via plane between Strand theatre, Brooklyn, and the Palace, Cleveland. Singers exit Strand tomorrow (Thursday) after one week and fly to Cleveland to open the next day. Other, less hectic bookings being lined up for Rockwell-O'Keefe, include State, Hartford, Oct. 10.

Trouble Comes in Threes

Philadelphia, Sept. 20. When Ben Lander, of Lander's Tavern, nitery here, gets troubles they come in big doses.

Last Tuesday (13) he was indicted for bookmaking and conducting a horse-race betting pool. He was released on bail. Wednesday (14) he was cited by the Pennsylvania Liquor Control Board to show cause why his license should not be revoked for selling after hours. Thursday (15) his wife filed suit for divorce, charging "cruel and inhuman" treatment.

NO. 2 BOWES IDEA

Local Pitt Sponsor Touring Own
Ans Troupes

Pittsburgh, Sept. 20. Taking a cue from success of Major Bowes units in this district, Larry Jacobs, former advertising director for old Stanley chain here and later exploitation man with UA, has sold Wilken's Jewelry Co. on idea of doing same thing with tyro shows outfit has been sponsoring over WZAS for last five years.

Talent will be plucked from Sunday afternoon programs and in units of six and eight acts, each with a different m.c., are to be toured throughout tri-state district theatres for one-nighters and split-week stands. Brian McDonald, who conducts the weekly hour for Wilken's, and is closely identified with the program, will make an appearance with each one at its starting point. Later recently closed a week's engagement as m.c. at WB's deluxer Stanley here, booking coming directly as a result of his radio popularity.

Wilken's going along just for the publicity ride, since outfit has stores all over this district, with Jacobs the actual producer and grabbing off most of the profits, if any. He'll also do advance exploitation work on each unit.

Little Billy to Open Midget Nitery in H'wood, Lower Case All the Way

Hollywood, Sept. 20. Half-minute steaks served by half-pint waiters in a Lipulitua night club is a diminutive dream about to be realized by Little Billy, until recently the light heavy in "The Terror of Tiny Town." Billy and the midget impresario, Leo Singer, are shopping around Hollywood for a little spot to build a Tom Thumb eatery and nitery with an all-runt cast.

With the studios going in midget pictures in a big way, Hollywood has a large population of small people who are drawing man's size salaries. Little Billy's big idea is to run everything in a dwarfish way, down to the tiniest detail.

Cooks as well as waiters will be in the fleawest class and the entertainers will put on a Little Theatre show every night into the wee small hours. Even the bull fiddle will play alto.

As a side line, Little Billy intends to put on special matinees for children twice a week, at which time the hard liquor will be replaced by jiggers of soft drink.

Title of the new joint is still undecided, with "The Vest Pocket," "The Atom" and "The Pinhole" under consideration. It is strictly a non-colossal production.

CUGAT'S BAND OPENS PHILLY SPOT'S SEASON

Philadelphia, Sept. 20. Arcadia-International, ace Philadelphia nitery, will open its fall season next Monday (26) with Xavier Cugat's band for two weeks. New second band has also been taken on and tagged International Swingette. Surrounding bill includes Galli-Galli, magician, now at the Fox theatre here; Grover and LeMay, dance team, and Jean Landis, terper.

Harvey Lockman and his wife, Tillie, who ran the Ubangi Club here last year, are branching out. While Lockman has taken the Ubangi, which uses Negro talent, into the Village Barn, hayseed spot with white acts, his wife has taken over the old Coconut Grove and will open it under her own management Oct. 1 with colored acts. It has been renamed Africana.

St. Regis' Ice Show

Hotel St. Regis, N. Y., falls heir to major portion of talent featured last few months in the International Casino's Ice Revue on Broadway. Displaced by Clifford Fischer's "Plaisirs de Paris," the skaters shuttle over to Fifth avenue, where they will open the Iridium Room Oct. 6.

Ice stars Nathan Wally, Dorothy Lewis, Sam Jarvis and the Simpson sisters will be augmented by Charles Baum's orchestra and Don Marton's rhumba crew.

Moss' Proposed New Agent Law Calls for Non-Fixed Fee Instead Of Current 5%; Protects Small Acts

Caperton-Columbus First Dance Act at Cleve. Cafe

Caperton and Columbus, currently at Jack Lynch's Walton hotel room, Philadelphia, open Sept. 29 for four weeks at the Mounds Club, Cleveland.

They are the first dance team to play the spot, which hitherto has used only singers.

ROBITSCHKEK'S 2-A-DAY AT OLD B'WAY

Deal is on for two-a-day vaudeville to return to Broadway next month in the old B. S. Moss' Broadway at 53d street via Kurt Robitschek. House has lately been known as the Cine Teatro Roma, quondam Italian vaudeville. Name will be changed to Palladium.

Robitschek, formerly at the Victoria (London), and Alhambra (Paris), will put on the same type variety shows for New York. He would take over the house around Oct. 1 from Prudence Bond Co. to start around Oct. 20. He had a deal on for the Center theatre, Radio City, which fell through. House needs only minor going over, being fully equipped for stage shows.

INDPLS. SUBURBAN COPS FROLIC; NITERY ROBBED

Indianapolis, Sept. 20. While the police force of Jeffersonville was attending its annual ball at the Log Cabin, nitery two miles north of here, hands entered another night spot, the Turf Club, and held up 15 persons, getting approximately \$1,000 in cash.

Customers were tagged for their valuables with remainder of take coming from club's safe.

Mother Ill, Miss Alexander Quits Duchin's N.Y. Show

Durelle Alexander, vocalist with Eddy Duchin's crew, had to pull out of the Paramount, New York, stage show, where the Duchin band is filling a personal, and fly to her mother's bedside in Texas Friday (16) morning. Band will be held a third week in the Par pit.

Her spot was taken by Nan Wynn, who formerly fronted the Hudson-DeLange orchestra, and is currently doing two sustaining shots weekly over CBS. Miss Wynn also took over the absent singer's spot on the Duchin Fall-Mall commercial Monday (19) night, her first radio commercial.

Ates' \$183 P. A. Rap

Roscoe Ates, the stammering comedian, was nicked yesterday (Tuesday) for \$183.35 in N. Y. county clerk's office in favor of Amalgamated Publicity Service, Ltd., London, for services rendered Ates in January, 1938.

The action was filed by N. Y. attorneys on behalf of the British outfit and claims that the comedian engaged them to publicize, print and handle the distribution in England of Ates' book, "The People," in which he depicts the art of stammering.

FRANCIS FAYE'S DATE

Frances Faye has been booked through Rockwell-O'Keefe for the Strand, Brooklyn, where she headlines the stage show opening Friday (23).

She, recently returned from Europe, after theatre and nitery engagements there.

If present legislative plans of New York License Commissioner Paul Moss and local agents and bookers go through, 5% fee clause of present agency laws will be eliminated for a non-fixed fee setup. Long friction between Moss and the performers looks to vanish with all agents definitely set to take out licenses as their concessions to the authorities. The new law would eliminate old manager front dodge.

Group representing the William Morris office, the NBC, CBS, Artists Representatives and Agents Assn., Entertainment Managers Assn., Equity Agents Assn., and indie reps have met and discussed plan with Moss. They will meet again shortly to go over Moss' rough draft of proposed legislation.

Moss is trying to create a bill that will be acceptable to six kinds of agencies around New York. However, he may set up a separate bill for theatricals, he says, if some are dissatisfied. All mention of fees will be omitted from new bill with possible exception of a limitation on fees exacted from low salaried performers, as a protective measure. Agents have been persistent in their refusals to take out licenses since it automatically limits their fees. Present law stipulates that licensed agents may charge only 5%. In suits to collect their claims, nearly always above law's set figure, agents have heretofore lost out. Also, majority being unlicensed, they were forced to adopt managerial and personal rep front.

EMA May Offer Revised Bill

If Moss fails to put through a non-fixed fee bill for agents, the EMA will again offer its revised Breitbart-Quinn bill, proposed in 1937, as a separate measure for theatricals. EMA measure will also oppose Moss' attempt to include theatricals in same bill with industrial and commercial percenters, as he did last year. EMA wants separate bill and won't accept "Other" groups are for separation but are willing to go along with Moss on the no-fee fixing principle regardless of his bill's other contents. EMA's contention is that with threat of elimination of agencies altogether in New York State and Labor Department taking over theatrical activities, theatricals would not want to be included in the washup.

EMA is also stepping out of New York boundaries to line up all club-date bureaus as a co-operative organization. Lou Walters, EMA head in Boston; Florence Bernard, Philadelphia; L. Claire McLaughlin, Pittsburgh; and O'Malley, Chicago, and Pette Murphy, San Francisco (recently organized), are being contacted by Howard Wheeler, head of N. Y.'s EMA. Wheeler wants organized front to present to unions and standardization of working conditions throughout the country for (Continued on page 44)

FISCHER PREPPING FOR THE INT'L'S NEW SHOW

The International Casino, New York, closed Saturday (7) for a face-lift prior to the preem of Clifford C. Fischer's new French show policy Oct. 5, which will be a \$10 occasion. Fischer, his wife and Eddie Lewis, personal rep, arrive today; the show from the London Casino came in yesterday (Tuesday), with Stanley Klein piloting the troupe.

Fischer will transplant his new idea from the London Casino to the Broadway International Casino—that of having a different show for dinner and supper. The early frolic is titled "Plaisirs de Paris," the supper portion, completely different, is "Montmartre en Minuit." It's a b.o. typo idea that's proved its worth in London, since the customers remain over from dinner, and see a completely new show (with a nominal charge added to the dinner check, for those staying over). Its advantage also is to woo return trade for those who have already seen either portion.

Larry Clinton's band will dispense the dampsation. Ben Bernie isn't going in after all, chiefly a matter of budgetitis.

Burlesque Reviews

GAITY, N. Y.

Georgia Southern, Babe Davis, Ginger Britton, Helen Troy, Ah Ling Foo, Rags Ragland, Phil Silvers, chorus (10).

Having transplanted Georgia Southern and Babe Davis to this house from the nearby Eltinge Herk-Minsky combine has added needed punch to its flesh flashes, and in Phil Silvers and Rags Ragland they are also getting a stronger comedy. Both the punch and comedy were very much absent when house was last caught. Big improving.

Miss Davis is easily most artistic peeler on the show. Why she isn't on later is hardly credit to producer since girl combines dancing ability with her smartly paced acrobatics, in addition to having a moderate singing voice. Does a mild, educated bump along with her other tricks, which include a quick change to transparent veil.

Miss Southern, on last, is still knocking herself out with her rough, tenderoin version of peeling. How even she manages to hold Gaiety audiences.

Lesser nude incidents are furnished by Ginger Britton, blonde, who indulges in a rather tame strip her fast unfasting, and Helen Troy, glamour school type, who offers a smooth, if uninspiring, peel, which is greeted with a few "ohs" and looks. Management keeps 'em all under wraps; a quick peek and no encore.

Production for most part is Gaiety's usual, slightly better than most houses. Costuming and props all look clean and new and include some little thought, which is more than can be said for the dances of the line. Statue contingent (five) in tableaux and for walk-ons are even less animate.

By way of production, Ah Ling Foo, Chinese coocher, is presented in a three-stage setting. In the "Dance of the Wine Goddess," dressed only by plain drape setting, she does a hybrid wiggles and Polynesian dance. "Wine Goddess" is rung in through girl osculating a cluster of artificial grapes, which she speedily drops again to continue indecipherable contortions. Does much of dancing with her arms, being rather badly equipped in gam division and most of action comes in the hands. Rest, though questionable, production number is last, when all girls are decked in white and silver, with "Serenade to a Star" the theme. Miss Britton appears again as a bubble dancer with big balloon but impresses as little more than a miniature Atlas.

Silvers has better comedy lines than Ragland, though latter shapes up well. Bert Grant and Russell Treat help in the sketches.

Chet Allan, one of the better looking burley singing males and easily one of the better voiced, more than holds down his end. Sid Audley, tap dancer, is in twice for relief.

Hurl.

GAYETY, BALTO

Baltimore, Sept. 17. Bob Carney Johnny Barry, Jack Lamont, Billy Crooks, Evelyn Brooks, Mimi Reed, Carney Twins, Doris Weston, Virginia Jones, Line (16).

Opening is 34th consecutive season the Gayety, under Hon Nickels, is currently in the line of a wheel and making a strong play for femme trade. Utilizing a permanent line of six showgirls, Nickels has Gus Flaig vet producer, on hand to bolster production and to have billed here as "beauty flashes," while comedy permits some spice, though it's carefully watched for objectionable material. Big opening show a sellout.

Bob Carney has a strong layout. With considerable background as a comic in other fields of show biz, he has a sense of showmanship. Principals include Johnny Barry, boob comic; Jack Lamont, straight; Billy Crooks, singing juve; Evelyn Brooks, speaking parts; Mimi Reed, acro dancer; Carney twins, kid hater; Doris Weston, stripper; and Virginia Jones, featured peeler. Nicely trained line of 16 rounds out the works.

Show opens with line backing up vocal of "You'd Be the One" by Me by Crooks. Carney then gags in intimate style and brings on Carney Twins, announced as his own, for a punchy "Flat Foot Floogie," with line in effective and a little bit by Barry and Lamont follows, earning a goodly portion of laughs.

Parade number next introduces Mimi Reed in acro ballet, nicely produced and an excellent seller. The twins return for well-sold hooding and set spot for Miss Weston, a blonde, in a brief peeler. The "love chair" blackout follows with Carney milking it for all it is worth possible and giving it a bit of a new twist.

A cleverly worked-out contortion number by the line scores and paces a crazy-bazzy gag. Carney and Crooks, familiar but effective

interlude. Elaborate fan number by Mimi Reed and line next. Carney takes hold of his new specialty and bangs it over along with his strong hoofing and knockabout. Makes hard spot to follow but film-making bit by Lamont, Barry and Miss Brooks keeps customers laughing. Miss Weston in feature spot puts over strong peel. Finale, with line and Miss Reed on moving platforms, is sock. Burn.

RIALTO, CHICAGO

Chicago, Sept. 17. Kenny Brenna, Charlie Country, Billy Reed, George Lewis, Joe Coyle, Jack Buckley, June St. Clair, Renee, Leona Lewis, Dorothy Wahl.

One of the finest burlesque theatres in the country is operated here by N. S. Barger, with the customers being treated to more production and actual entertainment than in many vaude houses. Only the strippers is evidence that this is a burlesque house but, despite this, a large percentage of women regularly attend the theatre. Since Barger restricts the dialog here, too, he has developed a strong femme audience.

Barger's theatre is now tied in with five others in a mutual burlesque chain in the midwest, each house producing a road unit for rotation among the members.

Fred Clark is handling show production for Barger and has done a good job. He has plenty to work on the comedy end with Kenny Brenna, Charlie Country, Billy Reed, George Lewis, Joe Coyle and Jack Buckley. Buckley is an outstanding semi-straight, handling lines and situations for surety. Brenna and Country are standard in this house and seldom fail, with former indicating plenty of brio in other fields. Reed is a newcomer to this house and smacker, cleaning up with a rhythm-drum routine a la Jack Powell. He winds up act with a smashing them to bits. Great stuff whether in burlesque or variety.

On the stripping end there are June St. Clair for headliner, Renee, Leona Lewis, Dorothy Wahl, Renee is a redhead with plenty of s.a. while Miss Lewis goes in for bumps. None lacks avoirdupois. Biz good. Gold.

RKO VAUDE FOR 2 N. Y. HOUSES

RWO will try vaude in two of its New York nabes this fall, the 58th St. and 86th St. theatres. Former house will play a weekend policy of vaudeville, while the Yorkville spot is skedded for small units one day a week.

Both of these houses were important links in the RKO chain of vaude houses until they went to straight pictures several years ago.

Day and date for the first show at the 58th St. has not yet been set, but the 86th St.'s first vaude show goes in Saturday (24) for two days. House isn't definite on whether it will continue this two-day policy, amplifying or cut later. There are a pit band will comprise the shows here, with Bill Howard, of RKO, and Billy Jackson, indie, collabing on the booking.

Policy at the 86th St. will be flexible, playing shows only when a definite booking for the predominantly German name is available. Here also Howard and Jackson will do the booking.

No Chill

(Continued from page 1)

rule of U. S. pictures doing well, because of favoritism of stars, was "San Francisco," which ran an extra week.

Greta Garbo long has been a big draw here but Clark Gable and Shirley Temple now are coming into their own as magnets at the box office. All American pictures are shown with Danish sub-titles.

Shows are held once nightly starting at 9 o'clock, excepting on Sunday when one afternoon performance and shows at 7 and 9 p.m. are held.

Now nearing completion is the National Theatre which thus far has cost about \$250,000. A tax of 21% has been placed on all amusements, including picture houses, to raise the money with which to build this structure. Local stage productions, concerts and other attractions, many of which will come from Copenhagen, will be shown in this house.

PHILLY DAILIES HIT FOR HIKING CAFE ADS

Philadelphia, Sept. 20. Blistering protest on what he termed "indiscriminate rate increases" on niter advertising was lodged with ad managers of Philadelphia papers this week by Art Padula, vice of the Philly Restaurant Assn. Sheets recently differentiated between night club and restaurant advertising, jumping rates on the former, as high as 75% in some cases.

Principal tilt was on the Inquirer, where 34c to 36c-a line charge was upped to 55c. Record pushed its line rate from 34c to 45c.

Padula, who operates two niteries here, the Arcadia-International and the Anchorage, declared the action of the papers was practically "an invitation to get out."

Burley Circuit Set in Midwest On Co-op Basis

Chicago, Sept. 20. Biggest burlesque upturn in years is getting underway in this territory with the organization of the Midwest Burlesque Co-operative circuit, which takes in Chicago, Toronto, Detroit, Buffalo, Cleveland and Cincinnati.

It marks another attempt to establish a circuit, whereby burley theatres can obtain new shows each week instead of relying solely on stock companies, which quickly have become pretty tiresome for regular patrons.

Under terms of the deal, each house builds a unit, with the latter then circulating to each of the other five houses. Each house pays the expenses of the unit coming into the theatre.

Each unit carries 10 principals. They carry no scenery or chorus, with the receiving house supplying the scenery and keeping a chorus in stock.

While the theatres have these road shows for their new faces and ad value, several of the houses do not rely strictly on the road groups for the show, but also have a stock company of about five to eight principals for added security. Bill Milt Schuster booking office here is supplying the talent for the units.

Moss' Plan

(Continued from page 43)

club-date acts. Out-of-town bureaus are currently busy with licensing problems akin to N. Y., with a meet due to be called shortly.

Moss's activity in trying to license agents has been extended until Oct. 15. It had originally been skedded to close Sept. 15. Lou Randall, attorney for AARA, formed last spring in N. Y. to combat agent violators, will call his group (niterity and vaude agents) together in about a fortnight for final approval of code of ethics and constitution on which he has been working all summer. Above group is working with the American Federation of Actors and is seeking an arrangement with the American Federation of Musicians whereby acts and musicians will not be permitted to work for agents outside the licensing fold.

AFA is now franchising agents who may deal with its acts. Already, EMM is in as a bona fide club date is coming along. Graduated scale of \$10 and expenses within 25-mile radius of Times Square has been set for club-date acts. Only areas with AFA closed shop agreements similar to N. Y., Chicago, San Francisco, etc., will be sought by AFA.

Niterities to some degree are in the AFA closed shop agreement, particularly around N. Y. and San Francisco and to some extent in Chicago. AFA is banking on this inducement to percents to deal only with AFA acts in turn for agents dealing only with AFA-franchised agents. AFA meets agents today (Wed.).

Deal between Carl (Deacon) Moore and Meyer Horowitz of Greenwich Village Barn, N. Y., is for three years opening date in mid-October. Cancellable after six months at manager's discretion.

Niterity Reviews

BENNY THE BUM'S (PHILLY)

Philadelphia, Sept. 17. Johnny Howard, Dolly Kay, Oshins & Lessy, Three Marshalls, Castaine & Barry, Johnny Graf Orch., Line (12), Delloyd Kay.

Following three weeks' shuttering for alterations, Benny the Bum (nee Fogelman) reopened this week. Renovations of the interior, which were much needed, help considerably to transform the spot into an intimate, inviting niterity.

Show, put on by Noel Sherman, equals that atmosphere in quality. Topping is Johnny Howard, m.c., a nice looking lad who's virtually a floor show in himself as well as a capable intro. Starts off mimicing, going through Jolson, Boake Carter and Lionel Barrymore, all fair. Then does swell copy of Louis Armstrong singing "Ole Man Moses," follows as comical preacher leading a Holy Roller meeting, and winds up with trick whistling, which is good but too loud and shrill through the room.

Line, the Noel Sherman gals (12), open the show with a pretty good ditty written for Benny's. Femmes are all lookers, and work in precision. Best in the line is "Alexander's Ragtime Band" number. Punk-aroo in a corny bit tagged "Symphony in Silk," in which costuming is very bad.

Hot torchy chirper is Dolly Kay, only so-so on looks and with slight speech impediment, but has nifty pipes and knows how to sell. Does "I'm a Fool to Think of a Loving Fool" and "Some of These Days." Would do better to chop a chorus or two off each.

Oshins and Lessy are a two-man comedy team, doing patter and songs. Timing and presentation are okay and they get over with their adroit buffoonery, although their repertory is thin.

Barry, dancers, are excellent, both nice-looking American types who go through strong routines, mostly fast. Lull music provided by Three Marshalls, male pianist and two female chirpers. Entertainment in the cocktail bar by Delloyd McKay, formerly with Les Liew's "Blackbirds." Gals' nice appearing, dignified, and rattles the piano and warbles well. Herb.

TWO O'CLOCK CLUB (BALTIMORE)

Baltimore, Sept. 16. Allan Gale, Princess Dorinne, Ruth Wayne, Janet & Kalin, Nan Woods, Milton Lyons Orch (8).

Again under Sam Lampe, the Two O'Clock Club, ushers in town's niterity season. Strongly-built, shows and tonight dancapation drawing good business from the room, spot is informal and has a fairly moderate tariff.

Current layout features four acts and a sprightly line of six. With Allan Gale at singing m.c., show is presented twice nightly, opening with line in nice routine, followed by Princess Dorinne, semi-nude acro. Ruth Wayne, dancer, pipes sock out an operatic melody and intricate arrangement of "Alexander's Ragtime Band." Looks well and sells to the hilt. Janet and Kalin, ballroom duo, hold a double back line, and Dorinne for good flash production number.

Gale, taking hold for his spot, is assisted by Be Tragic, the pianist. Uses a fast, flip delivery and has a brace of fairly clever special numbers. Does "Gable, Durante, Taylor and I," a comedy on a stripper, and a legit, it somewhat corny, "I'm Glad to Be One of Life's Clowns," nicely received. Style is well suited for spot and should build following. Also handles show skillfully.

Nan Woods fills intermission with old favorites on the miniature piano. Show's music is capably handled by Milton Lyons' eight-piece combo. Burn.

TULANE ROOM (JUNG HOTEL, NEW ORLEANS)

New Orleans, Sept. 16. Art Kassel orch, Marion Holmes, Billy Leach, Marco & Marcia, Terry & Walker, Dorothy Dixon.

The Tulane Room of the Jung Hotel doesn't shortchange on this show, which reopens the spot after a week's summer closure. An overflow crowd turned out at preem to hear Art Kassel's orchestra in its first visit to New Orleans.

Kassel m.c.s. sell while the band and rest of show also click. Kassel band's "St. Louis Blues," interpreted in the tempo of music of various countries, is a high spot.

Marion Holmes, warbler with band, has the patrons asking for more. Billy Leach gets over with "I Hang By a Thread," one of Kassel's compositions. For floor show, two dance teams share top honors. Marco and Marcia start with a fast rumba and wind up with "Minuet in Jazz." Terry and Walker burlesque ball-

room dancing, including a howling interpretation of the rumba and a long-in-the-shed. The latter dancing is interspersed with a few jokes that skirt the narrow edge of censorship but got plenty of laughs and applause from the ringers. Dorothy Dixon taps to "The World Is Waiting for the Sunrise" and then makes the rumba a unanimous favorite by trucking to its time. Luzzu.

VILLAGE BARN (PHILLY)

Philadelphia, Sept. 15. Frank Hall, Diant & Anton, Patti Cranford, Emerald Sisters (2), Happy Valley Cowboys, Harry Wharton house orch.

Spot, which has just opened here, is a copy of the Greenwich Village (N. Y.) niterity with the same tag. Operating is Harvey Lockman, who utilizes him a little atmosphere at the same locale the past two years and called it the Ubangi Club.

Show is pretty standard, only one change to note is the tall corn being a hillybilly crew. M.c.ing is Frank Hall, quite a looker and, in addition to his introing, he has fine pipes. Muscus atmosphere leaves him a little aloof sometimes, however, as he isn't quick on the ad lib stuff, frequently necessary.

Entertainment otherwise consists of Diane and Winston, okay terp duo; Patti Cranford, warbler, and Emerald Sisters; knockabout acro pair. Dance team is a pair of fair-looking southern lads. Snag routine is best, although they're pretty good in a rumba and a heavy tap set. Miss Cranford's chirping is of the deep-down style, mediocre.

Emerald Sisters, who are a little pounding from each other and in rolling off chairs and tables, get off a few neat stunts.

Schwarz-avenging cowboys—and one cowgirl—have worked on various radio stations here for the past few years. Bit in which they strip one of their members down to his winter underwear not so funny.

Herb.

CHEZ MAURICE (MONTREAL)

Montreal, Sept. 17. Hal Hartley Orch, Jeffrey Gill, Eddie Rickard, Ted Lester, Tanya Louva, Milray Dancing Girls (8).

Jeffrey Gill m.c.'s a standout show at this ace nite spot here currently, having the personality and voice to get the last word in the mouth of three excellent acts besides reaping good audience reception for his own singing. The gal line of eight smartly backgrounds each turn.

Tanya Louva, hell over from a previous five-week run, is a real looker, possessing a soft, appealing contralto and who chooses her songs to match, holds the crowd well in the second act, and a half off. Ted Lester, slight of figure and whimsical of expression, sidles on for the third turn, a spell of freak instrumentation. He pulls 12 instruments, leads a band of 12, and makes them, from under his cloak and wheedles a tune out of each, all smash, customers calling him back repeatedly.

Closing is Gill, who baritoneles a wide selection of songs. He finishes the show with the gal line and all acts. Hal Hartley's orchestra is rated one of best in city, playing for show and dancing. Biz good.

BOULEVARD TAVERN

Elmhurst, N. Y., Sept. 13. Dave Fox, Thelma Nevins, George Krinog, Cameron Crosby, Vince and Anita, Jan Fredericks Orch.

Dave Fox, m.c., heads the current bill at this spot, which with seating capacity of 850, will enlarge to accommodate 2,000 before the opening of the New York's World's Fair next April.

Floor show is a fill-in unit, between the spring and fall revues, and is only mild. Fox is hampered by mediocre material, which includes a meller tune on the Paggiacci theme and "The Madroomway."

Thelma Nevins delivers torch ballads well, but is inclined to crowd the mike. Her voice is pleasing when held down, but tends to become strident when she lets out.

George Krinog's lgerdemain includes some neat card palming, the inevitable color-changing handkerchiefs, and familiar stunt of producing numbers of razor-blades in his mouth.

Cameron Crosby in organologs, Jan Fredericks' orchestra and Vince and Anita round out the bill. Glib.

Diamond Bros. appeared night caught with the middle member sporting a full-closed eye, presumably the result of the terrible physical abuse they inflict upon themselves. That routine with the falling piece of lumber from the wings doesn't register. And, as a matter of fact, it doesn't seem funny when the boys are too aware of its approach, as they were this performance.

remains for the femme to sell the
with a couple of swing songs.
accompanies her on a capsule
monica.

Slick card manipulations, pro
of rabbits, silk hankies, e
out of air, blend as prelimi
Karston's final professional
tion, toy soldier beheading.
rusion, in regulation dress sp
briefly for stiff-jointed terping.
Unit owned jointly by Kar
Dick Allen and Jack Markan.
being the best.

Miller Pact Gives Dramatists Guild Accord with All Ranking Producers

With Gilbert Miller's signing of the minimum basic agreement last week, the Dramatists Guild now has contracts with every ranking Broadway manager. Miller, who had previously declined to sign the agreement, did so Thursday (15) after a conference with Robert E. Sherwood, Arthur Richman and George Middleton, representing the Guild.

On his return from London the beginning of last week, Miller was greeted by a public statement from the Guild, attacking him on various counts for bad faith. After Miller had signed the contract, the Guild issued an announcement stating that "the difference between them had arisen through mutual misunderstanding and that no question of bad faith was involved."

According to the announcement, "Sherwood renewed his assurance that Miller's objections to the agreement 'would be given careful consideration.' It has not been revealed what Miller's objections are, but it is figured they probably concern conditions governing the acquisition and adaptation of foreign plays rather than with Broadway royalties or the percentage of film sales.

It had been intimated by the Guild that if Miller should ask to sign the agreement he would be forced to make his contract with Priestley for the Broadway presentation of the latter's 'I Have Been Here Before' comply with the terms of the basic agreement, but no such point was raised. It was stated, moreover, that the terms obtained by Priestley for the presentation of 'Here' and for its possible film sale are more favorable to him than the basic agreement specifies. Also stated that only Shaw and Eugene O'Neill get higher royalties and film purchase shares than Priestley obtained.

FTP PREPS ATLANTA FOR ROAD SHOWS

Atlanta, Sept. 20. Federal Theatre Project here has taken over lease on Erlanger theatre and is preparing to not only stage its own productions, but will book and sponsor any road shows this way.

FTP has been trying to abandon Atlanta theatre, its present home, for some time and opportunity to get hold of Erlanger presented itself when theatre was tossed into hands of receiver, with whom lease was arranged.

Shuberts Lease New 'k Theatre; 'Blossom' First

Newark, N. J., Sept. 20. The Shuberts have leased the Mosque for musicals, the first being 'Blossom Time,' with Everett Marshall, week of Oct. 3. Each production will run seven days, opening Monday, Sunday night is an innovation here for legit. House leased by Shuberts for eight weeks, the only interruptions being four concert dates the Griffith Music Foundation made prior to the lease being signed.

Frank L. Smith, formerly manager of the Shubert here and the Ethel Barrymore theatre, N. Y., will manage the Mosque. The 3,400-seater will effect 40c-\$1.50 scale.

Current Road Shows

(Week of Sept. 19)

'Golden Boy' (Luther Adler-Frances Farmer), Harris, Chicago.
'I Am Different' (Tallulah Bankhead), Curran, San Francisco.
'Kiss the Boys Goodbye' (National), Washington, D. C.
'Knickerbocker Holiday' (Walter Huston), Bushnell Auditorium, Hartford (24).
'Pins and Needles', Empress, Vancouver (19-20); Auditorium, Denver (22-24).
'Room Service', Werba, Brooklyn.
'Sing Out the News', Forrest, Philadelphia.
'Susan and God' (Gertrude Lawrence), Biltmore, Los Angeles.
'Tobacco Road', Garden Pier, Atlantic City.
'Whiteoaks' (Ethel Barrymore), Plymouth, Boston.
'White Cargo', Brighton, Brooklyn.
'Women', His Majesty's, Montreal.

Engagements

Hugh O'Connell, 'Run, Sheep, Run.'
Anthony Ross, 'The Devil Takes a Bride.'
Howard daSilva, 'Abraham Lincoln in Illinois.'
George Sidney, Gerta Rozan, 'Window Shopping.'
Arthur Byron, Isobel Ison, 'American Landscape.'
Jules Epally, Joseph Macaulay, Helen Zelnikowsky, Norma Terris, 'Great Lady.'
Martin Gabel, Edgar Barrier, Vladimir Sokoloff, 'Danton's Death.'
Ernst Deutsch, Wilfrid Lawson, Eric Conner, 'The Boys from Syracuse.'
Sherwood, Harry Rousby, 'I Have Been Here Before.'
Florence Fair, Ronald Graham, Betty Bruce, John Clark, Robert Lawrence, George Church, 'The Boys from Syracuse.'
Harry Antrim, Nat Burns, Elizabeth Wilde, Otis Sheridan, Thomas Patrick Dillon, Julia Johnston, Douglas McMullen, William Crimmins, Florence Vroom, Willis Claire, Alice Fleming, David Evans, Rose Flynn, Earl Brissal, 'Thirty Days Hath September.'
Staats Cotsworth, Le Roi Operti, Earle Mitchell, Marian Evensen, 'Madame Capet.'

LATE SEASON START IN PITT

Pittsburgh, Sept. 20. Legit season here gets latest starting gun in years, Nixon opening Oct. 3 with return of 'You Can't Take It With You,' which played here twice last winter. First time house has ever been launched with an oldie. Not only that, but 'Blossom Time,' another veteran, starring Everette Marshall this time, will follow Oct. 10.

Bookings for 1938-39, in fact, dotted with shows which have been here before. Three of them, 'Shadow and Substance,' 'The Women' and 'Tobacco Road,' already announced and others will probably follow.

First new play, Katharine Cornell, in 'Herod and Miriamne,' comes in Oct. 25 for American premiere, get-away having been switched from Buffalo, star's home town, to Pittsburgh, with 'I'd Rather Be Right,' 'Whiteoaks' and split week of Lunts' 'Sea Gull' and 'Amphitryon 38' following on successive Mondays. Latter will launch American Theatre Society subscription series, which also will include one new Theatre Guild as yet unannounced, 'Our Town,' 'Golden Boy,' 'Ox Mice and Men' and 'Five Kings.' Date for only one of these definitely set, 'Boy' playing Dec. 5.

Others tentatively booked include Ed Wynn's 'Hooray for What!,' depending on star's decision about road; 'Pins and Needles,' 'I Married an Angel,' 'Bachelor Born,' 'On Borrowed Time,' 'Susan and God' and 'What a Life.' Nixon again will be managed by Harry Brown with Arthur Low, treasurer, and Dave Shanahan, assistant.

Future Plays

'Run, Sheep, Run,' comedy by Raymond Knight, will afford Hugh O'Connell his first Broadway role since the Ziegfeld Follies in 1936. Play will premiere late in October under auspices of the new firm of Donald Blackwell and Raymond Curtis.

'One More Genius,' satire by Jerry Horwin and Katharine Turney, is a Broadway possibility if plans of Ted Hammerstein, its option-holder, materialize. Youngest of the Hammersteins is lining up several principles.

'American Landscape,' new Elmer Rice play is to be the third production on the schedule of Playwrights' Producing Co. Opus is set to open in Hartford, Sept. 24, thence to a two-week stand in Boston.

'Snow Train,' comedy by Edward Childs Carpenter, tried out at Ogunquit, Me., somewhat last month, has been acquired by Walter Hartwig, who will produce it in mid-November on Broadway.

Too Realistic

Philadelphia, Sept. 20.

William Thomas unfortunately was forced to play his part too realistically in a play at the Swarthmore Golf Club last week. Cast in the role of a criminal in 'Night Must Fall,' a pair of handcuffs was slipped on him in the first act by William Bell, subbing for the regular 'police inspector' in the show. Bell remembered his lines all right, but forgot what he did with the key to the cuffs. So Thomas had to go through all three acts in bracelets.

He was taken to Chester jail after the performance where the detective captain, from whom the cuffs were borrowed, unlocked them.

GRISMAN BOOKS 6 B'WAY SHOWS

Six shows have been booked into the four Broadway theatres operated by Sam Grisman, two being slated for limited periods, with their successors definitely scheduled to follow. First of his houses to light up is the Hudson, which premieres with '30 Days Hath September,' with the Windsor starting its season with 'The Good,' Oct. 3. 'Falter' only is in for three weeks, 'Worm in Goose Skin' to follow.

The Belasco will have 'The Rocket to the Moon,' Clifford Odets' play, which the Group Theatre will present. 'Rocket' will go into rehearsals on the road, most of the players participating now being in 'Golden Boy' (Chicago). 'House will first offer 'Dante's Night' Oct. 10, tried out as 'June Night' last spring. Same week will see 'Oscar Wilde' opening at the Fulton.

After the Group sets 'Rocket,' it will start on Irwin Shaw's 'A Gentle Family,' which has only 10 players. Reported that some of the 'Boy' people will return to New York before the tour is completed. Understood that they will be replaced by members of London's 'Boy,' who replaced the original cast abroad.

Grisman is also operating the Forrest with Alexander Kirkland, both sponsoring the long-running 'Tobacco Road.' Management is still hopeful of raising the Chicago ban on the show. If the show is permitted to play there, it is planned to shift James Barton to the Chicago cast, and replace him with Jay C. Flippen.

JITNEY PLAYERS OPEN ROAD SEASON SEPT. 29

The Jitney Players, currently rehearsing, open their new season Sept. 29 in Newfoundland, Pa., and are booked solidly through the east, south and midwest until February. They figure on staying on the road the entire season, going as far as the Coast. Will take four plays on tour, including 'Both Your Houses,' 'End of Summer,' 'Rip Van Winkle' and the old Owen Davis work, 'And for Yale.' Company numbers nearly 20.

Ethel Barrymore Colt is manager-director and leading lady. Douglas Rowland is company manager and leading man, Phil Tippin business manager.

Equity to Meet Friday

Equity's first quarterly meeting of the new season will be held Friday (23) at the Astor, New York, with the new president, Arthur Byron, due to preside. He was in Skowhegan, Me., for the summer straw hat season.

There are no new issues slated for consideration. However, an explanation with be given of the agreement with the managers not to change policy during the season. Also one on the ticket code.

For Abbott's Musical

Muriel Angelus, London player, is due to arrive today (Wednesday), in New York, on the Ile de France to begin rehearsals in George Abbott's musical, 'The Boys from Syracuse.' It will be her first show in the U.S. 'Boys' begins rehearsals Oct. 3, opens a tryout Oct. 31 at the Shubert, Boston, and comes to the Alvin, N.Y., Nov. 16.

Inside Stuff—Legit

Helen Hayes addressed the legit theatre convention at the Astor, New York last week and intended asking the American Theatre Council to seek a reduction in railroad rates for touring companies. For some reason that part of her speech was not used. But she had gathered considerable data on the tour of 'Victoria Regina' last season.

Requirement for baggage cars appears to be the principal complaint. Twenty pullman tickets are necessary to secure a baggage car gratis. For day coach transportation, 30 are required, so that the amount of money expended for either class of travel amounts to about the same. Pointed out that few shows, except musicals, have casts with that many players. Managers have sought to open up the matter of rail rates for professionals for years. Last season, it was argued before the Trunk Lines Assn., but the showmen were refused concessions. However, the railroad people say they will still listen to the show crowd and the matter may become an important assignment of ATC.

The only morning session of the legit theatre convention was enlivened at its conclusion with a talk by Mrs. Cecile Mellege, described as a patron and student of the theatre, who handles theatre parties. She talked about the critics and said that while most of them were fair, some were not possessed with a sense, Brooks Atkinson, the (N.Y.) Times reviewer in particular. The critic was present and laughed at her comment. Understood that Mrs. Mellege had asked the critics to recant on their mild notices of 'Washington Jitters,' at the Guild theatre last spring, and getting no results, she felt rebuffed. Speaker said she saw the show three or four times and thought it worth a better break. She also suggested that the critics include in their reviews the views of the audience at first nights and not give a one-man opinion. Mrs. Mellege made a drama club made up of women theatre-goers and has asked the critics to address the members. It appears, however, that some have been wary about accepting such invitations.

The convention made a profit of approximately \$1,000 in its two-day session. The net is about half of the earnings last year, when the convention lasted longer and there was more opportunity for success because more people attended. Last week's events were rather hastily arranged and for that reason comparatively few delegates came from out of town.

Warners' Hollywood theatre on Broadway this season will go legit for the third time when it relights with 'Knights of Song,' now being readied by Laurence Schwab. Musical, which tried out in St. Louis this summer, is based on the lives of Gilbert and Sullivan. Hollywood has been a problem theatre and has been mostly dark since erection. Changes of policy failed to click on a number of occasions. 'Knights' will play on percentage, regardless of reports that the producer had leased the house. Entrance will be on 51st street instead of Broadway, change becoming effective last season when George Abbott's 'Sweet River' opened and folded quickly. Other legit shows spotted in the Hollywood included Lew Brown's 'Calling All Stars.' Vaudeville was pretested with Lou Holtz for a number of weeks, with business fairly strong for a time, but that policy did not carry long.

The Hollywood has been used spasmodically for films, last of which was 'Emile Zola.' When legit was first proposed, Warners asked the prohibitive rental of \$10,000 weekly. Plans for the New York World's Fair season called for spotting pictures in the house, for which a tentative rental has been put at \$6,000 weekly.

'Me and My Girl,' the Victoria Palace, London, musical, which has been the outstanding success of the season and has made over \$500,000, has had considerable cast dissension. The biggest squawks are said to be the chorus, reported paid \$18 weekly, which is the provincial rate. The management escaped the \$20 schedule of West End chorus girls because the house is just outside of the West End area. One or two of the chorus have made a squawk and were told if they did not like it they could go elsewhere. Some of the cast are also burnt up plenty.

When show failed to click while touring the provinces, the management is said to have given the players a cut, which is still operating, despite the profits for months.

Final recapitulation of straw hat season brings out that 'Friday at Four' was done by no less than four highway troupes, but curiously is not mentioned among the Broadway possibilities. 'Snow Train' is also not slated for New York, though it's been bought for legit production. Script is regarded as having definite picture value. St. Louis musicals, which may arrive later, are 'Gentleman Unafraid' and the 'Lost Waltz.' 'Thanks for My Wife,' done on the Coast during the summer, is dated for fall on Broadway. 'I Am Different,' Tallulah Bankhead starring, also emanating from the Coast, is next slated for Chicago. A Broadway booking will depend upon its reception there.

Lodewick Vroom, who resigned as president of the Theatrical Managers, Agents and Treasurers union, has rejoined the Gilbert Miller forces. Formerly press agent and company manager for the producer, he has been assigned to 'I Have Been Here Before,' the J. B. Priestley play, which Miller will shortly present.

Helen Deutsch, who resigned as general p.a. for the manager, last year and joined up with the Theatre Guild, is also back with the Miller outfit in the same capacity. Miss Deutsch had secured a withdrawal card from TMAT, intending to go to Europe to do some writing. She now plans to start the trip in December.

Notices issued by the John Golden office for last Thursday night's (15) opening of the revival of 'Lightnin'' at the Golden, N. Y., stated as follows: 'The curtain on "Lightnin"' will rise at 8:50 p.m., to the second, 20 years, 20 days and 20 minutes since its original New York opening. Late comers will not be seated during the prolog.' Curtain actually rose at the scheduled moment, although a considerable number of spectators were late. No-seating rule during the prolog has been continued since the opening. One critic incorrectly had stated that the first-night curtain was a trifle late.

Al Smith was in tears at the revival. The bit that turned on the faucet was Fred Stone's appearance as Bill Jones, wearing a G.A.R. uniform.

William Saroyan's 'My Heart's in the Highlands' is being sought for production by three Broadway outfits, one of which has already announced its future presentation. However, no contracts with anyone. Both the Group Theatre and the Actors Repertory are seeking the rights to the play, while William Kozenko has announced the One-Act Play, there will do the one-act version of the same piece, titled 'The Man with the Heart in the Highlands.' Kozenko is casting the show. Matson & Duggan, agents for Saroyan, are dickering with all three outfits, but nothing is set.

George Abbott's production crew handling the road company of 'What a Life,' currently at the Wilbur, Boston, is figured one of the youngest in the business. Bob Foulk, who did preliminary direction, is 29. Martin Jurrow, company manager, is 25. Frank McCarthy, press agent, is 24. Bill Mendrek, stage manager, is about 30. Abbott is 43, while Carl Fisher, general manager, is 29.

Autograph hounds have turned early birds. Usually they gang up at first nights and around broadcasting theatres during the evening, awaiting the name acts to emerge. Ten fans were outside the Barrymore (N. Y.) theatre stage entrance last Saturday morning poring over their signature books, having secured names of players in 'Knickerbocker Holiday,' which was rehearsing there.

DECRY H'WOOD-B'WAY RIFT

Equity's Loophole

The basic agreement between Broadway managers and Equity, which became effective with the signing of the ticket code, has an appended clause listed as 'exhibit 1,' which provides an out for Equity. Provision is to be part of actors' contracts and sets forth:

'The Manager agrees that he will conform to and assist in carrying out any activity or plan of action of the Association or its Council having for its purpose the promotion of the best interests of the legitimate theatre and those employed therein; failure on the part of the Manager to do so shall constitute a breach of all employment agreements between Equity members and the Manager, entitling the Actor, with the approval of the Equity Council and General or Special Meeting to terminate this contract without liability; or, in the alternative, entitling Equity to suspend this contract and the employment of the actor thereunder, upon such terms and conditions as it may determine.'

In clause 13 of the agreement either side could cancel as stipulated:

'Each provision of this agreement is agreed to be of the essence thereof and any breach thereof by one party shall entitle the other party to cancel and rescind this agreement without liability except as to then existing obligations. If, however, there shall be a dispute regarding whether or not a breach has occurred, and the injured party shall promptly demand arbitration and promptly proceed therewith, no cancellation or rescission shall take place until an award has been made. Pending such cancellation or rescission, Equity members shall be available for employment by members of the League in good standing.'

The main idea of the negotiations between the managers and Equity, with the idea of showmen to standardize actors' working conditions in exchange for the code, is contained in clause 4:

'Equity agrees that throughout the term of this agreement no amendment or change of existing rules or regulations shall be made which shall, either directly or indirectly, increase the obligations or responsibilities of the members of the League (of New York Theatres) towards members of Equity or otherwise affect any working conditions between members of the League and members of Equity to the detriment of members of the League; nor will Equity enact any further or additional rule, regulation, by-law or resolution of any kind during the term of this agreement, having any similar import or effect, without the consent of the League.'

Any additional rule could be made as affecting managers not members of the League, however. There are a number of activities set forth in clause 8, which the managers agree to institute, and failure to do so might be construed to be a breach. Agreement is for one year, dated Sept. 1, 1938.

Official Operation of Ticket Code Has 'Turbulent' Effect on Brokers; Strict Adherence to 75c Premium

'Code of Industry Regulations for the Sale of Theatre Tickets for Members of the League of New York Theatres' is the full title of the new ticket control system, devised by managers and approved by Equity. Latter is said to have sought the code in exchange for an agreement not to spring new rules on the managers for one year. The so-called basic contract, however, is subject to cancellation upon due notice, it's claimed.

Code was declared in operation last week, official date of its start being Sept. 12. Around ticket agencies the effect was described as 'turbulent,' while early this week, all brokers received the code along with a list of the manager and theatre signatories, with whom they are permitted to do business. The League, which is handling the code enforcement, was careful not to list the agencies which are on the outside and through which expected logging of tickets may be looked for. Nor were the theatre managements of which refused to sign the code, listed.

Immediate effect of the code was strict adherence to the 75c premium maximum by those agencies which signed. There was but one show with a buy, 'I Married an Angel,' for which front-seat tickets had prior to the code been bringing a premium double the allowed figure. Neither of last week's new entrants is a money click and did not figure in deals, although tickets for 'Lightnin'' were said to have been allotted to one agency which ducked signing the code, that office also having tickets for 'Angel,' the buy being on for another two weeks. Under the code, buys are out, so are gratuities, either to the boxoffice or the agency, latter formerly getting fees for selling 'p.m.s.,' which is the practice of pushing tickets for certain shows. Believed to be the most practical feature of the code is the retail

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'GIRL CRAZY,' LONDON PROD., WITH U.S. STARS

Alex Arons is going to produce 'Girl Crazy,' musical, in London with Charles Cochran. Show was put on several years ago in New York but claimed to have new songs for London production. Jack Whiting, Jack Pearl, the De Marcos and June Clyde are tentatively set for principal roles.

Play will be cast largely in New York by Louis Shurr, now east from Hollywood.

Jane Cowl 'Rome' to Play Strawhatter in Jersey

Maplewood, N. J., Sept. 20. Frank McCoy and O. E. Wee were engaged Jane Cowl in 'Rome to Rome' for week of Sept. 26 at the Maplewood theatre here. Judson Laire, Ethel Britton, Harold Moffett, Ethel Wilson and King Calder also in cast.

Asprey, Dean to London

Ken Asprey, chairman of Australia-New Zealand Theatre, Ltd., and George Dean, managing director, sail today (Wednesday) for London after two weeks in New York. Asprey will return after two or three weeks in London, plane to the Coast and sail back to Sydney in mid-November.

Dean will go on from London to a European search of plays and talent. He expects to fly back to Australia in December. Both Asprey and Dean huddled with Ernest C. Rolls before he left for Australia. Rolls, also a managing director of ANZT, was in N. Y. and London for some time acquiring shows and players for Australia. His last purchase was 'Yes, My Darling Daughter.'

SHOWMEN SEE FEUD COOLING

Swope Says 'Divorcement Should Never Have Happened'—Theatre Parley Said to Have Erred in Not Extending Olive Branch to Film Companies

OLDSTERS RENEGE

'Divorcement of Broadway from Hollywood should never have happened,' was the comment of Herbert Bayard Swope, when queried anent his acting as arbiter in straightening out the dispute that led to picture backing being withheld from legit production for the past two years. Unable to be present at the American Theatre Council convention last week, at which he was to speak, he wrote the ATC stating his views.

It is believed that the second legit convention made a grave error of omission by not putting forth the hand of friendship to Hollywood. Understood that several Coast higher-ups, including one who intends investing plenty in stage productions, would have welcomed an invitation to attend the sessions last week, but none was forthcoming. An invite had been proposed in committee but the idea was killed by one mature showman, who thought such a step might be construed as a sign of weakness.

At the first convention last year, the picture biz was blamed for all the ills of the theatre, not alone by managers, but by other persons asked to address the sessions. Last week's meetings carefully avoided hammering, so it was implied that show business had lost its animus towards filmland. However, the fact remains there was no movement to conciliate.

Point to Conciliation

There are ways and means provided in the Dramatists Guild basic agreement whereby the dispute that motivated Hollywood to lay off Broadway could be conciliated, it's claimed. It appears that the older showmen are too set in their viewpoints to bring the subject to the fore and indications are that if and when negotiations are made to welcome back picture backing, it will come from the younger managerial element.

It is reported true that Hollywood has taken much away from show business in the way of talent and material sources but the picture end now realizes it needs the stage more than ever, particularly for the development of talent. Show business refers to Hollywood's activities as 'raiding,' yet there is a frequent exodus by well-knowns of the films to Broadway.

Suggestion has been made that picture companies organize stock companies in 20 or more spots around the country, not only for the training of new talent, but to display their own name people. Personal appearances seem to prove that Hollywood believes the flesh showing of their stars enhances their drawing value in films. There are enough picture theatres kept dark by the companies to house these stocks. At this time, when Hollywood is spending a vast sum to bolster attendance in film houses, the stock proposal could have been made part of the campaign, it's held.

The ATC went on record as aiming for permanence and bettering the welfare of the theatre. Proposal not placed before the convention, but which puts forth a plan for at least partial financing of plays by picture people, may be worked out during the fall. Idea would scrap the present system of waiting until after a play opens before selling the picture rights. Synopsis of plays would be given all film producers

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WPA's Comm'l Deals on Coast Stir Unions to Action; Groups See Bond As Method to Sock Pro Protection

A Strawhat Banko

Bill Doll, drum-beater for Milton Stiefel's Ivoryton (Conn.) playhouse this summer, thinks he's figured out why press agents take strawhat jobs. His setup called for a salary to p.a. the Ivoryton spot, salary for outdoor advertising, use of a car and chauffeur three days a week, the lemonade concession and a percentage of the gross at Stiefel's other strawhatter at Saybrook, Conn.

However, he had to swat his own mosquitos.

DEAL FOR FREE LEGIT ON AIR SEEN OUT

The idea to publicize Broadway legit over the air, through the municipally-owned WNYC, every Sunday afternoon, appears to be cold. It was the suggestion of N. Y. License Commissioner Paul Moss with the station anxious to get the broadcasts as a feature. Although the Manager's League of New York Theatres gave Moss a vote of thanks, the committee which was supposed to handle the matter has not functioned.

As indicated before, the proposal did not strike Equity as practical. Understood the Dramatists Guild was not queried as to its authors' willingness to permit use of play scripts gratis on the air in the manner outlined. Writers were expected to be the main hurdle to the proposition since gratis scripts were included in the plan.

Thumbs down, too, was apparently made on the grounds that hits do not need radio publicity; that such a program would principally benefit WNYC, although station is not operated for profit; that no schedule could have been definitely fixed without definite ratings as to the shows' success chances because there would have been no telling when some of the plays would have folded.

Impression seems to be that enactment of portions of plays on one program might have cluttered up the air instead of affording worthwhile diversion. From the Equity side the feeling is that players called to the microphone would have lost chances to appear in commercial air shows on the day off.

Hayes Nixes Offers to Do 'Knows' on Broadway

Helen Hayes has received two offers from New York managers to bring her 'What Every Woman Knows' revival back to Broadway this season. Actress nixed both bids, however, as she insists she will rest for the balance of the season after her forthcoming return engagement in 'Victoria Regina.'

One of the managerial offers to Miss Hayes called for her to appear in the J. M. Barrie play for a limited run on a subscription basis. She received 'Knows' for two weeks at Sufferin', N. Y., this summer and had previously done the show twice on Broadway. Maude Adams originally played the part. There were standees at every performance at the recent Sufferin' engagement.

'The situation is loaded with dynamite' is the message sent Equity and the Associated Actors and Artists of America from the Coast concerning the latest moves by the WPA's Federal Theatre Project, which is making contacts with commercial showmen. Such activities have roused every actor-artist and stage union to vigorous protest against such deals.

It is feared that the relief outfit might gradually expand itself into the commercial theatre in deals with managers, namely, trying out plays for them at relief wages. So much concerned was Equity when the FTP activities were revealed, that it instructed its Los Angeles office to prevent the showing of one WPA show in San Francisco, attraction having been turned over to two well-known showmen who propose playing it with relief players at relief wages.

Situation Climaxed

The situation was climaxed last week when it was announced that another show on the Coast, 'Gettysburg,' an operetta, would be done in the Hollywood bowl, under the auspices of the Independent Publishers, Authors and Composers. 'Gettysburg' had originally been heard on the radio, having been played by the Federal Music Project. It had since been lengthened and made into show form.

Stated that the 'Gettysburg' showing would be made mostly by people from the FMP, but that four or five name warblers from the Metropolitan had been assured through NBC. The matter, therefore, might principally concern the American Guild of Musical Artists, one of the Four A's unions, but all the other groups appear to have become interested in curtailing the WPA scheme. Screen Actors Guild is reported backing up its affiliates in the Four A's, while the stagehand and musician unions have joined to strengthen the protest.

The show that Equity ordered stopped from commercial presentation is 'Run Lil' Chillun,' a colored WPA musical that has been showing on the Coast. Rights were apparent.

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FREEDLEY CONSIDERS 3 FOR KNIGHT SUCCESSOR

Nancy Carroll, Eleanor Whitney and Patricia Ellis are being considered by Vinton Freedley to replace June Knight in 'I'm an American' (formerly 'Clear All Wires'), the Bella and Sam Spewack-Cole Porter musical currently rehearsing. Miss Knight stepped out of the part last week.

Freedley is also dicker with Ken Murray for the lead in another show he is reading, the Allen Boretz-Max Liebman comedy, 'The Flying Ginzbers.'

Robert Cutler Plans

'Money' for B'way

Robert F. Cutler is considering a Broadway production of 'One for the Money,' musical he tested last week at his County theatre, Suffern, N. Y. If satisfactory minor revisions can be completed in time he plans on putting it into rehearsal in mid-October for an opening at the Little. Figures he could get by on gross of about \$5,500 and that at a \$3.30 top the house could gross around \$10,000. 'Money' is described as an extremely intimate revue without a message, a sort of takeoff of 'Pina and Needles.' It has a book by Nancy Hamilton and score by Morgan Lewis. Among the tryout players Patti Pickens and Brenda Forbes are mentioned as probabilities for the Broadway cast.

'NEWS' DOES 15G IN PHILLY; SET FOR B'WAY

Philadelphia, Sept. 20. Philadelphia's second legit show of the season makes its bow at the Er-langer tonight (Tuesday), the management for some unreported reason skipping the usual Monday night bow. Offering is John Wildberg's comedy production, 'A Woman's Fool'—to be clever, which was given strawhat breaks this summer. A fortnight's engagement is listed.

Max Gordon's musical, 'Sing Out the News', ends its stay at the Forrest tomorrow night (Wednesday) for its Broadway preem Saturday (24). Show will have played three and a half weeks to profitable biz. Reported to have done satisfactory \$5,000 last week.

Next opening in town will be 'Id Rather Be Right' at the Forrest, Oct. 3. Rather than compete with George M. Cohan's show debut here, Eddie Dowling has pushed back the opening date of his dramatic production, 'Madame Capet' until Oct. 4, slated for the Locust.

That will be the third tryout of the season with a fourth (Dwight Deere Wiman's musical 'Great Lady') sketched officially for Oct. 17. House hasn't been seen yet but will probably be the Chestnut. Also definitely dated are 'Amphitryon 38', with the Lunts, at the Forrest, also on Oct. 17, and 'Golden Boy' at the Locust, Nov. 7. Both are on the American Theatre Society subscription list.

East-West Rift

(Continued from page 49)

and should any be interested the sale of the rights would then be negotiated.

Terms of Deal

The amount to be paid would not necessarily be set when the deal is made and the figure could be arrived at on the basis of the length of the run. Proponent of the plan amplifies it by figuring that an agreement to buy the picture rights should result in legit borrowing more coin, if needed for production, on the strength of the picture sale, such added money probably coming from banking courses, though not necessarily so.

Known that Swope, who has long been a first nighter, is intensely interested in the Hollywood-Broadway situation and it's believed that if the contacts are made for patching up the rift he is eminently qualified for arbiter. Financier, who formerly edited the now-defunct New York Morning World, is on intimate terms with many managers, and last winter, when on the Coast, cemented his friendship with Hollywood's leaders. Broadway needs money to produce more plays than have been presented in the past few seasons, and he believes it should come from the picture end of show business.

Final day's session of the convention last Wednesday (14) provided little excitement, but produced a program for the ensuing year. The program was contained in a series of resolutions by the executive committee on proposals offered during the public sessions.

Stanley Young, author of 'Robin Landing', 'Bright Rebel' and a forthcoming novel, was awarded one of the five \$1,000 John Golden playwriting fellowships. It had been anticipated that one or two other fellowships would be awarded at the convention, but Young's was the only one announced. It was stated that the others would be made known in the near future when Sidney Howard, a member of the committee, returns from Hollywood. In stead of granting four other \$1,000 awards, the judging committee may split the remaining \$4,000 into five or six fellowships. Among those mentioned as likely winners are George Sklar, Robert Turney, and Philip Stevenson. Stated there are nine entrants still being considered.

Plans were also announced for a theatre on the New York World's Fair grounds, to house outstanding successes of the past, if possible, with star casts. It was approved by the Theatre Council's executive committee.

John Golden proposed that a 'control board', composed of representatives of the producers, playwrights and actors be formed to rule the legitimate theatre and protect it against outside attack, but the move

'Legend' Fair \$4,000 In Buffalo Premiere

Buffalo, Sept. 20. Opening of local legit season, with premiering of 'Mourning Legend', brought less than \$4,000, fair, for five performances.

Dean Jagger and Dorothy Gish have the leading roles in the Guthrie McClintic production.

BANKHEAD PLAY OFF TO \$10,000 IN FRISCO

San Francisco, Sept. 20. New Rachel Crothers' play, 'I Am Different', starring Tallulah Bankhead, is going slowly at the Curran theatre, where company opened a two-week run, starting Sept. 12. The star is undoubtedly responsible for most of the first week's take, Claude Greneker, of the Shuberts' New York office, flew here for a look at the play last week. His bosses are reported to have ordered the drama inspectors with the idea of bringing it to Broadway. Fate of the play, which has undergone considerable rewriting since it played San Diego, Los Angeles and Sacramento, is still up in the air.

'Candida', starring 'Am' Harding, was set to follow 'Different' Sept. 26. However, due to the first performance of Max Reinhardt's 'Faust' in the Exposition Auditorium next Monday (26), the George Bernard Shaw play will open the following night instead.

'I Am Different', Curran (1,771; \$2.75) (1st week). Play not sparking enough to bring 'em in at \$2.75 top. Take disappointing for Tallulah Bankhead. Estimate around \$10,000, which is quite a letdown after five weeks of Gertrude Lawrence in 'Susan and God'.

WPA

'See How They Run', Alcazar (1,629; \$1.10) (2d week). Another political drama, which is pretty rowdy in spots. However, biz satisfactory.

'PINS' DOES \$6,000 IN WEEK AT SEATTLE

Seattle, Sept. 20. 'Pins and Needles' at Metropolitan last week got fair returns. House seats 1,350, and was scaled at 58c. to \$2.30, including tax. Estimated week's gross, \$6,000. Press and public comment favorable.

Company goes to Vancouver for two nights and then jumps 2,000 miles to Denver.

Gilbert Named Director Of 2 Chicago Theatres

Chicago, Sept. 20. J. Charles Gilbert has been appointed managing director of the Chicago Civic Theatre and the Civic Theatre. Gilbert has been with the Shuberts for the past few years. Played in 'Blossom Time', 'Student Prince' and 'New Moon'.

Was previously active in Chi as director and producer.

Ross Maplewood, \$4,000

Maplewood, N. J., Sept. 20. Lanny Ross did over \$4,000 in 'Petticoat Fever' at the Maplewood summer theatre last week.

Current, Cornelia Otis Skinner in 'Roman Holiday'.

Estimate for Last Week
'Petticoat Fever' Maplewood (1,400; \$1.00). Lanny Ross proved to be a big matinee draw and the b.o. went over \$4,000.

Brooklyn Group Returns

Brattleboro theatre, which last season played at St. Felix Playhouse, Brooklyn, plans to reopen Oct. 31. Group will offer five new plays.

was voted down by the executive committee. It was considered unlikely from the outset that either the actors or dramatists would co-operate in any plan for such action. It was also suggested that the stagehands, Theatrical Managers, Agents and Treasurers and other unions would be content to remain unrepresented in such a body.

Another proposal, offered by Burns Mantle, drama critic of the New York Daily News, called for the producers voluntarily to tax themselves 2% of the gross of all Broadway shows in order to organize the theatre seasons on the road. It was also defeated in the executive committee. Other speakers at the session included Orson Welles, Frank Gillmore, who proposed an international theatre convention and festival next year, and O'Neill, who called for a revival of romance in the theatre; Frances Fuller, Paul N. Turner, Jane Wyatt and Marc Connelly.

Shows in Rehearsal

'I'm an American' (formerly 'Clear All Wires') — Vinton Freedley.

'Generals Need Beds' — Cheryl Crawford.

'Oscar Wilde' — Norman Marshall.

'You Can't Take It With You' (road) — Sam H. Harris.

'Great Lady' — Dwight Deere Wiman.

'Knights of Song' — Laurence Schwab.

'The Fabulous Invalid' — Sam H. Harris.

'Madame Capet' — Eddie Dowling.

'Hamlet' — Maurice Evans.

'Abe Lincoln in Illinois' — Playwrights.

'Dance Nature' — Theatre Guild.

'The Devil Takes a Bride' — Montgomery Ford.

'Danton's Death' — Mercury.

'Knickerbocker Holiday' — Playwrights Producing Co.

'The Good' — Norman and Irving Pincus.

'30 Days Hath September' — Kirby Grant, Irving Gaumont.

'Thanks for Tomorrow' — Jay Strong.

'BOY' HITS BIG \$14,000 IN CHI

Chicago, Sept. 20. First show of the season here is smash and will be held down only by cut-rate subscriptions. Coming with a bang-up advance campaign for the theatre's 'Golden Boy' could go a couple of months from indications, but already booked for Detroit and eastern seaboard dates, so can't stay longer than scheduled month.

Next show due is 'I Am Different', which comes into the Selwyn, Sept. 28. Others after that are 'Susan and God' into the same house, 'Rain' at the Blackstone, 'Amphitryon' at the Erlanger and 'Id Rather Be Right' for the Auditorium. Later booking has local legions lifting their eyebrows due to immense size of the old opera house.

Estimate for Last Week
'Golden Boy', Selwyn (2d wk) (1,000; \$2.75). Sellout from the bell. Only American Theatre Society subscriptions crimping the total take, which hit a powerful \$14,000.

WPA
'Power', Blackstone.

Tix Code Effect

(Continued from page 49)

tention of 25% of tickets at the box-offices for direct sale.

The list of agencies signed up by the League totals 26 but there are 38 doing business. Some reports are to the effect that those holdouts will not be permitted to sign hereafter, League having adopted the Sept. 12 deadline. Largest agency not listed is Acme, its operators stating in advance they would not be dictated to and reiterating that stand after the others had climbed on the band wagon. Two other agencies, which were reported holding out, changed and signed up. McBride's signed with a reservation, on advice of counsel, having 48 hours in which to cancel, but it made no such gesture. Same privilege had been accorded the other signatories but none is known to have withdrawn.

After switching back and forth, the amount per ticket to be turned over to the League by each agency for policing and other purposes is 3 1/2c. The 5c nick was ruled out, agreed to by Equity, which has the right to assent or demur on any changes in the code. Understood that the Government will claim half of the ticket money going to the League's committee. Admission tax regulations stipulate that if managers receive more than the box-office price from agencies, 50% must be turned over to the tax collector.

Bond question, which the brokers were supposed to place as guarantees of good faith and compliance, has not been settled. The amount first mentioned was \$1,000, not \$2,500 as reported, then reduced to \$250. Equity, however, set back the time in limit for filing with the League and it's presumed that some legal trap was detected as a possible outcome, with the actors' assent, apparently, playing safe. League claims that is not the situation and that the bonds

3 New Musicals on B'way Card This Week; 'Legend' Click Seen; Biz Up, 'Town' 10 1/2G, 'Life' \$9,700

'Service' 4G, Newark

Newark, N. J., Sept. 20. 'Room Service' had a fair week at the Shubert, the b.o. hitting around \$4,000 with the aid of two-for-ones first part of the week.

Current, 'Golden Boy'.

Estimate for Last Week

'Room Service' Shubert (1,950; \$1.50). Laugh hit was liked and b.o. responded to a fair \$4,000.

'LIFE' OKAY 8G, HUB; O-J 5G, LEAVES

Boston, Sept. 20.

'What a Life', in its second frame, led the town last week and showed promise of a long-term stay at the Wilbur. 'Hellzapoppin', Olsen and Johnson musical presented by the Shuberts, originally booked in for two weeks, closed Saturday (17) after one week. Planning to take it to New York for reopening Sept. 29.

Estimate for Last Week
'What a Life' (Wilbur) (1,200; \$2.75) (2d week). Word-of-mouth good, and b.o. pace reflects it. Okay \$8,000, not bothered by opposition of 'Hellzapoppin'.

'Hellzapoppin' (Shubert) (1,590; \$3.30). In and out in one week, heading directly for Broadway after pallid frame, around \$5,000.

'SUSAN' HITS \$17,000 1ST WK, L.A.; MERC BERSERK

Los Angeles, Sept. 20. Fighting the terrific heat and humidity that has gripped the local area, 'Susan and God', starring Gertrude Lawrence, is doing well at the Biltmore where it's now in second week of a three-stanza booking. Weekend trade particularly strong and better than average advance indicates healthy sojourn.

Estimate for Last Week
'Susan and God', Biltmore (C-1,656; \$2.75) (1st week). Opened with better than \$20,000 advance, and with bolstering window trade, grabbed around \$17,000.

WPA
'Run, Little Chilitun', Mayan. Suspended for five days on curfew week so as not to interfere with Hollywood Bowl presentation of 'Gettysburg'. Resumes Saturday (24) after nine healthy stanzas. Leaves shortly to Geary theatre, San Francisco, as first FTP opus to be grabbed for commercial legit house.

'Having Wonderful Time', Hollywood Playhouse.

will be filed in the regular way when the committee sets the date.

Abbott Not Opposed

George Abbott, one of the non-signing managers, declared he is not opposed to the ticket code, stating that he has always been in favor of ticket control. 'I have always been in favor of the code and as far back as August I communicated with Mr. (Paul) Turner, counsel for Equity, to be sure my position on the subject was sound. I was informed that it was and have been more recently informed that it still is.'

The delay in which Abbott's shows can come within the code is if he joins that organization.

The manager, however, has made a deal with certain ticket agencies, latter advancing coin on 'The Boys From Syracuse', which had been a practice when ticket buys were forced for all shows by managers. The Abbott contract with the agencies is not a buy and is unusual in that the money advanced is not in exchange for tickets as first reported. Another unusual feature of the deal is that the manager guarantees to refund the brokers in cash, in the event 'Syracuse' does not make a run.

Broadway had two openings last week, a third having dropped out at tryout. The season's first promising presentation of a new play was disclosed Monday (19) at the Empire, the play being 'Missouri Legend'. Press was generally good and first-night indications pointed to a click. Balance of this week's premiere card is: 'Sing Out the News', Music Box; 'You Never Know', Winter Garden, and 'Hellzapoppin', 46th Street, all musicals.

Business pointed upward again last week with the weather remaining cool, followed by steady rain that affected Monday (19) night's attendance at all types of entertainment. Best grosses since spring were registered: 'Our Town' quoted to \$10,500, 'What a Life' quoted at \$9,700 (top figure since debut), same figure for 'On Par' (20th). 'I Married an Angel' back to the \$28,000 level, 'Pins and Needles', very strong in small house with \$6,500.

Heaviest new show arrivals this fall will come during the week of Oct. 10, when eight attractions are listed to unfold, including a Yiddish uptown musical. Next week's openings are 'Kiss the Boys Goodbye', Miller; 'Dance Nature', Booth, and '90 Days', Hath September, Hudson. Week of Oct. 3 is slated to bring in five new productions.

Come Across, English melodrama, which started at the Playhouse, drew a mild press. 'Lightnin'' was given a much better break by the critics and business reported strong.

Estimates for Last Week

'Bachelor', Born, Lyceum (35th week) (C-957; \$2.30). Business holding fairly well; last week approximated \$5,500.

Come Across, Playhouse (2d week) (F-860; \$3.30). Opened last midweek at press, but claimed to have picked up Friday and Saturday; cut-rate deal figured to keep English material here.

'Hellzapoppin', 46th Street (1st week) (F-375; \$3.30). Revenue topped by Old Olsen and Chic Johnson; tried out in Boston and needed repairs; debuts Thursday (22).

'I Married an Angel', Shubert (20th week) (C-957; \$2.30). Front-running musical will have competition from now on with arrival of 'Sing Out the News', 'You Never Know' and 'Hellzapoppin' this week; again around \$28,000.

'On Borrowed Time', Longacre (34th week) (D-1,019; \$3.30). Bettered previous week and looks set for well into the fall; approached \$10,000.

'Our Town', Morosco (34th week) (D-961; \$3.30). Drew best house since last spring; around \$10,500; Thornton Wilder replaced Frank Craven; little better in location.

'Missouri Legend', Empire (1st week) (D-1,096; \$3.30). Presented by Guthrie McClintic; written by Elizabeth B. Ginty; opened Monday (19) fair.

'Shadow and Substance', Plymouth (33d week) (D-1,036; \$3.30). Drew best money since spring; quoted at \$9,700; final weeks' announcement helped.

'Sing Out the News', Music Box (R-1,013; \$4.40). Presented by Max Gordon, George S. Kaufman and Moss Hart; written by Harold J. Rome and Charles Friedman; opens Saturday (24) night.

'Tobacco Road', Forrest (25th week) (C-1,107; \$1.85). Still in the running and earning money; quoted at nearly \$5,500.

'What a Life', Biltmore (23d week) (C-991; \$3.30). Best gross since opening when takings hiked well past \$9,500; may run through new season.

'You Never Know', Winter Garden (1st week) (R-1,071; \$3.30). Presented by the Shuberts; written by Cole Porter, Robert Katscher, Siegfried Greiner and Karl Farkas; toured last season; opens Saturday (24) night.

'You Can't Take It With You', Imperial (93d week) (C-1,468; \$1.65). Will be kept running as long as profit is earned; another company going on road over \$9,000 last week.

Revised

'Lightnin'', Golden (2d week) (C-789; \$3.30). Opened late last week; press was quite complimentary, but staying chances not yet clearly indicated; fairly good business Friday and Saturday.

Added

'Pins and Needles', Labor Stage (43d week) (R-500; \$2.75). Still approximating capacity in small theatre; Labor unionists' intimate revue was quoted getting \$6,500.

WPA

'One Third of a Nation', Adelphi (26th week).

'Hail', Daly's (30th week).

'Prologue to Glory', Ritz (23d week); resumed Monday (19) after laying off for five weeks; originally played the Elliott.

16 Lose Pay Suit vs. Gannett

Sixteen former editors and employees of the Press Co., Inc., Albany, lost suits to collect \$1,604 vacation pay, which they claimed was due them when the Frank E. Gannett organization dropped them in merging The Knickerbocker Press and Albany Evening News in June, 1937.

Justice Charles J. Duncan assessed \$25 costs against the plaintiffs, who instituted the action last May. Plaintiffs and amounts for which they sued were: Ralph Record, \$200; Austin J. Scannell, ex-city editor of the News, \$150; Allen Eddy, \$140; Joseph D. Eddy, \$80; John Wanhope, \$140; William P. Tarbox, \$150; Henry Christman, Richard W. Jackson, Thomas F. Mahar, \$80; Charles H. Lathrop, Jack L. Mowers, William B. Taffie, Jr., and Daniel V. Nero, Jr., \$80 each; Thelma L. Breeze, \$64; Mary Irene Warner, \$60, and Alice Raymond, \$60. These sums represented two weeks' wages. All received severance pay under the agreement negotiated through the Tri-City Newspaper Guild.

Several of the plaintiffs were also complainants in the action alleging discrimination brought before the National Labor Relations Board by the Guild as a result of the merger. A recommendation that two of them be reinstated with back salaries was made last winter by Trial Examiner George Bokot.

Street & Smith's Slicker

After some 85 years of pulp magazine publishing, during which it has been one of the leaders in that division, Street & Smith finds that of its many periodicals the leadership is rapidly being taken by a slick, vestige, swanky mag—Madamoiselle.

Not exactly a surprise to the firm, for many a penny was poured into the publication for its buildup. Few had ever imagined that S. & S. would employ such a direct antithesis to Crime Busters, Doc Savage Magazine, etc., as Madamoiselle and so successfully. It's comparable, in reverse, to a Snappy Stories issuing from the said Curtis Publishing Co., Philadelphia, which issues the Satevestop.

Madamoiselle is vindicated by official advertising records which show it to be the sole mag in the women's field to make a gain in lineage in September over the same month the year before. Mag showing a continued gain in lineage and circulation—latter around 120,000 now—when most of the old established ones are fighting to hold their ground.

A few other slick mags in the S. & S. chain also showing very well. Circulation of Pic around 600,000 currently, and Picture Play, since dropping off 5c from its price in June (now 10c), has had a rise in circulation from around 160,000 to approximately 250,000.

Boston Transcript's Showing

Boston Evening Transcript, now under 77B, is shaking up personnel in editorial and business departments, under supervision of new publisher, Lincoln O'Brien. Hearing on reorganization plan has been granted by Federal court here for Sept. 26. Reported sufficient new capital will be made available at that time for a campaign.

Prof. Howard Mumford Jones, of Harvard University's English department, comes in as book editor immediately. Charles B. Palmer, formerly book and magazine editor of the Transcript, returns to the fold as feature ed. Thaddeus Nichols, formerly of New York, is now promotional manager, and Franklin J. Sherman, author, formerly with the Scranton, Pa., Tribune, has been appointed editorial writer. Alexander J. Murray, once with Pittsburgh Press, is new assistant circulation manager.

Trend of personnel changes, according to O'Brien, will be to increase the depleted city staff. Two photos are now covering local events, where formerly, for about two years, the Transcript was struggling along with syndicated pictures and freelance local stuff, with no regular staff cameramen.

St. L. German Paper Bankrupt

An involuntary petition in bankruptcy filed last week against the Superior Press, Inc., publisher of the Westliche Post, one of the oldest newspapers in St. Louis, brought an end to its career, which started in 1857. It was the only German language paper in this town. Three employees, Gottlieb Haug, George Schuler and Ernest W. Keonig filed claims for a total of \$1,022 salary. It was once owned and edited by Carl Schurz, German-American statesman of Civil War days.

The late Joseph Pulitzer, publisher

of the now defunct New World and St. Louis Post-Dispatch, began his career as a reporter on the Westliche Post and later became its city ed.

Otto Pfeiffer, vice president and editor of the paper, has said that since the Nazi regime the paper had tough sledding. "The difference of opinion between Germans in St. Louis made it difficult for us," he says. "The pro-Nazi accused us of being subsidized by the anti-fascists and the anti-fascists said Hitler was supporting us. They were both wrong for if we had received money from either side we would still be publishing."

Covici-Friede May Continue

Appears now as if Covici, Friede, which ran into financial difficulties some time ago, may emerge as a going concern. Had been indicated that the book publishing company, now being administered by its biggest creditor, Little & Ives, the book printers, would be offered to whatever publishing house could utilize the firm's assets. Richard R. Smith, who publishes on his own, has been called in as consultant, and under his direction Covici, Friede is continuing business, although in curtailed manner.

Although Covici, Friede has been moved to quarters of Little & Ives, book publishing concern is not only putting out scheduled new books but is reading manuscripts. Meyer Bell, accountant called in to straighten out the Covici-Friede tangle, still supervising the firm's operations. Bell said to be anxious to return to his own business, and likely that he will do so as soon as some more claims are settled, with Smith continuing in full charge.

Percy Crosby a Dualer

Widely divergent interests of Percy Crosby are his cartoon strip character, "Skipper," and his political and economic writings.

Crosby publishes a book every now and then, something that has evoked his wrath at the moment. Just now his ire is directed at communism, and he's written a book, "Would Communism Work Out in America?" published by the Freedom Press. Freedom Press is Crosby, and publication offices are in McLean, Va., where Crosby lives.

Crosby lets no expense stand in the way of his pamphleteering; for the Crosby books are ample and well made. They're reasonably priced, and when they don't more so fast as he wants them to be generally thrown in some premiums. He does a good deal of newspaper advertising and the conservative press gives him a helping hand editorially.

Philly Newsmen in the News

Between the special grand jury investigation of graft and corruption in Philadelphia and the legislative inquiry in Harrisburg into irregularities by the state government last week, newspapermen are playing a prime role in Pennsylvania's probes. Names of more than half a dozen Boswells have been called as witnesses before the two sets of investigators.

In Philly, Charley Ellis, Inquirer; Roger Gibson, Bulletin, and Vince McGrath, Ledger, were called before the jury to testify concerning allegations made by the deputy attorney general running the probe against Lou Wilsard, Mayor Wilson's secretary. In Harrisburg, District Attorney Shelley, of Dauphin county, named for a prospective goingsover by the legislative investigators E. Z. Dimmitt, city ed of the Inquirer; Joe Miller, Inquirer political reporter, and Frank Toughhill, Record.

R. L. Johnson Given Reception

Reception tendered to Robert L. Johnson in New York by some 800 leaders in the publishing and advertising field on the occasion of Johnson's acquisition of controlling interest in Promenade Magazine. Reception preceded by a day Johnson's takeover of Promenade.

One of the founders with Henry R. Luce of Time, Fortune and Life, Johnson severed his connection with the Luce publications about a year ago. His buy-in on Promenade marks his return to the publishing field.

Faebat Switch

Faebat Publishers, book house, has been acquired by Irving Barlevy, who's naming it the Columbia Book Publishing Co. Alan F. Pater, Faebat head, to serve as editor for Barlevy.

Faebat quarters and personnel will be retained. Instead of limiting the list of books, the new Columbia will publish whatever worthwhile manuscripts it can get, fiction, non-fiction and even poetry.

Defends WPA Scribbles

Insistence on public hearing before the Dies committee of the House, currently probing foreign political menaces, came from Ellen S. Woodward, assistant Works Progress administrator in charge of art ventures Saturday (17) in Washington. Unless bosses of the Government culture-relief works have a chance to give their slants, findings of the committee will be subject to challenge, she averred.

"Fair opportunity to answer attacks is merited," she says, "because 'a work of very great value is at stake,' the national guide books turned out by jobless scribblers holding WPA jobs. Quoted numerous reviews in bolstering contention that the volumes are well worth the cost."

No Royalties to Non-Aryans

German legit publishers are refusing to pay royalties not only to German Jews but also to foreign citizens of Jewish extraction, according to a report from Vienna. Rudolf Lothar, playwright, is unable to get payment from Theaterverlag Erich, Vienna, although he is a Hungarian citizen.

Eirich refuses even to make an accounting, replying that no Nazi firm must pay or even account to non-aryans authors. Lothar is suing the firm's Budapest branch. All non-aryans' musical publishing companies in Vienna are in the hands of 'Aryans.'

Joe Mitchell Goes N. Y.

Joseph Mitchell, seven years a feature writer for the New York World Telegram, has resigned, effective Monday (26), to join the staff of the New Yorker. A frequent contributor to that magazine, he also is the author of 'My Eyes Are Bent,' a tome depicting his reportorial experiences.

Other former metropolitan newspapermen, such as A. J. Liebling, ex-N. Y. Telly, and Meyer Berger, N. Y. Times, are now ensconced in the New Yorker's editorial dept.

L. A. News Color Splash

Los Angeles Morning and Evening News have a new three-color press, capable of doubling the daily output of both papers. New outfit will handle 45,000, 64-page copies an hour. Neither paper has made any recent drive for circulation because of press limitations. Adequate equipment indicates a hypo for subscription and ad departments.

The News' press is the only one of its kind due to the old format, half way between full size and tabloid.

Det. Seeks 'Salacious' Pub Ban

Battle for passage of Detroit city ordinance, banning sale of 'salacious' mags and books, was taken up again last week by Detroit council of churches. Several months ago proposed ordinance was voted down by city council on theory it would deny civil rights.

Church council, therefore, proposes to redraft proposal, incorporating provisions protecting civil rights as well as 'protecting city against salacious literature.'

John K. Hutchens to Boston

John K. Hutchens, assistant to Brooks Atkinson, New York Times, became drama and film editor of the Boston Evening Transcript Sept. 20, succeeding Mordaunt Hall, who came from New York two years ago to take over that department.

Atkinson got his early training from the late H. T. Parker of the Transcript.

Albany Stock Quotations

Tempo Magazines, Inc., has increased its capital stock from 300 shares, 100 preferred at \$100 par value, and 200 common at no par value, to 600 shares, 200 preferred at \$100 par and 400 common no par. Papers filed in Albany.

Martha Houston Productions, Inc., New York, has changed its capital from \$5,100, 50 shares preferred, \$100 par, and 100 common, \$1 par, to 2,500 shares, no par.

Jackson Heights Publishing Co., Inc., has been chartered by Albany to conduct a publishing and printing business in Queens, with a capital stock of \$20,000.

Preview Magazine, Inc., has been chartered to conduct a publishing and printing business in New York.

NEW PERIODICALS

Preview Magazine, a monthly to contain advance excerpts and condensations of the best scribbles from other mags, is to appear soon. Will differ from other digest mags in that the others reprint from the original after it has appeared elsewhere. Projected magazine keeping secret for the time being its sponsors

sors and personnel until various matters can be cleared up.

Interlude, sort of combination of Vogue, New Yorker, et al., being gotten out by Arleena Willett. Aimed for the smart sets above New York, initial issue will be kept out of the city. Publisher plans, however, to subsequently let in N.Y. and Long Island. Original intention to publish once of New York abandoned in favor of Connecticut. Periodical has a New York representative, however, Miss Willett editing, with John Murray Wright as managing editor. Mag has social, amusements and sports calendars, and general content ranges from fiction to fashion tips. It'll have an extremely costly print job.

LITERATI OBITS THIS WEEK

Willis Bred Hall, 83, of Boston, author, editor and lecturer died in Crawford Notch, N. H., Sept. 9. Attended Boston Latin School and Harvard University, '78. Received his LL.B. from Boston University in 1881. After practicing law for a short period, he retired in 1888 to write. His prose and verse appeared in approximately 50 mags and other periodicals, including the Atlantic, Century, Scribner's, Harper's, Lippincott's, Munsey's, North American Review, Nation and Dial. Among his books, which numbered more than 30, were: 'Around the Yule Log,' 'The Boyhood of John Kent,' 'Called to the Front,' 'Christmas at Surf Point,' 'Navy Blue,' 'Snowed In,' and 'Under the Pine Tree Flag.' From 1881 to 1893, he edited the Cottage Hearth Magazine, The Wellspring and Our Story and Legend. In 1891 and 1892, he served on the staff of Gov. John Davis Long as quartermaster-general, with the rank of lieutenant-colonel. A sister survives.

Frederick Karinty, 50, one of the foremost among contemporary writers in Hungary, died in Budapest of heart failure Aug. 30. Karinty was prominent as a humorist and philosophical columnist. His play, 'Tomorrow Morning,' his literary parodies, his sequel to 'Gulliver's Travels' and a book in which he gave an uncanny precise account of his experiences during a dangerous illness and a brain tumor operation, which he underwent, are among valued works.

Archibald L. MacKinnon, 47, of Hillsboro, N. H., former managing editor of the Lowell (Mass.) Courier-Citizen and Evening Sentinel, died Sept. 11 in a Brookline hospital after a long illness. First entered newspaper work in Claremont, N. H., with the Claremont Eagle. In 1914, he went to Lowell as telegraph editor of the Courier-Citizen. He later became city editor and was managing editor of the combined papers from 1921 to 1931, when he retired because of illness. Leaves a widow, brother and sister.

Edwin Hitchcock, 39, former drama editor and theatre publicist, died Sept. 17, in Los Angeles after a long illness. After serving in the World War he was drama ed of the Los Angeles Record and later did publicity for Fox-West Coast and studios. He recently compiled a handbook of confidential info on those connected with pictures. Leaves widow and mother.

Ripley Wayne Bugbee, 37, vice-president of the Clements Co., Philadelphia advertising agency, died of Rocky Mountain fever in Philadelphia last week. Bugbee is believed to have been bitten by a tick while on a vacation in the Canadian Rockies, from which he returned Sept. 4. Carl J. H. Anderson, 52, writer on advertising and printing, died last night in Wilmington, Del., last Saturday (17) of a heart ailment. Art director for Hercules Powder Company, Anderson was well known for his articles in the trade press.

Clarence A. Brakeman, 73, for 22 years editor and owner of the Cheyenne (Colo.) County News, weekly newspaper, and Associated Press correspondent, died at his Cheyenne Wells, Colo., home, Sept. 16. Mrs. Myrtle Brakeman, his widow, will continue publication of the News.

Thomas Clayton Wolfe, 37, one of America's outstanding writers, died Sept. 15 in Harvard, Mass., of a brain infection. Among his best known books were 'Look Homeward, Angel' and 'Of Time and the River.' Wolfe, born at Asheville, N. C., graduated from the University of North Carolina when he was 20 and later went to Harvard. He was a member of George Pierce Baker's 47 Workshop class at Harvard, and his early writing was largely for the theatre, but none of his plays was produced. He later became an instructor in English at New York University and remained there six years, resigning in 1930 when he received a Guggenheim Foundation award.

CHATTER

Frank Sullivan changes publishers with his next book, going to Little, Brown.

Charles Hoffman sold a story, 'So Much in Common,' to Good Housekeeping.

Valentine Williams, the whodunit fictioneer, will have his autobiography published soon.

Phyllis Bottomo comes over from the other side early next month for a feature to do.

Isaac F. Marcossow another returned traveler; to get new Satevestop assignments.

Louise Redfield Peattie sold the serial rights of her story, 'Lost Daughter,' to Red Book.

Lester Ziffren to lecture on contemporary European history at U. of Southern California.

Book-Mag has been chartered to conduct a publishing-printing business in New York.

Art Smith, lately a rewrite man in the Philadelphia Record, has joined the Chicago Herald-Examiner.

Ken, Inc., has filed in Albany a certificate surrendering authority to conduct business in N. Y. state.

Max Wallace now in full control of the Architects Publishing Co., having bought out his associate.

William Blake's 'This World Is Mine' has just gone into a fifth printing. Simon & Schuster publishing.

Michael Josephs to publish Anton Dolin's second book, 'Encore Divertissement,' in London around Christmas.

Arthur Friedman, financial editor of Pittsburgh Post-Gazette, going to Hollywood next month on his vacation.

Mr. and Mrs. Bruce Gould (Beatrice Blackmar), who are jointly editors of Ladies' Home Journal, back from abroad.

Wally Forrester, managing editor Pittsburgh Press, at his desk again after serving as a judge in Atlantic City beauty pageant.

Low Lipton's 'Ideas of 1939,' compilation of best original screen stories of the year, will be published by Chatham Co., N. Y.

Bill Faust, photo ed of the Philly Ledger, resigned to take a publicity job with the Protestant Episcopal Diocese of Pennsylvania.

George A. Fisher and Richard T. Graham embarking in the book publishing biz with the formation of the Gateway Publishing Co.

Charles E. Still, police reporter for the New York Sun for nearly half a century, will have a book, 'Styles in Crime,' out this week.

Ralph Thompson, New York Times week-day book critic, will also do book criticisms for The Yale Review, starting with the fall issue.

Margaretta Byers, coauthor of 'Designing Women,' which deals with women's fashions, has joined the fashion staff of Good Housekeeping mag.

Gladys Weston Ryan, who used to be an assistant editor of McCall's Magazine, a new bride. Husband is William Stanley Lamont, a bank exec.

Book publishing organization to issue volumes of poetry exclusively has been formed in N. Y. by Michael Everett. To be known as Poetry House.

Mexico continues to lure most of the scribblers, with Evelyn Waugh the latest to go below the border for a look-see. Incidentally, Evelyn Waugh is a 'he.'

Bill O'Donnell, former reporter on Pittsburgh Press and more recently assistant district attorney in Smoky City, just named chief of Allegheny county detective bureau.

Harcourt, Brace brings out next month the story of Charles Laughton and his wife, Elsa Lancaster, written by latter. To be called 'Charles Laughton and I.'

Plan of M. L. Annenberg to upset the entire Philly newspaper picture by reducing the price of his Inquirer has apparently been shelved by the frantic appeals of other publishers.

J. Stewart Hunter has resigned his associate editorship with Bulletin-Index, class Pittsburgh weekly, to return to University of Pittsburgh faculty as instructor in English.

New quarters of the Book and Magazine Guild, N. Y., officially opened with a new building which attracted some 600 persons employed in the book and magazine fields.

Donald Kirkley, dramatic and picture editor of the Baltimore Sun, will handle the amusement pages of the Sunday Sun, replacing Harry Haller, who has been moved to special assignments and features.

Class of M. Stern, of the New York Journal and American rewrite staff, was afraid it would happen—and it has. After considerable research he completed a play on the historical figure, Mme. Jumel, and now a producer announces another play on the same subject.

Broadway

Pat Casey returned from Coast today. Lynne Overman left Friday (16) for the Coast.

Harry Kille back with 'Kiss the Boys Goodbye'. Basil Rathbone, on from the Coast to see all the shows he can, new and old.

Ray Hall, former editor of Pathe, may return to the newsreel field shortly. Irving Lehrer and Seaman Jacobs merged their p.a. biz with George D. Kettmans.

Louie Shurr, the Broadway and Hollywood agent, back in town for legit castings.

Niteries expecting World's Fair bonanzas next year, and all priming their plans accordingly.

Carolyn Marsh will replace Mary Jane Walsh in 'The Big Be Right' which reopens in Philadelphia Oct. 3.

Jack Oswald, head of Paramount's investigation department, on Oct. 7 celebrates his 15th anniversary with the company.

The Merry-Go-Round, nee House of (Helen) Morgan, is now called the Casanova for its early preem with Dave Apollo.

Charlie Williams, repatriated to Broadway from two years of Hollywood writing and acting, yens a Broadway play.

Jack Osterman, ex-Variety columnist, scripting for Ken Murray now. Debuting with an early Vallee guesster this week.

Tom Mearns, Universal newsreel editor, injured by auto, is slowly recovering in hospital where broken leg has had him bedded for nearly three weeks.

Luncheon skedded at Hotel Warwick, Philadelphia, tomorrow (Wednesday) by Paramount for Ellen Drew, visiting relatives who live near Philly.

Helen Trix (Trix Sisters) and Grace Foster, another ex-vaudeville, now have the dress shop on East 52nd with Bernice Haley Lang (Lang Sisters) founded.

Johnny Hudgins, blackface comic, now in Buenos Aires playing niteries. Will remain away for more months, playing Panama and Chile before returning.

Charles A. Morla, chief assistant to Norton V. L. Chief, Monogram foreign sales chief, sailed last week for a seven-week trip to Central and South American key cities.

Joe Lopez now greets 'em in the lobby of the RKO and then flares his aide at the tape whom to OK for a 'reservation,' thus making it easier on the handling of the traffic.

Reported Keith Goldsmith, 20th-Fox managing director in Shanghai, to wed Mrs. Willa Z. Lynn, a Britisher, this month. Goldsmith formerly was in Albany for the company.

Harry Sobel is spokesman for the niteries p.a.s in their to-join-or-not-to-join indecision anent the 'MAT. Cafe publicists still feel they'd rather stay out of the union, unless they're shown wherein lies any advantage.

Clifton Webb and Libby Holman, stars of 'You Never Know,' which comes into the Winter Garden tonight (Wed.), said to have bought 500 seats between them for the opening at \$5.50 to distribute among friends.

Warner Bros. will move its exchange operations for New York area from Film Center building to recently completed structure on west 44th street. New building connects directly with Warner home-office building.

Al Henkins, arranger and trombone player with Mel Brown and wrote a song around the old kid rhyme 'Old Man,' which Shapiro-Bernstein accepted for publication. The day song was taken, Henkins' father passed away.

Emily (Dolly) Barnes Fitzgibbon, first wife of late Bert Fitzgibbon, is living in New York. A daughter by his first marriage, she also survives. They were divorced here in 1920. Fitzgibbon was killed in an automobile accident in Atherton, Cal., Aug. 28.

Pittsburgh

By Hal Cohen

Harry Seeds' lad home from New York for a minor operation, attending. C. J. Lattas to Omaha for funeral of Mrs. Lattas' mother, who died suddenly.

Ed Brown back from New York after lining up flock of legit shows for Nixon.

Playhouse director Fred Burleigh has launched series of auditions for new season.

Dance impresario Johnny Jones celebrates 36th wedding anniversary Saturday (24).

Donald Wermuth and the new missus back to the Coast after honeymooning in the east.

Gene Connelly bringing U. S. Marine Band here for two concerts next Monday (25).

John J. Maloney and Burt Lipp, Jr., both knocked down free trips to Paris in M-G sales drive.

Half Moon Club, in nearby Steubenville, O., has petitioned option of Herman Middleman's band.

Lorenz Iversen succeeds Mrs. William MacLay Hall as prez of Pittsburgh's Symph Society this year.

Etzi Covato bangs in after being voted Atlantic City's No. 1

orchestra this summer by seashore press. Infant son of Chester Smith, sports editor of Pittsburgh Press, died in a capital here last week after a brief illness. Tot had been adopted only a short time before from Cradle, Evanston, Ill.

St. Louis

By Sam X. Hurst

Harold Bassage, director of Little theatre, has begun tryouts of simon-pures.

Art Catlin, of U.A. in town arranging for a special trade showing of 'Drums.'

Kay Elbert, 17, member of Mundy Opera chorus, passed trial test and has joined ballet of San Carlo Opera Co. in New York.

Tommy Tobin has returned to Grand National as local manager. Was formerly a salesman for U.A. Bill Gulman, whom Tobin succeeds, will remain with C.N. as salesman.

Variety club gave dinner for Percy Barr, secretary of local club, on eve of his departure for Chicago, where he becomes manager for National Screen Service. Held similar post here.

Edward Richardson, treasurer at Loew's, was presented with wrist watch by employees prior to transfer to Crawford House.

Chester B. Vickery, of Pittsburgh vaude, transferred here.

The U. S. Navy band will give after-dinner concert at 10:30 at the Municipal Auditorium, Oct. 27, under cosponsorship of local units of the Naval Reserve and Navy Post of the American Legion as part of annual observance of Navy Day.

Boston

Niteries season over a week behind in openings. Truendo Club made its bow Wednesday (14).

Mary Pickford interviewed on WNAC by Ruth Moss.

Ann Pennington staying two weeks at Crawford House.

Dick Stutz orchestra opens the Brown Derby season, Friday (23).

Sophie Tucker opened fall season at Benny Ginsburg's Club Mayfair.

Arch E. Blair closes the 'Totent Pole Ballroom' at Auburndale Oct. 12.

Edward J. Noonan, Federal Theatre project p.a., opened publicity offices here.

Mildred Place, daughter of Ed Place, Statler Hotel and Brockton Fair p.a., doing press chores for the Brockton Fair.

George Holland, Boston Evening American columnist (Boston After Dark), taking side trips to New York and making his copy from there.

D. B. Stanbro, Hotel Statler manager, presented a Hotel Statler trophy for the horse show class at the Brockton Fair. Sally Rand did the awarding.

Sammy Paine, for nearly a quarter of a century with RKO Keith vaude as booker, back in harness with the M. Amusement Enterprises (Edmund J. McGuinness).

Sydney

By Eric Gorrick

Will Mahoney here for Tivoli. Chang, magician, here for Williams-Tait.

Guila Bustabo, U. S. violinist, presenting series of recitals for Australian Broadcasting commission.

Cinesound very hopeful of selling 'Broken Melody' in the U. S. Dickers on also for British market.

Ken A. Blair, Crick and George Dean interested in new ice rink due for erection in Melbourne.

Jack Percival, former exploitation director for Snider-Dean, is handling publicity for the Stuart F. Doyle enterprises.

Ralph Clarke, Jr., sales manager for Warners in New South Wales, will spend a short vacation in U. S. Dad is the boss here.

Reissues are being tried out. Following on deal by Hoyts for 'Son of the Sheik,' Greater Union bringing in 'Monty Carlo' shortly for try in Melbourne there's fairly good buzz with 'Modern Times.'

Kansas City

By John W. Quinn

Herbert Hoover scheduled to lecture in the city auditorium Sept. 28.

Joe Cook, m.c. of the opening annual K. C. Jubilee, in town couple of days in advance.

Jimmy Joy's orchestra moving into the Muehlebach rink. Following Dusty Rhoades' crew.

Joan Davis cheered at the Tower when she dropped in in between shows to catch the Jan Garber stage show.

Peter Dana, new Universal district manager, bringing his family in from New York to take up permanent residence here.

Ben Marcus, Columbia exchange manager, host to an overflow crowd at the advent of singing of 'You Can't Take It With You' in the Edison auditorium.

London

Walter Ellis fly-fishing in Ireland. Gilbert Lennox boating in Holland.

Leslie Howard to south of France for holiday.

Associated British has bought film rights to 'Poison Pen.'

Giuseppe Nina in town for a couple of commercial bookings.

George Formby on three weeks' Baltic sea cruise vacation.

British Lion has taken over distribution of Ace productions.

Bert Howell, Paris agent, in town booking a few French acts in vaudeville.

Buster Shaver's (with Olive and George) missus and kid over here for stay.

Alphonse Berg here alone as his missus is too sick to travel from America.

Charlie Fortie the organizing a reunion dinner of ex-service members in vaudeville.

John Argyle is making an Irish film based on the song and titled 'My Irish Moll.'

Lee Donn got Frank Niel to postpone his Australian tour to continue his English dates.

Max Miller's father off to Hollywood shortly, where he spends six months each year.

Vivienne Brooks here making offers to Maurice Chevalier, but he isn't free this year.

Vic Oliver has 23 weeks of vaudeville in London with General Theatre.

Grace Moore booked for a concert in aid of Queen Mary's hospital at Albert Hall Nov. 1.

Kield Abell, author of 'Melody Theatricals' and 'Adapting Idiot's Delight' for Denmark.

Lilli Palmer to play lead in 'Tree of Eden,' by Kenneth Horne, produced by C. J. Barry.

Coven Garden Baret, now en route to Australia for six months, goes to Africa after that.

Idiot's Delight celebrating its 200th performance with new capacity since Lee Tracy's opening.

Despite limited supply of ace pictures and war scares, exhibitors admit healthy bookings for their cinemas.

Reported Isidor Ostrer assisting Lou Jackson to secure English distribution of Grand National Pictures.

Mabel Green, former musical comedy star, inherited \$200,000 from her South African husband, Julius Wetslar.

Imperator Films' production of 'The Return of the Frog' for British Lion has been completed at Beaconsfield.

The Irving Tishmans considering settling down in France and making a couple of trips to America annually.

Eric Blore will appear in the Warner production of 'A Gentleman's Gentleman,' with David Burns as his stooge.

Ballerina Markova sustained sprained ankle while rehearsing at Covent Garden, and is out for a while.

David MacDonald, who megged 'This Man Is News' for Pinebrook, is contracted for two more for that concern.

Red Diamond (Three Diamond Bros.) has broken rib which he got first night of their opening at the Palladium.

Library deal of 'Wild Oats,' the Fifth Shepherd musical at the Princess theatre, extended till end of December.

Niel McCary, actor, and Cyril Lawrence, former Lew Leslie's manager in London, have filed petitions in bankruptcy.

Lawrence Wright has bought an old castle on the Blackpool North Shore, which he intends to turn into a picture theatre.

Palace theatre management considering staging musical shows twice nightly at cheap prices under Charles B. Cochran.

Nat Gonella's band out of the Jack Taylor revue, 'King Revel,' although the remainder of the cast is staying for run of the show.

Robert Donat lays off for six weeks before starting filming of 'Mr. Chips.' His contract calls for these holidays after each period of shooting.

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Queen Mary has promised to attend production of 'Sixty Glorious Years' at the Odéon Oct. 14 with charity benefitting. Picture gets general release in United Kingdom at Christmas.

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tures to be made by Gainsborough for Metro, the American concern is already in negotiation for additional production from the same source.

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While in New York Victor Payne-Jennings secured the English rights to 'On Borrowed Time,' in association with Phillips Holmes. Stuart Watson also associated on production.

Letty will appear in London in the N. Y. role created by Frank Conroy.

Minneapolis

By Les Rees

Excelsior Amusement park closed for winter.

Minneapolis Symph plans series of special concerts with name soloists. Clarence Sakol, of Paramount ad sales department, promoted to booker.

Local United Artists' branch still in first place nationally in 20th anniversary drive.

Twentieth Century Variety club opened more elaborate clubrooms in Hotel Nicolet with gala party.

Warren Anderson, Warner Bros. booker, out of hospital and on road to recovery after long illness.

M. L. Nathanson, head of Canadian Famous Players, here on visit with brother, B. L. Nathanson, of Monogram.

Under present plans, Benny Goodman, during Orpheum engagement here, will do his broadcasting from theatre's stage as part of regularly scheduled performance.

Claire James, Atlantic City bathing beauty pageant runnerup and former Minneapolisian, stopped over en route to Hollywood and was introduced from Orpheum stage by Horace Heidt.

Philadelphia

By Herb Golden

Morgan Kaufman to New York for few days.

Republic readying for its new building on old Columbia site.

George Aronson's wife well on way to recovery from serious operation.

Dave Mulliner's new car ignited right in front of his office last week. Short circuit.

Cal Core, inspector for the Censor Board, giving speaking lessons to Democratic candidates.

Shrine Circus set here for the Arena Nov. 7-14, by George Hamid. Robert H. Morton on the scene for him.

First general meeting of Variety club this season called by Chief Barker, Jack Beresin for next Monday (26).

Jack Greenberg arranged private screening of 'Snow White' (RKO) for nuns in convent near his Stone Harbor, N. J., theatre.

Budapest

Metro's 'Public Hero No. 1' banned here.

Columbia opening an independent branch here.

Jean Murat, French film star, vacationing in Budapest.

'The Witch of Leanyar,' book by Karoly Kovacs, now being shot at Hunnia studio.

Wesley Ruggles, here on a visit, gave several Hungarian feature pictures the once over.

J. H. Seidelman, Universal's vice prez here recently with J. Kirkham, U. S. east European manager.

Guicav Olah, stage manager of Opera House, now direct screen version of 'János Vitéz.'

Pola Negri expected here to play in French and German versions of a Budapest-background feature.

Georg von Habsburg, an directing German and Hungarian versions of the feature, 'Storm Over the Steppes.'

Coming season will bring 2,000th Shakespeare performance at the Budapest National theatre. Occasion will be celebrated by performance of 'As You Like It' in a new translation by Lorinc Szabo.

Chicago

Gene Murphy, of Loew's in town to publicize Freddie Bartholomew personal tour.

Harry Sherman, former president of local 306, musicians union, to Mayo Clinic for observation.

Harold Kennedy, Coast booking for late June Bowes office, in town for a quint at the major's unit in the State-Lake.

Switch in plans on 'T'd Ratter Be Right,' will send the George M. Cohan musical into the mammoth Auditorium opera house, Nov. 27, instead of the regular legit Grand.

Hollywood

Benny Rubin to Chicago. Roy Rogers to Portland.

Pat Casey to Washington. J. W. Piper here from Japan.

Lee Carson here from Chicago. Dorothy Frazee in from Frisco.

Charles Gentry in from Detroit. Sidney Kent in from New York.

Corney Ford planned in from Alaska. Walter Egoon on British holiday.

Arthur Housman in from New York. Len Warren here from New Zealand.

Frank and Mrs. Lloyd off for Europe. Sig Marcus recovering from illness.

Niott Nugent in from eastern tour. Edward Ebele back from world tour.

Robert Richman sailing to Honolulu. Burglars prowled Gladys George's home.

Jack Leighter back on the job after illness. Harry Hammond Beale's office was robbed.

Elizabeth Patterson home from the hospital. Leland Hayward celebrated a birthday.

Jackie Cooper celebrated his 16th birthday. Roy Evans to Big Springs, Tex., for roundup.

Tito Guizar hosting Mexican soccer team. Viola Brothers' Shore back from N.Y.

Evelyn Keyes laid up with appendicitis. Noel Busch ogling studies for Time mag.

Al O'Keefe and Charles Feldman to Chicago. Isa Miranda in from New England movie tour.

George Borthwick in from N. Y. for vacation. John Lee Mahin laid up with a broken arm.

George Cehanovsky here for opera appearances. Coe Glade in from Manhattan for Bowl opera.

Tony Martin back from eastern personal tour. James Stewart got his private pilot's license.

Barbara Jaques to wed Gil Winnet. Harry DeShon hunting in Palomar mountains.

Jack Carson in Milwaukee visiting his sick mother. Edith Head back from gander at European styles.

William Ludwig to marry Susan Risenfeld Oct. 2. Louis Rader 'ill' with cameras shooting around here.

John Howard moved into his new Brentwood hacienda. Cal Core, inspector for the Censor Board, giving speaking lessons to Democratic candidates.

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OBITUARIES

PAULINE FREDERICK

Pauline Frederick, 53, stage and screen actress for past 35 years, died Sept. 19 in her Beverly Hills home after an asthma attack. Inhalator used failed to revive her.

Deceased made stage debut as chorus girl in 1902 in 'Rogers Brothers in Harvard,' but thereafter she shunned musicals. Among her early plays were 'Little Gray Lady,' 'Girl in White,' 'Samson,' 'Fourth Estate,' 'The Dollar Mark,' 'Joseph and His Brethren.'

She turned to pictures in 1915 and remained away from stage for eight years. Her films included 'The Eternal Flame,' 'Mrs. Dane's Defense,' 'Zaza,' 'La Tosca,' 'Fedora,' 'Bella Donna,' 'Madam X,' 'Devil's Island,' 'Roads of Destiny.'

Returning to the stage in 1923 she occasionally took time out for pictures and appeared in such productions as 'On Trial,' 'Mumsie,' 'Evidence,' 'This Modern Age,' 'The Sacred Flame,' 'My Marriage.' Her last film was 'Ramona' at 20th-Fox. She did many stage revivals along Coast between pictures. She had been married five times, among her husbands being Willard Mack.

CHARLES E. COOK

Charles E. Cook, 53, former circus technician and lately with Paramount, died Sept. 17, at his home in West Los Angeles after a heart attack. He had finished an assignment

IN MEMORIAM

MARK A. LUESCHER

Died Sept. 20, 1938.
In Our Hearts and Memory Always
FAMILY

as unit manager on the film, 'If I Were King,' and was preparing for the start of 'Union Pacific' when stricken.

In his youth he joined the Gaskell carnival in Texas as an electrician, later moved to the Al G. Barnes circus and traveled for 23 years under the big top. He was the first to install electricity in a circus. Surviving are his widow; a son, a sister and two brothers.

T. NELSON DOWNS

T. Nelson Downs, 'King of Coins,' died Sept. 11 at his home in Marshalltown, Ia., following a three-year illness. A number of well-known magicians attended the funeral, which was held in Marshalltown, Sept. 13.

Downs was known for many years as about the cleverest coin manipulator before the public and his reputation had carried him to European countries, where he had exhibited his deftness before crowned heads and gala audiences. He became skilled in handling coins during his youthful days as a clerk in a Marshalltown bank.

VALERIE BERGERE

Valerie Berge, 74, former stage and screen actress, died Sept. 16 in Hollywood. 'Born in Alsace-Lorraine,' Miss Berge made her American debut in San Francisco stock in 1892, and played in legit, musical comedy and vaudeville for 43 years. Her last stage appearance was in 'Moon Over Mulberry Street' in 1935. In her picture career she played for a time with Warner and finished with a part in 'Miss America' at RKO in 1937. Surviving is her husband, Herbert Warren.

JOHN R. RITCHIE

John Robertson Ritchie, 55, who as a contractor built theatres in Mechanicsville and Flatsburg and as a sculptor did a bas relief of Sonja Henie recently placed in the new Field House at Saratoga Springs, died at his home in that city Sept. 12. A native of Scotland and a veteran of the Boer War, he directed many amateur theatrical productions in the Saratoga area.

KENNETH L. SMITH

Kenneth L. Smith, an executive of radio station XEBZ, Mexico City, died Sept. 7 at his home in the Mexican capital.

He was a native of Elizabeth, N. J., and had been a resident of Mexico for 25 years. Burial was in Mexico City. He is survived by his widow, his mother, a son, and two daughters.

R. J. BARRETT, JR.

Roscoe Barrett, Jr., 35 died in Chicago of pneumonia following an

operation for mastoids on Sept. 14. At the time of his death Barrett was chief of the Chicago office of WOR, Newark.

Previously he had been radio time buyer for Blackett-Sample-Hummert agency in Chicago. Had also been with NBC Chicago and was the network's liaison man with the World's Fair during 1933-1934.

Widow and three daughters survive. Burial in Chicago.

CHARLES KINGSBURY YOUNG

Charles Kingsbury Young, 45, former concert pianist, died in New Rochelle, N. Y., Sept. 14. In recent years he had been teaching in New Rochelle, and was accompanist for the Huguenot Glee Club. His widow survives.

NONA LEE

Mrs. Lloyd Tracy Dodd (Nona Lee), 22, radio singer, died in childbirth, Sept. 15, in Los Angeles. She made her radio debut 12 years ago and later appeared in opera on the Coast. The child died with her.

INEZ FORMAN

Inez Forman Greig, 74, one time Shakespearean actress, died Sept. 9 in Pasadena.

As Inez Forman she played for years on the Keith and Proctor Circuit. Surviving is a daughter.

FRANK MURRAY

Frank Murray, 29, technician at Metro studio, died Sept. 14 in Los Angeles.

MILDRED GAULT

Mildred Gault, 33, film dancer, died Sept. 15, in a sanitarium near Los Angeles.

Mrs. Elsie Gray, 37, wife of Danny Gray, chief of Metro's film editing department, died Sept. 15 in Beverly Hills.

MARRIAGES

Shirley Lucile Young to Vance Carroll in Los Angeles, Sept. 11. Bride is film player; he's a director. Helen Ince to Frank Kerwin in Beverly Hills, Sept. 15. Bride is widow of Ralph Ince, film producer, he's Hollywood night club owner.

Maryalice Riley to Warren Mead in Milwaukee, Sept. 8. He's an announcer with WTMJ, Milwaukee. Joan Palmer to Charles Kaufman in Beverly Hills, Sept. 14. He's a film writer.

Judy Kish to Billy Cornell in Pittsburgh, Sept. 10. He's with Jimmy Peyton's orchestra at Plaza Cafe, Pittsburgh.

Mary Kirby to Thomas Conrad Sawyer in Hollywood, Sept. 16. Bride is Sandra Bruce, WCOP, Boston, announcer and hostess; he's Coast NBC and CBS writer.

Edna Strong to Everett Marshall in Fort Worth, Tex., Sept. 16. Bride is dancer; he's a singer.

Shirley Ross to Ken Dolan in Los Angeles, Sept. 16. Bride is film player; he's Hollywood agent.

Genevieve Tobin to William Keighley, Yuma, Ariz., Sept. 19. Bride is film player; he's film director.

Fair Preview

(Continued from page 1)

housed in the Business-Building at night. Tariff is marked at \$1 a head as entrance fee only with extras for a peek at attractions inside or participation in numerous games housed in tents, resembling a rural state fair.

The outdoor carnival in the afternoon will include a botanical garden tea party, modelled after the European idea in which stage and screen names will mingle with the public and clip 'em \$1 apiece for autographs. Rest will be a tent for the presentation of one-minute thrillers and comedies with impromptu casts culled from names present, but done with prepared scripts. A two-bit-a-dance tent, with Equity chorists to trip with; a gambling tent; crockery smashing booth; one for pie-throwing where customers can pay 50c for a custard and either eat it or throw it at a colored target; a makeup tent where

femmes will be nicked \$2 to be taught makeup; and various other

games and gadgets designed to separate escorts from their wad.

An audition tent modeled after the 'I Want to Be an Actor' radio program has been suggested with sound recording apparatus and experienced actors in attendance. In the evening, plans call for a revue to be staged in the dual-winged Business Building with a tri-cornered stage to allow an audience in each wing. Tariff here would range from \$3 to \$10.

show will comprise half a dozen sketches prepared by the Authors League, backed by production numbers for which the choruses of 'I Married an Angel,' 'You Never Know,' the Rockettes from the Radio City Music Hall, and the Gae Foster Girls from the Roxy are being sought.

Names connected with the affair list Rachel Crothers, as general director; John Golden, executive director; Antoinette Perry, executive secretary; Dwight Deere Wiman, executive producer; Ashley Miller, general secretary, and Leon Leonidoff and Robert H. Burnside as producers, latter names as yet being doubted. Stars who have wired or mailed agreements to be on hand in the vicinity are Irving Berlin, Fred Stone, Jimmie Durante, Maurice Evans, Walter Hampden, Dennis King, Grace George, Lanny Ross, Nazimova, Frank Craven, Ina Claire, Jane Cowl, Ott Skinner and producers Marc Connelly and Brock Pemberton. Others have not yet been heard from.

Vaude Revival

(Continued from page 1)

is the host of film and radio players available for a p. a's.

As far as standard vaude talent is concerned, there hasn't been as much of a depreciation. In ranks as popularly supposed. Nitty work plus a smaller measure the WPA projects, has kept them going. Perusal of the numerous agency lists shows that comparatively little of the talent around a few years ago has dropped completely out of the biz. In fact, so many of the acts are still around it's incongruous in comparison with the terrific skid of vaude itself.

Comedy Acts a Problem

Rather than a lack of talent, the theatres, if and when a general 'vaude revival' eventuates, will be faced with two other major problems. First will be the question of sufficient payable comedy acts; (2), break-in time.

One hinges upon the other. Comedy acts need development, something they haven't had for a number of years because of the complete extinction of break-in time. Even the smallest indie houses in the past few years have demanded tried and standard acts, refusing to take a chance with unknowns.

It has been proven in the past on numerous occasions that the nitty comics are usually n. g. in theatres; their material, as a rule, being too topical of the nocturnal life for general public consumption. The strictly radio comics also have too frequently failed to impress on a stage, this being due chiefly to the lack of stage presence and training on the part of most of them.

Both of these types of acts would need extensive break-in dates before being acceptable in major and deluxe stagehouses. It will be an absolute need for the circuits to each let aside a certain amount of break-in playing time, as in the past, in order to provide themselves with the major ingredient of a vaudeville layout—comedy.

BIRTHS

Mr. and Mrs. Irving Rubine, son, in Glendale, Cal., Sept. 13. Father is in Warner Bros. city department.

Mr. and Mrs. Ken MacKays, son, in Los Angeles, Sept. 15. Father is film salesman for United Artists, L.A. Mr. and Mrs. Georgie Price, son, Sept. 15, 1938, in New York. He's the former comedian, now a stock broker; she was Lorain Manners professionally.

Mr. and Mrs. Charlie Berns, daughter, Sept. 17, 1938, in New York. He's of Jack & Charlie's 21 Club, N. Y.

Mr. and Mrs. J. J. Griffin, son, in Pittsburgh, Sept. 15. Mother is the former Peggy Dougherty, vaude and stock player.

Mr. and Mrs. Walter Guild, daughter, in San Francisco, Sept. 15. Father is m.c. and writer at KSFO, Frisco.

Mr. and Mrs. Ralph Nimmons, son, in Dallas. Father is program director of WFAA, Dallas.

News From the Dailies

This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. VARIETY takes no credit for these news items; each has been rewritten from a daily paper.

East

John A. Lardner, son of the late Ring W. Lardner, married in Elkhart, Md., Thursday. Hazeel Hairston writer, party of the second part.

Lotte Lehman carried out her announced intention and took out first citizenship papers in New York last Thursday. She is herself an Aryan, but her stepsons had a Jewish mother and came under the ban. The three boys had already taken out first papers.

Socsecor contest one of the comedians at New Canaan (Conn.) flower show. Second prize went to an effigy of Mae West.

Mrs. Emily Ringling to receive \$50,000 and interest on note given her by the circus magnate shortly before their marriage. Has been in dispute since his death.

Job of handling the Movie Quiz contest given to Radio and Publications Contest Co., which will put 500 clerks on the job of working over the answers.

Jewel theatre, six of whose staff were recently pinched for conducting a lottery, to carry the case to the supreme court if necessary, attorneys for the theatre announced last week. Preliminary hearing in magistrate's court adjourned to Oct. 4.

Louis Reynolds of the tobacco family, defending his wife's suit for temporary alimony, presents the affidavit of Julie Donahue Higgins involving Charles MacArthur and Cecil Haskett, radio exec, in counter charges.

American Gilbert and Sullivan Productions, amateurs, wants some more chorus people. Office Steinyway Hall.

Natalie Bodanya, of the Met, cancelled her date at the Venice Music Festival next Sunday (25) because of recent Italian enactments against the Jews.

Friedrich Schorr, Wagnerian baritone, appointed vocal advisor for Met Wagner productions. To train young American singers in the Wagnerian tradition.

Benjamin C. Cutler, orch leader, given his choice between a \$25 fine and 10 days in jail for driving his car into the East river. Explained he had played several engagements and was sleepy.

'Night of Stars,' Palestine benefit, set for Nov. 16 at the Mad. Sq. Garden.

Playwrights Producing Co. is now just Playwrights Co.

Bruce Barton 'the fall guy at the Circus Saints and Sinners' last week. Murray Mintz, of Brooklyn, wanted extradition and will be taken to Kansas City to face a charge of shipping lascivious reading matter between K. C. and Chicago.

Gang punishment in the slashing upholstery in parked cars in Flatbush section of Brooklyn for no apparent reason.

Fur coat worth \$60,000 to figure in the Radio City Hall robbery, opening tomorrow. Took 16 years to collect the pelts of albino mink from which it is fashioned.

Gus Boeli, die sinker, given a 10-day suspended sentence for sex act Thursday. He intended to jump from the top of the trolley at the World's Fair, but the wind gave out, his chute got wet and he was afraid to climb down. Rescued by steel workers, so newsreel men, who had been tipped off, got some footage.

Helene Pons designed the costumes for 'Mme. Capet.'

Little Carnegie picture house, reopens after a four weeks' shut.

Morton and Herbert Minsky to convert the National Winter Garden, their original burlesque home, to a picture theatre showing Soviet films.

Coe Glade sang 'Carmen' at the Center theatre, N. Y., Thursday night, hopped a plane for Hollywood the following day to sing in the 'Legion of production' the 23rd. Back by plane the next day to sing her second 'Carmen.'

A. C. Blumenthal mentioned in the bankruptcy schedules of the gown shop operated by Gloria Morgan Vanderbilt and her twin sister, Lady Furcress. Owes \$375 on an original order for about \$1,000 worth of clothes. Directed to court Sept. 30 for examination before trial.

Werner Bateman, of 'Victoria Regina,' reported to be in trouble in Genoa. He went over on a vacation and now he can't get out again.

Wayne Morris, making a p. a. at the N. Y. Grand last week, denied that a marriage between himself and Betty Jane Ferguson was impending. Says they're 'talking about it, but want to wait a year.'

A Federal Music Project asking for couples to play at the Forum Laboratory concerts at Carnegie chamber music hall.

Stephen Czoka, Hungarian, won the first prize in the outdoor art exhibit in Washington Sq. That got him a check for \$25.

Fire in the newsprint warehouse

next the N. Y. Journal office drove 20 men from their desks. Paper a total loss. Staff moved to the composing room and go Saturday's paper out from there.

Transient visitors to the N. Y. World's Fair arriving over the N. Y. Central to be dumped at the 138th street station. Taken from there by bus over the Triborough bridge. Arthur Rubinstein, Polish pianist, cancels his Italian tour and sends back a decoration. Protest over the treatment of the Jews in Italy. Will come to the U. S. instead.

Theatre Education League, suggested by Theatre Council, to lecture high school pupils.

Harry Sothern, nephew of E. H. Sothern, became an American citizen last week. Playing in 'Shadow and Substance.'

'Made in Japan,' New Theatre prize play by Maurice Stoller, to get a musical adaptation by Elsie Siegmester. Resumes next month.

Brooklyn homicide court has held Solon Schulman without bail on a charge of homicide. Charged with killing Nathaniel Polach, pianist of the Queens theatre, Jamaica.

Committee announces that five questions in the Movie Quiz are incorrect, due to errors. Any answer will be adjudged correct.

Music school of the N. Y. Assn. for the Blind opened its 31st season Monday. Marjorie Harding, of the Women's Symphony orchestra, prexy.

John Moss, son of the late Harry Moses, mulling production plans.

Coast

Suit of Jeff Davis against Paramount was transferred from Superior to Federal court in L. A. Hobo 'king' wants \$50,000 and back pay for working in 'The Arkansas Traveler.' Suit was shifted because Paramount is a New York corporation.

Will of Max Factor, makeup artist, filed in Los Angeles, left all stock in the cosmetic business to be divided equally among his four sons and two daughters. Remainder of the estate, \$100,000 in personal property and \$16,000 in real estate, goes to the widow, Mrs. Iennie Factor.

Sidney B. Factor, son of the late Max Factor, was sued for \$200,000, heart balm by Mildred O'Bryan, former employee of the Hollywood cosmetic firm.

Glenn Morris, film actor and former Olympic skeleton champion, was sued for divorce in L. A.

Paramount studio and its physician, Dr. H. J. Strathern, were granted a new trial in the \$300,000 actress' lawsuit. Strathern, actress, who claimed her health was damaged permanently by an incorrect diagnosis. First trial in L. A. resulted in a judgment of \$8,500 for Miss Strathern.

Richard Tucker, screen player, obtained a divorce in L. A. from Erma Deen, singer.

Jane Wyma: screen player, made an out-of-court settlement of \$29,662, commissioner's suit by Harry Rosen, Hollywood agent.

Peggy Fears' salary at Phil Seiznick's nitty in Hollywood was attached for \$54,000.

Maxine Coleman, night club entertainer, won a divorce in L. A. from Virel Creason.

John W. Considine, Jr., film producer, was sued for \$150,000 in L. A. by his cousin, Vera L. Donnellan, who charged false arrest.

Arthur J. Beckhard, Santa Barbara theatrical producer, was held on a charge of negligent homicide as a result of the tragic deaths of Patricia Marian Kelley and Frank C. Joyce, Jr., in Beverly Hills, Aug. 27.

L. C. Overton, president of Edward Rose, vice-president of the National Talent Pictures Corp., were ordered to trial in L. A. on grand theft charges.

Freddie Rich, orchestra leader, was sued in L. A. by his former wife, Ella Marlene Rich, for separate maintenance of \$500 a month and \$2,500 attorney's fees. Rich also asks \$2,000 arrears on an alimony judgment awarded in New York.

Convicted of conspiring to perform an illegal operation, from which the victim died, Robert Gilbert, one-time vaude hypnotist, who billed himself as 'The Great Gilbert,' awaited sentence in Los Angeles.

AGMA's Switch

Ted Card, assistant executive secretary of the American Guild of Musical Artists, left New York last week to take charge of the organization's Los Angeles office for the next three months. Ernest Charles, who has been handling the Coast office, replaces him in the homeoffice.

Shift is a routine matter to familiarize each with the AGMA setup at each end.

Reading Fair Was Plenty Wet; Bingo Declared Legal

Reading, Pa., Sept. 20.
Reading Fair, closing Sunday (16) ran into its fourth rainy day in five days and postponed its automobile racing program until Sunday. Not counting Monday, when a light rain fell, the fair hit showers, some light, others lengthy, on Wednesday, Thursday, Saturday and today. The Lucky Teter daredevil racing program was carried out in the mud yesterday afternoon.

Feature of fair week was a total attendance, including last Sunday and regardless of rain, that approached the 265,000 mark. 'Big Thursday' went flat but Friday brought a 73,000 crowd.

Restablishment of bingo as a legal game marked Thursday. A test case in which five bingo hall operators in a Reading suburb were tried with maintaining a gambling establishment resulted in a Berks criminal court jury verdict of not guilty for all five, and an immediate declaration by District Attorney John A. Rieser, who had outlawed bingo last spring, that the game would again be permitted to operate so long as cash prizes and certain other gambling features are avoided by operators. 'It can't be made a racket,' Rieser warned.

Bingo men at the fair, in a few cases, opened Wednesday night and on Thursday the game was in full blast. 'Skillio' and other similar games also went into play.

At the request of John L. Cutshell, district attorney, Lehigh county, Pennsylvania, where the Allentown Fair will open tomorrow, Rieser telephoned Cutshell's office of the Berks jury's verdict. As it had been predicted that no Berks jury would convict the five bingo operators, and as similar predictions were made as to neighboring Lehigh county, in case bingo men were arrested there, it is likely that Cutshell will permit Allentown Fair to operate bingo games this week as in past seasons. The Zaccinins, Emmanuel and Mario, who do a double cannonball stunt, had a bad afternoon Friday. Emmanuel popped out of the cannon on schedule time, but Mario failed to appear. Because of the danger to the crowd, the cannon could not be lowered, but finally a member of the crew crept into the cannon and hauled out Mario, partially unconscious from the fumes of the first explosion. Although sickened, Mario went through with the night performance, but another hitch occurred. Emmanuel was shot out of the cannon on schedule time, but managers of the act, working desperately to keep back the crowds, had to wait two minutes before the bulky apparatus popped again and discharged the second man. Mario was in a hospital for a time after the afternoon mishap.

WPA's Deals

(Continued from page 49)

ently sold to Arch Selwyn and Ralph Pincus, who are reported paying the regular relief wages. Instance of how the players are affected is cited on the instance of a colored actress, who appeared there in 'Porgy and Bess,' receiving \$175 weekly, but having gone relief, is getting \$23.50 from WPA.

Destroys Protective Machine
From the actor-studio unions' viewpoint, WPA, in turning over complete shows to managers, virtually destroys the whole protective mechanism devised to aid professionals, for which the unions were formed. The right of individual bargaining would be to some overboard should such transactions continue or increase. Stagehand and musician groups are equally involved, because members on relief would be taking the jobs of others who have been regularly employed.

The WPA situation on the Coast was further considered at Monday's (19) meeting of the Four A and Equity's executive committee last Friday (16), but the latter's leaders had already acted on 'Chillun.'

Ernie Young Goes AFA; Barnes & Carruthers Nix

Chicago, Sept. 20.
Two fair agencies here made opposite decisions regarding the American Federation of Actors and its present campaign to organize outdoor performers in the fair and carnival business. Barnes & Carruthers agency has walked away from the AFA and has signed negotiations with the performers' union. On the other hand, the Ernie Young agency has signed all articles of the AFA and will co-operate 100% with the union in its campaign. By the agreement the Young office in the future will book and utilize only performers who are members of the AFA on a strict closed shop policy.

AFA has made no decision as to what action it will take in the Barnes & Carruthers situation. Likely that it will send notices to all fair secretaries notifying them of the B. & C. chill-off and will take further steps following the mailing of these notices.

3 CARNIVALS CONSOLIDATE

Chicago, Sept. 20.
Amalgamation of the three largest carnivals in the business was set last week, with indications that two more top carnies will be added to the consolidation this week. Trio now hooked up under a single operation banner are Beckmann & Gerety, Royal American and the Rubin & Cherry show.

Consolidation represents a total coin merger of around \$1,200,000, and some 150 cars. This merge discussion and negotiations had been going on for a period of two years.

HAMID MAY ACQUIRE JERSEY FAIR PLANT

Trenton, Sept. 20.
Publicized as a 'seven day and seven night' attraction, the New Jersey State Fair at Trenton will open its gates for the 51st year on Sunday (25). Will be the first time in its history that the Fair has been operated on a 14-hour daily grind.

George A. Hamid will be at the helm for the third successive year. If this year's Fair meets with equal success, Hamid plans taking over event and grounds from the Trenton Fair Association on a permanent basis and running the place on a year-round schedule. With pari-mutuel betting in New Jersey now a virtual certainty by next Spring, the State Fair grounds will in all probability be a focal point for Jersey and Philadelphia horse race enthusiasts. Mile track now used for auto races, with grandstand seating upwards of 20,000, regarded as ideal set up for the pony attraction.

Dodging the Showers

Minneapolis, Sept. 20.
Minnesota's 1939 State Fair will run 10 days, instead of customary eight, and will be advanced one week, opening Aug. 26 and closing Sept. 4, Labor Day.
Earlier opening and longer engagement were decided upon because records show weather during last week in Aug. is more stable and warmer. This year it rained five of the eight days and nights and the bad weather cut heavily into attendance which was off more than 50,000 from 1937.

FILMORE FAIR FIRE

Lincoln, Sept. 20.
Fire completely destroyed grandstand and raged through most of the midway at the Geneva, Neb., Fillmore county fair. Explosion of a gasoline stove as the fair neared its closing hour started things off.
Donald Merrill, concessionaire, was overcome by smoke for the only casualty.

CIRCUS ROUTES

Week of September 26
Barnes-Sells-Flote
El, Worth, Tex., 25-27; Dallas, 28-29; Detroit, 30; Fort L., 1.
Robbins Bros.
Charleston, S. C., 26; Columbia, 27; Greenville, 28; Augusta, Ga., 29; Savannah, 30; Waycross, 1.

COLE-BEATTY IN COURT AGAIN

South Bend, Ind., Sept. 20.
Hearing on a petition filed in the United States district court here by four performers of the Cole Bros.-Clyde Beatty Circus, Inc., of Rochester, Ind., asking that the court declare the circus bankrupt and appoint a receiver was continued indefinitely Sept. 15 by Judge Thomas W. Slick upon mutual consent of counsel.

The petitioners, Irma Aurelia Zavatta, Raffaele Zoppe, Giovanni Zoppe and Claude Langlois, through their Chicago attorneys, Simon H. Aizer and Albert N. Gaultano asked that the court recognize their salary claims, and others they represented to the amount of \$7,500 for services rendered.

Their petition sets out the claim that the circus turned over its physical properties to the Associates Investment company of South Bend, to satisfy a \$40,000 debt secured by mortgage.

There are 11 foreign acrobats stranded with their visiting permits expiring Nov. 4, on account of the closing of the Cole show. Now with no funds, their case continued, the government getting ready to deport them, the acrobats are really up in the air and there doesn't seem to be any sort of a net spread under them.

AFL'S WML GREEN DENIES 'SPANKING' WHITEHEAD

Washington, Sept. 20.
Although official denial has been transmitted to Ralph Whitehead, secretary of the American Federation of Actors, by William Green, regarding any chastisement contemplated by the American Federation of Labor for the manner in which AFA handled the Ringling Bros.-Barnum & Bailey circus situation, discussion has been on and is going on relative to the situation. It will be recalled that Green recently said the Federation would cooperate in efforts to revive the circus as an American institution, which appears to some labor officials here as being an indirect rebuke for Whitehead.

Copy of telegram which Green sent Whitehead to disavow verbal sparring or otherwise being planned by the A.F. of L. follows:

I most emphatically disavow the article published in VARIETY in which you refer in your telegram. I repudiate it in the name of the American Federation of Labor. There was no basis for it and no authorization for its publication by any officer of the American Federation of Labor.

French Directors

(Continued from page 11)

those turned out by Marcel Carne and Pierre Chenal.

Duvivier is now in Hollywood, having worked on Metro's 'Great Waltz.' Renoir is currently known in this country for turning out 'Grand Illusion.' Clair is recognized as having turned out a number of b.o. films in France but most recently has been in England producing 'Break the News,' with Maurice Chevalier.

Of the new directors, Pierre Chenal is known for his 'Crime and Punishment,' but possibly will not be rated as high as the veterans until more of his works are seen in America. Carbone efforts thus far just being talked about in this country though reputedly a coming director in France.

G. W. Pabst and Ludwig Berger, German refugees, both of whom have been to Hollywood, now are back in France to do pictures.

And though this trend is developing, there still are some outstanding stars who mean something to the box office in this country. They include Jean Gabin, Harry Baur, Pierre Fresnay, Charles Boyer, Simone Simon, Annabella and Danielle Darrieux. French are hoping that her current effort in France for Renoir—'Human Beast' with Jean Gabin—will help restore Miss Simon to her prestige with French audiences.

Boyer, Annabella and Miss Darrieux all are making pictures in America but are smart enough to return to France at least once a year to make a feature.

Football

By Nat Kahn

King Football grabs the spotlight of America's sportsdom this Saturday with the official opening of the 1938 season.

This year, in the east, it looks like Pittsburgh is tops; Minnesota should set the pace in the midwest; Rice in the southwest; Louisiana State in the deep south; Alabama in the southeast, and Washington's Huskies on the Coast. Here go the first week's picks, comprising only the outstanding games in the country:

Alabama-U.S.C.

Alabama, potentially one of the south's topnotch teams, should return to the Coast once to no avail. In the New Year's Day Rose Bowl classic last season, the Crimson Tide dropped a 13-0 decision to California. This team, after too many fruitless seasons of late, should be a banner one for Howard Jones' Trojans, who are rated next to Washington as the cream on the Pacific Coast.

Oklahoma A. & M.-Arkansas
Arkansas has lost several of those

exact its toll as the season goes along. However, the Coast team still has enough of what it takes to get by in the interim.

Texas-Kansas

Kansas' good backfield should offset a weak line to come through for a close one over west Texas.

Mississippi-L.S.U.

This is State's year—it's packed just chockful of power from end to end, and in the backfield, while Mississippi's green team is too tough a hurdle for Ed Walker's coaching successor, Harry Mehre, State should take this one with plenty to spare.

Washington-Minnesota

This should stack up as one of the season's best games, between the prospective leaders on the Coast and in the midwest, respectively. Washington is touted as the Rose Bowl host this season while Minnesota, aided with a good backfield, should give plenty of trouble in this game with the Huskies. Being played in Minneapolis, the Gophers starting grounds, should aid them considerably.

Probable Football Winners And Proper Odds

(Sept. 24, 1938)

By Nat Kahn

GAMES	WINNERS	ODDS
Alabama at Univ. of So. California	U.S.C.	Even
Okl. A. & M. at Arkansas	Arkansas	5/5
St. Mary's at California	California	9/5
Detroit at Purdue	Detroit	7/5
Iowa at U.C.L.A.	U.C.L.A.	7/5
Texas at Kansas	Kansas	6/5
Mississippi at La. State	La. State	2/1
Washington at Minnesota	Washington	Even
William and Mary at Navy	Navy	7/5
Washington State at Oregon	Oregon	9/5
Idaho at Oregon State	Idaho	6/5
Centenary at Texas Christian U.	T.C.U.	8/5

(Predictions Based on Fair Weather)

passing stars of last season and should be considerably weaker this year but still seems to hold enough to upset the Aggies, who, however, loom bigger and stronger.

St. Mary's-California

Slip Madigan has another colorful team again this year in the Gallop'ing Gaels, particularly with the redoubtable Jerry Dowd, center, one of the nation's outstanding punters, but still doesn't seem to have enough to upset last year's Rose Bowl champions. The Bears haven't the attack of last year and it's a question of their rebuilding for this season but they'll be giving the top teams a battle.

Detroit-Purdue

Detroit packs too many guns for the steamless Boilermakers, whose only attack functioned last season with Cecil Isbell in the lineup. With him gone, prospects don't look any too good against the Titans, who will be sporting a veteran team, whose scoring potentialities, while diminished by the loss of their galloping back of last season, Andy Farkas, still packs plenty of dynamite.

Iowa-U.C.L.A.

Iowa has plenty of reserves and lettermen left from last season and should serve as a stiff opener for the Uclans, whose lack of reserve will

ably but the Huskies get the edge in this one.

William and Mary-Navy
William and Mary has served as the Midgies' season opener for some years now. For the first time in some seasons it looks a little more than a breather for the gods. True, W-M hasn't got much, but Navy is fairly mediocre this season. However, rah, Nav-ee.

Washington State-Oregon
A veteran team should push Oregon among the topflight, although picking this game with Washington State is a problem. State is rated, as are all Coast teams this year, in the foreground. Oregon should get the win, however, but only after a struggle.

Idaho-Oregon State
The long tip of Oregon may take at lot out of the reserves Idahoans, but they hold enough to win. Oregon State full of soph talent.

Centenary-Texas Christian
T.C.U. is the top team but Centenary can't be sold short. The latter became known last year as the smallie that became the giant-killer when it upset Southern Methodist and T.C.U., the latter by 10-9. Davie O'Brien's great passing arm should turn the trick for the Christians this Saturday.

In N. Y. film offices Thursday (15) but clarification of different clauses was still being sought this week.

May Quit Italy

(Continued from page 11)

technique would be not unlike that pursued in Germany currently. There the tendency is to bar any film that is calculated to dwarf a German production. Other spokesmen claim that apparently Italy and Italian producers merely want to benefit from American methods and technical perfection for what it was worth in their own production.

Nationalization decree apparently does not forbid foreign companies from operating exchanges in Italy. But distribution will be handled by the government agency set up for that specific purpose, with choice of product, rentals, etc., in this agency's hands.

Trend towards taking over all distribution in Italy has been brewing for months, according to information in N. Y. Most definite sign pointing in that direction was reduction of the number of films allowed in Italy by quota provisions. Official word of the decree was received

British Co. Quits Rome

London, Sept. 10.
Mario Zampi, producing English-speaking version here of 'A Source of Irritation' for British distribution by Two Cities Films, has been asked to quit Italy because of the fact his company is Jewish-controlled.

Two Cities Co. denies Zampi was shown the door, but after they recalled him on their own account, deciding to transfer production to this country. Company has already received one Italian-made picture, but planned to do whole series, and was understood to have been financed by Italian sources, government co-operating to attract producers to Rome studios.

More than one British film concern, which had made, or was making arrangements for production of pictures in Italy, has found it expedient to cancel these commitments. This is in line with systematic blacklisting campaign organized here when Mussolini announced an anti-Jewish campaign.

That Sentimental Gentleman of Swing...
TOMMY DORSEY
AND HIS ORCHESTRA



WELL, we've covered about 25,000 miles during the past few months. It was great getting around the country and seeing our friends; I only wish we'd had time to visit more places. But we're back in New York now and here are our plans. We open at the New York Paramount on September 28th for our third engagement within a year. (They tell me we're the first orchestra to do this.) Starting the second week in October, we'll be playing at the Hotel New Yorker, (thanks to Rockwell-O'Keefe, who arranged the booking). We'll continue our exclusive contract for Victor records. And every Wednesday night, as usual, at 8:30 we go on the NBC Red Network for Raleigh and KOOL Cigarettes, going into our third year in November on this BBDO-produced program. So, we'll be seeing you.

**OPENING AT THE
PARAMOUNT
September 28**

RADIO

SCREEN

STAGE

VARIETY

PRICE
15¢

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64 PAGES

RADIO'S STEPCHILDREN

Suit and Cloak Showmanship

Fashion creators in New York are currently adding a bit of production to their fashion shows. Background music through Musak units feed 11 dress houses in the garment district. One designer has run a line into his factory to speed up production.

Dress makers claim they have always had to contend with fashion ogles who gather in knots to tell stories, renew old friendships, discuss weather, sports, and general palaver, while models are parading. Figure that piped-in music will intrude enough upon the conversations to make it tough and naturally force attention to the runways.

Creators already taking the service are International Dress, Joseph Halpert & Co., Kalmann & Morris, Bonray Dance Frocks, Young America, Inc., Herbert & Cooper, Night Club Frocks and Lee Claire, Inc., among others.

B'way Legit Biz Shows Early Spurt; 'Hellzapoppin' Tests Cut-Rate Balcony

Jump in theatre interest this early in the season is unmistakably shown in the increase of agency ticket sales on Broadway late last week. Fact that there is a supposedly fixed limit on prices charged by brokers is not the factor in improved attendance, according to the ticket men. There was activity in cut-rate sales also, that field having dropped off in the past several seasons, but now due to assume importance again.

An experiment in cut rates was tried with 'Hellzapoppin', at the 46th Street. Instead of using the mezzanine for papery purposes to assure attendance, 350 tickets were allotted to Leblang's, agency selling all of them. The paid balcony, even though at bargain rates, is credited with helping a favorable audience reaction and the word went around about the many laughs in the revue. Saturday evening, the show's third night, 150 mezzanine tickets were given the cut-rate spot and were sold in 20 minutes.

Ole Olsen and Chic Johnson, who top the cast of 'Hellzapoppin', are named as the presenters of the show and own around 50%, it is understood. Lee Shubert and Harry Kaufman are also interested, although not mentioned in the billing. On opening night, Jack Cohn, of Columbia Pictures, offered to buy in, but his proffer was said to have been declined.

The out-of-town buyers are flooding the town, and nitery and theatre biz is booming.

There was an almost complete hiatus on mercantile buying this summer, so they're all piling in now in abnormal proportions.

Cohan May Give In

George M. Cohan may forget about his first and last Hollywood experience (Paramount) and sign for a Metro filmization of his career, built around most of the old Cohan songs. Jack Curtis, agenting the deal, is staying on in the east until Al Lichtman arrives.

Cohan had cracked, 'Do you think I'm a sucker!', when the idea of working in the film was first broached.

'Disney Revue'

Deal has been set for the production of a 'Disney Revue' taking in all characters created by Walt Disney, at the N. Y. World's Fair next year. Would be staged in a theatre which will be a highlight of Children's World.

Children's World concession, situated at almost the entrance to the midway, will include toyland displays besides the Disney enterprise.

KAUFMAN-HART CAVALCADE'S DOUBLES

Particular effort is being made by George S. Kaufman and Moss Hart to keep secret the names of players portraying famous theatrical figures in their forthcoming play, 'The Fabulous Invalid.' Understood the actors won't even get program billing until after opening night. Idea is to hypo speculation among first-nighters. All members of the cast have been cautioned by Kaufman not to discuss the show.

Among those set to play noted stars of former days are Charles King as George M. Cohan, Marion Edwards as Maude Adams playing 'Peter Pan', Amy Revere as Irene Castle, William Dorbin as Dudley Digges, Joy Hathaway as Helen Hayes, Bobbie Arnet as Edith Day playing the title part in 'Irene' and singing 'Alice Blue Gown'; Philip Truex, son of Ernest Truex, playing his father, and Kay Duncan as Libby Holman. Miss Duncan, incidentally, understudied Miss Holman during last spring's tryout tour of 'You Never Know.' Sally Ward who did Sam Bernard's roles on tour will perform. (Continued on page 19)

HILLBILLIES B.O., STILL OUTCASTS

Station Manager Points Out Unfair Attitude Toward Hillbilly Entertainers, the Most Reliable Result-Getters in the Business—Nobody Loves 'Em

DECLASSE

By AL. S. FOSTER

General Manager, Station WEW
St. Louis, Sept. 27.

Editor, VARIETY:
I am writing to ask you what's going to happen to the Hillbilly? VARIETY usually knows all, sees all, and has an answer for everything.

The position of the Hillbillies in the radio industry is most peculiar. It was the Hillbillies mail, in the old days, that convinced hard-headed merchandisers and advertisers that people really listened to radio. It is the Hillbilly any station manager can throw in on a hard spot any time and get results, and yet the poor Hillbilly is the social outcast in the radio industry and in most station manager's minds. Why is this?

Hillbilly music must be all right. Your grandmother and my grandmother, assuming that they were all Americans, sang it to your father and my father. She, in turn, heard it from her mother and possibly her grandmother. I haven't looked back any further, chronologically, than that. But those who have made a study of Hillbilly music tell me that it is real American music, popular since English-speaking people have been in America—that it is the outstanding American folk music.

I know from experience with various radio stations that, with Major (Continued on page 34)

CAL-NEVA PLAN TO RIVAL SUN VALLEY, IDA.

Reno, Sept. 27.
Creation of an all-year playground that will rival Sun Valley, Idaho, in the winter and outdistance it in the summer, is contemplated by George Whittell, millionaire California sportsman, and associates for the Nevada side of Lake Tahoe. Right now pressure is being exerted on motion picture stars and Hollywood executives to take a hand in the venture and provide the springboard. A year or so ago Whittell bought (Continued on page 19)

War Scare Palaver Has Show Biz Checking Up on Itself All Over

Rewrite—20 Yrs. Later

Paris, Sept. 27.
Irving Berlin and his party have gone back to London, Berlin says if a war breaks out they will only have to change the name of the Kaiser to Hitler and the old songs will be as good as new.

Hollywood, Sept. 27.
The European situation has the picture producers plenty worried. If the crisis comes to a head the studios see a loss of 30-40% of world revenues, which is the difference between profit and loss on heavy budget films.

Long distance phones between the two coasts have been kept buzzing during the past few days, with conversations along line of further retrenchment and waste elimination. Producers have been advised that in view of the critical situation, they must be prepared to cut costs to the bone and watch overheads closely.

Nearly all majors have \$1,000,000 pictures readying for production and, unless the foreign picture becomes too critical, schedules will not be altered.

The situation as it affects French and English nationals in Hollywood is conjectural. Understood that around 100 Britishers in pictures here have been instructed by London to hold themselves in readiness for call home. Studios fear a quota replacements can be in case of immediate withdrawal.

U. S. companies currently are lining around 100 pictures to quota requirements in England (Continued on page 63)

JED HARRIS' BIX PIC WITH BURG. MEREDITH

Burgess Meredith leaves today (Wednesday) for the Coast to do the lead in 'Spring Dance' on a one-picture commitment to Metro. As soon as that is completed he will return to New York to play the lead in a screen adaptation of 'Young Man With a Horn,' which Jed Harris will produce. Clifford Odets is also mentioned in the deal, which will be with American Pictures Corp.

Script for 'Horn' is being written by John O'Hara from Dorothy Baker's saga of Bix Biederbecke, (Continued on page 8)

L.A.'S D.A., FITTS, THROWS ONE AT WINCHELL

Hollywood, Sept. 27.
Burton Fitts, district attorney, heard himself described as 'doing a Justice Crater' while dining at the home of Mendel Silberberg, Columbia executive, Sunday night (25) and immediately notified John Swallow of NBC that unless Walter Winchell made a proper and satisfactory retraction over the air next Sunday night he would file a slander action.

Besides Fitts, who heard it over the radio, were Harry Cohn, Ben Kahane, Sam Briskin, Sol Lesser, Ida Koverman and nine Superior and Municipal Court judges, all dinner guests.

When Fitts heard the flash that he was reported to have boarded a ship for unknown destination Saturday he burned plenty. Immediately he got in touch with NBC and local newspapers, all of which printed his intentions in the matter. Fitts said the only time he boarded a boat recently was to raid a gambling ship and that this flash of Winchell's has done him irrevocable injury.

'The Hour of Charm'

Phil Spitalny
and his

All Girl Orchestra
on tour

Fox, Detroit, Week Oct. 7
Lyric, Indianapolis, Week Oct. 14
Riverside, Milwaukee, Week Oct. 21

Wall Street Approves of Family Cycle of Films Because of Budgets

Trend towards family series of features is reacting favorably in Wall Street, which views this development in the industry, accentuated in recent months, as a wholehearted desire on the part of producers to market conservatively budgeted films, with constantly developing audience appeal.

'It has finally dawned on the picture industry that it is not necessary to produce a million-dollar picture in order to turn out money-makers; one downturner observed.

While these series pictures obviously can expect little or no return from bulk of foreign market, thus far they have proved money-makers in the domestic field alone. Film financiers estimate that even moderate boxoffice returns mean a profit for most of these releases.

Hollywood, Sept. 27.

Metro is going in for bread-and-butter films in a big way in the hope of catching up with 20th-Fox, now the leader in the group division. In addition to the Hardy Family series, its lone entry to date, the Culver City outfit is readying to launch six more groups within six months.

New groups will be super-budgeted approaching the \$1,000,000-budget class. Among them will be a series built around 'The Thin Man,' with Dashiell Hammett continuing to write yarns around the character he originated.

Series on 'Young Dr. Kildare' will be the first to get the gun, with Lew Ayres and Lionel Barrymore featured. Next is a series based on 'Fast Company,' made last spring with Melvyn Douglas and Florence Rice featured.

These will be fortified by four new groups based on adventure-mystery yarns, all in the upper brackets and featuring name players.

'Out West With the Hardys,' fifth of the Hardy family series, went into production at Metro with George B. Seitz directing.

Cast is the same: Mickey Rooney, Lewis Stone, Fay Holden, Cecilia Parker, Ann Rutherford and Ralph Morgan.

'The Headless at Home,' first of a new family series to be produced by Standard Pictures, gets the gun at Grand National tomorrow (Wed.) with Charles Beute directing.

Another series, '20,000,000 Witches,' based on a string of magazine stories, goes into production Oct. 10. Jack Oakie, after being let go by

'cause of his demands for per picture, has effected a deal, and three more 'Annabell's, with Lucille Ball, will be 'Affairs of Annabell' was the 'Annabell Takes a Tour' has just been completed. REO will have two more 'Saint' pictures to go. Louis Hayward starring 'The Saint Strikes Twice,' and 'The Saint in London' follows.

HOWARD BROS.-'HOTEL' CLICK IN AUCKLAND BOW

Auckland, N. Z., Sept. 15.

Willie and Eugene Howard, in 'Hollywood Hotel,' stage revue, got off to a fine start at the St. James for the Fullers.

Legit season in Sydney starts late this month at the Royal through an arrangement with Williamson-Tait. Melbourne run is timed to take advantage of the racing season in November.

Pic Title Suit Threat

Hollywood, Sept. 27.

Jack Welsh, former legit producer, served notice on Warners against the use of the title, 'Words and Music,' for the proposed Dick Powell starrer. Welsh claims he produced a musical show by that name in New York. In association with Raymond Hitchcock and E. Ray Goetz in 1916.

Farrow Off WB

Hollywood, Sept. 27.

John Farrow is leaving Warners after completing direction of 'Women in the Wind.'

'He will finish a book, 'History of the Popes,' before aligning with another studio.

PAR HOLDING OFF ON NEW STUDIO LAYOUT

Hollywood, Sept. 27.

Paramount stays in its present studio for at least another year. Deal to take over property near the 20th-Fox plant was nixed for the time being by president Barney Balaban.

Company decided to wait six or eight months to see the trend of business conditions before laying out the millions required in the construction of a new studio.

Administration Curious About All Trade Assns.

Washington, Sept. 27.

Study of trade associations started this week as a sideline to the New Deal investigation into industrial monopolies and need for more competition in business. Questionnaires went to 2,300 groups, including several organizations in the film business.

Not linked with the Justice Department's pending prosecutions for violation of the anti-trust laws, the study being carried on by the Commerce Department is a fact-finding affair which will show the Congressional Departmental committee what the function of trade association is. Complaints have been made that the groups are often more concerned about minimizing rivalry and insuring profits than they are with protection of consumers and promoting the public interest.

Blanks, which were framed following discussion with numerous business executives, cover historical matters, type of organization, financial activities, practices and policies.

Much of the data regarding the Motion Picture Producers & Distributors of America, Inc. already is in the Government's possession, having been gathered during the old NRA days and brought up to date by the several Justice Department studies which led to the injunction proceeding against the major companies, but Federal records do not contain comparable information about other smaller bodies in the film industry.

Santley Off 'Samson'

Hollywood, Sept. 27.

H. Bruce Humberstone replaced Joseph Santley yesterday (Mon.) as director of 'Samson and the Ladies' after it had been in production for a week at 20th-Fox. Charles Clark relieved Edward Cronjager at the camera.

Santley and the studio are dickering on a settlement of his contract.

MCCARTHY LINGERS WEST

Hollywood, Sept. 27.

Charles McCarthy, 20th Century-Fox pub-ad head, who was scheduled to go east last Sunday (25), is staying here until tomorrow (Wednesday) to view a couple of forthcoming pictures.

Studio plans to give them a heavy campaign.

GOLDEN NOTES

Goldwyn Paying Heifetz 50G for Six Numbers

Hollywood, Sept. 27.

Jascha Heifetz and a 77-piece orchestra went before the cameras at United Artists to shoot advance footage for Samuel Goldwyn's 'The Reckless Age.' Violinist gets \$50,000 for playing four numbers with the orchestra and two with piano accompaniment.

Footage will be stored until the rest of the cast goes to work late in December.

ZANUCK PANS H'WOOD PINKS

Hollywood, Sept. 27.

Darryl Zanuck denounced Hollywood's handful of 'pink shirts' and pledged himself and his brother executives to support the American Legion's war against 'isms.'

Of the 30,000 or 40,000 engaged in the picture industry, he declared, the vast majority are for American principles, while a few agitators and posers give the industry a bad name. He added:

'When they get out the pink shirt now and then, they promptly get splattered over the nation's front pages, and Hollywood is branded Communist. These people no more represent this industry than does one drop of water represent a lake.'

One-reeler covering the welcome of 50,000 American Legion guests on the Warner lot will be presented to the veteran organization as a souvenir. Following favorable editorial comment on Harry M. Warner's speech on 'isms,' the studio is making up 150,000 reprints for distribution to papers and exhibitors throughout the country.

McCarthy Gets Bergen Into Who's Who; 22 From Pictures Listed

Hollywood, Sept. 27.

Film colony crashed the 1938 edition of 'Who's Who' with 22 new names, including Charlie McCarthy's boy friend, Edgar Bergen. Charlie, himself, was ignored.

Other new entrants are Fred Astaire, Jack Benny, Bob Burns, Frank Capra, Madeleine Carroll, Alan Dinehart, W. C. Fields, Werner Janssen, Carole Lombard, Frances Marion, Paul Muni, Frederick Perry, Ginger Rogers, Leo G. Rosten, Winfield Sheehan, Sylvia Sydney, Bernard Sobel, Jim Tully, Frances Langford, Loretta Young, Walter Wanger and Darryl Zanuck.

SAILINGS

Sept. 28 (London to New York) Reg Connolly, Charles Luce, Henry Oscar, William Levy, Mr. and Mrs. Douglas Fairbanks (Queen Mary).

Sept. 28 (Vancouver to Sydney) William and Joe Mandell, Jack Cavanaugh, Aland and Anise, Peter Ray, Jack Gregory Co., Barbara Baline, Gray and Kathleen (Ac-rangle).

Sept. 28 (New York to London) James Whale, J. Cheever Cowdin, Fernand Gravet, Lili Damita, Jack L. Warner, Mr. and Mrs. Arthur M. Loew, Louis Chatain, Mr. and Mrs. Fausta Magnani (Normandie).

Sept. 27 (New York to London) Robert Donat (Nieuw Amsterdam).

Sept. 24 (West Indies Cruise) Frank Reilly, Gertrude M. Klingel (Columbus).

Sept. 22 (New York to London) Erich von Stroheim, F. W. Allport, Al Trahan, Mme. Elizabeth Schumann, Jack Powell (le de France).

Other News of Interest to Films

Defaulting on British quota.....	Page 11
Jolson east for pair.....	Page 28
Radio reviews of E. G. Robinson-Claire Trevor, Eddy Duchin, Al Jolson show, Lanny Ross, Crumit-Sanderson, Jack Benny-C. B. DeMille, Bert Lytell.....	Pages 30-31
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Vaude 'revival' may be stymied by labor unions.....	Page 47
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Colin to rep Reinhardt.....	Page 55
Legit road comeback plan.....	Page 55
Freddie's two shows.....	Page 57

Straight-Place-and-Show Business

WURTZEL'S SIESTA; PIX IN THE NEWS

By Bill Halligan

Hollywood, Sept. 27.

With 13 of his 28 pictures completed for the 20th-Fox 1938-39 schedule, Sol M. Wurtzel is so far ahead of his work that he is going to Mexico for a vacation. Month's siesta begins Oct. 10.

Development of new story ideas is the function of a new department formed by Wurtzel, with Louis Moore at the head, assisted by Lester Zifren, Walter Morosco, John Reinhardt and Harry Fried. Group will keep a close watch on national and international news events which might be picture material.

British Exhibs' Counter-War On Telecasting Pix

London, Sept. 16.

Exhibs are setting up their own corps of vigilantes to war on British Broadcasting Corp.'s television department. General Council of Cinematograph Exhibitors Ass'n decided to establish special sub-committee which will watch every move of vision, and report back every month on any developments and implications.

Move is sequel to BBC's efforts to telecast films over the air. Four have already been ethered, and a fifth is due to follow soon. C.E.A. view is that trade should jointly oppose radio-films, and will urge Kinematograph Renters Society (distributors) to cooperate. Latter body has a voluntary understanding among its members not to release pix to BBC, and, anyway, it is hardly likely any distrib would take a few pounds as fee from BBC if he thought there was still some box-office juice to be squeezed from it.

BBC meanwhile has gotten around trade opposition by using either very old reissues or Continental pictures which have only specialized market value here. Exhibs, however, fear its appetite may grow, and if some owners like the broadcasts they will ask for modern pix.

THAT WOMAN AGAIN

Hollywood, Sept. 27.

'There's That Woman Again,' sequel to 'There's Always a Woman,' gets the gun tomorrow (Wed) at Columbia, with Virginia Bruce and Melvyn Douglas in the top roles.

L. A. to N. Y.

Jack Bernard.

Herman Bernstein.

Frank Capra.

Douglas Corrigan.

Xavier Cugat.

Hugh Danie.

Henry Daniell.

Roy Disney.

Minnie Dupree.

John Emerson.

Lynn Farnol.

Jimmie Franklin.

Ben Goetz.

E. W. Hammond.

W. J. Heinemann.

Morris Helprin.

Henry Henington.

A. W. Kohler.

Lou Holtz.

Hal Horne.

Allen Jenkins.

George Kelly.

Alexander Lorda.

Ben Larson.

Mr. and Mrs. A. Lichtman.

Charles E. McCarthy.

A. H. McCausland.

Dr. Herbert Meyer.

J. J. Milstein.

Thomas Mitchell.

Frank Parker.

Louise Platt.

George Raft.

Albertina Rasch.

B. W. Richards.

Hal Roach.

Ann Rosenthal.

Sabu.

Soyros Skouras.

Nate Spingold.

Dwight Taylor.

George E. Trainer.

As Whale.

Sam Wood.

In the good old days, actors went to the races on holidays and Saturdays to bet on a horse now and then and say hello to a lot of people they never met anywhere else. Very few show people were regular patrons. However, owners and jockeys liked to drop around to the stars' dressing-room after the performance and maybe stop in at Receptor's for a late snack. Dave Montgomery, Fred Siemon's old partner, was a great pal of Danny Maher, a great jockey in the early part of the century who went to England to ride for the Prince of Wales. Outside of Tod Sloan, Maher was the most successful American rider to ever invade the United Kingdom.

Robert Hillard, a great star in his day, liked to go to Belmont Park once in a while dressed like they do in France at the Grand Prix—gray topper and all. The most consistent attendant was Vincent Serrano, whose last appearance on the stage was in 'Rio Rita.' His first hit was in Augustus Thomas' 'Arizona.' Vince played 'Tony, the Mexican.' After that he played nearly every part in the play, finally supplanting John Barrymore as Lieut. Denton, the hero of the piece.

Sam Bernard knew all the book-makers but wouldn't bet on a horse unless he was an 'odds on favorite.' Sam Harris and his right-hand man, Jack Welch, were regulars. Sam had a stable of his own. So did George Choo, the vaudeville producer.

Alexander Pantages dabbled a bit around California and had all of his horses named after members of his family. That's where Hollywood probably got the idea. Today the picture stars and the producers are heavily interested financially in most of the tracks in California. Hal Roach is the president of Santa Anita. Bing Crosby, also a big stockholder, owns a track of his own at Del Mar, where Pat O'Brien is one of his partners. David Butler, the picture director, has a fine stable. Bulwark, one of his horses, won a couple of races only recently at Aqueduct. Lou Anger, the old Dutch comic, used to control Agua Caliente, and Jack Warner is the boss of the new Hollywood track out near the Metro studio. Raoul Walsh has his own breeding farm and Dave Selznick and his father-in-law, Louis B. Mayer, also have their racing colors. Al Jolson and George White are old hands at the racket. As a matter of fact, White got the money for his first 'Scandals' by beating the New York bookies out of a chunk. He went sour later, however, and at one time Arnold Rothstein owned quite a bit of one of the 'Scandals.'

All the Hollywood stars are investing in the horse. Pat O'Brien says, 'If you can't get your name on a marquee, get it on a racetrack program.'

Look Mag Eyes Shorts Field for Photo Clips

Hollywood, Sept. 27.

Publishers of Look mag are readying to enter the film shorts field. One of the editors, Bob Hansen, is in town looking over the briefcase business. Plan is to use Look's best photo features for build-up into one-reelers. It's a Paramount releasing tie-up.

ARRIVALS

Elizabeth Rethberg, Rinaldo Zamboni, Constantino Yon, Herbert Jacoby, Werner Bateman, Lillian Gish, Vladimir Golschmann, Irene Wicker, Edwin L. James, Alister Cooke, Serge Koussevitsky, Edward N. Johnson, Mr. and Mrs. Ray Noble, Mrs. Gilbert Miller, Sherman K. Ellis, Mr. and Mrs. Harry C. Adler, Mr. and Mrs. Walter Lippmann, Claus Mann, Harriet Henry, Leopold Sachse, Diana Barrymore, Beniamino Gigli, Ezio Pinza, Salvatore Baccaloni, Malfada Favero, Alessandro Ziliani, Rosalind Russell, Rio Bros., Gaston Palmer, Jean Florian.

N. Y. to L. A.

Brian Aherne.
Pat Casey.
Walter Donaldson.
Matty Fox.
John Goldwyn.
Jed Harris.
Leland Hayward.
Lee Marcus.
James McCallion.
Burgess Meredith.
Jack Robbins.

U. S. URGES CONSENT DECREE

SILENCE NOT GOLDEN

In a business whose very life depends upon consistent and informative publicity, it is an anomaly that major film companies, placed in the unpleasant position as defendants of three major anti-trust actions, one of them a Government prosecution, continue a policy of inarticulation at the moment when industry good will is so important to the outcome of the suits.

The usual legalistic advice to clients in trouble is to tell them to keep their mouths shut until they reach the witness stand. Silence is the time-worn policy, probably on the theory that a few misplaced statements might further embarrass the defendants. Everyone looks wise and says nothing.

There are extenuating circumstances in the situation which the major companies are facing and which demand an airing of the issues, not to the public, but to the trade itself. It should be borne in mind that any serious disturbance of the industry's trade practice structure is not a matter of sole concern to the major companies, but equally vital to the interests of the smallest, independent theatre operator, however remotely situated.

Film business has evolved an intricate and delicately balanced machinery of distribution and exhibition, in the course of which the cooperation of every account necessary to the successful functioning of the system. There is nothing illegal in the ownership of a theatre, or a circuit, by a producer-distributor, but the competitive practices which have developed in some territories have crystallized the necessity for a clarification of trade rules for the protection of the independent theatre man.

No major producer-distributor, or group, possesses sufficient affiliated theatre outlets for a profitable return on its own output. The independent theatre is an essential unit in the film commercial scheme.

It is more than likely if the Department of Justice had deferred its suit, there would be discussions in progress at the present moment towards a settlement of some basic trade problems for the benefit of the independent theatre operator. Plans for such a conference were being made at the time when the Government suit was filed. Industry self-regulation of its own affairs was deferred because of the suit. There is no indication that self-regulation can be attempted while the major companies are defending themselves against conspiracy and restraint of trade charges.

It cannot be denied by the major companies that their present predicament is due chiefly to their own stalling and procrastinating of the self-regulation program. Whether the adoption of vigorous and helpful measures at any time within the past three years would have forestalled the present Government suit is pure conjecture. This much is certain, however. The majors would have the benefit of a better record as part of their present defence. They would have vitiated a considerable amount of independent theatre opposition.

The Government suit is a wet blanket over the film industry. With some picking up of general business this fall, particularly in manufacturing centers, exhibitors were encouraged to contemplate improving their theatre properties and extending their interests. Ample sums of capital are available for this purpose. What is lacking is confidence; the Government's suit has projected uncertainty in the exhibition field.

Denied the advantages of fostering the self-regulation idea, major companies notwithstanding could do much of a constructive nature by clearly reciting—to the trade—their individual policies, both in film licensing and theatre competition. The independent theatre operator should be encouraged to expand his enterprises along conservative lines, which many are quite willing to do, if they have the assurance of continued cooperation from distributors. Silence and a knowing wink are insufficient guarantees.

In a live, throbbing and active industry, a protracted period of inertia, brought about by lawsuits and inevitable appeals, results in widespread uncertainty. There is nothing in the prevailing relations between films and the public to justify any fears of further downward trend in attendance.

But exhibition, unapprised of the consequences of the suits, is adamant to progress. Failure to remove the existing dubious impressions may be more costly to the majors in the long run than a bad verdict.

IMPATIENT NEW DEALERS' STANCE

Col. Bill Donovan and Film Execs Slated to Start Preliminary Huddles with Asst. U. S. Attorney, Prof. Thurman Arnold, in Washington This Week

CRIMINAL SUITS?

Washington, Sept. 27. Negotiations between the film industry and the Federal Government, over stipulations which would lead to a consent decree in the New York anti-trust proceeding, get under way this week, with the Justice Department nearing the end of its patience.

Whether the majors escape a criminal suit, such as the New Dealers brought against the oil industry, hinges largely on the attitude of the film contingent at the conference with Prof. Thurman Arnold, assistant attorney general, and the other Justice Department barristers. Talk occurs Wednesday (tomorrow), with Col. William H. Donovan, commanding the legal battalion, and leading executives of the harassed companies.

Threat of criminal indictments lies behind the Justice Department willingness to talk with the industry crew. So the confab may turn out to be one of the most important—possibly fateful—meetings between the industry and the Government. While reducing the scope of the injunction petition places a terrific burden on the companies, the Justice Department people are nearing the end of their patience and a belligerent, you-can't-do-that-to-me attitude on the part of the major executives and lawyers may be the thing which will provoke a parade of witnesses before a grand jury.

In a Spot
The film industry is considered—particularly by lawyers and Government people who know what went on backstage in the oil case—to be in an extremely hot spot. When the preliminary investigation of trade practices of leading petroleum producers and distributors provided enough ammunition, the Justice Department offered the involved companies a similar chance to play ball and settle everything with a consent decree in a civil proceeding. Instead, the oil people, taking a high-and-mighty position and expecting the New Dealers to be awed by their size and financial importance, blustered and thundered. As a result they found themselves on the receiving end of an indictment which not only led to convictions and fines but cost them immense sums for legal talent, in lost time, and prestige. The same fate may confront the film moguls, if they infuriate the crusading New Dealers.

While Prof. Arnold talks softly and (Continued on page 61)

HAYS HUDDLES CORDELL HULL
Washington, Sept. 27. Will H. Hays slipped into Washington today (Tues.), ostensibly without the local MPDPA office knowing anything about it, to see Secretary of State Cordell Hull concerning unspecified industry matters. Hays saw Secretary Hull but five minutes, leaving the impression the visit could not have been momentous. Though Hays indicated locally that he came down to see Hull on industry matters, and not to discuss the war scare from his in usury's angle, it is believed his chief concern was the Italian situation. He left for New York at 2 p. m.

MPTOA Convensh to Take Showdown Stand on Its Self-Regulation Plan

U Cuts Losses 450G

Universal reduced its losses in the 13 weeks ending July 30 by approximately \$450,000 as compared with a year ago.

Company reported net loss for quarter this year at \$184,963 as against loss of \$627,930 in corresponding 13-week period of preceding fiscal year.

GN Pictures, Inc., Chartered in N. Y.; Hammons in East

Albany, Sept. 27.

Grand National Pictures, Inc., has been chartered here, capital stock \$5,450,000, the largest figure for any theatrical company incorporated at the Secretary of State's office, Albany, in some time. The organization tax and filing fee totaled \$2,765, also one of the biggest recently noted at the Capitol. Stock structure consists of 45,000 shares of preferred, at \$10 par value, and 5,000,000 common at \$1 par value.

Directors, none of whom is listed as a shareholder, comprise E. W. Hammons and Jack H. Skirball, 1501 Broadway, and John R. Munn, 500 Fifth avenue, New York City. Subscribers, each owning one share of stock, are: Charles A. Brooks, 21 Linden street, Great Neck; Robert J. Reed, 137 E. 66th street, New York, and Graham Whitelaw, 6 Maryland road, Maplewood, N. J.

Snider, Duke & Landis, 26 Liberty street, New York City, filing attorneys.

GN Program Set
Earle W. Hammons arrived in New York Monday (26) after amalgamating the Grand National and Educational companies and paying out \$150,000 to appease old GN creditors. Next step is to raise operating capital.

Meanwhile Edward L. Alperson has called two conventions of the companies' domestic exchanges, first in Chicago and second in New York. Pictures on the production schedule, including 44 features, 18 westerns and 44 shorts, will be announced at the Chicago meeting next Saturday (Oct. 1).

SHEEHAN PRODUCING 'FLORIAN' AT METRO

Hollywood, Sept. 27. Winfield Sheehan's 'Florian,' signaling his return to picture production, gets under way at Metro about Oct. 10.

Metro players will be used in the important roles, which include a romantic team, a comic and a horse.

3 N. Y. Legits Go RKO

Hollywood, Sept. 27. Three young players from the New York stage have been signed by RKO for 'The Pure in Mind,' which P. J. Wolfson produces. They are James McCallion, Walter Ward and Charles Powers. Wolfson scouted players while east recently.

Lichtman Heads to N. Y.

Hollywood, Sept. 27. Al Lichtman trained out today (27) for several weeks in New York. Missus accompanied the Metro exec.

Motion Picture Theatre Owners of America at its annual meeting in Oklahoma City Oct. 30 faces a showdown on the organization's 10-point program of trade reforms. Already members of the association are lining up sides to force some sort of a decision.

With a membership of around 6,000 theatres and exhibitors, the question of what shall be done about voluntary trade reform undoubtedly will come before the sessions. MPTOA has been attempting to put its voluntary reform program across for over two years and industry opinion is that the association must go on record in some way regarding this vital movement which it inaugurated.

It now appears that the MPTOA will face three choices: (1) Continue the fight to adopt the 10-point program by again trying to interest film executives; (2) abandon the whole thing and let the industry go ahead operating as it is; or (3) go to Congress and lay all grievances before that body.

If the last-named course is followed, it might produce the spectacle of MPTOA lined up with Allied in trying to force through legislation which both associations might consider necessary for reforming the picture business. Although trying for over two years, not a single point of the 10-point program ever was uniformly agreed on and placed in effect by all eight major companies.

It is possible that if the MPTOA goes to Congress, Allied would concentrate its efforts on seeking theatre divorce legislation. Would concentrate on agriculture states because these are purportedly firmly opposed to chain operations of all types. After knocking off these states, one after another, Allied probably would extend its scope to other states where larger industrial cities are located.

Conv. Extended One Day
Oklahoma City, Sept. 27. General Convention Chairman Morris Loewenstein announces that one more day has been added to the (Continued on page 61)

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MAE WEST MAY DISTRIB VIA UA

Hollywood, Sept. 27. Capitalized at \$5,000,000, Mae West Empire Pictures, Inc. was approved in Sacramento with the directors listed as Miss West, Louis Lurie, Ralph Pincus and James Timony. With a bankroll furnished by Lurie and two other San Francisco capitalists, the new company starts production on the first of four pictures early in December for release in 1939.

'Catharine the Great,' starring Miss West, is the first on the program. It is written by herself. She will star in one more and supervise the production of the other two. Dicker is on for United Artists release.

Spingold, Capra East

Hollywood, Sept. 27. Nate Spingold and Frank Capra trained east today (Tuesday). Last minute conferences with Harry Cohn at Columbia prevented the scheduled departure last Saturday.

LUBITSCH WANTS MISS GAYNOR FOR HAAS ROLE

Hollywood, Sept. 27. Dolly Haas, who was skedded for the femme lead in Ernst Lubitsch's 'Shop Around the Corner,' is out and the producer is attempting to get Janet Gaynor for the part. Vienna actress was at Columbia for a year, at \$1,250 a week without making a picture.

Lubitsch moved into Selznick-International studio yesterday (Mon.) to start preparations for 'Corner,' first production of his new unit in association with Myron Selznick.

Henry Henigson is en route to New York to arrange for a releasing outlet.

Switch Pix on Henie

Hollywood, Sept. 27. Sonja Henie's next picture is 'Love Interest' instead of 'Castles in Norway,' as originally planned. Switch was announced after a huddle between the skater and Darryl Zanuck at 20th-Fox. Shooting starts early in January.

Miss Henie opens her skating tour, in Dallas the first week in November and travels east and north for about six weeks.

PAR IN N. E. AND JOE SEIDER ON LONG ISLAND HARDEST HIT BY HURRICANE

Eastern Cloudburst Denting Both Theatre Outfits Up to \$200,000 Each—Heavy Damage in New England to Other Theatre Operators

Damage to theatres caused by the eastern-New England hurricane will run high based on checkup so far obtainable, this not excluding the loss of playing time, never to be recovered, but some circuits and individual operators got off luckily, whether covered by insurance or not. Many were not covered by any kind of insurance that was valuable in this case while some of the operators were covered mostly, but not completely.

Of the major chains affected, Paramount bears the brunt of the damage inflicted by the big blow and flooding, while among the independents, Joseph M. Seider and associates in the Prudential circuit on Long Island, are by far the heaviest sufferers.

Y. Frank Freeman, vice president of Paramount, estimates that the damage to Par theatres and those of its partners will run from \$150,000 to \$200,000. Seider, whose circuit of around 35 theatres blankets most of Long Island, fears his loss finally may add to \$200,000, also. No other operators came within miles of taking such a licking by the storm.

Whereas RKO was forced to close only one house, Warner Bros. only four and Loew's but three, a total of as many as 30 Par directly-owned or affiliated theatres were shuttered. In many cases lack of power, a state of martial law or flooded basements and auditoriums forced closings rather than physical damages from the storm. A few houses are still shut down, including in Providence where Ed Fay (Indie) was hardest hit, New London, Springfield, Pawtucket, Norwich and some lesser towns, but generally operations are being rapidly restored, it is reported.

Complete Destroyal

The greatest loss to any single theatre was the complete destruction of Seider's Greenport (L. I.) house, loss being estimated on that alone as from \$65,000 to \$75,000. Seider had no insurance covering hurricanes and in addition to Greenport, he was struck hard in Easthampton, Southampton, Center Moriches, Westhampton and Patchogue. The stage of his theatre in Easthampton was completely blown away. Seider states he will rebuild immediately in Greenport, with John Ebersohn already retained to draw plans for a new 800-seater. The H. Schwartz circuit and other operators on Long Island who are not out so far on the island, suffered only slight damages. At the Schwartz (Century Theatres) office it was said that the circuit had to close seven theatres the night of the hurricane but were able to reopen all within 24 hours. The RKO house at Far Rockaway, seemingly a very vulnerable point, was not affected. RKO also escaped in Boston and Lowell but was considerably damaged and forced to shutter in Providence. However, the Albee there was reopened within 48 hours.

No theatre operators or employees were known to have been killed or seriously injured by the storm and flooding, but in Montpelier, Vt., a falling tree and chimney injured a Paramount patron. Seider was fortunate in that his management at Greenport, L. I., was able to get everyone out of the theatre there without injury before it fell apart.

Few Injuries

Par is covered by insurance for the two patrons hurt in Montpelier. The company is also covered on everything else but flood damage, which it is believed was slight. In the opinion of Henry Anderson, in charge of the insurance department in Paramount, it is a tribute to the theatres of the area affected, as well as management, that personal injury to employees and patrons was nil. Because of superior construction, there being slight structural damage, theatres were proved to be much safer than homes and many other buildings, he says.

Recently the insurance companies offered supplemental coverage taking in a lot of miscellaneous items, including damage from windstorm. This embraced a variety of causes

which could affect a theatre, and since it did not cost much, according to Anderson, Par took it in connection with its fire insurance. Anderson himself was caught in the storm near Westerly, R. I., but escaped any injury or damage. He was trying to get into Westerly by car when stymied.

Par Most Affected

Par operates in all the New England states but Connecticut, and was affected in all, including Rhode Island, the Goldstein Bros. chain, Mullin & Pinanski group and the Maine & New Hampshire Theatres Co. Though no theatres were severely damaged in Boston, Par's Fenway there and the Oriental were reported most hurt. Both RKO and Loew's escaped but for very minor items. Reported there that the roof of the Ritz hotel was blown off. Ritz was to have closed Oct. 1, anyway, so it's not being rebuilt in any great hurry. A vaudeville show had to be cancelled in New Haven, while in some other spots attractions had to be diverted or set back.

For both RKO and Loew's, though theatre damage was comparatively slight, interruption of operations in Greater New York Wednesday night (21) affected both materially as lights in theatres on A.C. current failed. At the Fordham (RKO), Sol Schwartz, manager, was putting on an amateur show when things started going black. Partly with a view to avoiding panic, with show ready to go on, he had the exit doors thrown open and hired taxis quickly to drive up so that their headlights could be shown into the theatre. As a result, only a few refunds were necessary here. Three Loew houses forced to shutter in New England were Providence, Hartford and Springfield, last two due to lack of power. RKO suffered slight damage in both New Haven and Bridgeport. Warners also suffered in New Haven, Hartford and Norwich, Conn.

Flooded Basements Mostly

Much of the damage resulting to Par, RKO, WB, Loew's and indies, aside from flooded basements and auditoriums or lack of power, was in broken skylights, windows, damaged marquees, box offices, store fronts, lobby material, signs and the like.

On top of the physical damages inflicted, the loss to shuttered theatres, Par again suffering much heavier than others, was in loss of playdates and the estimated gross that would have been done under normal conditions were houses open. In many cases it was difficult to effect film delivery with houses remaining open or those reopening, but in no instance did film exchanges feel anything but slightest injury. Exchange points in the path of the storm, outside of New York city, were New Haven and Boston. Storm didn't reach to Portland, another branch point.

Hartford's Spot

Hartford, Sept. 27.

The State, situated in the lowland east side of this city, was forced to shutter Wednesday (21) when rising waters from rapidly rising Connecticut River inundated the dressing rooms and theatre, rising to a height of 38 inches over the top of the stage. Three thousand of the 4,200 seats in the house were moved to the lobby before the waters could reach them. The Chick Webb orch., playing at the house for the week, was sent back to New York. A three-day date for Anton Scibilia's 'Hawaiian Nights', skedded for the first three days of this week, was cancelled.

The theatre will reopen Wednesday (28) with a special midnight show for the relief of flood sufferers of the eastside and open for business Thursday (29) with Paul Whiteman. Damage to the house was slight.

Power failure in the city Friday (23) shuttered the New Palace, the Allyn and E. M. Loew's theatres for the day. They were able to reopen Friday through the use of emergency circuits. With waters from the Park River, in the center of the city, lapping within a few inches of

its stage, Loew's Poli was able to remain open through the continued use of pumps. Power failure failed to close the house due to its ability to immediately convert to an emergency electric circuit.

Providence Hit Hard

Providence, Sept. 27.

Damage by flood waters to Providence's first-run houses, which are all situated in the most seriously stricken area, has been unofficially set at more than \$100,000.

The recently redecorated Fay's theatre and adjoining Strand were the most seriously hit. Others in the stricken area were the RKO Albee, the Carlton, Loew's State and the Majestic. The second-run Empire suffered damage to the extent of \$20,000.

Lack of electric power is all that is keeping the Majestic and Albee from reopening. Four hundred new seats are being installed at Loew's State. Danger of fire has kept authorities from resuming electric power in the downtown section.

Negotiations are being made by Ed Reed of the Strand to take over the Metropolitan, a house on the other side flood area, until necessary repairs are made to the Strand.

Little disorder was faced at the height of the storm when the managements of the various houses notified patrons of the danger. Several of the houses allowed the stranded theatregoers to remain in the houses all night. All theatres in the stricken area have been dark since Wednesday (21) at 5:15 p.m., when the power was shut off. Present reports indicate that service may be resumed by Wednesday (28). Full reports concerning extent of damage are still unavailable.

Freddie Storm-Tossed

Hollywood, Sept. 27.

Storm on the Atlantic coast caused a rearrangement of Freddie Bartholomew's p.a. tour. Under the new schedule he opens at Loew's State, N. Y., Oct. 13, instead of Providence.

Other dates are: Earle, Philadelphia, Oct. 21; Stanley, Pittsburgh, Oct. 28, and Providence, Nov. 4.

Fears for the safety of James Cagney, whose farm on Martha's Vineyard was in the path of last week's hurricane, were set at rest over the weekend when he was reported unharmed. His farm was damaged, however. Communications with the island were impossible during the storm.

Hoblitzelle Back

Karl Hoblitzelle returned Monday night (26) from Europe and will confer with Y. Frank Freeman and other Paramount h.o. execs before showing off for Dallas. Bob O'Donnell, his associate, and John Moroney, Interstate counsel, came up to meet Hoblitzelle.

Also on for h.o. confabs is Abe Blank, Midwest Par partner, and his g.m., Ralph Branton. Latter arrived yesterday (Tues.). Blank coming on ahead of him.

George Walsh, upstate N. Y. operator for Par, checked in Monday (26) on one of his frequent trips to headquarters.

Nathanson of Canada Wants to Make Korda (UA) Give Him 'Drums' for Can.

London, Sept. 27.

N. L. Nathanson is so hot after 'Drums,' Alexander Korda's latest film, that he is willing to go to court to attain control of that film in Canada. The picture man served a writ on London Films (Korda) on Friday (23) to get the film. It all hinges on whether Nathanson can make good his claim that, since the picture was started in September, 1937, it belongs to him under an original five-year deal with London Films, for Canada, which expired in October, 1937. Under that deal it was expressly said that Nathanson was to get all of the LF (Korda) output

Radio Casting Bureau Sells Juve to Cinema

CBS Artists Bureau has set Charles Powers, radio and legit juve, with RKO Pictures for a part in the latter's forthcoming 'The Pure in Mind' which rolls Oct. 15.

In addition to radio, Charles Powers has had parts in stage productions of 'Dodsworth,' 'Tell Me Pretty Maiden,' 'Bright Honor,' and 'Little Ol' Boy.' He leaves for the Coast next week.

AUG. 10% TAXES 3D SMALLEST THIS YEAR

Washington, Sept. 27.

Summer slump sent U. S. Treasury's grab from 10% admissions tax down nearly \$200,000 in August and put year's collections to date back nearly to 1936 levels. Take was the third smallest this year and below any month of 1937.

Reflecting further decline in July box office receipts, the Federal slice of the amusement outlay was only \$1,425,062. This was \$174,180 under the figure for the corresponding month of 1937 and \$193,751 smaller than payments on June admissions. Fifth month-to-month drop during 1938, while the dip in comparison with 1937 was the second sharpest.

Eight-month total was \$12,390,634, which is \$461,708 below the 1937 figure but still \$1,200,738 better than the 1936 pace.

Newsreels Kept On The Jump Covering The Flood Regions

Hurricane and high water near New York kept the five newsreel companies operating at top speed last week, story growing after about 4 p.m., Wednesday (21), until by late Thursday newsreel editors realized that it was a national disaster. Nearly all reels specialized the story before the week was over as photographic stories poured in from Long Island and New England states while death and damage toll grew.

Because newsreels turn out their midweek issue on Wednesday, few were prepared for such a sweeping story right at their doorsteps. Paramount gambled on the hurricane storm warnings and left space in regular issue so that storm footage could be added, not realizing at the time (Wednesday afternoon) of terrific story that was about to break.

All reels had camera crews grabbing sights in and about New York Wednesday as the rain continued and wind velocity increased. By Thursday they were out in airplanes grabbing footage of damage on Long Island and up to New England coast, arriving over New London in time to obtain aerial pictures of big blaze there while it still was smouldering.

Universal's cameraman was on the job Wednesday night at New London securing night views of same conflagration. 'March of Time' crews grabbed comprehensive views from land of damage at Westhampton, where virtually all reels secured their best footage from the air.

Different reels rushed hurricane flood footage out by air express.

Comparatively Small Losses To Fire Is. Showfolk

The showpeople's summer playground at Ocean Beach, Fire Island, suffered comparatively small damage against the other villages on Fire Island, N. Y., during the hurricane and tidal wave of last week.

The house on Ocean Beach Walk (On the ocean front) in which the late George Gershwin, his brother, Ira, and Moss Hart lived in a few summers ago was entirely demolished. So was the house that Arthur Kober had that season. A little further down the ocean front the home of Herman Shumlin wasn't damaged at all.

Gene Fowler's home at Sea View had a few panes of glass broken. Joe Laurie, Jr.'s place, which is only a few doors from the Gershwin home, had some shingles blown off the roof, part of the foundation carried away and part of the back porch broken up. Fanny Brice's house on the Bay Front suffered no damage at all.

Eye-witnesses claim that a terrific tidal wave swept the dunes away in a few spots and caused more damage than the hurricane did. In all there were only five houses entirely demolished and a dozen more suffered repairable damages.

Saltair, a Village a few miles from Ocean Beach (Roxby had a home here some years ago) was almost entirely wiped out. Fair Harbor, State Park (Rotary Club's Camp Cheerful for Crippled Kids was located here), Loneyville, and Kismet Park were also wiped out. The Great South Bay had many houses, telegraph poles and huge logs drifting on it which made rescue work by boats very dangerous. Loss of life totaled six persons, but none at Ocean Beach.

The city fathers at Ocean Beach are already building new dunes under the supervision of an army engineer. It is not believed that Salt Air, Kismet Park, Loneyville, Fair Harbor and State Park will be rebuilt.

Ocean Beach was first pegged as a spot for actors and writers by Gene Fowler, Joe Laurie, Jr., Fanny Brice and Tom McMorris, satellite post author. Lately, radio artists and writers have spent their summers there, mostly renters. Fowler, Laurie and Tom McMorris are the only home-owners of the professional gang.

Fanny Brice, Beatrice Lillie, Jimmy Durante, George Jessel, Lillian Hellman, Arthur Kober, Jay Brennan, Roger Davis, Lou Holtz, Billy Rose, Herman Shumlin, Moss Hart, late George and Ira Gershwin, Dixie Hamilton, Clark and Bergman, Lou Handman and Florrie LaVere, Milton Cross, Frances Langford, Willard Keefe, George Gould, playwright; Mr. and Mrs. Gabrielson, radio writers and actors; Tiff Pastorfeld, Theatre Guild; Vy Guinness, N. Y. Mirror art director; Jerry Doyle, cartoonist; George Fayko, Jr., illustrator; Billy Dunham, Grace O'Malley, Valaska Suratt, Helen Dumas, radio; Jed Harris, Tom McNamara, Archie and Jerry Gottler, and Charlie O'Connor have been tenants on Fire Island, off and on. Also E. C. Mills of ASCAP.

The Island has been under semi-martial law, by state troopers, deputy marshals and coast guards. There was a little looting the first few days, but it has been stopped.

Farrell Tops Again

Hollywood, Sept. 27.

Charles Farrell, former star making a comeback, gets the male lead opposite Alice Faye in 'Tailspin' at 20th-Fox.

Farrell once co-starred on the same lot with Janet Gaynor.

Destry's Playback

Hollywood, Sept. 27.

James Stewart stars in 'Destry Rides Again,' to be produced by Joe Pasternak at Universal with a top budget. Story by Max Brand was used as a Tom Mix starer several years ago.

Assignment of Stewart is part of a triple loanout deal with Metro, involving Robert Montgomery and Robert Young.

PRODUCER-ACTOR ACCORD

Recovery in Picture Grosses

Held 'Gratifying' Though Biz Is Averaging 5-7% Behind Last Yr.

While not as appreciable as maintained in some quarters, the recovery in grosses since August has been far more gratifying than business rehabilitation in many other industries, in spite of figures that show boxoffice receipts are averaging from 5-7% behind last year at the same time. This does not stack up as an alarming decline, however, since August and September in 1937 were averaging high prior to the sharp slide which set in around Oct. 1 and brought gross levels away down for the rest of the year and most of 1938.

From Oct. 1 last year until around July 15 this summer, the levels were dangerously low but, with the arrival of August and several good h.o. pictures, strong upturn, aside from the usual seasonal upswing, was noted. One of the larger major circuits actually had one day in August on which the whole chain grossed more than the identical same day (a weekday) did in 1937.

While some territories are better than others, and business on certain days will match or come close to that shown for the same days in '37, the trend is not so steady with, with the ups and downs, brings the average to from 5-7% below last year for August and September. Although optimism more generally prevails than pessimism in viewing the boxoffice situation, and releases hit a good average in August and this month, those scheduled for October are judged by operators, buyers, etc., as somewhat thin. The month of November looks much better as to pictures on paper but there is no certainty at this time that all film now scheduled for availability will be released during November.

The Greater Movie campaign, though criticized by operators in certain connections, is felt to be helping to some extent now not figurative. Though a good picture needs no 'movie quiz' buildup, it is believed some of the lesser product is being benefited in spite of most operating opinion that nothing can save a really bad picture, as proved too often in the past. Some theatre men feel that some of the 'Greater Movie' advertising has not been so good and, also, that more should have been spent on the air and in other ways than in dailies since exhibitors all have to use the latter anyway for their shows.

The gross averages for the whole country are held down most seriously by the Chicago, midwest, northwestern and Michigan territories. New England has recovered somewhat during the past year but suffers a temporary setback as result of the hurricane last week.

Par OK in N.W.

Minneapolis, Sept. 27. For the first time in 1938 business in Paramount circuit theatres in this territory is running ahead of the corresponding period a year ago, according to John J. Friedl, general manager of the chain. The upturn started nearly two months ago and has been especially marked in Minneapolis and St. Paul.

Factors entering into the situation, Friedl believes, are the exceptionally strong film product being released, the sudden public appetite for flesh-and-blood entertainment, particularly name bands; improved sentiment and optimism regarding the fall and winter general business outlook and increased employment that have made the public more disposed to spend for entertainment and the 'Motion Pictures' Biggest Year' campaign.

As a result of the spurt, Friedl has reopened a number of theatres that have been dark during the past summer, including two local neighborhood houses, the Granada and American.

'Keep on giving us the pictures, and I believe business will hold up,' says Friedl.

Royal Fan

Hollywood, Sept. 27. Egypt's No. 1 film fan, King Farouk I, gets his autographs by royal command.

Answering a cable from L. Lober, Metro branch manager at Alexandria, the studio shipped a load of portraits, signed by stars, to decorate the palace of the Pharaohs.

CANTOR STAYS WEST TO PREP RKO, M-G PIX

Hollywood, Sept. 27. Eddie Cantor signed to make two pictures within the next year, the first for RKO and the second for Metro. Deals were made by Abe Lastfogel, of the William Morris agency, representing Cantor. RKO picture goes into production within five months and Metro film starts within 12 months. Cantor gets a flat sum and percentage of gross from RKO; a flat sum only from Metro.

Necessity to prepare on both pix kills the idea of his coming east to tee off his new radio program.

Cantor is figuring on a tour of South Africa at the completion of his picture deals to raise \$250,000 for refugee relief. Fund would be underwritten by 10 wealthy South African business men.

Fonda, Nancy Kelly Suffer Minor Hurts On 'Jesse' Location

St. Louis, Sept. 27.

Henry Fonda and Nancy Kelly of the 20th Century-Fox 'Jesse James' cast were injured slightly last week during the filming of scenes near Pineville, Mo. Fonda, who plays the role of Jesse's brother, Frank, accidentally shot himself in the right leg when an old fashioned gun was accidentally discharged. Fonda, on horseback, was dashing down a Pineville street when the weapon exploded. First aid treatment was given for powder burns and bruises and he resumed work on a scene in which he is wounded, captured by a posse and tossed into the backwoods' hoghouse.

Heavy Civil War clothing, consisting of a heavy dress and a flock of petticoats saved Miss Kelly from serious injury when she was thrown from a horse and into a barbed-wire fence. She was portraying James' wife when the stirrup broke, tossing her into the fence. The heavy clothing worn prevented suffering more than a few minor scratches and a severe shaking-up.

Fonda and Miss Kelly are the second and third of the cast to be injured during the locale filming which Director Henry King said is rapidly nearing completion. Several weeks ago Lon Chaney, Jr., was unhorsed and the equine, following, ran over him. His injuries were not of sufficient seriousness to delay his work-in the picture.

The Ozark mountain region continues to be a magnet for the curious and large crowds appear as each scene is rehearsed and filmed. Every other activity in the area is secondary while the screen players are going through their paces.

SCHEENCK HAILS SAG SIGNATURING

Solution of Many Actor-Studio Problems Seen—Goes Into Effect Nov. 1—Recognizes SAG on Compensation, Overtime, Arbitration, Other Aspects

THE EXTRAS PROBLEM

Hollywood, Sept. 27. Satisfactory solution of large proportion actor-producer problems and ratification of an agreement, auguring harmonious settlement of all major questions affecting actors and studios during the next eight years was announced Monday (26) by Joseph M. Schenck, president of the Producers Association. Statement by Schenck came at conclusion of the producers' meeting at which terms of a new agreement were signed by those attending.

Schenck's statement covered the following phases of agreement with the Screen Actors Guild: methods of compensation, hours and working conditions of players and extras, and arbitration machinery for peaceful settlement of all disputes, present and future.

Approximately 1,200 members of the Senior Guild and 10,000 members of the Junior Guild are involved. Subject to necessary ratification, agreement becomes effective Nov. 1, 1938.

Frank recognition of each other's problems and mutual willingness to make concessions for the benefit of all, made possible this constructive achievement.

Extras

An important part of the agreement is expressed in the determination of the Guild and Producers to find a fair and early solution of the extras problem. Both sides realize the need for immediate and sympathetic investigation into all phases of the situation and will seek facts, in light of economic necessity and condition of extra players, and the industry.

In addition to the general arbitration policy, agreement specifically provides:

The Platform

1. Appointment by Nov. 1 of a standing committee of three members. One member to be selected by the Guild, second by Producers, and third chosen jointly by the other two. This committee will have broad powers and scope, and will handle all (Continued on page 21)

WB's Bond Conversions Apace Despite Dullness

Warner Bros. bond conversion program continued to go on successfully last week despite laggard stock and bond markets. Figures supplied by the N. Y. stock exchange showed that \$98,000 worth of certificates of deposit for new liens were taken up by holders of the present 6% obligations. Only \$12,097,000 worth of old bonds remain to be converted, with \$17,303,000 worth of new liens spoken for.

Other changes showed that Paramount common shares listed now totalled 2,454,380.

Nine in Gear at WB

Hollywood, Sept. 27. Nine features, several of which are high-budget specials for 1938-39 release, are lined up for a start during October at Warners.

Shooting dates are: Oct. 3, 'Oklahoma Kid'; Oct. 4, 'Dark Victory'; Oct. 10, 'Dodge City'; 'Words and Music,' second Jane Arden feature; and second Secret Service; Oct. 17, 'Hell's Kitchen'; and second Nancy Drew feature; Oct. 24, 'Juarez.'

Guild Stands Pat Despite Plans To Reconcile H'wood and B'way; No Need for More Coin in Legit

Morgan on Pact

Hollywood, Sept. 27. Ralph Morgan, recently elected president of the SAG, declares that under the new agreement Guild members are accorded concrete and definite advantages heretofore denied them.

Contract provides many advantages for all types of players, Morgan states, admitting concessions were made by both sides.

Despite recent maneuvers to heal the breach between Broadway and Hollywood, there is little indication that the studios will soon resume the financing of legit production. Any such resumption depends on one of two developments: either revision of the Dramatists Guild minimum basic agreement or abandonment by the film companies of their stand against bankrolling legit under prevailing conditions. Neither of those changes seems likely to take place for some time.

Granted that the picture companies would like to re-enter the legit-financing field and that the Broadway managers want them back, these elements are of little consequence compared to the Dramatists Guild. Latter drew up the minimum basic agreement, forced its adoption by the Broadway managers over the protest of Hollywood, and has shown every evidence of satisfaction with the way the agreement has worked out and determination to maintain it as it stands.

Latest move to bring about a reconciliation between Broadway and the picture business was planned for the recent American Theatre Council convention at the Astor hotel, N. Y. Herbert Bayard Swope, as an impartial arbiter with connections in both legit and film circles, was to have addressed the delegates with a scheme for fixing conditions to bring about the return of film coin to Broadway. However, he failed to appear and instead wrote a letter outlining his views. It was not read before the convention, but was received by the executive committee. No further action has come of it.

Guild's Stymie

As long as the Dramatists Guild stands opposed to any revisions in the minimum basic agreement, it is difficult to see how conditions can be made acceptable for studio re-entry into legit financing. Guild members in general feel that the old agreement gave too big an edge to investors in Broadway productions. They claim that under the old setup, studios bankrolling plays had what amounted to an advance option on the screen rights to such shows. They could exercise such options virtually on their own terms, it was claimed, since through their backing of the producer they controlled the sale besides holding a 25% edge in all bids against competing purchasers. Guild believes an investor is entitled to some edge in purchasing subsidiary rights, but not 25%. The present agreement gives him a 20% advantage.

According to the dramatist view, studios can invest in legit under just as favorable terms as anyone else. That is, if the show is a hit they are in for 50% of the producer's profit (that figure taken as an average, since the terms naturally vary in different deals) and may reasonably expect to get back their original investment plus a handsome profit. But if the show flops, the chances of recovering the original investment through a picture sale are slim in any case, since few flops are bought by Hollywood.

As for the studio claims of wanting to use legit as a test tube for talent and story material, the authors declare nothing in the present basic agreement affects that one way or the other. Only the control of film buys and the percentage of the purchase price is changed, it's pointed out.

One of the angles of the recent plan to bring about a reconciliation between legit and Hollywood was the reported willingness of a film executive (Samuel Goldwyn's name was mentioned) to invest \$2,000,000 in Broadway production, if the minimum basic agreement were revised. Guild members were inclined to view that suggestion askance on the (Continued on page 10)

ROCKEFELLERS HASTENING RKO REORG

Rockefellers are on top of the RKO situation, and every effort is being made by them to coordinate creditor action to hasten RKO's emergence from 77b.

Floyd Odium and David Sarnoff (RCA) have talked, since Sarnoff's return from abroad, and presumably each knows where the other stands. What progress might have been made regarding Odium's once proposed takeover of RCA's equity in RKO, in its entirety, by the limited option route, is not known.

Whether Leo Spitz stays, after reorganization, is entirely up to him. Creditors are again trying to persuade him to continue. Last time, he agreed to stay until reorganization. It's known that Spitz has a desire to return to his law practice in Chicago. He took the RKO post of president at the insistence of friends who had large investments in the firm, and who sought his help in righting the RKO situation.

Under Spitz's guidance, RKO is now definitely on the profit side, after writing down some extremely heavy obligations and liquidating heavy banker assignments.

Prominent in present talk regarding RKO are such names as Ned Depinet, M. H. Aylesworth and A. H. McCausland, agent of the Irving Trust Co., trustee of RKO. Also Peter Rathvon, associate of Odium. Sarnoff has had talks with certain of these, according to accounts, regarding management and the future board setup of RKO.

Understood also that Geo. J. Schaefer's name has been mentioned in the RKO situation, and that he has not yet signed his new contract with United Artists.

Berlin-Feldman Still Trying to Settle; 'Alex' Opens in London 30th

London, Sept. 27.

Nothing has been settled between Irving Berlin and Bert Feldman despite the fact that 'Alexander's Ragtime Band' is due to open at the Regal Sept. 30. Song publisher Feldman claims 12 numbers in the picture and lawyers for both sides are endeavoring to secure a settlement before the London premiere.

Understood that Berlin claims Feldman's rights were cancelled years ago through nonpayment of royalties on sales. Also that Feldman alleges payments were made to Henry Waterson, Berlin's former partner in the publishing business.

H'wood Comes Through Legion Conv. Unscathed; Vets on Good Behavior

Hollywood, Sept. 27.
Hollywood came through the American Legion convention without a scar.

The pic colony, as well as virtually every spot in the county, had a dread as to how the Legion boys would ravish the town. But no such thing happened and the 200,000 attendance the Legion brought here left around \$22,500,000 during their four-day stay.

Studios had themselves heavily fortified in case of trouble. But there was none. Seems as though the Legionnaires had a dread of Hollywood. They felt the folks out in the picture village, some seven miles distant from their convention base, were out to clip them. They thought prices for commodities would be out of their reach.

Result was that the boys steered clear of Hollywood almost entirely day and night. Biggest group to hit Hollywood was on Monday (19) when some 45,000 of the Legion headed for the Warner plant at Burbank, but did no more than to stop at Hollywood street corners for directions to get to the studio. Warners gave them a great time but a yen to visit any more studios during balance of the week did not manifest itself. Other studios also entertained, but only the select. Everyone went out to get dignitaries to luncheons, staged especially by the producers who espoused the cause of Americanism and downed every other item.

Thursday night was the big night for the Legionnaires and the picture folks. About 60,000 turned out at the Coliseum to witness a pageant and motion picture welcome. Stars galore turned out with Eddie Cantor, Bob Hope and Jack Benny emceeding the proceedings.

It was finest show of its kind here and all the visitors were satisfied.

Just Not H'wood's Day

Strange, however, as Hollywood is always accustomed to get plenty of space for what it does in convention entertaining, the daily papers here virtually ignored it, outside of the heavy play given by the Legionnaires in mass. Other studios sent out plenty of text and art but the downtown boys just sloughed it off. Even the Thursday gala picture contribution at the Coliseum got slight recognition in the dailies. That old stuff of posing stars and important exs with the conventioners did not work as far as art was concerned in the dailies; they just went convention proper, and ignored any attempts at film tie-ins.

Convention did the theatres no good, either. Plenty went around to get a look at Grauman's Chinese and Carthay Circle, but seems that with the heat wave on they preferred to remain outdoors than to see anything cinematic. Paramount theatre counted rather heavily on fact it had 'Sons of Legions' a Legionnaire pic on screen and Martha Raye heading stage show with plenty of picture people appearing at each performance to get them in. But trade less than fair, with the alibi that, had the picture gone on without the studio ballyhoo, the take would have been pathetic.

Went for Dog Races
Boys went pretty strong for the dog races at Culver City during the week where the pari-mutuel machines are used. Then, too, they had lot of special free events for their benefit, such as affairs at Hollywood Bowl, prize fights, etc., and they did not hesitate to attend. Those who stayed over got a load of night football, too, seeing UCLA beat Iowa on Friday (23).

Women's Auxiliary and women veterans, of course, were taken up socially, too. All the studios had stars entertain them at tea, luncheons, etc., with the only big art break given the Marion Davies party at her beach home in the two Hearst papers day after.

Vets on Good Behavior

Those Hollywood cafes and restaurants, which were so scared the boys were going to misbehave, got the cold shoulder plenty. Many of the places said they did not get a single conventioneer, while others claimed that most they got on a single night did not total 50. Only places in Hollywood to enjoy some biz were the bars at the Brown Derby, Levy's, the Cafe Sardi's. Those who went into the barrooms were there either for steady imbibing

or see what Hollywood looked like. Boys just did not stir things up.

The surethings gambling joints that opened to give the boys a fast cleaning got nowhere. After Sunday night every one of them in the Hollywood area was out of biz, as well as those downtown. It was not the local police, but the Legion's own Provost Guard that stopped them at the start. The local police had general order not to arrest any Legionnaires, unless ordered by the Provost. However, latter had things in hand when called anywhere and, according to records here, not a vet reached the housegoon.

Downtown is where the boys shone and carried on their pranks. Almost all the pranking was outdoors and none of the hotels or cafes reported any serious damage done. Boys set a couple of bonfires on main downtown thoroughfares, one over a gas main which injured a few. They stopped trolley cars by pulling the pole, stopped traffic in general with their band and bugle corps concerts, put their rubber stamp okay on the gals, paraded them along the street, but in general behaved, much to the surprise of this town. They started leaving on Wednesday (21) and by Saturday (24) town was virtually clear of them.

Go-By for Swank Inns

Swank hotels did not get the capacity play they figured. Most of boys figured \$2 or \$3 a night was enough as a bunking fee, so the moderate price hotels got the trade. One of the hotels on account of heat, had 400 cots on its roof at \$3 a night, with boys asking other hotels to do same.

Hotels were protected against damage by the visiting hordes as Legion carries \$100,000 insurance against deprecations by its members. Hotelmen's Assn. forced that on war vet organization several years ago before they would chip in. Motor camps also got big play from those who came on by auto.

However, the locals claim that the convention spoiled biz for them, keeping the home spenders out of downtown shops and stores. Legion group, however, infested these places and there was hardly a buddy who left for home who did not load himself down with Los Angeles and Hollywood souvenirs.

Town is normal again after housing one of the biggest conventions in history, and can say to New York, 'We knew how to handle them, you didn't' because the boys behaved as nicely as they did on dress parade in the army. That's something for Chicago to hope for next year.

ELLEN DREW'S 3½ YR. SON EXCITES PHILLY

Philadelphia, Sept. 27.

Faux-pas was pulled here last week by Ellen Drew, femme star of 'Sing Your Sinners', whom Paramount is building up. Gai was near Philly visiting relatives so local Par office decided to throw a luncheon for her and invite the press.

Interviewers got busy on her at once and, as Par's press rep, who was shot over from New York, hadn't arrived yet, she told the boys everything, principally that she was happily married and the mother of a 3½-year-old son. When p.a. finally did arrive on the scene, attempt was made to put a hush-hush on the hitherto unrevealed personal life of Miss Drew.

But it was too late, all the papers used it. The Ledger's Harry Murdoch wrote, 'Although her press agents didn't seem to want to have it known, Miss Drew has a 3½-year-old son.'

Riley Working on New Play; Dickers with 20th

Pittsburgh, Sept. 27.
Lawrence Riley, author of 'Personal Appearance', has been spending entire summer at his home in nearby Warren, Pa., working on a new untitled play. Brock Pemberton is said to be interested. Work, however, isn't 'Cardboard Castle', which Pemberton announced for production two seasons ago. Riley has permanently shelved that one. Playwright was writing 'WE' in August, but several months ago. Now dickering with 20th-Fox on a long-term.

Can't Keep Us Out

Hollywood, Sept. 27.
Paramount was the lone studio to crash the American Legion parade with a picture plug. Legion officials had barred all commercials, but the studio got around the tabu by organizing the Paramount Post and parading under that banner.
Its auxiliary, Sons of the Legion, consisting of a dozen youngsters, marched to plug the picture of that name.

F.T.C. CURBS AD SCREEN OUTFIT

Washington, Sept. 27.

Sales scheme which involves claims of theatre tieups will be modified to prevent duping prospective purchasers of advertising matter handled by Robert Hartman, of Chicago, under a stipulation with the Federal Trade Commission. Promoter has been operating under tag of International Enterprises.

According to the agreement, Hartman sold certain booklets, partly by claiming that subscribers will benefit from ballyhoo in trailers to be shown in neighborhood houses. Promised that the reels would be exhibited in time to take advantage of seasonal conditions. In reality, the names of the purchasers were not included in the film but were flashed on screens via projection machine slides.

Hartman formerly traded as Theatre Merchandising Service and as American Enterprises, Inc.

4 REEL SPOTS TEST BROADWAY COLUMN

The four Translux theatres in New York are starting an experiment this week with a specially edited Broadway column, to lighten up the spot news flashes which United Press supplies. Hy Gardner, columnist on the Brooklyn Eagle, has been signed to specially edit the UP news bulletins, along with his Broadwayiana, and trick it up for usage thrice weekly in the Transluxes.

Depending on the reception within the next month, the other Translux theatres nationally may follow suit.

The 72d St. newsreel, fourth house in the Newsreel Theatres (Embassy) circuit, is scheduled to open tomorrow (Thursday) night at 72d and Broadway, New York. Theatre is situated in new taxpayer type of building and will operate the same policy and same prices as Embassy.

Embassy newsreel theatre group already is operating newsreel type of houses in Newark, Bronx and Broadway.

F. P.-CAN. REFINANCING

Reduction in Interest Requirements
Is the Aim of Par's Affiliate

Toronto, Sept. 27.

Refinancing to provide for a reduction in interest requirements is reported being sought by Famous Players-Canadian. The matter was discussed at the board of directors meeting held here a week back, with Barney Balaban, Y. Frank Freeman and Neil F. Agnew, Paramount home office officials, in attendance. They came up for the directors' get-together, spending only the day here.

Some time back F.P.-C. refunded its main issue of securities. Circuit has been showing profits each year.

Metro's Winter Quarters

Hollywood, Sept. 27.
Marx Brothers' next picture at Metro, 'A Day at the Circus', is slated to go into production in December. Supporting cast thus far consists of two of Frank Whitbeck's elephants.

Showfolk Due Over

London, Sept. 27.
Reg Connolly, Claire Luce, Henry Osgood and William Levy are due to sail for U. S. tomorrow (Wednesday). Douglas Fairbanks and his wife plan to leave on same boat.

Lefty's Junior Was a Convention Fave; Did No Mickey or Freddie Imitations

By Joe Laurie, Jr.

Coolacres, Cal., Sept. 27.

Dear Joe:

Well, here we are back home again after the Legion convention. Me and Aggie brought home two good-sized headaches and four very tired feet. If that means a good time, then we certainly had one. The boys didn't give so many hot-foots this year, and didn't drink so much. Very few things were thrown out of hotel windows. You see the boys are getting older. If this keeps up I expect to see a Legion convention soon held on rocking chairs and the kiddies drinking pink lemonade.

The gang is sure losing their pep. Maybe it's because their wives were with them this time. I mean real wives, the kind you look at and know at once it must be the guy's wife.

Aggie looked swell; she and the other women of the Coolacres Auxiliary were all dressed in white and gold. They looked like rich nurses. They drilled for the natives once in the depot when we arrived and once in the hotel lobby. Everybody cheered, then I had to spend half the night rubbing Aggie's arms. Rheumatism in your bones ain't good for drilling. Junior sure made a hit when he lead our Post pass the grandstand. He got more ahs and ohs than anyone in the parade. They presented him with a big loving cup that looked like it might be solid silver for over two days. Then it turned green and envy.

The picture people sure catered to the Legionnaires. They had them out visiting the studios. As an owner of a picture house and an old showman I'm not in favor of it. It's bad enough to see the finished product without showing the customers the material you put in it. It takes the glamor away, if you can say that C pictures have glamor. Magicians have the right idea: when they used to play in vaudeville they had the stage boxed in so nobody backstage could see the gimmicks. Some of the pictures they send me should be boxed up. If it was up to me I wouldn't let any strangers watch 'em making pictures—I'd even keep some of the actors and directors off the set.

I sure had a nice time with some of our old pals in Hollywood. Had dinner with Paul Gerard Smith. He is writing for the pictures and is also writing short stories that are gonna knock 'em dead one of these days. We were with Jimmy Conlin and Myrtle Glass, his wife. They're doing fine; so is Roger Imhof and Orth and Codee. Gregory Ratoff is a biggie out there and is the same nice guy he always was; so are Wallace Ford, Jimmy Cagney and Max Winslow. Aggie sure got a kick out meeting them all again. The regular guys are still easy to talk to. It's the punks that never got past over the first few steps on the ladder that keep their noses up and don't look down and help the other guy comin' up, and when they do fall they find somebody has cut away a few steps, which makes the fall all the harder. We visited Eddie Cantor's antique shop. He has all kinds of old stuff, some over 400 years old and some only 200 years old. I think they average about 300 years old. Junior made a hit with all the actors out there because he didn't do any imitations of Mickey Rooney or Freddie Bartholomew.

When we got home we found the radio station nearly finished. I think we're gonna get our license next week. Of course we haven't got a big studio like they have in Hollywood, but we're only gonna have small programs to start with. We're gonna have just a few in the audience. The banker is gonna invite a lot of guys that owe him dough and they'll have to laugh and applaud the program or else get their notes called in. I bought a bunch of phonograph records so we're sure of good music. Aggie is only gonna play in case the machine breaks.

Best to the boys and girls and tell 'em that I think radio has got a better chance of coming back than vaudeville has, SEZ
Your pal,

Lefty.

P. S. Powers Gourand of Philly sez, 'Germany has a plough where the handles can be used as pistols if they are attacked unexpectedly.'

TROY PROJECTIONIST RUNS FOR CONGRESS

Troy, N. Y., Sept. 27.

Harry M. Brooks, president of the Troy Motion Picture Operators' Union for the past 27 years, former head of the New York State operators' organization and its present legislative representative, received the Democratic designation for Congress from the 29th district on primary day, through the withdrawal of the regular nominee. Brooks, employed at Proctor's theatre, had previously been nominated by the American Labor party. That designation also was made at the eleventh hour. As the candidate of both parties, he will oppose the incumbent, E. Harold Cluett, wealthy manufacturer and a Republican.

Brooks, the city's best known labor leader, served as Republican assemblyman from the first district in 1926. He is the first picture operator nominated by a major party for Congress in New York State and probably in the nation.

'Cisco' Baxter Repeat

Hollywood, Sept. 27.

Remake of 'Cisco Kid', completely rewritten, has been added to the 1938-39 program at 20th-Fox.

Warner Baxter, who starred in the original 1931 production by the old Fox company, is slated to repeat in the new version.

Rasch Terper for Fair

Hollywood, Sept. 27.

Albertina Rasch is en route to New York to handle with directors of the World's Fair on a dancing spectacle she is reading.

She is due to return before Oct. 1 to direct dance sequences for 'Dramatic School' at Metro.

PAR SETS MARCH, 1939, FOR CONVENSH IN N. O.

Canceling all prior plans, decision has been reached by Y. Frank Freeman, v. p. of Paramount in charge of theatre operations, and associates in his company, to hold the second annual theatre conclave in New Orleans next March. The first was held, also in March, in Miami two years ago and was felt by Freeman and others, including partners, to have been so successful, that the policy of such conventions should be continued as conditions and other matters permitted.

New Orleans, stronghold and headquarters of the large Saenger circuit, is the home town of E. V. Richards, the only partner-operator in the field who's on the parent Paramount board.

N. O. convention will cover an entire week. As at Miami, top executives of Par from the home office and 'Hollywood' are expected to attend, together with virtually all Par executives. In the Paramount theatre department throughout the country, plus partners, operators and others associated with the company.

Previously having planned to hold the convention this fall, it was the hope of the Motion Picture Theatre Owners of America that it be scheduled for Oklahoma City concurrently with its own meet there Oct. 30.

Illness Slows 'French'

Hollywood, Sept. 27.

Work on 'Say It in French' at Paramount was suspended owing to the continued illness of Evelyn Keyes, suffering from appendicitis. All possible scenes had been shot around her.

With 10 days shooting still to go, Miss Keyes was treated with ice packs, but is still unable to work. Studio is awaiting developments.

ACAD MAY DROP 'OSCARS'

England's Own 'Best Entertainment' Drive Tees Off with Historic Film

London, Sept. 15.
In a 'Make the Cinema Your Second Home' movement here, Arthur Dent is first off the mark by sponsoring the distribution, through Associated British Corp., of a survey film titled 'March of the Movies'.
Study epic traces the growth of pictures from the lantern slide, through the kaledoscope, the early motion dramas, the silent flickers, etc., into 'sound, talkers and the current color development. Included is info on the coincident progress of camera, film technicalities, etc., and the men who made all this possible. Howard Gaye, film editor of ABC, delved deep into the bins for this material.
Into 40 minutes has been skillfully crammed some highly interesting data. Audience reaction has been doubly assured by the inclusion of those excerpts from the real old 'uns and onwards.

Charles Cochran will shortly present at the Palace a flashback film showing the first lantern slide dated 1838, and the first silent of the vintage of 1885. It will include the 1896 film, where an engine is headed straight for the audience.
As far back as 1893 Cochran was an exhibitor at Crayke's, where he took in as much as \$1,500 weekly at 25c. top, and was the first exhibitor here to place the names of the stars outside the theatre.

SAG'S EASTERN DIV. CLOSES MEMBERSHIP

Books of the eastern division of the Screen Actors Guild will be closed Oct. 15 to new extra members. That was assured Sunday (25) by a vote of the Guild senior board on the Coast, approving the recommendation of the eastern advisory council.

Although the books are closed to routine applications for extra work, veteran actors and beginners 'with training for a professional career' will be accepted. Explained that the closing is intended to apply to 'casuals.' Those applying by Saturday (1) may get in for the payment of a \$10 initiation fee (this applies only in the New York area) and the regular dues, provided payment is made by Nov. 1. Those applying after this Saturday or paying after Nov. 1 will be charged the regular \$25 initiation fee and normal dues.
Last eastern advisory council meeting sent a resolution to the senior board expressing 'appreciation' for the 'fairness, skill and wisdom' shown by the administration of the eastern division.

Malvern's Mono Spinners

Hollywood, Sept. 27.
Paul Malvern, currently producing at Universal, has signed to make six aviation pictures for Monogram, based on the newspaper strip, 'Tailspin Tommy.' Star of the series will be John Trent, former TWA pilot.
Malvern has three Bob Baker westerns to make for U before he moves to Monogram, around Dec. 1. He recently formed an independent producing unit, Paul Malvern, Inc.

RAFT IN 'KAINTUCK'

George Raft, who goes back on the Paramount payroll Oct. 5, is en route east for the World Series after agreeing to return by Oct. 24 to start work in 'The Lady's From Kentucky'.
Raoul Walsh is set to direct from script by Malcolm Stuart Boylan.

BUCK TROTS OFF

Hollywood, Sept. 27.
Last of the Buck Jones westerns for Columbia release went into production on location at the Monogram Ranch, with Elmer Clifton directing.
Next Jones picture will be 'Vice Squad', a non-western at Paramount

Free Answers

Birmingham, Sept. 27.
A trailer in a local babe, chain-operated, reads:

Ladies and gentlemen, this theatre will show nearly every one of the Greater Movie Campaign pictures . . .
You need not get anywhere to see a single one of them . . . The questions are a minor part of the campaign, the essays being the controlling factor . . . as a special consideration for our patrons we will list on our screen and in the lobby on or before Dec. 15 the correct answers to 30 or more pictures . . . at which time you will be given a campaign book permitting everyone in this territory the privilege of participating in the awards . . .
Remember, you need not go elsewhere to see a single Greater Movie Campaign Picture.

PROSPERITY NOTED IN MORE NEW BLDG.

Minneapolis, Sept. 27.
Here's evidence that things are looking up in the film industry hereabouts: St. Louis Park, Minneapolis suburb with a population of 5,000, never has had a film theatre. Now no less than four theatre projects are planned for the town. Four different interests are fighting to obtain permits, with indications that the local council will grant only one license.

Those in the fight are Charlie Winchell, advertising and publicity head for the Northwest Paramount circuit; Harold Field, who owns a large circuit of first independent houses and has offices here; Ben Friedman, who operates two in another nearby suburb as well as a house at Albert Lea, Minn., and Stanley Cohen, owner of the Minneapolis Uptown, leased and operated by the Paramount circuit.

Par Relinquishing Minn.

The Minnesota, Minneapolis, largest picture house in that key, will not be taken back by Paramount, according to Y. Frank Freeman, v.p. over theatres.

House, presently closed, ever since its opening about 10 years ago has been a problem to Par. Company cancelled its lease on the theatre under a six months' cancellation clause and if it returns to operation it will probably be run as an indie.

Cleve Suburb's Duo

Cleveland, Sept. 27.
Suburb of Euclid Village which never has had a theatre is now facing the prospects of having two new houses by spring, unless its council stops the war between rival exhibitors madly scrambling for the best sites.

Each of the two builders, fearing results of a court fight, claims he had prior rights but it is still a cross-word puzzle, complicated by building restrictions. First ground was broken in the battle by James Scoville, John Kalafat and Howard Reis, who are including a civic meeting hall in their Euclid Community Center theatre. Although located on a corner now zoned for only apartment houses and churches, the triumvirate got a temporary building permit and promise that ban would be lifted.

Less than nine blocks away, another has been planned by J. Albert Lowell, representing Eutind Theatre Co., who says blue-prints were drawn up a year ago. Company had another site picked out and optioned, but residents petitioned against it successfully as a 'nuisance' that would litter streets with parked cars. More protests were registered over the new site but Lowell declares he will build theatre even if it takes a court fight.

CREATIVE GROUPS THREATEN BOLT

Annual Merit Awards Periled as Inter-Talent Council Asks Producer Withdrawal in Reorg.—Zanuck, Wallis at NLRB Director Hearing

AGENTS PARLEY

Hollywood, Sept. 27.
Inter-Talent Council of actors, writers and directors will go into huddle Thursday (29) to decide on future relations with the Academy of Motion Picture Arts and Sciences. If the three creative groups vote to withdraw their support, annual Academy achievement awards probably will be abandoned.

In an effort to prevent complete collapse of the Academy the board of directors has already agreed to postpone indefinitely its reorganization program. This action was taken after W. S. Van Dyke tendered his resignation and Frank Capra and others threatened to quit unless Producer members resigned from the Academy and turned control over to the writers.

Capra and Howard Estabrook submitted their resignations at the board meeting, but acceptance was refused by the board. Darryl F. Zanuck, E. J. Mannix and David O. Selznick then offered to quit, but their resignations also were refused. It was then agreed that reorganization plans would be postponed until economic differences between producers and writers and directors are adjusted.

At conclusion of meeting the board issued the following statement:

'At a meeting of the board of governors of the Academy of Motion Picture Arts and Sciences held last night, the resignations of Frank Capra, Howard Estabrook and W. S. Van Dyke were tendered and refused.'

'Thereupon the producer members (Continued on page 19)

2-Reel Newsreel Comes Up Again; U.S. Editors' Idea

With the inauguration of the Greatest Year campaign for the industry, several newspaper editors throughout the country have come out for longer newsreels. Exhibitors in various communities have encouraged such editorial space in hopes of securing boosts for the drive, some even asking publishers to suggest what to give the public. Boost for lengthier newsreels came as a surprise, although talk of two-reel releases has been off and on in the trade several times.

Paramount was about set on a two-reel news weekly nearly a year ago and at least one other newsreel planned following suit. However, the expense problem and difficulty of spotting a longer release into a program resulted in abandonment of idea.

Big problem confronting producers of newsreels is that exhibitors will not pay any more for a more comprehensive reel and claim that a dual program alignment prevents them from using a longer subject. However, newsreel editors cite three good reasons for favoring a two-reel newsreel. These are (1) they would enhance the prestige of newsreels, (2) they would become a more important fixture on each program, and (3) the longer issues would stop criticism and contention that newsreels currently fail to tell enough stories in an orderly, intelligent manner.

Squawks on Delayed Clearances Resulting in Extending Film Quiz Beyond Dec. 31 for Indies' Benefit

Sugar-Coated

Hollywood, Sept. 27.
Happy ending was tagged onto 'The Sisters' at Warners to increase its b.o. appeal. Tragic finish was dunked and Bette Davis and Errol Flynn called back for the final scene to live happily ever after.
Davis-Flynn are due to repeat as a team as result of their work in 'Sisters'.
WB story department was ordered to round up a suitable yarn for the pair.

'BLOCKADE' CANCELLED, \$2,500 SUIT FOLLOWS

Milwaukee, Sept. 27.
As result of the cancellation of a showing of the Spanish civil war pic, 'Blockade' (UA-Wanger), the Milwaukee unit of the American League for Peace and Democracy filed a \$2,500 damage suit in circuit court against the Oriental Theatre Corp., operator of the Oriental and Tower theatres. The complaint charges that the league had sold hundreds of tickets for benefit parties on Sept. 8-9, but the corporation failed to show the film the second night.

Harold J. Mirisch, manager of the two theatres, said that the picture was withdrawn after one night's showing because it did not draw. He said the league sold only 490 benefit tickets. He calls the charges a 'lot of bunk.'

Whalen to New York For Republic; Coast Shifts

David B. Whalen, publicity director for Republic in New England, has been brought in from Boston to handle exploitation at the home office. Addition to New York staff was made necessary by transfer of Sam Abarbanel, who handled publicity at home office, to Hollywood where he fills in Buzz Barnett's former spot. Barnett has been assigned to Republic's radio show division on the Coast.

New York advertising-publicity staff otherwise remains as is, headed by Al Adams.

Figure-Eighters Glide

Hollywood, Sept. 27.
Skaters went before the cameras at Metro today (Tues.) for ensembles and specialties in 'Ice Follies,' with Reinhold Schunzel directing.

Follies troupe will do a double chore beginning Oct. 5 when they start a 17-day run on the rink at Pan-Pacific auditorium.

HOP ALONG RUTHIE

Hollywood, Sept. 27.
Ruth Rogers gets the femme lead with William Boyd in Paramount's next Hopalong Cassidy picture, 'Riders of the Range.'

George Hayes, Russell Hayden and Stanley Ridges are in the supporting cast.

E. F. McGrady on RCA B'd
Edward F. McGrady, vice-president in charge of labor relations for Radio Corp. of America for the past year, was elected to the RCA board of directors last week to fill the vacancy created by the recent death of James R. Sheffield.

He also was named a director of RCA Communications, a subsidiary of Radio Corp.

Extension of the national 'Movie Quiz' contest for a period beyond Dec. 31, of sufficient duration to provide playing time for smaller independent theatres which have subscribed to the campaign, but whose clearance terms preclude showing of all the contest films, is a move likely to be announced within the coming week. So great has been the pressure from smaller exhibitors that first runs were taking unfair advantage of the contest, that the management committee, of which George J. Schaefer is chairman, is contemplating a revision of the original plans.

Objections from small exhibitors, many of whom in the enthusiasm of the drive subscribed to its support at the rate of 10c. per seat, have not been confined to a few sections of the country, but have been heard from coast to coast. Refusal of prior run houses to waive any protection or clearance and permit smaller houses to get the films earlier in order to keep faith with patrons has resulted in a mounting wave of protest.

Schaefer has taken the initiative in urging the extension of the closing date of the contest. He has stated at meetings during the past week that the 'little fellow' is as much entitled to full benefits as the affiliated or larger independent circuits. Satisfactory solution of the problem has not yet been reached, but the matter is being pressed and most committee members believe the answer rests in extending the contest until late January or early February.

Budget for the 'Motion Pictures Are Your Best Entertainment' drive was set for \$1,000,000, of which producer-distributors subscribed \$500,000, affiliated theatre groups, \$250,000, and independent theatre units, \$250,000. In the last named classification are many small houses whose terms of clearances put the showings of films 90-120 days behind first runs. As the releases listed in the contest are for the three-month period of August, September and October, it was apparent that deferred second and third run houses would not get the late September-October releases until after the contest ended. Theatre patrons who are filling in the quiz books on information from the screens of the smaller houses would be at a disadvantage as compared with patrons of first runs houses.

Extended first run engagements of several of the early season films, such as 'Alexander's Ragtime Band,' 'Love Comes to Andy Hardy,' 'You Can't Take It With You' and others have automatically pushed back booking dates further than the original plans contemplated.

National Ads Revised
National newspaper advertising copy released to some 600 publications early in September did not stir the enthusiasm among exhibitors which was anticipated and, as a result, the second advertising spurge will carry less wordage.

Word is being sent to local chairmen from headquarters that a theatre advertising the Quiz contest as exclusive in its zone or city is contrary to the co-operative spirit of the campaign. Some operators who buy prior runs over competition have not been backwards in announcing the exclusive angles.

Hence the squawks.

Schenck's Pledge

Hollywood, Sept. 27.
Motion picture industry stands ready to join the American Legion in any patriotic cause, Joseph M. Schenck told the war veterans at a luncheon at 20th Street.
Maj. Gen. Frank Parker said in reply: 'Motion pictures have kept the world entertained, amused and instructed, and that's no small contribution in a world where sanity is becoming a rare commodity.'

Studies of companies participating in the drive are being asked to sub-

(Continued on page 21)

After Legion Conv., Calm Settles Over L.A. Trade; 'Sinners' Paces with 19G; 'Co-Ed' Mild \$18,500, 'Valley' \$17,000

Los Angeles, Sept. 27.

Grosses anything but healthy, and in a few spots, downright bad. Slump cannot be blamed on the American Legion convention or the hot weather, because both have gone their way. Town's solo topper is the new Crosby film, 'Sing You Sinners', which holds for second week at the Paramount.

'Hold That Co-Ed', teamed with 'Mysterious Mr. Moto', hitting around combined \$18,500, pretty mild. 'Valley of the Giants' doing okay at the day-date Hollywood and Downtown.

Estimates for This Week

Chinese (Grauman-F-W-C) (2,024; 30-40-55-75)—'Hold That Co-Ed' (20th), dual, 'Mysterious Mr. Moto' (20th), dual, 'Valley of the Giants' (20th), dual, 'Sing You Sinners' (MG) and 'Speed to Burn' (20th), hot \$14,600.

Downtown (WB) (1,800; 30-40-55-65)—'Valley of the Giants' (WB) and 'Block-Heads' (MG), dual. Should hit a fair \$8,000, same amount as garnered last week by 'Four Daughters' (FN) on hits. 'Four Daughters' (FN) (11th week). Continues profitable at \$1,500, after 10th stanza brought okay \$1,900. Run ends Oct. 2.

Hollywood (WB) (2,756; 30-40-55-65)—'Valley of the Giants' (WB) and 'Block-Heads' (MG), dual. Headed for very good \$9,000, dual, second stanza by 'Four Daughters' (FN), hit expected \$7,200.

Pantages (Pan) (2,812; 30-40-55)—'Youth Takes Fling' (U) and 'Annabelle' (RKO), dual. Off in keeping with rest of town, for probable \$7,000. Last week, 'I Am Law' (Col) and 'Lady Objects' (Col), bettered expectations to garner \$5,700.

Paramount (Par) (3,595; 30-40-55)—'Sing You Sinners' (Par) and stage show. Started slowly with populace still groggy from American Legion convention, but will likely build to next high. Holds second week. Last week 'Sons of the Legion' (Par) topped \$15,000, aided by midnight Legion show.

RKO (2,372; 30-40-55)—'Youth Takes Fling' (U) and 'Annabelle' (RKO), dual. Will hit week \$6,000 on the stanza. Last week 'I Am Law' (Col) and 'Lady Objects' (Col), \$8,000, about what was expected. State (Loew-Fox) (2,414; 30-40-55-75)—'Co-Ed' (20th) and 'Moto' (20th), dual. Just not geared for the downtown. 'Co-Ed' so best in sight is poor \$5,500. Last week 'Boys Town' (MG) and 'Speed to Burn' (20th), hot \$18,500 as indicated.

United Artists (F-W-C) (2,100; 30-40-55)—'Boys Town' (MG) and 'Speed to Burn' (20th), dual. Should hit nifty \$5,800 on moveover. Last week 'Nancy' (MG) and 'Rich Man' (MG), okay \$5,600.

Wilshire (F-W-C) (2,296; 30-40-55)—'Boys Town' (MG) and 'Speed to Burn' (20th), dual. Looks like smash \$5,500 on moveover for continued first run. Last week 'Nancy' (MG) and 'Rich Man' (MG), okay \$5,600.

'Law' Good 5G in Port.; '4s Crowd' Nice \$6,000

Portland, Ore., Sept. 27. 'Boys Town' continues to register strong at Parker's UA in its third week. New pic getting strong attention are 'I Am the Law', at Orpheum, and 'Four's a Crowd', at Paramount. Latter also lent its stage for commercial tie-up with a women's store which put on a fashion parade.

Estimates for This Week

Broadway (Parker) (2,000; 30-35-40)—'Garden Moon' (WB) and 'Gangs New York' (Rep). Getting fair \$4,500. Last week 'Tough Guy' (U) and 'Actress' (FN), fair \$5,400. Mayfair (Parker-Evergreen) (1,500; 30-35-40)—'Garden Moon' (WB) (7th week). Okay \$2,000. Sixth, \$2,400. First five weeks grossed big \$25,000.

Orpheum (Hamrick - Evergreen) (1,800; 30-35-40)—'Garden Moon' (WB) and 'Annabelle' (RKO). Answered to good bally for okay \$5,000. Last week 'Sinners' (Par) and 'Murder' (20th), second week, fair \$3,800.

Paramount (2,000; 30-35-40)—'Four's a Crowd' (WB) and 'Highway Patrol' (Col) with fall style show at stage. Good \$5,000. Last week 'Lucky Star' (20th) and 'Rockets' (RKO), better than average \$5,600.

Rivoli (Indie) (1,100; 20-25)—'Dracula' (U) and 'Frankenstein' (U) (2d week). Good \$1,600. Last week, same grosses billed as Horror Week, good \$2,500.

United Artists (Parker) (1,000; 30-35-40)—'Boys Town' (MG) and 'Freshman Year' (U) (3d wk). Good \$4,000. Second, \$1,000. First week registered great \$7,000.

Broadway Grosses

Estimated Total Gross
This Week.....\$309,700
(Based on 12 theatres)

Total Gross Same Week
Last Year.....\$326,500
(Based on 14 theatres)

HERBERT 'SHOW' OK 24G IN BLUE DETROIT

Detroit, Sept. 27.

Combination of first good weather in weeks and football attractions not helping film palaces. No pic standouts currently.

'Boys Town', holding for second stanza at United Artists, is doing okay.

Estimates for This Week

Adams (Balaban) (1,700; 30-40)—'Reformatory' (Col) plus 'Keep Smiling' (20th), dual. About \$4,000, so-so. Last week, 'Alexander' (20th), in third week, combined with 'Speed Burn' (20th), clipped off \$4,300, following weeks of \$5,800 and \$7,100.

Fox (Indie) (5,000; 30-40-55)—'Place and Show' (20th) with Hugh Herbert topping vaude. Paced for \$24,000. Good. Last week, mild \$17,000 for 'Co-Ed' (20th) and stage show.

Michigan (United Detroit) (4,000; 30-40-55)—'Texans' (Par) plus 'Campus Confessions' (Par), dual. Looks like \$5,500, okay. Last session about \$5,500, so-so, for 'Has Nancy' (M-G) plus 'Rich Man' (M-G).

Palm State (United Detroit) (3,000; 30-40-55)—'Blockheads' (M-G) plus 'Ambulance Chasers' (M-G), dual. Slightly under \$5,000, fair. Just over that mark last stanza for 'Smashing Rackets' (RKO) and 'Painted Desert' (RKO).

United Artists (United Detroit) (2,000; 30-40-55)—'Boys Town' (MG) (2d week). Due for good \$7,200, following nice \$10,500 first stanza. Doubtful if will stick for another session.

'Carefree' Jitterbugs Big \$10,000 in Seattle

Seattle, Sept. 27. Paramount theatre has stage show, 'Jitterbug Jamboree' unit, and it's drawing big biz. Anticipated run for 'Aiee' at Liberty will be nipped at end of second week, indications point, as opening week dis-

Morris-Wheeler-Moon' Wow \$19,000 In Cleve.; Marx Bros. Good \$16,000

Cleveland, Sept. 27.

Chester Morris and Bert Wheeler's stage personas are the stimulants hyping 'Garden of Eden' at the Palace. There was a natural drop over weekend because of Jewish holidays but two national conventions and vaudeville's comeback are boosting gross to \$19,000.

State's 'Too Hot to Handle' is drawing swell biz with knockout matinees. Gable-Loy names are dynamite. 'Room Service' at Hipp is strong enough to rate two h. o. c. clocks at affiliated Allen, which is cleaning up with 'Four Daughters.' Stillman also going a good job milking 'Spawn' and may keep it for third stanza.

Estimates for This Week

Allen (RKO) (3,000; 30-35-42-55)—'Daughters' (WB). Hold-over from Hipp is down the family-trade alley, climbing steadily to \$7,500. Last week, 'Lucky Star' (20th), skated along on thick ice for \$5,500, good.

Alhambra (Printz) (1,200; 10-20-35)—'Birth of Baby.' First pop-priced showing here and at seven-a-week looks like record \$6,200. At least

appointed with \$7,500, good but a couple grand below expectations.

Estimates for This Week

Blue Mouset (Hamrick-Evergreen) (850; 32-37-42)—'Alexander' (20th) (7th week). Four final days anticipate okay \$1,200. Last week, same film, \$2,600, good.

Coliseum (Hamrick - Evergreen) (1,900; 21-32)—'Professor' (Par) and 'You and Me' (Par), four days. Indicate only mild \$5,600. Last week, 'Showdown Angel' (M-G-M) and 'Fast Company' (M-G), dual, split with 'Always Goodbye' (20th) and 'Lord Jeff' (M-G), dual, six days, for 10-day week. Good \$4,200.

Colonial (Sterling) (800; 10-21)—'Manhunters' (Ind) and 'Main Event' (Col), dual, split with 'Arizona' (Par) and 'Circus' (Ind). Headed for good \$2,000. Last week, 'Tip-Off Girls' (Par) and 'Night Spot' (RKO), dual, split with 'Stranger from Arizona' (Col) and 'Miss Thoroughbred' (WB) okay \$2,100.

Fifth Avenue (Hamrick-Evergreen) (2,349; 32-37-42)—'Antoinette' (M-G), two days of third week. 'Boys Town' (M-G) opening today (31st day) at Archway, \$1,900. Last week, second of 'Antoinette', \$6,100, big.

Liberty (J-V-H) (1,800; 21-32-42)—'Algiers' (UA) (2d week). Paced for \$4,000, fair. Last week, same film, \$7,500, nice but below hopes.

Musio Box (Hamrick-Evergreen) (850; 32-37-42)—'Has Nancy' (M-G) and 'March of Time' (M-G), dual, at Paramount and looking for nice \$2,800. Last week, 'Sinners' (Par) and 'Dancer Girl' (U), third week, \$2,400, okay.

Orpheum (Hamrick - Evergreen) (2,600; 32-37-42)—'Four's a Crowd' (WB) and 'G-Men' (RKO). Indicate good \$6,000. Last week, 'Ghosts' (WB) and 'Keep Smiling' (20th), \$5,300, good.

Falamar (Sterling) (1,350; 16-27-37)—'Barefoot Boy' (M-G) and 'Devil's Party' (U), dual, with vaude. Only fair \$3,000. Last week, 'Billy Kid' (Rep) and 'Under Suspicion' (U), dual, plus vaude, one night (Monday), \$4,400, big.

Paramount (Hamrick-Evergreen) (3,000; 32-37-42)—'Jamboree' on stage. Set for four weeks. Getting immense \$10,000. Last week, 'Has Nancy' (M-G) and 'Prison Break' (U), dual, \$4,800, good.

Roosevelt (Sterling) (1,350; 16-27-37)—'Cowboy' (FN) and 'Sinners Paradise' (U), dual, indicate okay \$2,000. Last week, 'Maytime' (M-G) and 'Treasure Island' (M-G), dual, after two terrible days, split with 'Cowboy' (FN) and 'Sinners Paradise' (U), five days, \$1,900 total, fair.

State (Loew-Fox) (2,538; 25-35-40-50)—'Spawns' (20th), dual, fair \$6,000. Last week, 'Nancy' (MG) and 'Kid' (Rep) (2d run), \$6,000, fair.

State (Loew) (3,600; 25-35-40-55)—'Am Law' (Col) and 'Gladiator' (Col), double. Satisfactory \$16,000. Last week, 'Has Nancy' (M-G) and 'Chaser' (M-G), \$15,000, nice.

Paramount (M&P) (1,797; 25-35-40-55)—'Murder' (20th), dual. Medium \$8,000. Last week, 'Spawns' (20th) and 'Numbers' (20th), dual, \$8,000.

Scollay (M&P) (2,538; 25-35-40-50)—'Spawns' (20th), dual, fair \$6,000. Last week, 'Nancy' (MG) and 'Kid' (Rep) (2d run), \$6,000, fair.

State (Loew) (3,600; 25-35-40-55)—'Am Law' (Col) and 'Gladiator' (Col), dual. Adequate \$13,000. Last week, 'Nancy' (MG) and 'Chaser' (M-G), good \$15,000.

Harris' Bix Pic

(Continued from page 1)

famed jazz trumpeter. Harris is accompanying Meredith west and will try to line up a Hollywood director for the picture. It will be made in the east. Meredith is weighing several legit offers to follow 'Horn', but nothing is set.

Hollywood, Sept. 27. Metro's college yarn, 'Spring Dance', went into production yesterday (Mon.). Maureen O'Sullivan is the female lead. Picture will be shot around Lew Ayres until he has finished his current job in 'Young Dr. Kildare.'

Philly B.O. Wobbly; Shearer Strong \$19,000, but Crosby Weak \$14,000

Key City Grosses

Estimated Total Gross
This Week.....\$1,525,600
(Based on 24 cities, 156 theatres, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year.....\$1,576,500
(Based on 23 cities, 163 theatres)

'Daughters' Sweet \$18,000 in Boston; Holds Off Vaude

Boston, Sept. 27.

'Four Daughters', on dual bill, is getting best play this week. 'Lucky Star' won a bowler at Keith's with a new co-feature.

Talk of vaude returning is a favorite subject for stagehands and musicians here, but doesn't appear likely before November or December.

Estimates for This Week
Fenway (M&P) (1,332; 25-35-40-55)—'Ghosts' (WB) and 'Murder' (20th), dual. Fair \$6,000. Last week, 'Spawns' (Par) and 'Numbers' (20th), dual, \$6,300.

Keith Memorial (RKO) (2,907; 25-35-40-55)—'Lucky Star' (20th) (2d week) and 'Personal Secretary' (U), dual. Okay \$13,000. First week of 'Star' and 'Meet Girls' (20th) very good \$23,700.

Metropolitan (M&P) (4,367; 25-35-40-55)—'Daughters' (WB) and 'Campus Confessions' (Par), dual. Good combo clicking to tune of \$18,000. Last week, 'Four's a Crowd' (WB) and 'Legion' (Par), \$15,000, nice.

Orpheum (Loew) (2,800; 25-35-40-55)—'Am Law' (Col) and 'Gladiator' (Col), double. Satisfactory \$16,000. Last week, 'Has Nancy' (M-G) and 'Chaser' (M-G), \$15,000, nice.

Paramount (M&P) (1,797; 25-35-40-55)—'Murder' (20th), dual. Medium \$8,000. Last week, 'Spawns' (Par) and 'Numbers' (20th), dual, \$8,000.

Scollay (M&P) (2,538; 25-35-40-50)—'Spawns' (20th), dual, fair \$6,000. Last week, 'Nancy' (MG) and 'Kid' (Rep) (2d run), \$6,000, fair.

State (Loew) (3,600; 25-35-40-55)—'Am Law' (Col) and 'Gladiator' (Col), dual. Adequate \$13,000. Last week, 'Nancy' (MG) and 'Chaser' (M-G), good \$15,000.

HORROR REISSUES BIG \$4,000 IN DENVER

Denver, Sept. 27.

'Frankenstein' and 'Dracula' are sensational at Rialto, combo of horror reissues giving small house a smash gross. 'Four Daughters' is nice at Denver. Last week, 'Has Nancy' (MG).

Estimates for This Week
Aladdin (Fox) (1,400; 25-40)—'Forever Yours' (GN). Fair \$3,000. Last week, 'Lucky Star' (20th), good \$3,400, after the week at Denver.

Broadway (Fox) (1,100; 25-35)—'Has Nancy' (MG) and 'Fugitives for Night' (RKO), both after a week at the Orpheum. Good \$2,500 here. Last week, 'Nancy' (MG) and 'Rockets' (RKO), both after a week at Orpheum, good \$3,000.

Benham (Cockrill) (1,750; 25-35-40)—'Sinners' (Par). Good \$5,500. Last week, 'Spawns' (Par), neat \$8,000.

Denver (Fox) (2,525; 25-35-50)—'Daughters' (FN). Nice \$9,000. Last week, 'Frankenstein' (U) backed by neat stage show, nice \$10,000.

Orpheum (RKO) (2,600; 25-35-40)—'Breaking Ice' (RKO) and 'Annabelle' (RKO). Fair \$6,500 in six days. Last week, 'Has Nancy' (MG) and 'Fugitives for Night' (RKO), strong \$10,000.

Paramount (Fox) (2,200; 25-40)—'Dracula' (U) and 'Murder' (20th). Fair \$3,000. Last week, 'Lady Objects' (Col) and 'Reformatory' (Col), were \$4,000.

State (Fox) (878; 25)—'Dracula' (U) and 'Frankenstein' (U) (reissues). Horror combo drawing smash \$4,000. Last week, 'Letter' (U), after week each at Denver and Aladdin, and 'Highway Patrol' (Col), good \$2,000.

Crime Clubbing Again

Hollywood, Sept. 27.

Preston Foster and Frank Jenks get the top spots in the next Crime Clubbing. 'Dead Don't Care', at Universal, re-releasing roles they played in 'Westland Case.'

Philadelphia, Sept. 27.

Grosses this sesh pretty well mixed, showing principally that they're picking their pictures. Couple houses have wickets spinning, while others are bogged down in a rut, despite the fact that weather is cool and clear. Last stanza, which started out with a tremendous bang, now caught in downpour 11 days of straight rain and so naturally failed to live up to expectations.

Pacing the town is 'Marie Antoinette' at the Boyd. Greeted in a big way as a big pic by the crit, it is getting powerful \$19,000. Coain of at least another week. Also good bet is 'Boys Town', in its second lap at the Aldine. It's clicking off fine \$12,000 after garnering \$16,500 in the initial gallop.

Strangely disappointing is 'Sing You Sinners' at the Stanley. Unanimously acclaimed by the reviewers as Bing Crosby's best, it is nevertheless getting unsatisfactory \$14,000.

Estimates for This Week

Aldine (WB) (1,332; 42-57-58-75)—'Boys Town' (MG) (2d week). Striding along big with plenty word-of-mouth to help it, \$12,000, after very sound \$16,500 in opening session.

Boyd (WB) (2,350; 37-57-58-75)—'Antoinette' (MG). Powerful from the start, with \$19,000 expected and another week guaranteed. Last week, 'Four Daughters' (WB) (2d week), fell under the spell of the rain and slipped off more than was expected. Got \$11,500, fair.

Earle (WB) (2,758; 25-37-42-57-68)—'Four Daughters' (WB) (2d week), band and Mary Brian fishing. Popularity of the vaude combo seems to have slid off somewhat from last season, hitting only mediocre \$18,000. Last week, 'Nancy' (MG) (U) and Kay Kyser's band on the boards, figured to crack house record if Jupe Pluvius hadn't interfered. Got tremendous \$29,000.

Karlton (2,423; 37-57-68-75)—'Place and Show' (20th) and American ice Carnival on stage. This is next-to-last week of stage shows after five weeks' trial has proved they don't want to the investors. Below par \$15,500 this sesh. Last week 'Ghosts' (WB) with Harriet Hector, p.a.ing, likewise a bust at \$15,500.

Metropolitan (WB) (1,066; 37-42-57-68)—'Daughters' (WB) (2d run). Oke at better than \$4,000, considering it got two weeks in its opening sesh. Last week, 'Lucky Star' (20th) (RKO) (2d run), didn't quite make the grade for the right side of the ledger at \$3,700.

Keith's (WB) (1,570; 37-42-57-68)—'Lucky Star' (20th) (RKO) (2d run). Last week 'Alexander' (20th) (2d run; 2d week), still plenty powerful with \$5,800 on its sixth week in town.

Stanley (WB) (1,457; 26-42-57)—'Sinners' (Par). Crix unanimous in lauding this as best Crosby flick yet, but strangely enough it won't even come up to par with \$14,000, although it was expected to better nabes. Last week 'Hot Handie' (M-G), also \$14,000, although it got far from universal approval.

Stanley (WB) (1,457; 26-42-57)—'Kid' (Rep). Broun and 'Oxy' oxygen in three days last week, but hardly providing succor with very weak \$3,800. 'Army Girl' got poor \$1,700 in three days.

Brooklyn, Sept. 27. Good attendance at downtown emporium, where extra activity at Fabian Strand, where vaude and single picture policy is now two weeks old. Fabian Paramount holding 'Four Daughters' third week, with up with a nice profit. Nick Kenny and radio gang headlining Folly show.

Estimates for This Week

Albee (2,74; 25-35-50)—'Lucky Star' (20th) (RKO) (2d run). Will do okay \$16,000. Last week 'Alexander' (20th) (2d-final) peachy \$18,000.

Fox (4,089; 25-50)—'Ghosts' (WB) and 'Murder' (20th) (Rep). Opened yesterday (Mon.). Last week 'Am Law' (Col) and 'Higgins Family' (Rep) (2d-final week), \$12,000, fair. Met wide Boarder (G-G) Pleasant \$18,000. Last week 'Has Nancy' (MG) and 'Safety Numbers' (20th), good \$15,000.

Paramount (4,126; 25-50)—'Daughters' (WB) and 'Kid' (Rep) (3rd-final week). Will produce first-rate \$17,000. Last week, pair drew excellent \$20,000.

Stanley (2,870; 25-50)—'Gladiator' (Col) and stage show with Frances Faye, Slate Bros., Frank Paris. Will give house nifty \$14,000. Last week 'Boy Girl' (WB) and vaude, garnered excellent \$15,000.

B'KLYN WICKETS HUM

'Gladiator,' Vande Nifty \$14,000;
Henie Dual Good \$16,000

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Stanley (2,870; 25-50)—'Gladiator' (Col) and stage show with Frances Faye, Slate Bros., Frank Paris. Will give house nifty \$14,000. Last week 'Boy Girl' (WB) and vaude, garnered excellent \$15,000.

for two previous weeks played.

After Legion Conv., Calm Settles Over L.A. Trade; 'Sinners' Paces with 19G; 'Co-Ed' Mild \$18,500, 'Valley' \$17,000

Los Angeles, Sept. 27.

Grosses anything but healthy, and in a few spots, downright bad. Slump cannot be blamed on the American Legion convention or the hot weather because both have gone their way. Town's solo topper is the new Crosby film, 'Sing You Sinners,' which holds for second week at the Paramount.

'Hold That Co-Ed,' teamed with 'Mystery Mr. Moto,' hitting around combined \$18,500, pretty slim. 'Valley of the Giants' doing okay at the day-date Hollywood and Downtown.

Estimates for This Week
Chinese (Grauman-FWC) (2,024; 30-40-55-75)—'Hold That Co-Ed' (20th) and 'Mystery Mr. Moto' (20th), dual. Not very hot, as \$9,000 indicates. Last week 'Boys Town' (MG) and 'Speed to Burn' (20th), hot \$18,500.

Downtown (WB) (1,800; 30-40-55-65)—'Valley of the Giants' (WB) and 'Block-Heads' (MG), dual. Should hit a fair \$8,000, same amount as garnered last week by 'Four Daughters' (FN) on holdover.

Four Star (F-WC-UA)—'Algiers' (UA) (11th week). Continues profitable at \$1,500, after 10th stanza wrought okay \$1,900. Run ends Oct.

Hollywood (WB) (2,756; 30-40-55-65)—'Valley of the Giants' (WB) and 'Block-Heads' (MG), dual. Headed for very good \$9,000. Last week, second stanza of 'Four Daughters' (FN), hit expected \$7,200.

Pantages (Pan) (2,812; 30-40-55)—'You Takes Fling' (U) and 'Anna-bell' (RKO), dual. Off in keeping with rest of town, for probable \$7,000. Last week, 'I Am Law' (Col) and 'Lady Objects' (Col), bettered expectations to garner \$7,000.

Paramount (Par) (3,595; 30-40-55)—'Sing You Sinners' (Par) and stage show. Started slowly with populace still groggy from American Legion convention, but now is building to net \$19,000. Holds second week. Last week 'Sons of the Legion' (Par) topped \$15,000, aided by 'Nightline' Legion show.

RKO (2,872; 30-40-55)—'You Takes Fling' (U) and 'Anna-bell' (RKO), dual. Will hit week \$8,000 on the stanza. Last week 'I Am Law' (Col) and 'Lady Objects' (Col), \$8,000, about what was expected.

State (Loew-Fox) (2,414; 30-40-55-75)—'Co-Ed' (20th) and 'Moto' (20th), dual. Not set geared for the downtown clientele so box in sight is poor \$9,500. Last week 'Boys Town' (MG) and 'Speed to Burn' (20th), hot \$18,500 as indicated.

United Artists (F-WC) (2,100; 30-40-55)—'Boys Town' (MG) and 'Speed to Burn' (20th), dual. Should hit nifty \$5,500 on moverover. Last week 'Nancy' (MG) and 'Rich Man' (MG), okay \$6,500.

Wildfire (F-WC) (2,296; 30-40-55-65)—'Boys Town' (MG) and 'Speed to Burn' (20th), dual. Like smash \$9,500 on moverover for continued first run. Last week 'Nancy' (MG) and 'Rich Man' (MG), okay \$6,500.

'Law' Good 5G in Port; 'As Crowd' Nice \$6,000
Portland, Ore., Sept. 27.

'Boys Town' continues to register strong at Parker's UA in its third week. New pic getting strong attention are 'I Am the Law,' at Orpheum, and 'Four's a Crowd' at Paramount. Latter house also lent its stage for commercial tie-up with a women's store which put on a fashion parade.

Estimates for This Week
Broadway (Parker) (2,000; 30-35-40)—'Garden of Moon' (WB) and 'Gangs New York' (Rep). Getting fair \$4,500. Last week 'Tough Guy' (U) and 'Actress' (FN), fair \$4,500.

20th (20th)—'Alexander' (20th) (7th wk). Okay \$2,000. Sixth, \$2,400. First five weeks grossed big \$26,000.

Hamrick (Hamrick-Evergreen) (1,800; 30-35-40)—'Am Law' (Col) and 'Annabelle' (RKO). Answered to good bally for okay \$5,000. Last week 'Sinners' (Par) and 'Murder' (20th), second week, fair \$3,800.

Paramount (Hamrick-Evergreen) (3,000; 30-35-40)—'Four's a Crowd' (WB) and 'Highway Patrol' (Col) with fall style show on stage. Good \$5,000. Last week 'Nancy' (MG) (20th) and 'Rackets' (RKO), better than average \$5,600.

Rivoli (Indie) (1,100; 20-25)—'Dracula' (U) and 'Frankenstein' (U) (2nd wk). Good \$3,500. Last week same reissues billed as Horror Week, good \$2,500.

United Artists (Parker) (1,000; 30-35-40)—'Boys Town' (MG) and 'Fremman Year' (U) (3d wk). Good \$4,000. Second, \$5,000. First week registered great \$7,000.

Broadway Grosses

Estimated Total Gross
This Week.....\$309,700
(Based on 12 theatres)
Total Gross Same Week
Last Year.....\$326,500
(Based on 14 theatres)

HERBERT-'SHOW' OK 24G IN BLUE DETROIT

Detroit, Sept. 27.

Combination of first good weather in weeks and football attractions not helping film palaces. No pic standouts currently.

'Boys Town,' holding for second stanza at United Artists, is doing okay.

Estimates for This Week
Adams (Balaban) (1,700; 30-40)—'Reformatory' (Col) plus 'Keep Smiling' (20th), dual. About \$4,000, so-so. Last week, 'Alexander' (20th), in third week, combined with 'Speed Burn' (20th), clipped off \$4,300, following weeks of \$5,800 and \$7,100.

Fox (Indie) (5,000; 30-40-65)—'Place and Show' (20th) with Hugh Herbert topping vaude. Paced for \$24,000, good. Last week, mid \$17,000 for 'Co-Ed' (20th) and stage show.

Michigan (United Detroit) (4,000; 30-40-65)—'Texans' (Par) plus 'Campus Confessions' (Par), dual. Looks like \$9,500, okay. Last session about \$8,000, so-so, for 'Has Nancy' (MG) plus 'Rich Man' (MG).

Palm State (United Detroit) (3,000; 30-40-50)—'Blockheads' (MG) plus 'Ambulance Chaser' (MG), dual. Slightly under \$5,000, fair. Just over that mark last stanza for 'Smashing Rackets' (RKO) and 'Painter' (RKO).

United Artists (United Detroit) (2,000; 30-40-50)—'Boys Town' (MG) (2d week). Due for good \$7,200, following nice \$10,500 first stanza. Doubtful if will stick for another session.

'Carefree' Jitterbugs Big \$10,000 in Seattle
Seattle, Sept. 27.

Paramount theatre has stage show, 'Jitterbug Jamboree' unit, and it's drawing big biz. Anticipated run for 'Algiers' at Liberty will be nipped at end of second week, indications point, as opening week dis-

Metro's college yarn, 'Spring Dance,' went into production yesterday (Mon.). Maurice Chevalier is the femme lead. Picture will be shot around Lew Ayres until he has finished his current job in 'Young Dr. Kildare.'

Morris-Wheeler-'Moon' Wow \$19,000 In Cleve.; Marx Bros. Good \$16,000
Cleveland, Sept. 27.

Chester Morris and Bert Wheeler's stage personals are the stimulants hyping 'Garden of Moon' at the Palace. There was a natural drop over weekend because of Jewish holidays but two national conventions and vaudeville's comeback are boosting gross to \$19,000.

State's 'Too Hot to Handle' is drawing swell biz with knockout matinees. Gable-Loy names are dynamite. 'Room Service' at Hipp is strong enough to rate two h. o. weeks at affiliated Allen, which is cleaning up with 'Four Daughters.' Stillman also going a good job milking 'Spawn' and may keep it for third stanza.

Estimates for This Week
Allen (RKO) (3,000; 30-35-42-55)—'Daughters' (WB). Hold-over from Hipp is doing the family-rare okay, climbing steadily to \$7,500. Last week, 'Lucky Star' (20th), skated along on thick ice for \$6,500, good.

Alhambra (Prints) (1,200; 10-20-35)—'Birth of a Baby.' First pop-recorded showing here and at seven-day looks like record \$8,200. At least

appointed with \$7,500, good but a couple grand below expectations.

Estimates for This Week
Blue Mouse (Hamrick-Evergreen) (850; 32-37-42)—'Alexander' (20th) (7th week). Four final days anticipate okay \$1,200. Last week, same film, \$2,600, good.

Coliseum (Hamrick-Evergreen) (1,900; 21-32)—'Professor' (Par) and 'You and Me' (Par), four days. Indicate only mid \$2,600. Last week, 'Showman Angel' (MG-M) and 'Fast Company' (MG), dual, split with 'Always Goodbye' (20th) and 'Lord Jeff' (MG), dual, six days, for 10-day week Good \$4,200.

Colonial (Sterling) (800; 10-21)—'Manhunters' (Ind) and 'Main Event' (Col), dual, split with 'Arizona' (Par) and 'Circus' (Ind). Heading for good \$2,000. Last week, 'Tip-Off Girls' (Par) and 'Night Spot' (RKO), dual, split with 'Stranger from Arizona' (Col) and 'Miss Thoroughbred' (WB), okay \$2,100.

Fifth Avenue (Hamrick-Evergreen) (2,349; 32-37-42)—'Antoinette' (MG), two days of third week. 'Boys Town' (MG) opening (Tuesday). Anticipate okay \$1,900. Last week, second of 'Antoinette,' \$6,100, big.

Liberty (J-VH) (1,800; 21-32-42)—'Algiers' (UA) (2d week). Paced for \$4,000, fair. Last week, same film, \$7,500, nice but below hopes.

Music Box (Hamrick-Evergreen) (850; 32-37-42)—'Has Nancy' (MG) and 'March of Time' (MG), dual, from Paramount and looking for nice \$2,800. Last week, 'Sinners' (Par) and 'Danger Air' (U), third week, \$2,400, okay.

Orpheum (Hamrick-Evergreen) (2,600; 32-37-42)—'Four's a Crowd' (WB) and 'G-Men' (RKO). Indicate good \$6,000. Last week, 'Gangs' (20th) and 'Keep Smiling' (20th), \$5,300, good.

Palomar (Sterling) (1,350; 16-27-37)—'Barfot Boy' (Mono) and 'Devil's Party' (U), dual, with vaude. Only fair \$3,000. Last week, 'Billy Kid' (Rep) and 'Under Suspicion' (U), dual, plus vaude, one night (Monday), \$4,400, big.

Paramount (Hamrick-Evergreen) (3,038; 32-37-42)—'Carefree' (RKO) with 'Jitterbug Jamboree' on stage. Set for four weeks. Getting impressive \$10,000. Last week, 'Has Nancy' (MG) and 'Prison Raker' (U), dual, \$6,800, good.

Roosevelt (Sterling) (1,350; 16-27-37)—'Cowboy' (FN) and 'Sinners Paradise' (U). Indicate okay \$2,000. Last week, 'Maytime' (MG) and 'Treasure Island' (MG), pulled after two terrible days, split with 'Cowboy' (FN) and 'Sinners Paradise' (U), five days, \$1,900 total, fair.

Harris' Bix Pic
(Continued from page 1)

famed jazz trumpeter. Harris is accompanying Meredith vast and will try to line up Hollywood directly for the picture. It will be made in the east. Meredith is weighing several legit offers to follow 'Horn,' but nothing is set.

Hollywood, Sept. 27.
Dance, went into production yesterday (Mon.). Maurice Chevalier is the femme lead. Picture will be shot around Lew Ayres until he has finished his current job in 'Young Dr. Kildare.'

Horror Reissues Big \$4,000 in Denver
Denver, Sept. 27.

'Frankenstein' and 'Dracula' are sensational at Rialto, combo of horror reissues giving small house a smash gross. 'Four Daughters' is nice at Denver and moving to Aladdin.

Estimates for This Week
Aladdin (Fox) (1,400; 25-40)—'Forever Yours' (GN). Fair \$3,000. Last week, 'Lucky Star' (20th), good \$3,500, after a week at the Denver.

Broadway (Fox) (1,100; 25-35)—'Has Nancy' (MG) and 'Fugitives for Night' (RKO), both after a week at the Orpheum. Good \$2,500 here. Last week, 'Carefree' (RKO) and 'Rackets' (RKO), both after a week at Orpheum, good \$3,000.

Denham (Cockrell) (1,750; 25-35-40)—'Sinners' (Par), good \$3,500. Last week, 'Spawn' (Par), neat \$8,000.

Denver (Fox) (2,525; 25-35-50)—'Daughters' (WB). Nice \$9,000. Last week, 'Boy Girl' (WB), backed by neat stage show, nice \$10,000.

Orpheum (RKO) (2,600; 25-35-40)—'Breaking Ice' (RKO) and 'Annabelle' (RKO). \$6,600, good in sight. Last week, 'Has Nancy' (MG) and 'Fugitives for Night' (RKO), strong \$10,000.

Paramount (Fox) (2,200; 25-40)—'Actress' (FN) and 'Good' (20th). Fair \$3,000. Last week, 'Lady Objects' (Col) and 'Reformatory' (Col), were \$4,000.

State (Fox) (878; 25)—'Dracula' (U) and 'Frankenstein' (U) (reissues). Horror combo drawing smash \$4,000. Last week, 'Letter' (U), after week each at Denver and Aladdin, and 'Highway Patrol' (Col), good \$2,000.

Crime Clubbing Again
Hollywood, Sept. 27.

Preston Foster and Frank Jenks get the top spots in the next Crime Clubbing, 'The Dead Don't Care,' at Universal, repeating the roles they played in 'Westland Case.'

Philly B.O. Wobbly; Shearer Strong \$19,000, but Crosby Weak \$14,000

Key City Grosses

Estimated Total Gross
This Week.....\$1,525,600
(Based on 24 cities, 156 theatres, chiefly first runs, including N. Y.)
Total Gross Same Week
Last Year.....\$1,576,500
(Based on 23 cities, 163 theatres)

Daughters' Sweet \$18,000 in Boston; Holds Off Vaude

Boston, Sept. 27.

'Four Daughters,' on dual bill, is getting best play this week. 'Lucky Star' won a holdover at Keith's with a new co-feature.

Talk of vaude returning is a favorite subject for stagehands and musicians here, but doesn't appear likely before November or December.

Estimates for This Week
Fenway (M&P) (1,332; 25-35-40-55)—'Gangs' (WB) and 'Murder' (20th), dual. Fair \$6,000. Last week, 'Spawn' (Par) and 'Numbers' (20th), dual, \$6,300.

Fox Memorial (RKO) (2,907; 25-35-40-55)—'Lucky Star' (20th) (2d week) and 'Personal Secretary' (U), dual. Okay \$13,000. First week of 'Star' and 'Meet Girls' (20th) very good \$23,700.

Metropolitan (M&P) (4,367; 25-35-40-55)—'Daughters' (WB) and 'Campus Confessions' (Par), dual. Good combo clicking to tune of \$18,000. Last week, 'Four's a Crowd' (WB) and 'Legion' (Par), \$15,000, nice.

Orpheum (Loew) (2,900; 25-35-40-55)—'Am Law' (Col) and 'Gladiator' (Col), double. Satisfactory \$16,000. Last week, 'Has Nancy' (MG) and 'Chaser' (MG), good \$18,000.

Paramount (M&P) (1,797; 25-35-40-55)—'Murder' (20th), dual. Medium \$8,000. Last week, 'Spawn' (Par) and 'Numbers' (20th), dual, \$8,000.

Scollay (M&P) (2,538; 25-35-40-50)—'Spawn' (Par) and 'Numbers' (20th) (2d week), 'Boy Girl' (WB) and 'Kid' (Rep) (2d run), \$6,000, fair.

State (Loew) (3,600; 25-35-40-55)—'Am Law' (Col) and 'Gladiator' (Col), dual. Adequate \$16,000. Last week, 'Has Nancy' (MG) and 'Chaser' (MG), good \$15,000.

Horror Reissues Big \$4,000 in Denver
Denver, Sept. 27.

'Frankenstein' and 'Dracula' are sensational at Rialto, combo of horror reissues giving small house a smash gross. 'Four Daughters' is nice at Denver and moving to Aladdin.

Estimates for This Week
Aladdin (Fox) (1,400; 25-40)—'Forever Yours' (GN). Fair \$3,000. Last week, 'Lucky Star' (20th), good \$3,500, after a week at the Denver.

Broadway (Fox) (1,100; 25-35)—'Has Nancy' (MG) and 'Fugitives for Night' (RKO), both after a week at the Orpheum. Good \$2,500 here. Last week, 'Carefree' (RKO) and 'Rackets' (RKO), both after a week at Orpheum, good \$3,000.

Denham (Cockrell) (1,750; 25-35-40)—'Sinners' (Par), good \$3,500. Last week, 'Spawn' (Par), neat \$8,000.

Denver (Fox) (2,525; 25-35-50)—'Daughters' (WB). Nice \$9,000. Last week, 'Boy Girl' (WB), backed by neat stage show, nice \$10,000.

Orpheum (RKO) (2,600; 25-35-40)—'Breaking Ice' (RKO) and 'Annabelle' (RKO). \$6,600, good in sight. Last week, 'Has Nancy' (MG) and 'Fugitives for Night' (RKO), strong \$10,000.

Paramount (Fox) (2,200; 25-40)—'Actress' (FN) and 'Good' (20th). Fair \$3,000. Last week, 'Lady Objects' (Col) and 'Reformatory' (Col), were \$4,000.

State (Fox) (878; 25)—'Dracula' (U) and 'Frankenstein' (U) (reissues). Horror combo drawing smash \$4,000. Last week, 'Letter' (U), after week each at Denver and Aladdin, and 'Highway Patrol' (Col), good \$2,000.

Philadelphia, Sept. 27.

Grosses this sesh pretty well mixed, showing principally that they're picking the picture. Couple houses have wickets spinning while others are bogged down in a rut, despite the fact that weather is cool and clear. Last stanza, which started out with a tremendous \$18,000, got caught in the slough of 11 days of straight rain and so naturally failed to live up to expectations.

Pacing the town is 'Marie Antoinette' at the Boyd. Greeted in a big way as a big pic by the critics. It is getting powerful \$19,000. Certain of at least another week. Also good bet is 'Boys Town,' in its second lap at the Aldine. It's clicking off fine \$12,000, after garnering \$16,500 in the initial gallop.

Strangely disappointing is 'Sing You Sinners' at the Stanley. Unanimously acclaimed by the reviewers as Bing Crosby's best, it is nevertheless getting under \$14,000.

Estimates for This Week
Aldine (WB) (1,303; 42-57-58-75)—'Boys Town' (MG) (2d week). Striding along big with plenty word-of-mouth to help it; \$12,000, after very sound \$16,500 in opening session.

Boyd (WB) (2,350; 37-57-58-75)—'Antoinette' (MG). Powerful from the start, with \$19,000 expected and another week guaranteed. Last week, 'Four Daughters' (WB) (2d week), fell under the spell of the rain and slipped off more than was expected. Got \$11,500, fair.

Fenway (M&P) (1,332; 25-35-40-55)—'Gangs' (WB) and 'Murder' (20th), dual. Fair \$6,000. Last week, 'Spawn' (Par) and 'Numbers' (20th), dual, \$6,300.

Fox Memorial (RKO) (2,907; 25-35-40-55)—'Lucky Star' (20th) (2d week) and 'Personal Secretary' (U), dual. Okay \$13,000. First week of 'Star' and 'Meet Girls' (20th) very good \$23,700.

Metropolitan (M&P) (4,367; 25-35-40-55)—'Daughters' (WB) and 'Campus Confessions' (Par), dual. Good combo clicking to tune of \$18,000. Last week, 'Four's a Crowd' (WB) and 'Legion' (Par), \$15,000, nice.

Orpheum (Loew) (2,900; 25-35-40-55)—'Am Law' (Col) and 'Gladiator' (Col), double. Satisfactory \$16,000. Last week, 'Has Nancy' (MG) and 'Chaser' (MG), good \$18,000.

Paramount (M&P) (1,797; 25-35-40-55)—'Murder' (20th), dual. Medium \$8,000. Last week, 'Spawn' (Par) and 'Numbers' (20th), dual, \$8,000.

Scollay (M&P) (2,538; 25-35-40-50)—'Spawn' (Par) and 'Numbers' (20th) (2d week), 'Boy Girl' (WB) and 'Kid' (Rep) (2d run), \$6,000, fair.

State (Loew) (3,600; 25-35-40-55)—'Am Law' (Col) and 'Gladiator' (Col), dual. Adequate \$16,000. Last week, 'Has Nancy' (MG) and 'Chaser' (MG), good \$15,000.

Horror Reissues Big \$4,000 in Denver
Denver, Sept. 27.

'Frankenstein' and 'Dracula' are sensational at Rialto, combo of horror reissues giving small house a smash gross. 'Four Daughters' is nice at Denver and moving to Aladdin.

Estimates for This Week
Aladdin (Fox) (1,400; 25-40)—'Forever Yours' (GN). Fair \$3,000. Last week, 'Lucky Star' (20th), good \$3,500, after a week at the Denver.

Broadway (Fox) (1,100; 25-35)—'Has Nancy' (MG) and 'Fugitives for Night' (RKO), both after a week at the Orpheum. Good \$2,500 here. Last week, 'Carefree' (RKO) and 'Rackets' (RKO), both after a week at Orpheum, good \$3,000.

Denham (Cockrell) (1,750; 25-35-40)—'Sinners' (Par), good \$3,500. Last week, 'Spawn' (Par), neat \$8,000.

Denver (Fox) (2,525; 25-35-50)—'Daughters' (WB). Nice \$9,000. Last week, 'Boy Girl' (WB), backed by neat stage show, nice \$10,000.

Orpheum (RKO) (2,600; 25-35-40)—'Breaking Ice' (RKO) and 'Annabelle' (RKO). \$6,600, good in sight. Last week, 'Has Nancy' (MG) and 'Fugitives for Night' (RKO), strong \$10,000.

Paramount (Fox) (2,200; 25-40)—'Actress' (FN) and 'Good' (20th). Fair \$3,000. Last week, 'Lady Objects' (Col) and 'Reformatory' (Col), were \$4,000.

State (Fox) (878; 25)—'Dracula' (U) and 'Frankenstein' (U) (reissues). Horror combo drawing smash \$4,000. Last week, 'Letter' (U), after week each at Denver and Aladdin, and 'Highway Patrol' (Col), good \$2,000.

Crime Clubbing Again
Hollywood, Sept. 27.

Preston Foster and Frank Jenks get the top spots in the next Crime Clubbing, 'The Dead Don't Care,' at Universal, repeating the roles they played in 'Westland Case.'

B'KLYN WICKETS HUM

'Gladiator,' Vaude Nifty \$14,000; Henie Dual Good \$16,000

Brooklyn, Sept. 27.

Good attendance at downtown emporium with extra activity at Fabian Strand, where vaude and single picture policy is now two weeks old. Fabian Paramount holding in 'Four Daughters' (WB) and will wind up with nice profit. Nick Kenny and radio gang headlining Folly show.

Estimates for This Week
Albee (2,274; 25-35-40)—'Lucky Star' (20th) (2d week). 'Moto' (20th). Will do okay \$16,000. Last week 'Alexander' (20th) (2d-fall) peachy \$16,000.

Fox (4,089; 25-50)—'Gangs' (WB) and 'Leathernecks' (Rep). Opened yesterday (Mon.). Last week 'Am Law' (Col) and 'Higgins Family' (Rep) (2d-fall week), \$12,000, fair.

Met (3,818; 25-50)—'Letter' (U) and 'Strangers Boarders' (G-B). Pleasant \$18,000. Last week 'Has Nancy' (MG) and 'Safety Numbers' (20th), good \$15,000.

Paramount (4,126; 25-50)—'Daughters' (WB) and 'Kid' (Rep) (3rd-fall week). Will produce first-rate \$17,000. Last week, pair drew excellent \$20,000.

Strand (2,870; 25-50)—'Gladiator' (Col) and stage show with Frances Faye, Slate Bros., Frank Paris. Will give house nifty \$14,000. Last week 'Boy Girl' (WB) and vaude, garnered excellent \$15,000.

Chi B.O. Easing Off; 'Sinners' Plus Pryor Orch Good \$36,000, 'Algiers' Only Fair \$15,000, 'Nancy' Nice 13G

Chicago, Sept. 27. Business leveling off currently, despite the arrival of several well-received flickers. Expect a perk-up towards the finish of the week on word-of-mouth.

Top of the lot is 'Sing You Sinners' which is being touted as the best of the Bing Crosby items in a long time. Lifting the Chicago flag ship several grand reviews last week's blooper, and looks for a heap of coin on general releases throughout the territory.

Other new entries in the current pic parade include 'Three Loves Has Nancy', at the Roosevelt, and 'Algiers', at the United Artists. Former picture was given plenty of boosting by crix and figures for smart coin. 'Algiers' got away at a so-so pace, despite plenty of ballyhoo for Hedy La Marr.

Holding over are 'Room Service' and 'Hold That Co-Ed', with the Marx Bros. picture indicating a sharp drop from the strong initial session. Football flicker is getting good play in its second stanza. State-Lake has one of its infrequent Warner Bros. displays currently with 'The Are Spawn' (Par) and the flicker is getting some money.

Estimates for Last Week
Apollo (B&K) (1,200; 35-55-65-75) —'Am Law' (Col.). Back in loop after one week in the Roosevelt. Getting maybe \$4,500, fair, here. Last week, 'Alexander' (20th), finished its fifth loop calling to good \$5,400.

Chicago (B&K) (4,000; 35-55-75) —'Sinners' (Par) and Roger Pryor orchestra on stage. Bing Crosby picture getting good audience comment and figures to build to good \$36,000. Last week, 'Spawn' (Par) faded into cellar with soggy \$27,700.

Garlick (B&K) (900; 35-55-65-75) —'Co-Ed' (20th) (2d week). Holding in fine \$4,500 currently following near \$6,200 last week.

Falace (RKO) (2,500; 35-55-65-75) —'Room Service' (RKO) and vaude (2d week). Slipping this week, with word of fair \$17,000 currently. Last week was a topnotcher at \$26,800.

Roosevelt (B&K) (1,500; 35-55-65-75) —'Nancy' (M-G). Opened well and climbing on strong in talk around town. Figures for \$13,000, pleasant. Last week, 'Am Law' (Col.), \$10,700, meagre.

State-Lake (Jones) (2,700; 25-35-45-55) —'Men Pals' (WB) and vaude. Strong stage lineup and audience picture making it a profitable week with \$11,000. Last week, 'Slander House' (Pro), \$9,600, fairish.

United Artists (B&K-UA) (1,700; 35-55-65-75) —'Algiers' (UA). Get-away wasn't so hot and will take plenty of pressing to get it into the big numerals; points for \$15,000, okay. Last week, 'Antoinette' (M-G), fourth week, good \$8,300.

'SINNERS' PULLS GOOD \$12,000 IN CINCY

Cincinnati, Sept. 27. 'Too Hot to Handle' is the burg's champ b.o. tugger currently. It's racking up a big mark for the Palace. Next best is 'Sing You Sinners' at the Albee. Only other fresh release at a major stand is 'Road to Reno', which is blah for Keith's.

Local cinema trade picture is being registered by closing of the 'Sinners' six-week run at the Shubert. Total pull on the engagement will be around \$65,000, Cincy's record for recent years, topping former high take by 'San Francisco' 'You Can't Take It With You' (Col) follows 'Alexander' at the Shubert for an indoor stay.

This week's biz, by and large, is on the sunny side.

Estimates for This Week
Albee (RKO) (3,300; 35-42) —'Sinners' (Par). Okay \$12,000. Last week, 'Daughters' (WB), swell \$15,000.

Capitol (RKO) (2,000; 35-42) —'Daughters' (WB) (2d run). Fair \$4,500. Last week, 'Antoinette' (M-G) (2d run), excellent \$6,000.

Family (RKO) (1,000; 15-25) —'Painted Desert' (RKO). Time out for murder (2nd) 'Buildup Drummond in Africa' (Par) cut. Nice \$2,200. Last week, 'Reno' (RKO), 6.

Last week, 'Sailor' (Par), fair \$4,500. **Lyric (RKO)** (1,400; 35-42) —'Has Nancy' (M-G) (2d run), Okay \$4,500. Ditto last week with 'Lucky Star' (20th) (2d run).

Falace (RKO) (2,600; 35-42) —'Hot Palace' (M-G). Big \$16,000. Last week, 'Has Nancy' (M-G), good \$12,000.

Shubert (RKO) (2,150; 40-55) —'Alexander' (20th) (6th-8th wk). Great \$4,500. Last week, fifth, fine \$6,500.

CROSBY BIG 10G AS H.O.S. RULE IN L'VILLE

Louisville, Sept. 27. Holdover pictures are the rule currently, with only two downtown houses exhibiting new product. However, business is good and films starting for seeking stanzas are making an above-average showing.

Weather has turned warmer for a spell, but pull of outdoor opposish has been weakened and theatres are getting bulk of the entertainment dollars.

'Sing You Sinners', on a dual at Rialto, is pulling Crosby fans in nice style, while 'Affairs of Annabel' and '10th Ave. Kid' at Strand are copping more attention than such a light pair would ordinarily, due to the lack of new films in downtown sector.

Estimates for This Week
Brown (Loew's-Fourth Ave.) —'Carefree' (RKO) and 'Rackets' (RKO). Astaire-Rogers opus moved here after okay stanza at Rialto and looks like fair \$1,800. Last week, 'Tas Nancy' (M-G) and 'Gladiator' (Col), good \$2,400.

Kentucky (Swift) (900; 15-25) —'Clitterhouse' (WB) and 'Miss Broadway' (20th). dual. Should register okay \$2,100. Last week, 'My Bill' (WB) and cowboy from Brooklyn (WB), split with 'Little Women' (RKO) and 'Penrod' (WB), okay \$2,000.

Loew's State (Loew's) (3,100; 15-30-40) —'Boys' Town' (M-G) and 'Lady Objects' (20th) (2d week). Holding up well and indications are for okay \$6,000, after initial stanza's socko \$11,500, better than expected.

Mary Anderson (Libson) (1,000; 15-30-40) —'Daughters' (WB) (2d week). Still making good showing. Looks to tally around \$3,200 or better, good. First week swell \$4,000.

Ohio (Settos) (900; 15) —'Doctor, Nurse' (20th) and 'Faint Page' (UA) (dual), split with 'Heidi' (20th) and 'Hot Water' (20th) (twin). Pacing for average \$1,400. Last week, 'True Confession' (20th) and 'Honolulu' (U) (dual), split with 'Missing Girls' (Indie) and 'Love Work' (20th) (pair), okay \$1,500.

Rialto (Fourth Ave.) (3,000; 15-30-40) —'Sinners' (Par) and 'Campus Confessions' (Par) (dual). Crosby film had 'em lining up early and steadily; pointing to healthy \$10,000 and probable h. o. Last week, 'Carefree' (RKO) and 'Smashing Rackets' (RKO), fair enough at \$7,500 to warrant moveover, but more expected.

Strand (Fourth Ave.) (3,000; 15-30-40) —'Annabelle' (RKO) and 'Kid' (Rep) (dual). Pair doing better than average, probably due to h. o. at other houses. Combo holding pace well and looks to grab okay \$3,700 for the windup. Last week, 'Breaking Ice' (RKO) and 'Sky Giant' (RKO), satisfactory \$3,500.

Henie, Sole Lincoln Solo, Nice \$3,800

Lincoln, Sept. 27. Varsity shuts its doors (25) and underdogs quick paint job, previously to changing policy and becoming a deluxer with upped scale (10-25-35). Stuart started strong with 'My Lucky Star', but faded after the week-end; dual of 'Always Goodbye' and 'Keep Smiling', at Lincoln, holding its ground.

Orpheum became a straight second-run (22) when it opened with 'The Great Dictator' cut. Bize from 10-25-40 to 10-15-20. Biz is as it has been, al

First Runs on Broadway (Subject to Change)

Week of Sept. 29
Astor —'Marie Antoinette' (MG) (7th wk),
Capitol —'Too Hot to Handle' (MG),
 (Reviewed in VARIETY, Sept. 21)
Criterion —'Sons of the Legion' (Par),
Globe —'Road to Reno' (U) (1),
Music Hall —'Drums' (UA),
 (Reviewed in VARIETY, April 29)
Paramount —'If I Were King' (Par) (28),
Rialto —'Mr. Doodle Kicks Off' (RKO) (27),
 (Reviewed in VARIETY, Sept. 21)
Rivoli —'Room Service' (RKO) (2nd wk),
Roxy —'Straight, Place and Show' (20th) (30),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (2nd wk),
Week of Oct. 6
Astor —'Marie Antoinette' (MG) (8th wk),
Capitol —'Too Hot to Handle' (MG) (2nd wk),
Globe —'Dark Rapture' (U) (8),
Music Hall —'Drums' (UA) (2nd wk),
Paramount —'If I Were King' (Par) (2nd wk),
Rivoli —'Room Service' (RKO) (2nd wk),
Roxy —'Straight, Place and Show' (20th) (2nd wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (2nd wk),
Week of Oct. 13
Astor —'Marie Antoinette' (MG) (9th wk),
Capitol —'Too Hot to Handle' (MG) (3rd wk),
Globe —'Dark Rapture' (U) (9),
Music Hall —'Drums' (UA) (3rd wk),
Paramount —'If I Were King' (Par) (3rd wk),
Rivoli —'Room Service' (RKO) (3rd wk),
Roxy —'Straight, Place and Show' (20th) (3rd wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (3rd wk),
Week of Oct. 20
Astor —'Marie Antoinette' (MG) (10th wk),
Capitol —'Too Hot to Handle' (MG) (4th wk),
Globe —'Dark Rapture' (U) (10),
Music Hall —'Drums' (UA) (4th wk),
Paramount —'If I Were King' (Par) (4th wk),
Rivoli —'Room Service' (RKO) (4th wk),
Roxy —'Straight, Place and Show' (20th) (4th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (4th wk),
Week of Oct. 27
Astor —'Marie Antoinette' (MG) (11th wk),
Capitol —'Too Hot to Handle' (MG) (5th wk),
Globe —'Dark Rapture' (U) (11),
Music Hall —'Drums' (UA) (5th wk),
Paramount —'If I Were King' (Par) (5th wk),
Rivoli —'Room Service' (RKO) (5th wk),
Roxy —'Straight, Place and Show' (20th) (5th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (5th wk),
Week of Nov. 3
Astor —'Marie Antoinette' (MG) (12th wk),
Capitol —'Too Hot to Handle' (MG) (6th wk),
Globe —'Dark Rapture' (U) (12),
Music Hall —'Drums' (UA) (6th wk),
Paramount —'If I Were King' (Par) (6th wk),
Rivoli —'Room Service' (RKO) (6th wk),
Roxy —'Straight, Place and Show' (20th) (6th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (6th wk),
Week of Nov. 10
Astor —'Marie Antoinette' (MG) (13th wk),
Capitol —'Too Hot to Handle' (MG) (7th wk),
Globe —'Dark Rapture' (U) (13),
Music Hall —'Drums' (UA) (7th wk),
Paramount —'If I Were King' (Par) (7th wk),
Rivoli —'Room Service' (RKO) (7th wk),
Roxy —'Straight, Place and Show' (20th) (7th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (7th wk),
Week of Nov. 17
Astor —'Marie Antoinette' (MG) (14th wk),
Capitol —'Too Hot to Handle' (MG) (8th wk),
Globe —'Dark Rapture' (U) (14),
Music Hall —'Drums' (UA) (8th wk),
Paramount —'If I Were King' (Par) (8th wk),
Rivoli —'Room Service' (RKO) (8th wk),
Roxy —'Straight, Place and Show' (20th) (8th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (8th wk),
Week of Nov. 24
Astor —'Marie Antoinette' (MG) (15th wk),
Capitol —'Too Hot to Handle' (MG) (9th wk),
Globe —'Dark Rapture' (U) (15),
Music Hall —'Drums' (UA) (9th wk),
Paramount —'If I Were King' (Par) (9th wk),
Rivoli —'Room Service' (RKO) (9th wk),
Roxy —'Straight, Place and Show' (20th) (9th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (9th wk),
Week of Dec. 1
Astor —'Marie Antoinette' (MG) (16th wk),
Capitol —'Too Hot to Handle' (MG) (10th wk),
Globe —'Dark Rapture' (U) (16),
Music Hall —'Drums' (UA) (10th wk),
Paramount —'If I Were King' (Par) (10th wk),
Rivoli —'Room Service' (RKO) (10th wk),
Roxy —'Straight, Place and Show' (20th) (10th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (10th wk),
Week of Dec. 8
Astor —'Marie Antoinette' (MG) (17th wk),
Capitol —'Too Hot to Handle' (MG) (11th wk),
Globe —'Dark Rapture' (U) (17),
Music Hall —'Drums' (UA) (11th wk),
Paramount —'If I Were King' (Par) (11th wk),
Rivoli —'Room Service' (RKO) (11th wk),
Roxy —'Straight, Place and Show' (20th) (11th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (11th wk),
Week of Dec. 15
Astor —'Marie Antoinette' (MG) (18th wk),
Capitol —'Too Hot to Handle' (MG) (12th wk),
Globe —'Dark Rapture' (U) (18),
Music Hall —'Drums' (UA) (12th wk),
Paramount —'If I Were King' (Par) (12th wk),
Rivoli —'Room Service' (RKO) (12th wk),
Roxy —'Straight, Place and Show' (20th) (12th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (12th wk),
Week of Dec. 22
Astor —'Marie Antoinette' (MG) (19th wk),
Capitol —'Too Hot to Handle' (MG) (13th wk),
Globe —'Dark Rapture' (U) (19),
Music Hall —'Drums' (UA) (13th wk),
Paramount —'If I Were King' (Par) (13th wk),
Rivoli —'Room Service' (RKO) (13th wk),
Roxy —'Straight, Place and Show' (20th) (13th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (13th wk),
Week of Dec. 29
Astor —'Marie Antoinette' (MG) (20th wk),
Capitol —'Too Hot to Handle' (MG) (14th wk),
Globe —'Dark Rapture' (U) (20),
Music Hall —'Drums' (UA) (14th wk),
Paramount —'If I Were King' (Par) (14th wk),
Rivoli —'Room Service' (RKO) (14th wk),
Roxy —'Straight, Place and Show' (20th) (14th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (14th wk),
Week of Jan. 5
Astor —'Marie Antoinette' (MG) (21st wk),
Capitol —'Too Hot to Handle' (MG) (15th wk),
Globe —'Dark Rapture' (U) (21),
Music Hall —'Drums' (UA) (15th wk),
Paramount —'If I Were King' (Par) (15th wk),
Rivoli —'Room Service' (RKO) (15th wk),
Roxy —'Straight, Place and Show' (20th) (15th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (15th wk),
Week of Jan. 12
Astor —'Marie Antoinette' (MG) (22nd wk),
Capitol —'Too Hot to Handle' (MG) (16th wk),
Globe —'Dark Rapture' (U) (22),
Music Hall —'Drums' (UA) (16th wk),
Paramount —'If I Were King' (Par) (16th wk),
Rivoli —'Room Service' (RKO) (16th wk),
Roxy —'Straight, Place and Show' (20th) (16th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (16th wk),
Week of Jan. 19
Astor —'Marie Antoinette' (MG) (23rd wk),
Capitol —'Too Hot to Handle' (MG) (17th wk),
Globe —'Dark Rapture' (U) (23),
Music Hall —'Drums' (UA) (17th wk),
Paramount —'If I Were King' (Par) (17th wk),
Rivoli —'Room Service' (RKO) (17th wk),
Roxy —'Straight, Place and Show' (20th) (17th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (17th wk),
Week of Jan. 26
Astor —'Marie Antoinette' (MG) (24th wk),
Capitol —'Too Hot to Handle' (MG) (18th wk),
Globe —'Dark Rapture' (U) (24),
Music Hall —'Drums' (UA) (18th wk),
Paramount —'If I Were King' (Par) (18th wk),
Rivoli —'Room Service' (RKO) (18th wk),
Roxy —'Straight, Place and Show' (20th) (18th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (18th wk),
Week of Feb. 2
Astor —'Marie Antoinette' (MG) (25th wk),
Capitol —'Too Hot to Handle' (MG) (19th wk),
Globe —'Dark Rapture' (U) (25),
Music Hall —'Drums' (UA) (19th wk),
Paramount —'If I Were King' (Par) (19th wk),
Rivoli —'Room Service' (RKO) (19th wk),
Roxy —'Straight, Place and Show' (20th) (19th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (19th wk),
Week of Feb. 9
Astor —'Marie Antoinette' (MG) (26th wk),
Capitol —'Too Hot to Handle' (MG) (20th wk),
Globe —'Dark Rapture' (U) (26),
Music Hall —'Drums' (UA) (20th wk),
Paramount —'If I Were King' (Par) (20th wk),
Rivoli —'Room Service' (RKO) (20th wk),
Roxy —'Straight, Place and Show' (20th) (20th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (20th wk),
Week of Feb. 16
Astor —'Marie Antoinette' (MG) (27th wk),
Capitol —'Too Hot to Handle' (MG) (21st wk),
Globe —'Dark Rapture' (U) (27),
Music Hall —'Drums' (UA) (21st wk),
Paramount —'If I Were King' (Par) (21st wk),
Rivoli —'Room Service' (RKO) (21st wk),
Roxy —'Straight, Place and Show' (20th) (21st wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (21st wk),
Week of Feb. 23
Astor —'Marie Antoinette' (MG) (28th wk),
Capitol —'Too Hot to Handle' (MG) (22nd wk),
Globe —'Dark Rapture' (U) (28),
Music Hall —'Drums' (UA) (22nd wk),
Paramount —'If I Were King' (Par) (22nd wk),
Rivoli —'Room Service' (RKO) (22nd wk),
Roxy —'Straight, Place and Show' (20th) (22nd wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (22nd wk),
Week of Feb. 30
Astor —'Marie Antoinette' (MG) (29th wk),
Capitol —'Too Hot to Handle' (MG) (23rd wk),
Globe —'Dark Rapture' (U) (29),
Music Hall —'Drums' (UA) (23rd wk),
Paramount —'If I Were King' (Par) (23rd wk),
Rivoli —'Room Service' (RKO) (23rd wk),
Roxy —'Straight, Place and Show' (20th) (23rd wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (23rd wk),
Week of Mar. 6
Astor —'Marie Antoinette' (MG) (30th wk),
Capitol —'Too Hot to Handle' (MG) (24th wk),
Globe —'Dark Rapture' (U) (30),
Music Hall —'Drums' (UA) (24th wk),
Paramount —'If I Were King' (Par) (24th wk),
Rivoli —'Room Service' (RKO) (24th wk),
Roxy —'Straight, Place and Show' (20th) (24th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (24th wk),
Week of Mar. 13
Astor —'Marie Antoinette' (MG) (31st wk),
Capitol —'Too Hot to Handle' (MG) (25th wk),
Globe —'Dark Rapture' (U) (31),
Music Hall —'Drums' (UA) (25th wk),
Paramount —'If I Were King' (Par) (25th wk),
Rivoli —'Room Service' (RKO) (25th wk),
Roxy —'Straight, Place and Show' (20th) (25th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (25th wk),
Week of Mar. 20
Astor —'Marie Antoinette' (MG) (32nd wk),
Capitol —'Too Hot to Handle' (MG) (26th wk),
Globe —'Dark Rapture' (U) (32),
Music Hall —'Drums' (UA) (26th wk),
Paramount —'If I Were King' (Par) (26th wk),
Rivoli —'Room Service' (RKO) (26th wk),
Roxy —'Straight, Place and Show' (20th) (26th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (26th wk),
Week of Mar. 27
Astor —'Marie Antoinette' (MG) (33rd wk),
Capitol —'Too Hot to Handle' (MG) (27th wk),
Globe —'Dark Rapture' (U) (33),
Music Hall —'Drums' (UA) (27th wk),
Paramount —'If I Were King' (Par) (27th wk),
Rivoli —'Room Service' (RKO) (27th wk),
Roxy —'Straight, Place and Show' (20th) (27th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (27th wk),
Week of Apr. 3
Astor —'Marie Antoinette' (MG) (34th wk),
Capitol —'Too Hot to Handle' (MG) (28th wk),
Globe —'Dark Rapture' (U) (34),
Music Hall —'Drums' (UA) (28th wk),
Paramount —'If I Were King' (Par) (28th wk),
Rivoli —'Room Service' (RKO) (28th wk),
Roxy —'Straight, Place and Show' (20th) (28th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (28th wk),
Week of Apr. 10
Astor —'Marie Antoinette' (MG) (35th wk),
Capitol —'Too Hot to Handle' (MG) (29th wk),
Globe —'Dark Rapture' (U) (35),
Music Hall —'Drums' (UA) (29th wk),
Paramount —'If I Were King' (Par) (29th wk),
Rivoli —'Room Service' (RKO) (29th wk),
Roxy —'Straight, Place and Show' (20th) (29th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (29th wk),
Week of Apr. 17
Astor —'Marie Antoinette' (MG) (36th wk),
Capitol —'Too Hot to Handle' (MG) (30th wk),
Globe —'Dark Rapture' (U) (36),
Music Hall —'Drums' (UA) (30th wk),
Paramount —'If I Were King' (Par) (30th wk),
Rivoli —'Room Service' (RKO) (30th wk),
Roxy —'Straight, Place and Show' (20th) (30th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (30th wk),
Week of Apr. 24
Astor —'Marie Antoinette' (MG) (37th wk),
Capitol —'Too Hot to Handle' (MG) (31st wk),
Globe —'Dark Rapture' (U) (37),
Music Hall —'Drums' (UA) (31st wk),
Paramount —'If I Were King' (Par) (31st wk),
Rivoli —'Room Service' (RKO) (31st wk),
Roxy —'Straight, Place and Show' (20th) (31st wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (31st wk),
Week of May 1
Astor —'Marie Antoinette' (MG) (38th wk),
Capitol —'Too Hot to Handle' (MG) (32nd wk),
Globe —'Dark Rapture' (U) (38),
Music Hall —'Drums' (UA) (32nd wk),
Paramount —'If I Were King' (Par) (32nd wk),
Rivoli —'Room Service' (RKO) (32nd wk),
Roxy —'Straight, Place and Show' (20th) (32nd wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (32nd wk),
Week of May 8
Astor —'Marie Antoinette' (MG) (39th wk),
Capitol —'Too Hot to Handle' (MG) (33rd wk),
Globe —'Dark Rapture' (U) (39),
Music Hall —'Drums' (UA) (33rd wk),
Paramount —'If I Were King' (Par) (33rd wk),
Rivoli —'Room Service' (RKO) (33rd wk),
Roxy —'Straight, Place and Show' (20th) (33rd wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (33rd wk),
Week of May 15
Astor —'Marie Antoinette' (MG) (40th wk),
Capitol —'Too Hot to Handle' (MG) (34th wk),
Globe —'Dark Rapture' (U) (40),
Music Hall —'Drums' (UA) (34th wk),
Paramount —'If I Were King' (Par) (34th wk),
Rivoli —'Room Service' (RKO) (34th wk),
Roxy —'Straight, Place and Show' (20th) (34th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (34th wk),
Week of May 22
Astor —'Marie Antoinette' (MG) (41st wk),
Capitol —'Too Hot to Handle' (MG) (35th wk),
Globe —'Dark Rapture' (U) (41),
Music Hall —'Drums' (UA) (35th wk),
Paramount —'If I Were King' (Par) (35th wk),
Rivoli —'Room Service' (RKO) (35th wk),
Roxy —'Straight, Place and Show' (20th) (35th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (35th wk),
Week of May 29
Astor —'Marie Antoinette' (MG) (42nd wk),
Capitol —'Too Hot to Handle' (MG) (36th wk),
Globe —'Dark Rapture' (U) (42),
Music Hall —'Drums' (UA) (36th wk),
Paramount —'If I Were King' (Par) (36th wk),
Rivoli —'Room Service' (RKO) (36th wk),
Roxy —'Straight, Place and Show' (20th) (36th wk),
 (Reviewed in current VARIETY)
Strand —'Garden of the Moon' (WB) (36th wk),
Week of Jun. 5
Astor —'Marie Antoinette' (MG) (43rd wk),
Capitol —'Too Hot to Handle' (MG

Henie Nice \$8,500 in Mpls., Cagney Cool \$5,000, but Shearer H.O. Warm

Minneapolis, Sept. 27. Lack of outstanding attractions, outside of the hold-over, 'Marie Antoinette' and the sure-seller World offering, 'La Boheme,' is holding down grosses. After a succession of big weeks, however, box offices can stand the present, slight recession. Weakest of the newcomers is 'Boy Meets Girl' at the Orpheum. 'My Lucky Star' will fall behind recent Sonja Henie predecessors because of its failure to make a strong impression with critics and customers. After a sensational first week at the State, 'Antoinette' has moved over to the Century and continues to click profitably.

Week-end trade was stimulated by an influx of visitors for the Minnesota-Washington football game, ushering in the local gridiron season before a crowd of 48,000.

Estimates for This Week
Aster (Par-Singer) (900; 15-25)—'Racket Busters' (WB) and 'Numbers' (20th), dual. In for entire week and route good \$1,500. Last week 'Gladiator' (Col) and 'Ski Giant' (RKO), \$1,800, good.

Century (Par-Singer) (1,800; 25-35-40)—'Antoinette' (M-G). Moved here after smash biz in its initial canto at the State. Still hitting on all cylinders and reaching toward fine \$7,000. Last week, 'Carey's Chickens' (RKO), \$4,200, mild.

Orpheum (Par-Singer) (2,800; 25-35-40)—'Boy Meets Girl' (WB). Critics rate it better than play seen here last season but not there. Light \$5,000 in prospect. Last week 'Aigiers' (UA), \$5,000, good.

State (Par-Singer) (2,300; 25-35-40)—'Lucky Star' (20th). Scandinavians here not turning out in anticipated numbers for this one and maybe Sonja Henie's slipping locally at the box office, though mixed opinions regarding picture undoubtedly most important influence on gross. Good \$6,000 in prospect. Last week 'Antoinette' (M-G), \$12,000, very big.

Time (Berger) (200; 15-25)—'Vice Trust' (Indie). Playing up sensationalism. Climbing toward big \$10,000 in prospect. Last week 'Stretch' (M-G) (reissue), \$700, fair.

Uptown (Par) (1,200; 25-35)—'Andy Hardy' (M-G). Gaining momentum and likely to top fine \$3,000. Last week 'Yank at Oxford' (M-G), \$2,500, nice.

World (Steffe) (290; 25-35-40-55)—'La Boheme' (Foreign). Built to order for house that caters to carriage trade. Jan Kiepura a magnet here, and picture is likely to run several weeks. Good \$1,800 indicated. Last week 'Limberlost' (Mono), \$300, poor, in four days.

GABLE-LOY 17G, AROUSES BUFF.

Buffalo, Sept. 27. 'Too Hot to Handle' is all of that at the Buffalo and looks to bring in the best business in town for the current stanza. Elsewhere grosses are moderate.

Estimates for This Week
Buffalo (Shea) (3,500; 30-35-55)—'Hot Handle' (M-G). Gable-Loy should get best gross in months, probably \$17,000. Last week, 'Sinners' (Par), slightly under estimates although okay at \$11,300.

Century (Shea) (3,000; 25-35)—'Sinner' (Par) (2d run). Nine days for this and looks good \$6,500. Last week, 'Kid' (Rep) and 'Fugitives for Night' (RKO), five-day double feature struck fair \$4,700.

Hipp (Shea) (2,500; 25-40)—'Co-Ed' (20th) and 'Mr. Moto' (20th). Good \$6,000. Last week, 'Actress' (WB), \$4,800.

Globe (Ind) (2,300; 25-35)—'G-Men Step In' (Col) and 'Gladiator' (Col). Looks like fair \$7,500. Last week, 'Am Law' (Col) and 'Show On' (G-B), neat \$8,900.

ASTAIRE-ROGERS, 'CO-ED' OK \$6,000 EACH IN O. C.

Oklahoma City, Sept. 27. 'Hold That Co-Ed,' at Criterion, and 'Carefree' at Midway, are both paced for good \$8,000. 'Boys Town' shifted to Tower for second stanza after swell \$9,500 at the Midwest last week.

Six, fair, in town all this week, should hype b. o.s with large out-state crowds.

Estimates for This Week
Criterion (Stan) (1,500; 25-35-40)—'Co-Ed' (20th). Good \$6,000. Last

week, 'Sinners' (Par), good \$6,300. Liberty (Stan) (1,200; 20-25)—'Tough Guy' (U) and 'Men Follow' (WB). No better than \$2,000, below average. Last week, 'Poor Man' (M-G) and 'Prison Break' (U), split with 'Bad' (WB) and 'Meet Girl' (20th), poor \$1,800.

Midwest (Stan) (1,500; 25-35-40)—'Carefree' (RKO). Will cop good \$6,000. Last week, 'Boys Town' (M-G), swelled to good \$5,900.

State (Noble) (1,100; 20-25)—'Music Mountain' (Rep) and 'I Cover Waterfront' (UA). Should pull average \$2,500. Last week, 'Star Born' (M-G) and 'Leathernecks' (Rep), cold \$1,800.

Tower (Stan) (1,100; 25-35)—'Boys Town' (M-G). Following one week at Midwest, should get nice \$2,500. Last week, 'Antoinette' (M-G) (2d run), failed to make par at \$2,000.

'HOT' STEAMING TO \$16,000 IN K. C.

Kansas City, Sept. 27. Line-up of films shows sturdy attractions, with Gable-Loy combo in 'Too Hot to Handle' at Midland overshadowing. Film started bullishly at top-notch pace, but is figured to ease off somewhat due to negative word-of-mouth.

Orpheum and Newman broke up their customary opening day policies to bring in new films on mid-week dates. Single featured, both 'Four Daughters' and 'Sing You Sinners' are showing sufficient strength to hold out for extra days. At Tower, where recent attention has been concentrated on vaude names, it's the film which shows the major draught this week.

Annual Jubilees closed Sunday (25), giving show business back to the theatres, although most managers agree the event has been good for business in general. In the face of it, Benny Goodman set a new house record at the Tower last week.

Esquire (Fox-Midwest) (820; 15-25-40)—'Lucky Star' (20th). Took over in middle of week and looks like first eight days will get \$6,000. Last week 'Letter' (U), gave out in its fifth day of second week; \$2,500 in short week only fair.

Midland (Loew's) (5,737; 10-25-40)—'Hot Handle' (M-G) and 'Lady Objects' (Col). Headed up \$15,000, very good. At this pace will shade previous week's take. Last week 'Boys Town' (M-G) and 'Danger on Air' (U) big \$15,500.

Newman (Paramount) (1,900; 10-25-40)—'Sinners' (Par). Soling with a mid-week opening. Looks like nine-day run at least and chalking up \$7,500, nice. Last week 'Boy Girl' (FN) proved less than an av-

'Hot Handle' Terrific \$20,000 Despite Frisco Criz; 'Drums' Loud \$12,000

San Francisco, Sept. 27. 'Too Hot to Handle,' with Clark Gable and Myrna Loy, is pretty hot stuff at the Warfield. Gable and Loy always have been a ticket potent at the h.o. although not treated kindly by the criz in this spot.

'Drums,' Korda's Technicolor picture, at the United Artists, got off with a bang last week. The weeks of 'Aigiers' at this house. A second Technicolor picture, 'Valley of the Giants,' is faring fairly well at the Fox. Paramount, Orpheum and St. Francis all have holdovers.

Estimates for This Week
Fox (F-WC) (5,000; 35-55-75)—'Giants' (WB) and 'Meet Girls' (20th). Technicolor picture has given this old-fashioned story a modern touch, which is helping to put it over. Geared for \$16,000, nice. Last week, 'Daughters' (WB) and 'Higgins Family' (Rep) (2d run), good \$11,500. Last week, 'Meet Girls' (20th) and 'Golden Gate' (RKO) (2,850; 35-55)—'Annabelle' (RKO) and Maxine Sullivan on stage. Latter getting a big buildup in ads and largely responsible for most of biz this week, which looks like \$14,000, average. Last week, 'Rackets' (RKO) with Pinky Tomlin on the stage, average \$14,000.

Orpheum (F&M) (2,440; 35-55)—'Am Law' (Col) and 'Freshman Romance' (U) (3d wk.). Biz skidded so badly in third week that Manager

erage draw, \$4,500 in seven days. Orpheum (RKO) (1,500; 10-25-40)—'Daughters' (FN). In couple of days early and set for eight days. Long week looks for \$7,800 good. Last week 'Clitterhouse' (FN), \$5,000, fair.

Tower (Fox-Midwest) (2,200; 10-35-55)—'Co-Ed' (20th) with Johnny Perkins heading vaude. Take very light, \$7,000. Last week 'Freshman Year' (U) and Benny Goodman's band jammed in the lobbies for a new house record at \$19,500.

Uptown (Fox-Midwest) (1,200; 10-25-40)—'Dracula' (U) and 'Frankenstein' (U) (reissues). Eclipsing everything of past two years, \$6,300, phenomenal. Last week 'Alexander' (20th), in third week here and fifth in town, satisfactory \$3,000.

Guild Stands Pat

(Continued from page 5)

theory that there is no likely material for such a sizable investment. No Col. Lortage

There is no shortage of coin in legit, the playwrights claim. On the contrary, there is a shortage of suitable scripts. There are a number of producers who have backing, but can't find satisfactory scripts, but no known cases of producers with likely scripts unable to obtain backing. On that theory, additional coin would merely encourage the production of unsuitable scripts and thereby increase the percentage of flops, but would not bring about any increase in the number of hits. According to the authors, flops hurt the theatre, and it's help it. For another thing, it is argued that the period of frenzied production several seasons ago, when some of the leading managers had huge chunks of picture coin for use over periods of a full season or more, led to all sorts of extremes in lavish production and costly flops, but contributed little to the good of the theatre as a whole.

Only signs of a possible future return of Hollywood money to legit are what is viewed as a slowly growing restlessness among picture execs and the undeveloped plan being worked out by a joint committee of studios and Guild reps. As for the former, some persons in position to know claim that it is merely a question of time before the Hollywood 'ent' will grow tired of trying to wait out Broadway. When the studio heads are convinced that legit can get along without them and that no concessions will be made, they will resume Broadway financing, it is thought. However, that is merely an unsupported theory and no visible sign of coming to pass.

As regards the plan being considered by Hollywood and Guild reps, this was suggested almost a year ago by John Wharton, theatrical attorney. Fact that both the picture end and the Guild reps have worked so long without being able to settle on a plan is viewed as evidence that the idea is extremely difficult and complex. On the other hand, the fact that both groups are still working indicates they believe it has possibilities.

Kyser-Moon' Sock \$32,000 as All Pitt B.O.s Boom; 'Handle' Hot \$20,000

Canadian Sex Campaign Ties In 'Damaged Goods'

Vancouver, Sept. 27. For first time on record, government authorities came through with whole-hearted endorsement on a sex picture when 'Damaged Goods' played the Plaza here. Highly conservative English-type government consistently refuses any tieup which has suggestion of commercial angle, but this picture played in too nicely with the current campaign against sex diseases to be passed up.

Resulting endorsement from Provincial Board of Health, Parent Teachers Federation, and other prominent bodies engaged in social work put the picture over to excellent grosses, on its two-week run at this independent deluxer.

GABLE-LOY BIG 12G IN INDPLS.

Indianapolis, Sept. 27. Business continues above normal for this time of year and is surpassing last season's figures at the same period here. 'Too Hot to Handle,' at Loew's, is turning in a socking-eroo session to lead the downtown houses by a healthy margin. In the runner-up slot is Gene Krupa and his band at the Lyric in combination with 'Meet the Girls'.

'Four Daughters,' at the Circle, is managing to build to fairly decent figures after a slow start. Apollo trails in the moderate class with 'Hold That Co-Ed.'

Estimates for This Week
Apollo (Katz-Dolle) (1,100; 25-30-40)—'Co-Ed' (20th). Plunged in newspaper ad space, but took in only fairish at \$4,400. Last week, 'Racket Busters' (WB), lukewarm \$3,900.

Circle (Katz-Dolle) (2,800; 25-30-40)—'Daughters' (WB) and 'Missing Guest' (U). Disappointing, although satisfactory at \$6,000. Last week, 'Carefree' (RKO) and 'Ski Giant' (RKO), \$7,800, good.

Loew's (L-W) (4,400; 25-30-40)—'Hot Handle' (M-G). Gable-Loy team powerful magnet here with gross at \$12,000, very big. Last week, 'Boys Town' (M-G) and 'Lady Objects' (Col) also \$12,000, sock.

Lyric (Olson) (1,800; 25-30-40)—'Meet Girls' (20th) and Gene Krupa hand on stage. Latter credited with drawing \$10,000, good. Last week, 'Four's Crowd' (WB) and vaude, \$8,900, plenty okay.

PROJECTIONISTS BONE UP ON TELEVISION

Philadelphia, Sept. 27. New feud among the members of the Projectionists' Union turned up here last week. Theatre reel-twiddlers are going in heavily for a course in television operation being offered by RCA-Victor at its plant in Camden. Lessons cost \$25 per series of five, which includes necessary text books.

Boy Scouts at heart, the projectionists have been repeatedly warned that visio will be here in two years, and they're being prepared.

Power Off, 3 Illinois Towns Darken Cinemas

St. Louis, Sept. 27. Picture theatres in Murphysboro, Carbondale and West Frankfort, Ill., were darkened last week when vandals blew up a 75-foot transformer tower with dynamite charges near Murphysboro. The tower carries lines generated by the Central Illinois Public Service Co., 12 miles from Murphysboro and the energy transmitted to the Western United Gas & Electric Co. which distributes it.

Repairs were quickly made by Carbondale and West Frankfort consumers but Murphysboro was without juice until the next a. m.

Small Gets 'Duke' Away

Hollywood, Sept. 27. Edward Small got his long delayed 'Duke of West Point' under way at Hayworth.

Pittsburgh, Sept. 27.

Town's biggest weekend in years, what with Sequel celebration (WB) up in a mammoth parade, Pitt footballers uncorking grid campaign at Stadium and pennant-bound Pirates closing home season, almost doubled normal population and influx reflected beautifully at downtown b.o.s. Looks like the top stanza here in several months, with everybody cashing in.

Way out in front of pack is Stanley, with Kay Kyser's band and 'Garden of Moon,' flirting with house record and a sure thing to come out with a new high here for band shows. Also hot is 'Too Hot to Handle' at Penn, steaming along in great fashion with 'Boys Town' at Warner, after great session at Penn, heading for a five-figure medley and likely to stick another seven days.

Estimates for This Week

Alvin (Harris) (1,850; 25-35-50)—'Place and Show' (20th). Off a bit on tag end of week, but, coasting through on great four-day start and should wind up pretty close to \$8,500, good but not quite strong enough to rate h.o. House gets 'You Can't Take It With You' (Col) Thursday (29) for a run with legit version opening against it at Nixon four days later. Last week, 'Gladiator' (Col) and 'Reformatory' (Col), poor \$5,300.

Fulton (Shea-Hyde) (1,700; 25-40)—'Luck' (WB). Very good, but generally healthy condition of town giving Henie flicker break and attraction looks to wind up with around \$8,000, or slightly better. Last week, 'Star' went to \$7,000, good, but a loss over takes of Henie in past.

Penn (Loew's-UA) (3,300; 25-35-50)—'Hot Handle' (M-G). Gable-Loy coming spreading itself nicely in action-packed comedy meller and should have no trouble waltzing through with pretty close to \$20,000. Ordinarily a h.o. figure to second week at Warner, but 'Boys Town' doing so well at latter spot it may stay over again and edge 'Hot' out. Last week, 'Boys Town' (M-G), terrific \$26,500.

Stanley (WB) (3,600; 25-40-60)—'Garden Moon' (FN) and Kay Kyser's band. Sensational's the word for Kyser. Two years ago Kyser's band wouldn't take for \$2,500. Now he's the biggest thing house has ever had in a band. Shooting at \$32,000 mark, a new high for orch shows, and with any kind of break may even force ahead of Judy Garland's \$33,000 to set a new Stanley record for current scale. Last week, 'Giants' (WB) and Jan Harber's band, only \$15,000, a big disappointment.

Warner (WB) (2,000; 25-35-50)—'Boys Town' (M-G). Moved after great week at Penn and still has plenty of stuff left. Paced for \$10,000 and may go above that to snatch biggest h.o. biz site has ever had, probably will stay another week. Last week, 'Racket Busters' (WB) and 'Boys Town' (Par), pretty terrible at \$3,800 in eight days.

MARX BROS. BIG \$14,500 IN WASH.

Washington, Sept. 27. 'Four Daughters,' which rode in on push from the criz after opening new babe house week before downtown debut, is easy leader this week. Everything doing okay, with 'Room Service' and third stanza of 'Marie Antoinette' (WB) leading.

Estimates for This Week

Capitol (Loew) (4,434; 25-35-40-60)—'Lucky Star' (20th) and vaude. No-name aside, little help and Sonja Henie alone won't get over fair \$17,000. Last week 'Boys Town' (M-G) and 'National Band' (Loew) on stage, smash \$33,000.

Columbia (Loew) (1,242; 25-40)—'Alexander' (20th) (2d run). Second week of repeat after two weeks up street getting nice \$4,000. Last week same pic built to swell \$7,300.

Marble (WB) (2,215; 25-35-40-60)—'Daughters' (WB) and vaude. Bally and reviews plus Wayne Morris on stage leading town with nice \$19,000. Last week 'Giants' (WB) and Ben Bernie's orch to good \$10,500.

Room Service' (RKO). Big \$14,500. Last week 'Annabelle' (RKO), lasted six days for passable \$5,000.

Met (WB) (1,600; 25-40)—'Actress' (WB). In smaller WB house and

Coliseum, Once Ace London Vaudeur, In Successful Comeback; Names Set

London, Sept. 18. The Coliseum, once the ace London vaudeville house, which has had many policies recently, mostly to crippled results, has gone back to its first love. Now in its fourth week of vaude, house is paying dividends. Management claims it's not just another stopgap till something better comes along, but a determined effort to again put vaudeville on the map here. To prove it, operators are reported to have signed acts well into next year.

Some of the acts already reported to have been lined up are Molly Picon, Bebe Daniels and Ben Lyon, Stanley Holloway, Elsie and Des Waters, Evelyn Laye, Morton Downey, Eddie Peabody, Forsythe, Seamon and Farrell, Lecuna Bos, currently playing the Casino, Monte Carlo. Negotiations pending for Beatrice Lillie, Maurice Chevalier, Sally Rand, Simone Simon, Grock, Eric Blore, the Comedy Harmonists, Gladys Cooper and Philip Merivale.

WILLIAMS PLAY'S GOOD RECEPTION IN LONDON

London, Sept. 27. 'The Corn Is Green' opened at the Duchess theatre last Tuesday (20) to acclaim of the press. Play, by Emyln Williams, will probably be his greatest success to date.

Twentieth-Fox reported dickering for the film rights. 'Goodbye, Mister Chips' opening at the Shaftesbury, Sept. 23, is a quiet adaptation of the novel. Show is beautifully played but plot is anemic.

'Paprika' closed Sept. 24 after nine days. 'Idiot's Delight' is closing Oct. 8.

Hoyts Shows \$300,000 Profit in Aussie for Yr.

Sydney, Sept. 8. Hoyts' exhibitor circuit will show a profit of about \$300,000 for the year ending June 30, about \$85,000 less than in the preceding 12-month period. Earnings rated a tribute to Charles Munro's capable direction, particularly since many exhibitors were badly pressed during this period.

Probably the toughest break the circuit received was the outbreak of infantile paralysis, which cost exhibitors plenty in Brisbane and Melbourne. The 150th anniversary celebrations and cricket air returns from England also cut into the boxoffice.

Hoyts is well supplied with American product, most of it under long-term contract. Under Munro, neighborhood theatre construction continued in addition to considerable renovating.

2 Aussie Chains Compete In Valentino Pix Reissues

Sydney, Sept. 8. When Stuart F. Doyle secured distribution rights in Australia for the Rudolph Valentino picture, 'Son of Sheik', reissue, it's reported he expected to be alone with this type of oldie. After Hoyts' executives saw the picture and made a deal with Doyle it had been set to premiere here Sept. 3.

Greater Union officials, however, lined up reissue of Valentino's 'The Sheik', through Paramount. Result was that rivals of G.U.T. found heavy opposition when they opened 'Son of Sheik', with the Par reissue going in same day. Trade is afraid that splitting of biz may hurt both circuits.

Marcus Revue Does Big Biz in Cape Town

Cape Town, Sept. 9. A. B. Marcus revue 'La Vie Parée', in its third week at the Alhambra here, under direction of African Consolidated Theatres, is doing capacity. Something novel for So. Africa is the 'Curtain of Steam', manipulated through pipes laid along the front of the stage. It staggers audiences.

Ben McAtree, show's comedian, is a big click.

Final week starts Monday (12) with 'Marcus Follies' of 1938.

French Exporters Seek Outlet in So. Africa

Johannesburg, Sept. 12. Union of French Film Exporters is anxious to crash into the South African market, two films having gone into this country from France this year. American and British pictures have dominated thus far. France has 60 to 70 features available for export annually.

Because only \$5,000 to \$7,500 is being asked for French features. French Film Exporters may be able to obtain some business here.

JAPS EASE BAN ON GERMANY

Tokyo, Sept. 4. American distributors here are still sitting tight waiting for the government either to let down the bars or continue the ban which would mean the end of their business in Japan. Embargo on films has been in force for a year and a majority of distributors have given up hope and are laying plans to quit the country. However, a ray of hope came this week when the government announced that about \$125,000 worth of German pictures would be allowed to enter the country via Manchoukuo, which recently made a trade pact with Germany on the barter system, with films included. Understood that UFA will distribute through Towa Shoji and Tobis via Cocco Film Distributing Co. Also announced that a similar deal is under way with the Italian government.

Americans take the attitude that admission of European pictures on any basis, to the exclusion of U. S. productions, is discrimination, even if based on barter arrangement. Might be made basic for pressure from the American government but distributors are not too hopeful. Aside from a few weak American films, present releases all are European, with French in majority.

Denmark's Amus. Taxes Up 5%—\$2,090,000 in All

Washington, Sept. 27. Tax haul from amusements in Denmark hit \$2,090,000, a 5% rise, with film houses contributing three-quarters of the total. Commerce Department learned last week. Take for the fiscal year 1936-37 was up \$71,500. Fatter return from the current year is anticipated, American commercial attaché at Copenhagen reports. Estimate is \$2,224,000.

Film houses forked over \$1,628,000 of the 1936-37 sum and were chiefly responsible for the gain in total receipts. Theatrical performances were fewer but yielded about the same amount as in the prior year. Remainder came from circuses, which paid \$39,600, up 6%, despite decline in performances. Little change in revenues from vaudeville shows, dances, races, etc.

Current London Plays (With Dates When Opened)

- 'French Without Tears', Criterion—Nov. 6, '38.
- 'Gaiety's Wife', Globe—Nov. 23, '37.
- 'Me and My Girl', Victoria Palace—Dec. 16, '37.
- 'Little Sharp', Little—Jan. 20, '38.
- 'Idiot's Delight', Apollo—March 22, '38.
- 'Wild Oats', Princess—April 13, '38.
- 'Ranunculus', Strand—April 27, '38.
- 'Glorious Morning', Whitehall, May 26, '38.
- 'Spring Meeting', Ambassador—May 31, '38.
- 'Lal's Wife', Aldwych—June 10.
- 'Comedienne', Haymarket—June 10.
- 'She Too Was Young', Wyndham—Aug. 16.
- 'The Fleet's Lit Up', Hippodrome—Aug. 17.
- 'George and Margaret', Piccadilly—Aug. 17.
- 'Thou Shalt Not', Playhouse—Aug. 31.
- 'Running Riot', Gaiety—Aug. 31.
- 'Washing Street', Lyric—Sept. 1.
- 'Hush', Shaftesbury—Sept. 1.
- 'Tobias and the Angel', St. Martin's—Sept. 6.
- 'The Last Trump', Duke of York's—Sept. 13.
- 'Dear Originals', Queens—Sept. 14.
- 'Henry V', Drury Lane—Sept. 17.
- 'The Corn Is Green', Shaftesbury—Sept. 20.
- 'Goodbye, Mr. Chips', Shaftesbury—Sept. 22.

Lillie, Paul Draper Set For London Cafe Dates

London, Sept. 19. Beatrice Lillie's return to the Cafe de Paris Sept. 12 was so successful that Martin Poulson, who's also part owner of the Embassy Club, has booked her into the latter for the reopening Sept. 26, when she goes in for three weeks, doubling the first week from the Cafe.

Then is replaced at the Cafe by Paul Draper. Latter is slated to open in November at the Waldorf-Astoria, New York.

Budapest Hits London Daily's Attack on Poor Pay for Players in Stix

Budapest, Sept. 15. Article in the London Observer about the distress of theatrical companies in the Hungarian provinces has brought repercussions here. Although there's no denying the Observer's story, Hungarian papers resent criticism of cultural conditions without being acquainted with local circumstances.

Average salary of provincial actors and actresses is \$60 a month, but most of them earn no more than \$25 to \$35. Stars' salaries in Budapest have recently been fixed at a maximum of \$25 per performance for an actress and \$20 for an actor. There are few exceptions to this rule, however. Actresses too must provide their own clothes. Provincial hotel and restaurant keepers calculate fabulously low prices for members of the profession. A restaurant proprietor in one town supplies 'two-for-one' menus for players, a meal for two persons for 25c. Similar arrangements exist everywhere, but, nevertheless, the life of a touring company in Hungary is a perpetual struggle. In Kecskemet, a big agricultural town about two hours by rail from Budapest, there were 15 at the opening performance of a touring company recently.

When a newspaperman from Kecskemet asked Sir Anthony Eden for an interview some days after the appearance of the article, the latter didn't care to have answered that he didn't care to talk to anyone from a city that was so indifferent to dramatic art.

Kid Vacash Ups Sydney; Melbourne Fair, N.Z. OK

Sydney, Sept. 8. With the kiddies on two-week vacation, biz all over town took a decided uplift, despite mild outbreak of flu. 'Snow White' (RKO) continuing strong in 15th week. 'Rebecca of Sunnybrook Farm' (20th) looks a cinch and 'Kidnapers' (20th) likewise. 'Girl of Golden West' (M-G) strong with the 'femmes', but 'Yellow Jack' (M-G) concluded a very mild three weeks. 'You and Me' (Par) is decidedly weak, with 'The Texans' (Par) slated for run. 'We're Going to Be Rich' (20th) and 'Owd Bob' (G-B) very popular, but 'Of Human Hearts' (M-G) not so hot. 'Three Blind Mice' (20th) started nicely. Uni will bring in 'Rage of Paris'. 'Romance for Three' (M-G) and 'Return of Arsene Lupin' (M-G) okay. 'Rascals' (20th) and 'Port of Seven Seas' (M-G) same.

Melbourne, Sept. 8. Nothing really new here. Metro's 'Yank at Oxford' looks to be the best currently. Rest includes 'Four Men' (20th), 'Dead End' (UA), 'Broken Melody' (BEF), 'Boy of Streets' (BEF), 'Hollywood Hotel' (WB), 'Cocoanut Grove' (Par), 'Kate Plus Ten' (G-B) and 'Sailing Along' (G-B).

Auckland, N. Z., Sept. 8. Dandy lineup set for Auckland, Wellington, Dunedin and Christchurch. Yanks have the most say with 'Rosalie' (M-G), 'Vivacious Lady' (RKO), 'Three Comrades' (M-G), 'Blockade' (UA), 'Baroness and Butler' (20th), 'Stolen Heaven' (Par), 'Goldwyn Follies' (UA) and 'Varsity Show' (WB).

Tomack-Reis Bros. May H.O. After London Click

London, Sept. 27. Sid Tomack and Reis Bros., who opened at Ciro's to big reception, will probably be held over. Club took in \$5,000 opening night, breaking record for the niter.

Many British Theatre Operators Seen Defaulting on Expiring Quota

'Women' Gives 2 Shows At Premiere in Oslo

Oslo, Sept. 17. Something new in legit here with Charles Booth's 'The Women' playing two performances night of recent premiere here. Shows were put on at 7:00 and 10:00, first being a sellout and second only slightly less.

John Borgen's adaptation to the Norwegian appears to have lost nothing, laughs being spontaneous and many lines heavily applauded. Settings were excellent.

SHANGHAI ROW ON FILM RENTS

Shanghai, Sept. 12. Wrangle over product between the majority on Film Board of Trade here and Asia Theatres, Inc., is blamed for the shuttering of the Metropole theatre, distributors refusing to allocate more pictures. Dispute is over new contracts for 1939 product for next season still un-released for current season. New Asia Theatres, controlling first-run houses, refuses to pay 50% film rental asked on top pictures.

Asia Theatres, Inc., was organized this summer, being an amalgamation of three Shanghai companies for operating purposes. It's Chinese-owned but has an American charter. Circuit has reduced newspaper advertising 40% but publishers are threatening higher rates to get even.

Understood that houses under Asia Theatres have only about three month's supply of product, much of it several years old. Warner Bros. thus far has not discontinued supply but Universal is expected to join other distributors in firm front. Distributors appear willing to handle lesser product for next season on 1938 basis but want 50% rental on features.

Fifteen 1938 features, including 'Old Chicago' (20th), 'Young in Heart' (UA) 'Test Pilot' (M-G), 'The Texans' (Par) and 'Marie Antoinette' (M-G) remain in distributors' vaults. Representatives of eight major U. S. companies believe business will slip off this winter because of rate of exchange, distributors getting only about half the dollar revenue compared with nine months ago. They also fear that business in Hankow will be badly crippled if Japanese capture the city. Reimport duties at Canton, Peiping and Tientsin increase costs as do separate censor fees.

BLACKPOOL HAS WORST SEASON IN 30 YEARS

London, Sept. 17. Blackpool, the second important entertainment center in England and its biggest summer resort, which, although having a population of 123,000, manages to cater to 7,000,000 visitors annually, is in the doldrums. Main reasons for the drop are said to be the general ail in the cotton industry, affecting the pull from such important manufacturing towns as Manchester, Leeds and Bradford, and the Glasgow Exhibition, which has drawn many who ordinarily go to the resort. Said to have been the worst season in 30 years.

Hutchinson to S. Africa After Central, S. America

Cape Town, Sept. 12. W. J. Hutchinson, 20th-Fox foreign manager, is due here Oct. 15 for a check on developments in South Africa, according to Otto W. Bolle, managing director for 20th-Fox in South Africa. He's stopping off first in Central and South America.

Hutchinson will survey conditions here for about six weeks. Will go back to U. S. via London after having fulfilled his plan of visiting every 20th-Fox distribution outlet in the world.

London, Sept. 20. Last year of old quota setup is due to expire here next week and original Films Act will go out of existence with hundreds of exhib scalps on its belt. Expectation is, when returns are made to Board of Trade, that a large proportion of theatre operators here will have defaulted on their last commitment by showing under-stipulated percentage of domestic product.

New law, which came into force last April, granted last-minute relief to exhibs by scissoring their quota from 20 to 15%. Otherwise, practically all theatres would have failed to reach the required total. Official figures indicate there was well in excess of the minimum available, but so much was of inferior quality, either from home studios or from Empire outposts, that many exhibs preferred to gamble on exemption permits instead of putting over product that would disgrace their screens. Nevertheless, many theatres will be under the quota, though it is not expected Board of Trade will take any action to penalize them. Old law is on the skirts, anyway, and it would be difficult to enforce fines under a piece of legislation that no longer existed.

Relief of 5% certainly eased situation for many, but in areas where competition is stiff, indie operators were unable to make up. As a result, British product automatically goes into the major circuits, so the rest are left with the alternative of showing rubbish quickies, playing second runs of better pictures or frankly falling down.

Meantime, under new setup, situation appears very much eased, with hardly a quicke production having been seen under the present code. Nearly all British films screened lately have rated better than ordinary and estimates locally put the quantity of local production well above the 12½% minimum the Act demands. That has been due to fact that number of U.S. imports are below the average, with only around 200 having arrived over a half-year period. If Hollywood increases exports (there are usually around 600 U.S. films played here annually), local studios will have to work fast to keep in step.

But while actual production, which reckons multiple credits in its computations, is up, there's no guarantee to indie that they will be able to play their quota. Most of the usable domestic films are naturally already booked by the circuits and indies will have no choice but to play second runs or default. In the latter case, they could not expect the lenient treatment they are getting under the old law.

Position is that in remoter areas, where competition is not stiff, there are enough films for all, but in the industrial cities, and in uptown sections of this city, so many theatres are throat-cutting each other that it would need at least twice the legislated production to provide pictures for everybody.

16-ACT, 3-HOUR VAUDE FOR 25c in LONDON

London, Sept. 19. Harry Kaufman, local 10'er, has hit on new style of vaudeville entertainment. Has leased the Grand theatre, Clapham, which has been starving for years, and is presenting 16 acts, twice daily. It's three hours entertainment for 25c. top at matinees and 50c. top evenings. Acts are not billed, but sometimes include well-known standards of bygone days.

House doing well, taking in around \$4,000 weekly, good for this old spot. Agent is also giving away prizes.

Hoyts in Theatre Deal

Brisbane, Sept. 27. Deal is under way whereby Hoyts circuit would secure a major interest in two ace theatres in Brisbane through Dan Carroll, an exhibitor. This may lead later to a major link in Queensland territory with the important Birch, Carroll and Coyle chain, which has about 10 theatres.

Not revealed but understood that two film houses sought are the Winter Garden and New Majesty.

Here Comes—

FREDRIC MARCH⁺ and VIRGINIA BRUCE

Stars with popular appeal — in the most appealing roles of their careers!

Here Comes—

PATSY KELLY and
ALAN MOWBRAY...



Here Comes—

NANCY CARROLL and
EUGENE PALLETTE
who together make up the
strongest support you've
ever seen in any picture!



Here Comes—

ED SULLIVAN, author
of the original—and Broad-
way columnist read by
millions.



Here Comes—

NORMAN Z. MCLEOD,
the director who brought
in "Topper" and "Merrily
We Live".



Here Comes—

HAL ROACH, Hollywood's No. 1 comedy producer
... with his No. 1 release thru United Artists.



Fredric
MARCH • Virginia
in BRUCE
"THERE
GOES MY
HEART"

Screen play by
EDDIE MORAN and JACK JEVNE
Produced by
MILTON H. BREN

There Goes.. EVERY BOX-OFFICE RECORD!

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.)

(R) REISSUES

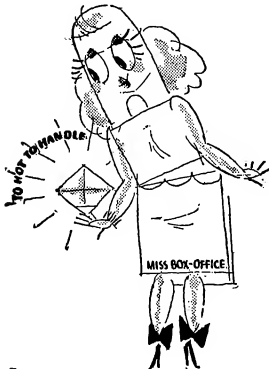
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WEEK OF RELEASE	TITLE	PRODUCER	DISTRIB.	TYPE	TALENT	DIRECTOR	TIME MINS.	WHEN REVIEWED BY VARIETY
7/8/38	FAST COMPANY	F. Stephani	MGM	Rom-Com.	M. Douglas-F. Rice	Eddie Buzzell	75	8/29
	MAN'S COUNTRY	Cliff Reid	Mono	Western	Jack Randall	Robert Hill	83	8/3
	CRIME RING	K. MacGowan	RKO	Mystery	A. Lane-F. Mercer	Les Goodwins	117	7/27
	LITTLE WOMEN (R)	A. W. Hackel	RKO	Rom-Dr	Hepburn-J. Bennett-F. Dee	Geo. Cukor	53	11/21/33
	DURANGO VALLEY RAIDERS	Sol Lesser	Rep	Western	Bob Steele-L. Stanley	Sam Newfield	60	8/10
	PANAMINT'S BAD MAN	Walter Wanger	UA	Western	C. Boyer-S. Gurle-H. Lamarr	John Cromwell	95	6/28
	ALGIERS	Bryan Foy	WB	Drama	K. Francis-J. Lital	Arthur Lubin	80	8/15
	MY BILL	Col	Col	Western	J. Lutten-J. Barkley	Jos. Levering	54	9/21
7/15/38	PIONEER TRAIL	J. L. Manckiewicz	MGM	Rom-Dr	M. Sullivan-J. Stewart	H. C. Potter	85	7/13
	SHOPWORN ANGEL	Harry Sherman	Far	Western	Bill Boyd	Les Selander	55	8/17
	PRIDE OF THE WEST	Sol Lesser	Rep	Western	G. Aubrey-S. Burnette	Joe Kane	60	7/6
	GOLD MINE IN SKY	Sol Wurtzel	20th	Com-Dr	F. Moore-S. Erwin	Jas. Tinling	74	7/27
	PASSPORT HUSBAND	Trem Carr	U	Melodrama	G. Farrell-E. McLane	Arthur Lubin	72	7/20
7/22/38	PRISON BREAK	Col	Col	Drama	J. Holt-C. Wynters	Lew D. Collins	61	6/29
	REFORMATORY	Hal Roach	MGM	Com-Dr	M. Rooney-J. Garland	Geo. Seitz	50	7/13
	LOVE FINDS ANDY HARDY	A. Hornblow, Jr.	Par	Musical	D. Lamour-Burns-Raye	Theodore Reed	77	7/6
	TROPIC HOLIDAY	C. E. Elliott	Par	Adv-Dr	C. Tapley-S. Asmara-A. Lane	C. E. Elliott	60	8/3
	BOO-LOO	Robert Sisk	RKO	Melodrama	R. Dix-C. Morris-J. Fontaine	Lew Landers	80	7/20
	SEXY GIANT	K. MacGowan	U	Drama	W. Walker-M. Weaver	Walter Lang	70	7/13
	I'LL GIVE A MILLION	Kea Goldsmith	U	Drama	Dead End Kids	Herold Young	85	8/24
	LITTLE TOUGH GUY	Bryan Foy	WB	Com-Dr	Mauch Twins	Lew Seiler	65	7/27
7/29/38	PENROD'S DOUBLE TROUBLE	Col	Col	Western	C. Starrett-L. Meredith	Sam Nelson	75	8/10
	SOUTH OF ARIZONA	Geo. B. Mason	GB	Mystery	T. Walls-R. Saint Cyr	George Mason	75	8/10
	STRANGE BOARDERS	Frank David	MGM	Com-Dr	D. O'Keefe-A. Morris-L. Stone	E. L. Marin	83	7/13
	THE CHAPER	Harold Lloyd	U	Comedy	H. Lloyd-P. Wolody	H. Lloyd	85	8/3
	PROFESSOR BEWARE	P. S. Berman	RKO	Drama	R. Keeler-A. Shirley	Rowland V. Lee	82	7/27
	MOTHER CAREY'S CHICKENS	Wm. Berke	Rep	Western	Three Mesquiteers	Geo. Sherman	55	8/3
	HEROES OF THE HILLS	D. Hempstead	20th	Rom-Com	S. Temple-G. Murphy-Durante	Irving Cummings	70	7/6
	LITTLE MISS BROADWAY	Anatole Litvak	WB	Drama	E. G. Robinson-C. Treyor	Anatole Litvak	87	6/22
8/5/38	AMAZING D. C. CLOUTIER	A. Hitchcock	MGM	Rom-Dr	E. Taylor-M. O'Sullivan	R. Thorpe	87	8/3
	THE CROWD ROARS	Sam Zimbal	Mono	Mystery	J. Howard-H. Angel-H. B. Warner	Karl Brown	80	8/31
	BAREFOOT BOY	Harold Hurley	RKO	Comedy	J. Penner-L. Krueger	Ben Holmes	71	8/10
	BULLDOG DRUMMOND IN AFRICA	Herman Schlom	Rep	Sports	R. Cromwell-M. Hunt	Jas. Cruze	65	8/24
	I'M FROM THE CITY	Chas. E. Ford	Rep	Outdoor	G. Aubrey-S. Burnette	Joe Kane	54	8/3
	COME ON, LEATHERNECKS	Wm. Berke	20th	Western	D. Amecche-A. Whelan-Ratoff	Al Werker	73	8/10
	MAN FROM MUSIC MOUNTAIN	Samuel G. Engel	U	Drama	A. Leeds-A. Menjou-Bergen	John Stahl	100	8/3
	PALS OF THE SADDLE	John Stahl	U	Rom-Dr	Johanne-Lola Lane	Wm. Clemens	60	8/10
	GATEWAY	Bryan Foy	WB	Com-Com	J. E. Brown-J. Travis	Ed Sedgwick	76	8/31
8/12/38	LETTER OF INTRODUCTION	David L. Loew	Col	Comedy	R. Young-R. Hussey	R. Schunzel	70	8/17
	MR. CHUMP	Lucien Hubbard	MGM	Com-Dr	J. Bennett-E. Scott	Jas. Hogan	80	8/3
	THE GLADIATOR	Bert Gilroy	RKO	Western	G. O'Brien-L. Johnson	David Howard	59	9/21
	RICH MAN, POOR GIRL	Sol Wurtzel	20th	Com-Rom	J. Withas-G. Stuart	Herbert I. Leeds	85	8/17
	THE TEXANS	B. Sarecky	U	Mystery	F. Kelly-C. Moore-Lundigan	John Rollins	65	9/14
	PAINTED DESERT	Sam Fitchoff	WB	Melodrama	H. Bogart-Gloria Dickson	Lloyd Bacon	65	8/17
8/19/38	KEEP SMILING	Col	Col	Melodrama	R. Hayward-C. Quigley	Leon Barsha	50	8/24
	THE MISSING GUEST	Hal Roach	MGM	Comedy	M. Baye-B. Hope-B. Grable	John Blystone	80	8/31
	RACKET BUSTERS	B. P. Fineman	RKO	Melodrama	C. Morris-F. Mercer	Elliott Nugent	80	7/27
	CONVICT	John H. Auer	Rep	Rom-Dr	R. Navarro-M. Marsh	Lew Landers	68	8/10
	BLOCK-HEADS	H. J. Brown	20th	Musical	T. Power-A. Faye-Amecche	Henry King	105	6/1
8/26/38	GIVE ME A SAILOR	H. Stromberg	MGM	Drama	N. Shearer-T. Power	W. S. Van Dyke	100	7/13
	SMASHING THE RACKETS	A. Lewin	RKO	Drama	G. Best-H. Fonda-Lamour	Edw. Cline	80	8/24
	A ROMANTIC ROGUE	Sol Lesser	RKO	Musical	B. Breen-C. Ruggles	Edward Cline	80	9/7
	ALEXANDER'S RAGTIME BAND	Harry Grey	Rep	Melodrama	B. Cabot-B. Roberts	Edward Cline	80	8/31
	MARIE NINETEEN	Jerry Hoffman	20th	Sports	M. Whalen-L. Bari	Otto Brower	60	6/8
	SPAWN OF THE NORTH	Sam Bishoff	WB	Comedy	Cagney-O'Brien-M. Wilson	Lloyd Bacon	96	8/31
9/2/38	BREAKING THE ICE	Col	Col	Western	E. G. Robinson-M. Marion	Joe Levering	54	9/28
	TENTH AVENUE KID	Everett Riskin	MGM	Melodrama	Montgomery-Gaynor-Tone	Al Hall	87	9/7
	BOY MEETS GIRL	Wm. T. Lackey	Mono	Rom-Dr	A. Nagel-J. LaRue	Karl Brown	63	9/14
	PHANTOM GOLD	Wesley Ruggles	Par	Com-Rom	B. Crosby-F. MacMurray	Wesley Ruggles	88	8/17
	I AM THE LAW	Pandro Berman	RKO	Musical	F. Astaire-G. Rogers	Mark Sandrich	83	8/31
	THREE LOVES HAS NANCY	Sol C. Siegel	Rep	Comedy	J. Gleason-G. Meigs	Geo. Meigs	62	9/21
	UNDER THE BIG TOP	Chas. Ford	Rep	Western	E. Rogers-S. Burnette	Joe Kane	58	9/21
	SING, YOU SINNERS	Harry J. Brown	20th	Mus-Rom	Henie-R. Greene-Romere	Roy Del Ruth	90	9/14
	CAREFREE	Geo. Bilson	U	Comedy	D. Dunbar-E. Truex-Lundigan	Frank McDonald	65	9/21
	BILLY THE KID RETURNS	David Lewis	WB	Com-Rom	R. Russell-E. Flynn	Michael Curtiz	95	8/17
9/9/38	FRESHMAN YEAR	Wm. Perlberg	Col	Rom-Com	G. Stuart-L. Reed	Ed C. Cinton	80	9/28
	FOUR'S A CROWD	John Considine	MGM	Drama	C. Starrett-L. Meredith	Sam Nelson	80	9/7
	THE LADY RIVERS	Ed Finney	Mono	Western	S. Tracy-M. Rooney-Hull	N. Taurag	86	9/7
	COLORADO TRAIL	Harry Sherman	Far	Western	Tex Ritter-C. LaRoux	Al Herman	88	9/21
	BOY'S TOWN	Lou Lusty	RKO	Comedy	W. Boyd-G. Hayes	Edw. D. Venturini	62	9/28
	STABLELIGHT OVER TEXAS	John Story	20th	Comedy	J. Oatis-E. Ball	Edw. D. Venturini	62	9/10
	IN OLD MEXICO	Max H. Golden	WB	Drama	J. Frosty-S. Byington	Mal St. Clair	55	9/7
	APPROX. 100 FEET	David Lewis	WB	Rom-Dr	W. Gargan-J. Hodges	Otis Garrett	62	9/28
9/16/38	SAFETY IN NUMBERS	Col	Col	Drama	K. Francis-G. Brent	Wm. Kelighy	60	9/14
	PERSONAL SECRETARY	L. Weingarten	MGM	Com-Dr	P. Kelly-E. Hayworth-Barro	D. R. Lederman	60	9/14
	SECRETS OF AN ACTRESS	Robt. Ramsey	Mono	Com-Dr	Gable-Loy-Carrillo	Jack Conway	108	9/21
	JUVENILE COURT	Bert Gilroy	RKO	Drama	J. Randall-H. Barry	Wallace Fox	56	9/7
	TOO HOT TO HANDLE	D. Hempstead	20th	Western	G. Patrick-L. Nolan-Nash	Robt. Florey	60	9/28
	MEXICALI KID	Trem Carr	WB	Rom-Com	J. Barrymore-G. Murphy	Geo. Marshall	80	9/21
	KING ALCATRAZ	Lou Edelman	WB	Western	Bob Baker-M. Reynolds	Geo. Waggoner	75	8/17
9/23/38	THE RENEGADE RANGER	Monroe Shafr	Mono	Western	W. Morris-C. Trevor	Wm. Kelighy	75	8/17
	BOLD THAT CO-ED	Lindsey Parsons	Par	Football	E. Jones-D. Fay	Elmer Clifton	55	9/21
	THE BLACK BANDIT	Lou Lusty	RKO	Comedy	Darro-E. Knapp	H. Bretherton	65	9/28
	VALLEY OF GIANTS	Harry Grey	Rep	Western	B. Grable-H. Luisetti	G. Archambaud	65	9/14
	STRANGER FROM ALZONA	Sol Wurtzel	20th	Western	F. Albertson-E. Lynn	Leslie Goodwins	63	9/28
	WANTED BY POLICE	Joe Pasternak	WB	Com-Dr	G. Aubrey-S. Burnette	Ralph Staub	73	9/7
	CAMPUS CONFESSIONS	Ben Glazer	WB	Com-Dr	C. Stuart-H. Whelan	H. E. Hunt	78	9/28
	FUGITIVE FOR NIGHT	Samuel Marx	Col	Rom-Com	J. McCreia-A. Leeds	Michael Curtiz	90	8/17
	FRABIE MOON	Frank Capra	GB	Comedy	Priscilla-Rosemary-Lane	John Brahm	71	9/28
	TIME OUT FOR WUNDER	A. Hitchcock	MGM	Drama	A. Shirley-N. Grey-Bellamy	Frank Capra	126	9/7
	FOUR DAUGHTERS	P. S. Berman	RKO	Rom-Dr	J. Arthur-L. Barrymore-J. Stewart	G. Fitzmaurice	60	9/28
9/30/38	GIRL'S SCHOOL	Wm. Berke	Rep	Western	D. O'Connor-E. Lee-B. Cook	Wm. Seiter	76	9/14
	YOU CAN'T TAKE IT WITH YOU	Armand Schaefer	Rep	Drama	Marx Bros.-L. Ball	Geo. Sherman	55	9/28
	MAN WITH 100 FACES	D. Hempstead	20th	Drama	R. Byrd-Weaver Bros.	Nick Grinde	65	9/28
	VACATION FROM LOVE	Alex. Korda	UA	Drama	Ritz Bros.-H. Field	David Butler	60	9/28
	SONS OF THE LEGION	Ed Grainger	U	Com-Dr	Sabu-R. Massey-R. Livezey	Zoltan Korda	101	4/20
	ROOM SERVICE	Lou Edelman	WB	Musical	P. O'Brien-J. Payne-M. Lindsay	S. Sylvan Simon	94	9/21
	OVERLAND STAGE RAIDERS	Col	Col	Melodrama	Lewis D. Collins	Wm. Seiter	61	9/21
	DOWN IN ARKANSAS	Harry Rapt	MGM	Com-Dr	W. Beery-M. Rooney	Sam Wood	73	9/21
	STRAIGHT, PLAGE AND SHOW	Bob Sisk	RKO	Com	J. Howard-R. Cummings	Kurt Neumann	75	9/21
	DRUMS	Herman Schlom	Rep	Drama	J. Penner-J. Travis	Leslie Goodwins	50	9/28
	ROAD TO RENO	Howard J. Green	20th	Comedy	R. Livingston-J. Travis	Sidney Salkow	68	8/31
	GARDEN OF THE MOON	Joe Pasternak	WB	Mus-Rom	J. Lang-L. Bari-R. Allen	Eugene Forde	66	9/21
10/7/38	CRIME TAKES HOLIDAY	Bryan Foy	WB	Comedy	D. Durbin-J. Cooper	Edw. Ludwig	63	9/21
	STABLEMATES	Ralph Cohn	GB	Drama	M. Lindsay-M. Wilson-J. Lital	John Farrow	63	9/21
	TOUCHDOWN, ARMY	A. Hitchcock	MGM	Rom-Dr	C. Farrar-J. Wells	C.C. Coleman, Jr.	80	9/21
	MR. DOODLE WALKS OFF	Jack Cummings	MGM	Rom-Dr	M. Lockwood-F. Lucas	Al Hitchcock	80	9/21
	MEET THE GIRLS	W. T. Lackey	Mono	Mystery	B. Karloff-E. Brent	Wm. Nigh	60	9/21
	BROADWAY MUSKETEERS	Geo. Arthur	Par	Com-Dr	E. Burns-F. Bainter	Al Santell	60	9/21
10/14/38	FLIGHT TO FAME	Bob Sisk	RKO	Drama	E. Ellis-A. Shirley	Gordon Kanin	70	9/21
	LADY VANISHES	Gene Markey	20th	Rom-Mel	R. Greene-S. Kelly	John Ford	80	9/21
	MR. WONG, DETECTIVE	Hal Roach	U	Rom-Com	F. March-V. Bruce	Norman McLeod	81	9/28
	ARKANSAS TRAVELER	David Lewis	WB	Drama	E. Flynn-B. Davis-A. Louise	Anatole Litvak	81	9/28
	A MAN TO REMEMBER	Col	Col	Melodrama	L. Ayres-L. Barrymore	C. C. Coleman, Jr.	80	9/28
	SUBMARINE	Lou Ostrow	MGM	Com-Dr	D. Dumbrell-C. Fields	H. Bucquet	75	9/28
	THERE GOES MY HEART	Harry Sherman	RKO	Western	M. Stanwyck-H. Fonda	Les Selander	75	9/28
	THE SISTERS	Sol Wurtzel	20th	Melodrama	P. Lorre-M. Maguire	Stanley Kramer	75	9/28
10/21/38	HOMICIDE BUREAU	D. O. Selznick	UA	Rom-Com	C. Lombard-J. Stewart	Norman Foster	90	9/21
	YOUNG DR. KILDARE	Bryan Foy	WB	Drama	E. Flynn-B. Davis-A. Louise	John Cromwell	90	9/21
	MYSTERYOUS RIDER	Col	Col	Melodrama	L. Ayres-L. Barrymore	C. C. Coleman, Jr.	80	9/28
	MAD MISS MANTON	Col	Col	Melodrama	L. Ayres-L. Barrymore	C. C. Coleman, Jr.	80	9/28
	MADE FOR EACH OTHER	Col	Col	Melodrama	L. Ayres-L. Barrymore	C. C. Coleman, Jr.	80	9/28
	GIRLS ON PROBATION	Col	Col	Melodrama	L. Ayres-L. Barrymore	C. C. Coleman, Jr.	80	9/28

LEO'S BIG LOVE AFFAIR!



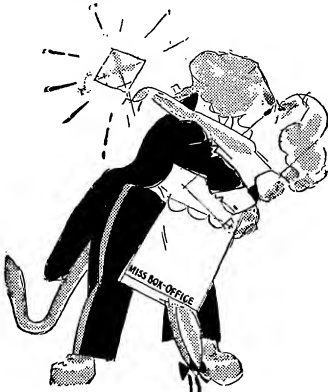
—it was love at first sight —he swept her off her feet



—he showered her with jewels

—And now see what Miss Box-office gets

Just previewed in California and the talk of the Coast! Prediction: it will top all MacDonald-Eddy triumphs. Every studio in Hollywood watches as hit follows hit from M-G-M!



sweethearts indeed!

Again the LION ROARS

METRO-GOLDWYN-MAYER PROUDLY PRESENTS THE SEASON'S GALA HIT!
EVERYBODY'S RAVING! EVERYBODY'S SINGING! EVERYBODY'S CHEERING!

JEANETTE MACDONALD NELSON EDDY
SWEETHEARTS

VICTOR HERBERT Love-Songs!
Thrilling melodies by the composer of "Naughty Marietta" "I Hear you singing sweethearts blend their voices in "Mademoiselle," "On Parade," "Wooden Shoes," "Every Little Girl Must Have Fun," "Summer Romance," "Prize as a Prize!"

A CAST OF FUNSTERS!

From left to right—gorgeous Herman Bing, hilarious Frank Morgan, nimble-footed Ray Bolger, and Mischa Auer (remember him in "My Man Godfrey"?)—plus lovely Florence Rice in the background for extra romance!

HEAVEN MADE THIS MATCH!
Their greatest musical romance! Thrilling as they were in "Rose Marie" and "Maytime," you've never seen (or heard) Jeanette MacDonald and Nelson Eddy so beautifully marvelous! Their love story will swing your heart! Their love songs will charm you as never before!

BRAINS AT THE HELM!
Produced by Hunt Stromberg. Directed by W. S. Van Dyke. If they're still taking bows for "Naughty Marietta"—and who can forget their "Naughty Marietta!"

IT'S ENTIRELY IN BEAUTIFUL TECHNICOLOR!

A feast for the eyes! Dazzling spectacle becomes even more superb by the magic of Technicolor! Wait until you see the colorful "tulip scene" and other eye-filling spectacles!

A Metro-Goldwyn-Mayer Picture with
FRANK MORGAN • RAY BOLGER • FLORENCE RICE • HERMAN BING • MISCHA AUER
Douglas McPhail • Betty Jaynes • Reginald Gardiner • Gene Lockhart
Directed by W. S. VAN DYKE • Produced by HUNT STROMBERG

MOVIE WITH SUNDAY MATINEE OFFERTS

PIX AUDIENCE POLLS A GAG

2 THEATRE MEN STUCK UP FOR \$215 LOSS

Omaha, Sept. 27. Two theatre men lost \$215 to stickup artists who used a toy gun for the robbery. The victims were E. A. Harms, Omaha theatre supply salesman, and Dale R. Goldie, exhibitor at Cherokee, Ia. Harms and Goldie were forced to drive to a sideroad, where the gunmen took \$15 from Harms and \$200 from the Iowan. Later the stickup men were beaten off by another victim who recognized the 'gun' as a toy.

Pine Bluff, Ark., Sept. 27. The Pastime at Warren, Ark., was robbed recently of approximately \$400. Safe was turned on side and chiseled through the bottom.

Detroit, Sept. 27. Pending sentence, Joseph Bush was placed under \$10,000 bond last week by Recorder Judge John V. Brennan after he had pleaded guilty to charge of robbing Kramer theatre of \$42 receipts last Dec. 19.

INTERSTATE EXECS GO FOR ROLLER DERBY

Dallas, Sept. 27. Bob O'Donnell and Carl Hoblitzelle, who put up a tough fight against the invasion of the Roller Derby into this territory last year, have reversed their stand on the competition stunt and have moved in on it.

Have closed a deal with Leo Selzer, entering into a Texas partnership with him by taking over the Texas franchise for the roller races.

Campus Capers Gives Sears a Pain in Tummy

Minneapolis, Sept. 27. Manager Bill Sears of the Orpheum was kicked in the stomach and painfully injured, by high school football celebrants who tore down canopy signs, flched several pictures from the lobby and then tried to rush the entrance to the show-house.

With the help of ushers, Sears successfully repulsed the invaders, but suffered the hurt.

Colo. Manager Critical From Proj. Explosion

Denver, Sept. 27. John Lucas, 39, manager of the State theatre, Idaho Springs, Colo., was rushed to a hospital here following a film explosion and fire in the projection booth. All his clothing had been burned off and his entire body was covered by burns. His condition is serious. Jack Page, 28, operator, was burned on the face and hands and was treated at Idaho Springs.

A panic was averted when Dr. Freeman D. Fowler, coroner, leaped to the stage and shouted directions for an orderly exit of the crowd. The fire was confined to the booth. Print of 'Give Me a Sailor' was destroyed.

3 Symphonies for Par
Hollywood, Sept. 27. Symphonic Films starts shooting at General Service studios this week on three classical music shorts for Paramount release.

National Philharmonic-Symphonic orchestra records the overtures from 'William Tell' and 'Merry Wives of Windsor' and 'Blue Danube' waltz, under direction of Frederick Feher.

Tarzan, Jr.

Hollywood, Sept. 27. Metro is making a nationwide search for a five-year-old boy with bulging biceps and a yell like Tarzan. Leather-lunged moppet is wanted for the next Tarzan picture with Johnny Weissmuller and Maureen O'Sullivan.

LA.'S 1% TAX TAP ATTACKED BY EXHIBS

New Orleans, Sept. 27. A dozen suits attacking interpretations of the state's 1% general sales tax were filed in the district court here Saturday (24) by Louisiana theatre owners against Alice Lee Grosjean, collector of revenue. It is alleged in each suit that the state demanded that on or before Aug. 20, under provisions of the public welfare revenue act of 1938, the general sales tax, the companies pay the state 1% of the amount paid producers and distributors for licensing the companies to exhibit motion pictures publicly for profit.

The suits aver that all the pictures were produced in New York and California and licenses were granted Louisiana theatres under copyrights. The companies claim that they are not leasing tangible personal property within the meaning of the act but are merely granted an intangible right to exhibit the film under license.

The companies contend, in the alternative, in event the court holds that delivery of prints is not incidental to the exercise of the intangible limited licenses, that the value of each print does not exceed \$105 and that the weekly rental value of each print in no case exceeds \$5.

The plaintiffs claim that the producers have paid a like tax, equal to or exceeding the amount imposed by the public welfare act, to the state of California, and that the provisions of the Louisiana law do not apply in such cases.

INDIE WINS ZONING DECISION FROM FOX-WC

Los Angeles, Sept. 27. R. D. Whitson, operator of the Vista theatre in Hollywood, won the first independent exhibitor dispute with Fox West Coast Theatres submitted for arbitration to the recently formed committee of the Independent Theatre Owners of Southern California.

Whitson was granted the zoning of the Vista as non-competitive to the F-WC operated Apollo and Paramount theatres by agreement with Charles P. Skouras, F-WC president, and his partners in the Apollo and Paramount. Skouras not only agreed but went further in clarifying the zoning and clearance status of his affected area.

ITC committee is made up of Albert Galston, Ned Calvi and Robert H. Poole.

STUDIO CONTRACTS

Hollywood, Sept. 27. 20th-Fox picked up player options on Joan Davis, Cesar Romero and Lynn Bari.

Warner's Lawrence inked writer deal at Metro.

Warners signed Mary Wrixon to player contract.

Florence George's player contract with Paramount abrogated by mutual consent. It had five months to run.

Paramount renewed Frederick Holland's composer pact.

Bert Gillet signed as cartoon director for Lantz Productions at Universal.

Paramount hoisted Dorothy White's player option.

Warner's lapsed Anita Louise's contract, expiring Nov. 1.

RECENT VOTING AGAIN PROVES IT

Operators Conclude That It's Not Only Futile, but the Attendant Dissatisfaction Can Even Create Antipathy—Vote on Duals, Stars, Story Trends, Cycles, Etc., Are Refuted by Lack of B. O. Support

NO TRUE BAROMETER

Futility of polls as a means of sounding out public reaction to double bills, types of pictures, particular stars and length of programs recently was brought to the attention of various circuit officials when the question of asking the public about the sort of stories it wants was briefly mentioned in the trade. Circulating patrons in various theatres, while regarded as fair publicity, means little or nothing, circuit men aver, speaking from their own experience.

Trouble with polls of public opinion basically is that it is entirely voluntary, and consequently seldom gives even a fair cross-section of opinion. The volatile patrons and ones who never hesitate to voice their beliefs or sign out a card seemingly represent only a minority of total ticket buyers. Others who may have likes and dislikes will not take the trouble to bother with a questionnaire, but express their opinion by what they pay for at the box office.

Perhaps the most pertinent example of how this works out was the recent poll on double features. When circuits again tried carrying out what the majority seemed to want—the single feature programs—the theatres using them did healthy flops. And the circuits went back to dualing again, more than ever convinced that polls of patrons, while making interesting reading, could not be relied on at the box office.

Another thing that so-called patron polls develop is a certain amount of hard feeling with a percentage of the potential audience. When the results of such cockeyed polls are announced, whether about the type of program, certain stars or variety of screen story, and the results are not carried into effect by the exhibitors, certain poltroopers are apt to scream that they are being ignored. Paradoxically, too, they specify a certain type of picture in overwhelming numbers, and then stay away from the theatre in droves. That may be traced, of course, to the fact that the poll really did not reflect correctly the opinion of a majority of theatre-goers.

Producers and distributors fully appreciate certain sentiment for homey, costly historical or spectacle productions, but they also cannot ignore the fact that often these pictures gross so little as to sour them on such for months to come. They realize there should be a certain number of them, even if they fail to register well at the b.o., but are not kidding themselves into belief that the mass populace craves them.

In contrast, the rabid knocking of gangster pictures called a halt to films of this ilk for a time. Yet today there are plenty of healthy grossers, with the racketeer angle stressed.

Consequently, polls of patrons are being frowned on by wiseg heads in the business, because, first of all, they are apt to hurt business, and, secondly, because past experience has shown they are likely to mislead circuits, distributors and producers.

'MIRACLE' AWAY

Hollywood, Sept. 27. 'Westside Miracle' got the gun yesterday (Mon.) at Universal with Edmund Lowe, Helen Mack and Dick Foran in the top spots.

Tom Lennon wrote the screen play from Quentin Reynolds' original. Arthur Lubin directs.

Ban on Bingo and Keno Credited For Smart Upturn in Theatre Biz; Chi's Triples Kayo Giveaways

Akron theatre owners' drive on widespread playing of keno and bingo in resorts and beer gardens has brought a definite upturn in business at the boxoffice, the Akron Independent Theater Owners' association reported today.

Robert C. Menches, president of the association, declared that about 75% of the liquor and beer spots in the county are 'within the law' as far as keno is concerned, while about 65% of the city's spots have 'quieted down.'

The independents began their war on bingo and keno as gambling when the games became so widespread that the theatre owners felt their boxoffice returns definitely slashed. The first week after the theatres induced Sheriff Walter O'Neil to put the lid on the games, Menches said business increased 10-50% and that there has been no drop in the take since that time.

Menches said the drive would be continued. He plans to present this week to the state liquor control board a list of those spots which permit keno and bingo and at the same time sell liquor and beer. He will demand the state commission take action. Merchants, city officials, parent-teacher groups, ministers and civic associations have backed the theatre owners.

Operators' union joined in the drive with the theatre management when reduced business caused managers to ask the union for a reduction in scale owing to the bingo fad.

Chi's Finale

Chicago, Sept. 27. Giveaways, which had swept over this territory like a Goldwyn cyclone, are on their way out. And primarily due to their own failings and weight. There is still enough demand for 'em on the part of the femmes when offered by the theatres, but the exhibs have reached the point of diminishing returns on the gratis dishes, cooking utensils and art objects.

Cost of the giveaway stuff has reached such a high point that the more customers the more the theatre loses. Exhibs have found that if they lose a little bit on each ticket, they can't make it up on volume; which is evidently what some of these exhibs thought they were doing. They were giving away items costing as high as 12c each on 20c admissions.

This represents a climb of nearly 30%, with the giveaway items of four and five years ago having averaged 4c each. But when the housewives were up to their necks in cheap dishes, the exhibs began stepping up the action with cutlery, food articles, clothing, bric-a-brac, house furnishings and even packages of cigars.

There was no question that it increased business in practically every location, but the exhibs have found that it doesn't pay to do additional business when you give away practically all your profit. Found they could have more money left in the bank on a smaller gross without giveaways.

Another angle which is putting the pressure on giveaways is the new drift towards triple features here. Started by a fight between two mammoth Essaness and Balaban & Katz houses, the triple feature bills are indicating the beginning of a new era in this territory. Should trend materialize, it would result in the complete eradication of the giveaways since it would zoom the product cost up so high that the exhibs would find it impossible to cough up for three features and then add to it the weight of the giveaway price.

Penny's Appeal Set

Philadelphia, Sept. 27. Penny Supreme Court has set the fourth Monday in November for its final decision on legality of bingo, banko and other theatre games in

this state. Action at that time will be on an appeal filed last spring by the gimmick operators after Judge Harry S. McDevitt nixed the games in Philly.

Following McDevitt's decision, practically every county in the eastern and middle section of the State clamped a ban on the games. They have been gradually creeping back, however. Last week in Reading a Berks county jury found a game operator not guilty and bingo was immediately installed at the Reading Fair. Likewise, some houses in suburban Philly have quietly brought the games back without squawks from police or district attorney's offices.

Decision is also being awaited here on a criminal action arranged as a test of 'Quizzo' and 'Hollywood Party' new games invented to get around the law banning bingo and banko. These were arbitrarily ruled out by Mayor Wilson, despite the fact that they had the approval of a member of the City Solicitor's legal staff.

St. Loo's Respite

St. Louis, Sept. 27. Banknote and similar b.o. stimulants used by theatre owners in Madison County, Ill., across the river from here, are expected to be resumed after a six-week's layoff as the 'one man' gambling crusade of Dr. W. W. Billings, coroner of the county, was halted last week. The purge of all forms of gambling was undertaken by Dr. Billings when he charged the sheriff, prosecuting attorney, and other law enforcement officers closed both eyes to the violations.

The pic shows were the first to abandon the bait that the coroner said ran afoul of the law. Then one of the largest lotto games in the middle west pulled stakes and moved into an adjoining county. The Hyde Park club in Venice, Ill., a casino which enjoyed heavy patronage from St. Louisans, also folded. Minor gambling enterprises followed suit. While Dr. Billings was conducting his purge, suits totalling \$50,000 were filed against him alleging false entry, assault, etc.

Last week the coroner in halting his purge activities said his efforts had convinced him that the laws could be enforced if the authorities desired and he would return the situation to them. He presented an expense bill of \$222.23 to the County Board of Supervisors but action on the matter was deferred until the meeting next month. The Hyde Park club is going full blast, other forms of gambling have resumed and theatre proprietors are expected to renew the bank nite policy to lure customers to their houses.

State Senator James O. Monroe of Collinsville is sounding out the mayors of cities and towns in the county on his proposal to sponsor a bill to legalize gambling for revenue at the next session of the Illinois legislature.

Bank Nite Conviction

Lynchburg, Va., Sept. 27. Defining bank nite as a lottery, Police Justice Harris S. Birchfield of Roanoke fined Elmore D. Heins, v.p. and manager of National Theatres Corp., \$25 and sentenced him to a day in jail. The jail sentence was suspended.

Banko No Lottery

Milwaukee, Sept. 27. Wellworth Theatres Co. of Wisconsin, owner of the Hollywood, and Ted Bolnick, manager, were found not guilty by a jury of operating a lottery in the form of bank nite. The jury accepted the defense contention that no 'consideration' was involved. Purchase of a theatre admission ticket, the jury found, could not be labeled a 'consideration.'

LOVE...YOUNG AND ARDENT

seizing thrilling moments in a fury-swept sea of danger!

Drama of youth... madly in love, reckless of life, eager for glory... in the greatest adventure of the U. S. Services! Revealing the full, glowing brilliance of Richard Greene and Nancy Kelly—two vital, young personalities whose inspired performances together mark them for stardom's heights!

SUBMARINE PATROL

(Pictorially glorified in Sepia-tone)

RICHARD GREENE • NANCY KELLY
PRESTON FOSTER • GEORGE BANCROFT

and
SLIM SUMMERVILLE • JOHN CARRADINE
JOAN VALERIE • HENRY ARMETTA
WARREN HYMER • J. FARRELL MACDONALD
DOUGLAS FOWLEY • MAXIE ROSENBLOOM

Directed by **John Ford**
Associate Producer **Gene Markey**. Screen play by **Rian James**,
Darrell Ware and **Jack Yellen**. From a book by **Ray Milholland**
Darryl F. Zanuck in Charge of Production

Never-before-told story of the valiant "Splinter Fleet"! John Ford's masterful direction brings to vivid life those raw recruits... scorned as "softies"... but rising to heroic heights when courage is most needed! Spectacularly produced by Darryl F. Zanuck! Stirring with all the throbbing power at 20th's command! **SMASH BOXOFFICE!**



THE KEYSTONE
OF YOUR FUTURE

Acad May Drop 'Oscars'

(Continued from page 7)

of the board, and the reorganization committee, Darryl F. Zanuck, E. J. Mannix and David O. Selznick tendered their resignations, which were likewise refused.

The board felt that the future of the Academy is too important to the industry to be jeopardized by any individual resignations at this time.

The board decided to continue on its present basis until existing economic differences are adjusted and a more harmonious condition shall exist in the industry.

Hope for Concerted Action

'At that time, the board hopes that Guild members, present Academy members and other artists and creators in the industry will join in a concerted participation in the reorganization of the Academy completely free from economic or political problems, confining itself solely to the advancement of the arts and sciences of motion pictures.'

Before the meeting Capra had advised Zanuck that many Guild members felt the producers were asking for cultural cooperation, while at the same time refusing economic cooperation with the creative workers. He said it was impossible to arouse interest in the proposed reorganization unless the producers were willing to resign immediately and turn over control of the Academy to the workers.

Because of action by the Academy governing board, the Inter-Talent Council may decide to mark time until it is determined whether the writers and producers will agree and adjustment worked out with the directors. The actors already have a basic agreement, but are supporting the other two talent groups.

Inter-Talent Council is composed of Capra, Herbert Biberman, Lewis Milestone, Ralph Morgan, Elizabeth Risdon, Robert Montgomery, Kenneth Thomson, Charles Brackett, Jane Murnin, Philip Dunne and Boris Ingster. Alternates are Elliott Nugent, W. S. Van Dyke and Frank Tuttle.

Screen Writers Guild, following collapse of negotiations with the producers, secured blanks from the National Labor Relations Board for filing unfair labor practice charges. Parley broke up when producers refused to cancel agreement with the Screen Playwrights, Inc., and to recognize the SWG as exclusive bargaining agent for all screenwriters.

Hearing before the NLRB on petitions of the Screen Directors Guild, charging 10 major film companies with unfair labor practice for refusing to bargain, and asking to be certified as collective representative for directors, unit managers and assistant directors, is now in its fourth week. Case is being heard by William R. Ringer, NLRB trial examiner who also conducted hearing in Screen Writers Guild case.

Delinquents Attacked

Delinquency lists of SDG members were introduced by the producers to show that many directors have never paid the initial dues, while others are delinquent from one quarter to two years. The Guild fought admission of this testimony, but Examiner Ringer ruled it might have some bearing on the bargaining majority of the SDG at various studios.

If the NLRB sustains this ruling, the SDG would have a bargaining majority at only two or three studios on the dates at issue in the hearing. Darryl F. Zanuck, vice president in charge of production at 20th-Fox; Hal Wallis, associate executive in charge of production at Warners; and Tenney Wright, production manager at Warners, testified that unit managers at their studios are not permitted to direct scenes or handle second units, and have no part in cutting of pictures. Executives testified that unit managers and assistant directors are hired, assigned and fired by the production department.

Zanuck stated that his duty was to select stories, hire directors, writers, executives and actors, cut and edit pictures and to supervise previews to secure audience reactions before the picture is shipped to distributors. The 20th-Fox head said he spent most of his spare time sparring with the Guilds.

Asked about changing players in casts, Zanuck stated that the practice allows director judgment to prevail. He recalled an instance where Sidney Lanfield objected to Tyrone Power in 'Sing, Baby, Sing,' with claim that actor had insufficient experience and was raw in his lines. Although he disagreed with the director after viewing the rushes,

Zanuck said he finally agreed to replacement of the player.

Tenney Wright said unit managers are in reality assistant production managers. After describing how all departments aid in preparing a shooting schedule, Wright stated:

Duties of Unit Manager

'A unit manager works out of the production office. I consider him my assistant. He watches sets after costs and sees that necessary sets are built. He is responsible in all ways for business running of that picture. He looks over the cost sheet daily and always attends the 2 p.m. business meeting in my department. He is really the advance man for the production department.'

He denied either unit managers or assistant directors shoot scenes. He testified that a first assistant director cannot spend money not listed in the budget, while the unit manager pays all bills on locations and confers with the production office on any script changes requested by the director.

Sid Rogell, studio manager for RKO-Radio, gave similar testimony with reference to duties of unit manager and assistant directors at his studio.

Testimony was submitted by the producers in an effort to refute the contention of the SDG that duties of unit managers and assistant directors are similar and often interchangeable. This was done to show Guild is a properly constituted bargaining unit although there is a wide variance between the salaries of directors and unit managers and assistant directors.

Harry Joe Brown, associate producer at 20th-Fox, explained the duties of a director from the time he reports for work until the picture is completed. He also detailed work of a unit manager and assistant director.

Examiner Ringer refused to permit the SDG to introduce testimony showing that producers negotiated a contract with the Screen Actors' Guild, which they contend is a similar bargaining unit to the SDG. In pleading for permission to place the producer-SAG basic agreement and by-laws of the SAG in evidence, Barry Brannen, counsel for the directors, said:

Ruling Called Prejudicial

'The ruling of the examiner in excluding these exhibits is entirely prejudicial to the Guild's case. It has taken us entirely by surprise. There are fewer relations between high-salaried actors and extras than between directors and assistant directors and unit managers.'

'The producers found no difficulty in negotiating a contract with the actors who had the same sort of union setup as the directors. I would like for the record to show that these exhibits which are now excluded were admitted in the Screen Writers' Guild case.'

Conference between film executives and National Labor Relations Board on petition charging that International Alliance of Theatrical Stage Employees is a company union and producer dominated has been postponed until conclusion of the SDG hearing. Parley was set for tomorrow (Wednesday). Dr. Towne Nylander, NLRB regional director, said the producers asked for the delay because their attorneys are now engaged in the present hearing.

The Artists Managers Guild has appointed a committee composed of Abe Lastfogel, Bert Allenberg, Frank Vincent, Leland Hayward and M. C. Levee to confer with committee from the Screen Actors' Guild on plan of the SAG to license agents. Levee, proxy of the AMG, said agents' committee was named for 'the purpose of developing a program that would be of mutual benefit to members of the two guilds.'

Negotiators for the actors are Adolphe Menjou, chairman; Basil Rathbone, Gloria Stuart, Morgan Wallace, Edward Brophy, Maude Eburne and George Murphy.

Harry Mayo has resigned as vice-president of the Junior Council of the SAG to accept a job as studio checker for the Guild. SAG by-laws provide that no Guild employee can serve as an officer or member of the board.

Scores of film cases pending before the NLRB will be set for hearing at conclusion of the directors' case. Included in these are petitions by the Screen Publicists' Guild, Society of Motion Picture Film Editors, Studio Set Designers' Association, Screen Cartoon Guild and Scenic Artists.

New Coast Indie Chapter

Los Angeles, Sept. 27.

New local chapter of Independent Theatre Owners of Southern California and Arizona was formed in San Diego with John Keough, veteran indie exhibitor, as president. Chapter will function autonomously but under supervision of ITO.

Other branches and chapters will be set up in Southern California as part of the expansion program planned by Albert Galston, ITO president.

Jackass (a Real One) Elected; Has Radio-Film Bids

Tacoma, Sept. 27.

The Republicans of Milton, nearby town, elected a jackass in the flesh for precinct committeeman at the election and as a consequence radio and motion picture scouts have already offered the donkey a spot. The mule was entered as 'Boston Curtis' on the ballot in the state blanket primary. Mayor Kenneth Simmons of the village said he wanted to prove that a certain percentage of the voting public pay no attention to the names of the candidates. He also thought it would be a good joke on the Republicans, who had made no nominations for the post.

He asked the owner of the long-eared animal if he could use the name of his pet donkey for the experiment. Chauncey Curtis, owner said it was oke if politics kept his name out of it. When the mule received all of the 51 votes and was elected, May Simmons remarked, 'Let us brag, and now the jackass will be signed for radio and flickers.'

All the press services and special feature writers carried the yarn with art which made the prank a nationwide joke.

Wichita, Sept. 27.

Claude E. Main, Dodge City, Kan., Democratic candidate for Congressman, has leased Wallace Bruce Players, who have been literally packing 'em in as come-on for speeches of the candidate in towns of western Kansas.

Cast of 10 gives free nightly performances under tent which seats 1,000.

Cal-Neva

(Continued from page 1)

thousands of acres of land bordering Lake Tahoe in Nevada. In fact he now owns about half of the lake shore property in the state and it cost him a couple of million. He has erected a swank residence in a secluded gambling resort and club near the shore between San Francisco and the lake in a \$75,000 amphibian plane. The plane was sunk in the lake a few days ago, without loss of life, but was retrieved and will soon be ready for ailing again.

Through Norman Biltz, Reno real estate dealer, Whittell is promoting the sale of land around the lake in large and small tracts and recently signed Janet Gaylor for a choice parcel. Paulette Goddard spent several days looking over the field and Bette Davis, vacationing at nearby Glenbrook, a lake resort, also had an opportunity to select a home site but as far as known did not. Robert Taylor also flew to Reno and spent a day or two in the Tahoe district.

Idea of Biltz is to erect a high class gambling resort and club near Incline, which is at junction of direct road from Reno and lake shore highway, and around it build the winter and summer resort features. Nearby Mount Rose, highest peak in these parts, affords excellent skiing facilities and it has been surveyed for trails, up-skiis and similar attachments.

Cal-Neva resort, largest night spot in the state, is only a couple of miles from Incline, and it has enjoyed a lucrative trade for past several years with gambling as its money-making feature. It draws from Hollywood, San Francisco and Reno and it is the belief of Whittell interests that the trade can be expanded if winter sports are added.

They also use as a selling point that hard pressed millionaires, who

Pros and Cons on UA's Delayed 6 Pix in Philly; Selznick's Pledge

Kaufman-Hart

(Continued from page 1)

sonate that yesterday star of 'Potash and Perlmutter.'

Other yesterday stars in this cavalcade of the theatre include Weber and Fields, and others.

'Invalid' deals with the theatre on Broadway from 1900 to 1930. It traces a house from the time it was used for legit, then for burlesque and finally films. Scenes showing name players will be brief and are for montage effect, but are expected to have an important part in the show. There are well over 100 speaking parts in the play, but the cast will be kept within 77 by doubling. Show is currently rehearsing for a scheduled opening Oct. 8 at the Broadway, New York. Producer is Sam H. Harris.

MILGRAM-PIZOR START PLENTY

Philadelphia, Sept. 27.

Feud between Dave Milgram, head of Affiliated Theatres, Inc., and Lewen Pizor, prez of United Motion Picture Theatre Owners, reached a new peak last Wednesday when Pizor, in partnership with Charles Segall, chairman of UMPTO's board, opened a new house in competition to Milgram. House is the Chelton, in Germantown, and the original cause of the hatred that has now come to be generally known to exhibitors as 'The Second Battle of Germantown.'

It is close to Milgram's Allen and Walton theatres. First thing that happened in connection with unveiling of the new house was last Tuesday night when the Evening Bulletin called Pizor and asked if he had called up to order a large '30c' inserted in his ad for the opening. Pizor said he did not, as the house is a 20-center. Ledger didn't bother to check back and its ad the next day carried the 30c.

Second thing that happened was that merchants in the neighborhood on opening day found themselves deluged with tickets that admitted anyone to the Allen upon payment of 5-10c. On the night of the opening, lined up at the boxoffice were scores of Negroes. Wondering where they had obtained 30c Pizor had several of them collared and questioned. They all replied, 'A man up the street gave us the money.'

A few minutes later a sound truck began ploughing back and forth along the block where the new theatre is located. Although it bore no advertising, it soon became a source of extreme annoyance. Then a taproom across the street suddenly lighted up with signs all over the windows plugging the Allen.

And, finally, a mob of kids bore down on the Chelton, carrying heralds for the Allen. They tossed them all around and succeeded in pasting a few on the walls under the new house. Police car was then called and remained there all night.

Although the change in the newspaper ads, the presence of the Negro ad or the appearance of the sound truck couldn't be connected with Milgram in any way, such actions seem to have been a serious tactical blunder. For while he had almost unanimous support of other indie exhibitors before for his side of the argument, he alienated a good bit of this opinion last week.

Shoe, too, will be on the other foot next month when Milgram opens the Adelphi, which will be in direct competition to Pizor and Segall's Apollo in West Philadelphia.

Cause of the entire feud is the fact that Segall and Pizor built the Chelton in competition to Milgram's houses. Milgram immediately started the Adelphi to compete with them on other grounds and the battle went on from there.

find the California tax burdens too heavy, can establish permanent residence in Nevada by building houses at lake and visiting it occasionally, and thus escape many tax ticks in their income. Nevada has no trick taxes of any kind. Property tax and the universal gasoline tax are all the state exacts.

Philadelphia, Sept. 27.

Exhibit meeting, as result of United Artists' notification that it would deliver six pictures promised for 1937-38, has been called for Thursday (29) by Lewen Pizor, prez of United Motion Picture Theatre Owners. Although most exhibitors are under the impression that it will be a protest meeting to frame a beef about UA's action, it is understood that the meeting won't turn out to be that at all. Instead, Pizor will attempt to explain away and justify UA. Whether he can do it is another question, but it is known that he has been in constant touch for the past week or so with George J. Schaefer, UA sales chief, who is a great personal friend of his.

Some exhibitors have been somewhat appeased by a letter Harry Perlman, of the Lehigh and New Allegheny theatres, claims to have received from David O. Selznick, two of whose pictures are among those being held back by UA. Following a direct personal protest to Selznick by Perlman, the latter says he received a reply in which Selznick said he himself will guarantee delivery of his own pictures. Inasmuch as it is these two films in which operators are most interested, there isn't too much indignation about the others.

Pizor expected to explain that inasmuch as UA contracts are only for six months, they had run out and the exchange had the legal right to do what it did. Exhibs agree on the legal right, but claim there is a moral as well as legal point involved.

PRODUCT DEALS

New York and Elsewhere—Selling Away in Midwest

The RKO product deal closed with United Artists for the 1938-39 season, retroactive to include 'Algiers,' does not include metropolitan New York houses. Loew's has played UA in this section for many years.

A major '38-39 contract closed by Columbia has been signed with the Martin circuit operating 55 houses in Georgia, Alabama and Florida. Deal embraces entire feature, shorts and serials lineup. W. W. Anderson, Col branch manager at Atlanta, negotiated the buy with Roy E. Martin.

Republic has closed several important sales contracts in the Northern California region, with James R. Granger, San Francisco, to personally marshal the forces on the deals. Grover C. Parsons, Rep western division manager, is also there, with Sid Weisbaum, Frisco branch manager, sitting in. Largest deal is with the affiliated Golden States and T. & D. Enterprises operating 75 theatres in the far northwest. R. A. McNeil and M. V. Warner negotiated the terms in behalf of Golden States-T. & D. Other deals, involving a total of around 30 houses, have been signed with the Redwoods Theatres and Midland chains.

Two Republic deals closed up by Jack Bellman, eastern division sales manager, including WB's Jersey houses, numbering around 40, as well as the upstate N. Y. Warner houses, and the St. Fabian circuit in Brooklyn.

FN Sells Away From Cooper Lincoln, Sept. 27.

First National joined United Artists in selling away from J. H. Cooper in this situation, the 1st concerted break among the majors away from Cooper. Puts the T. B. Noble-Braska Theatres, Inc., closely allied with L. L. Westland Theatres, in its strongest position here so far. Cooper and Dent have battled over the face of three states—Nebraska, Oklahoma and Colorado—for several years. Howard Federer, general manager of the situation here, now has Col, FN and UA to hook into the Varsity, with subsidiaries to go into the Kiwa.

Change of status and the closing of houses is expected in the selling of a great number of subsequent here. Sale of FN puts WB in the position of selling away from their partner in Oklahoma City.

UA Splits Cooper-Dent

Omaha, Sept. 27.

First-run United Artists pictures at Lincoln are now split by Cooper and Dent theatres in a deal just signed. Cooper houses formerly had UA first-runners exclusive. Dent-operated Varsity theatre will handle UA first-runners with move-overs going to the Kiwa.

**LOOKS LIKE TOP GROSSES AND
EXTENDED RUNS EVERYWHERE!**

**NEW YORK, CHICAGO—FIRST TWO
OPENINGS BECOME FIRST TWO
HOLDOVERS! . . . Premiered Friday,
September, 16, at Palace, Chicago, and
zoomed immediately to near-record
business! . . . Opened at the Rivoli,
New York, in teeth of last Wednesday's
hurricane, and gave house its BIGGEST
OPENING IN TWO YEARS! . . . Opens
this week in a dozen more first runs!**

**The MARX Bros.
"ROOM SERVICE"**

with
**LUCILLE BALL
ANN MILLER
Frank
ALBERTSON**

**WATCH THE BIG SHOW
NEWS BREAK ON RKO-
RADIO'S SENSATIONAL
NEW-SEASON STARTER**

PANDRO S. BERMAN in charge of
Production..Directed by William A. Seiter
Screen play by Morrie Ryskind
RKO-RADIO PICTURE



BONUS!

No. 1 on your REGULAR Universal 1938-39 contract you get a



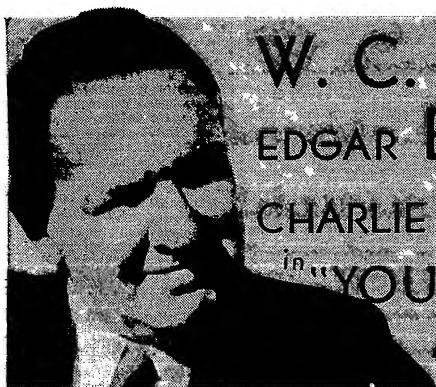
BING
CROSBY
PRODUCTION



No. 2 on your REGULAR Universal 1938-39 contract you get

W. C. FIELDS
EDGAR BERGEN
CHARLIE McCARTHY

in "YOU CAN'T CHEAT
AN HONEST MAN"



No. 3 on your REGULAR Universal 1938-39 contract you get

JAMES STEWART
STARRING IN
DESTROY RIDES AGAIN

From the famous MAX BRAND story
A JOE PASTERNAK Production



**UNIVERSAL'S ON THE WAY UP.....
WITH BOX OFFICE PICTURES!**

EXPLOITATION

By Epes W. Sargent

Schlaifer's Charley

Charles Schlaifer, of United Artists theatre, San Francisco, has developed a mighty good idea in a 'spokesman' to be known as U. A. Charley, a miniature figure drawn about the initial letters, the U serving as a head and the A for a body. It was Schlaifer's idea to create a personality to which could be attributed plugs which might sound a bit overdone if simply printed. With Charley telling 'em, it sounds and looks different, and already Charley has proven his value. Incidentally, Schlaifer thought well enough of the idea to copyright the figure, though there is no stoppage against similar, but non-conflicting ideas.

The introductory ad announced him as 'The Voice of the United Artists theatre' and urged the reader to look for him. Subsequent usage on 'Sabu' offered, 'Blowing my horn. Come on, you youngsters, 'Sabu' is right in the groove.' It's a gal's picture, but you'll be crazy about it, too. Don't miss it, it will trip through the south, carrying invitations to attend the premiere to the governors and visitors of the states and cities visited. Tour dips down to Birmingham and Atlanta and then north to New York and back home.

Other outfit is an auto carrying the official 'Miss Arkansas' who will tour the west and northward. This is in cooperation with the AAA and various chambers of commerce.

Two Trippers

Paramount, which will preem 'Arkansas Traveler' at Little Rock next month, is sending out two expeditions to bally. One is a native cowboy, the other a white man who will trip through the south, carrying invitations to attend the premiere to the governors and visitors of the states and cities visited. Tour dips down to Birmingham and Atlanta and then north to New York and back home.

Other outfit is an auto carrying the official 'Miss Arkansas' who will tour the west and northward. This is in cooperation with the AAA and various chambers of commerce.

Blank's 'Boys Town' Bally

One of the most elaborate campaigns on a picture ever attempted, put on by A. H. Blank in his territory, which embraces Iowa and Nebraska mostly, resulted in a premiere for 'Boys Town' in Omaha that brought out 30,000 people and required 110 cops, plus firemen, for control of order. Blank, now in New York, declares that records are being broken by the picture on top of the campaign, including business that tops 'Snow White,' record-maker in many spots.

Blank brought a specially prepared record of the campaign east, which Y. Frank Freeman, Leon Netter and others consider the best they've seen. It is planned to make the campaign available to other operators.

Obtaining unusual cooperation from the Catholic Church in his territory and feeling that 'Boys Town' is the industry's most powerful force in maintaining relations with the church, Blank formed a general committee on the opening of the picture, including political, industrial and other dignitaries, among them the mayor of Omaha, president of

the Union Pacific, etc. A special broadcast with these dignitaries was included and after the preem at Omaha (home of Boys Town) Blank threw a party. He got John W. Conside, Jr., Spencer Tracy and Mickey Rooney to come on from the Coast. Blank, probably one of the strongest forces in the industry behind good-will campaigns, having put on many, is one of the larger of the Par partners.

Yamming the Yam

Rutgers Nielson, of RKO, sent around last week, coincident with the opening of 'Carefree' at the Radio City Musical Hall, ocarinas, more generally referred to as sweet potatoes or yams. To advertise the Yam dance created by Fred Astaire and Ginger Rogers in the picture. Nielson explains it can be used as a weight in case you do not want to play it.

Musical authorities have been trying for years to decide whether or not the ocarina should be classed as a musical instrument, but there seems to be no question as to the publicity value of the darned thing. It is bound to make itself heard.

Theatres—Exchanges

Dubuque, Ia. Jack Neary, manager of the Orpheum (Mort Singer), transferred to Orpheum, Davenport, replacing Glen Caldwell, who is leaving for Hollywood. Louis McComish named tentative instrument but there here. House, closed four days a week during hot weather, is back on seven-day schedule.

Oklahoma City. S. C. Callahan opening new theatre at Broken Bow Oct. 1. Now operates Arrow there. Earl Barrett opens new 300 seater at Atoka Oct. 1.

New Orleans. Site of one of the first pix houses in the commercial district of the city is again to become a picture house. As announced Wednesday (14). The space has been leased by M. A. and Ira Weinberg, operators of the Laurel theatre, for 10 years and will be remodeled into a modern, air-conditioned house to be opened about November.

The new house will give St. Charles street three pix theatres, others being the Liberty and the Lyceum. St. Charles has been dark for months.

Spartanburg, S. C. Criterion, Wilby-Kinney house, dark all season except week-ends, plans late fall resumption of full schedule.

Fort Wayne. Quimby Theatres, Inc., took over Rialto theatre last week, leasing house from Mallers Brothers Amusement Corp. Quimby now has four theatres in city.

Manny Marcus has taken over Creighton and Capitol theatres here, and is hurrying up work on remodeling of Paramount, built in 1930, is newest house in city. The stage is being rebuilt for vaude.

Louisville. Several changes in the personnel of Fourth Avenue Amus. Co. houses were made, following the resignation of A. J. Kalberer as manager of Strand, who went to Washington, Ind. In his place at Strand is A. B. McCoy, formerly at Uptown. J. H. Boswell, formerly Rex, shifted to Uptown, while William Metzger, formerly assistant of Rialto, now in charge of Rex.

Mrs. E. M. Eagleton, owner of Majestic and Little Seymour, Ind., has completed negotiations for M. Switow & Sons of Louisville to take over management of two houses. Mrs. Eagleton has operated houses in Indiana and Illinois for number of years.

Los Angeles. Kurt and Max Laemmle bought a majority interest in the Franklin theatre in Highland Park from Harry Rackin and associates. House will be managed by Kurt Laemmle, who also operates the Ritz theatre, Lowell, Ind.

Al Hanson reached an amicable agreement with Fox-West Coast in the product controversy centering around his Fox theatre in Southgate. Threatened suit was dropped.

Fox-West Coast bought the California theatre, 1854-seater, in San Bernardino, from Santa Fe Savings and Loan Assn. at price reported in excess of \$125,000. F.W.C. operated the house under lease since 1927.

Cullen Espy shifted six Fox West Coast houses managed. Dave Freed moved to the Ritz, Earl Rice to the Westlake, W. C. Ricard, Jr. to the Egyptian, William McGreen to the Melrose, A. J. Aylesworth to the Margots, and Sidney Pink to the Ravnens.

G. W. Page announced plans to remodel a store into a picture theatre. In Torrence, and Harry Milstein, operator of the town's only film house, plans to build a new one.

Inside Stuff—Pictures

Upon learning that Nixon legit season would open in Pittsburgh Oct. 3 with 'You Can't Take It With You,' Harris-Alvin tried to get Columbia to release screen version of Pulitzer Prize play ahead of regular date. Distributors refused to sanction deal, however, and both flicker and its stage duplicate will buck each other, picture getting under way three days after play starts at Nixon. It'll mark third visit of show to Smoky City.

Paging from a New York City curbstone answered problem of locating a film salesman. Outfit wanted to contact a picture peddler and was told he could be located outside 729 7th avenue (film curb) almost any time. Western Union boy was dispatched and called name for over an hour before locating a friend of the salesman who led him to party sought.

Helen Vinson, stage and screen player, with her husband, Fred Perry, the British tennis ace, last week visited the N. Y. federal building, accompanied by her father, to huddle with John F. Daily, assistant U. S. attorney; Gregory F. Noonan, chief of the N. Y. Criminal Division, and Chief Postal Inspector James J. Doran, for the purpose of finding out whether she could bring suit against certain California individuals for gyping her in a securities deal. The same action was tossed out by the Coast courts recently. At that time she was advised to bring the matter to the attention of the N. Y. fed authorities, but so far she has gotten nowhere.

Paramount is experimenting with a new type of interchangeable Neon light for marquees on which, it is claimed, a saving of 65% in operating costs will be realized. Brought to the attention of Bob Weitman, managing director of the N. Y. Par by the Par h.o., the new light is being used first at this house and will be spread, according to plans, among other first-run 'A' theatres of the chain.

In addition to the saving in costs, claims for the new light are that it's basically Neon, that it permits interchangeability and that the letters can be switched without replacement of the whole sign.

Combination of Sol Lesser and Jed Buell for the production of two more midget pictures is off, following the recent announcement that Buell would tie in with Mack Sennett on 'The Problem Child' with Stan Laurel and several half-pint actors in the cast. Lesser invested about \$50,000 in 'The Terror of Tiny Town,' and there was talk of further financing. Since the Buell-Sennett deal, Lesser has declared he will wait further b.o. reports on 'The Terror' before making a decision. Meanwhile Lesser is concentrating on kid pictures starring Bobby Breen, Irene Dare and Tommy Kelly.

Contest angle tied in with airshow being peddled back east by Jesse Lasky would have RKO participating only insofar as it affects the signing of talent appearing on the program. Lasky would embrace a role similar to that of Major Bowes, and billed as The Star Maker, would trot out a new set of tyros each week. Those making the best showing on the air and carrying the recommendation of Lasky would be screen-tested for stock contracts. Palmolive and Wrigley gum, among other program shoppers, are said to be interested in the setup as a half-hour program.

Business is booming in the Ozarks since the 20th-Fox troupe moved into Pineville, Mo., to shoot 'Jesse James.' Hillbillies are getting rich as concessionaires. Owner of the old James farm is cleaning up \$100 a day selling pop and \$200 every Sunday on a parking lot. Survey of Noel, a once sleepy village nearby, showed 15 hot doggeries, 22 pop stands, one tattoo parlor, four photo selling booths, five popcorn layouts, seven ice-cream and four novelty joints, and a flock of pass-the-hat street shows.

MEMO
Hereafter please use Postal
Telegraph exclusively for
telegrams, cablegrams and
radiograms.

**People in Show Business
Are Using
Postal Telegraph**

Because Postal Telegraph is bidding for their business with speedier and more accurate service.

**Of Special Interest
To Those in
Show Business**

Postal Telegraph's low cost Money Order Service—for changing cash into checks for safe transfer of funds... Good anywhere... Available any office of Postal Telegraph... Convenient... Inexpensive... Cost as little as five cents.

Always Use

Postal Telegraph

And its affiliated cable and radio services, Commercial Cables, All America Cables, and Mackay Radio and Telegraph.

New York Theatres

There's a Better Show
at the
RKO THEATRES

SECOND WEEK
GARDEN OF EDEN
A Musical Comedy
with
ETHEL MERMAN
and
NORMA SHEARER
and
MARIE ANTOINETTE
and
TYRONE POWER
and
M. G. M. Hit
Daily 2:30, 8:45, 10:00
Show Sat. Sun. 8:45, 10:00
Mats. 6:00 to 8:15, Even. 8:00
Sat. Sun. 8:45, 10:00
Sat. 8:45 & Sun. 8 P.M. 12:15 way & 45th
Oct. to \$1.50 (Plus Tax)

ASTOR
M. G. M. Hit
Daily 2:30, 8:45, 10:00
Show Sat. Sun. 8:45, 10:00
Mats. 6:00 to 8:15, Even. 8:00
Sat. Sun. 8:45, 10:00
Sat. 8:45 & Sun. 8 P.M. 12:15 way & 45th
Oct. to \$1.50 (Plus Tax)

Starts Thurs.
CLARK GABLE • **MYRNA LOY**
"Too Hot to Handle"
TODAY—"BOYS TOWN"
CAPITOL Broadway 31st Street

Loew's STATE
Broadway & 45th Street
Starts Thurs.
Today Only
Novas Has
Nancy
Benny Fields
"Letter of Introduction"
MAL HALEET & ORCH.

11th Av. & 50th St.
ROXY
"STRAIGHT, PLACE AND SHOW"
—On the Stage—
New Stage Show
ALL 25c TO SEATS 1 PM.

RADIO CITY
MUSIC HALL
'DRUMS'
Spectacular Stage Productions

PARAMOUNT TIMES SQUARE
RONALD COLMAN
TOMMY DORSEY
AND BAND
in Frank Lloyd's
"IF I WERE KING"
CORY BOSWELL

GANS G.M. FOR R. & R.
Louis Gans to become general manager for Rapt & Ruden's seven New Jersey theatres, with headquarters in Bloomfield.
Bert Korbelt quits as manager of the Five-Boro Fenway theatre to open the Costello, in Washington Heights section of N. Y. C. for Louis Myers and Charles Goldreyer.

AFTER NOVEMBER 1, 1938

25c
PER COPY
(Newsstands)

VARIETY

\$10
PER YEAR
By Subscription

SPECIAL LIMITED OFFER UNTIL NOVEMBER 1st...

makes possible the following subscrip-
tion rates at substantial savings

2 years	\$10
1 year	6

(Canadian and foreign \$1 extra per year)

All present subscribers and readers
of VARIETY have the opportunity to
renew or obtain subscriptions at
current rate until November 1, 1938

Renewals Become Effective at Expiration of Current Subscription

VARIETY

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PRICES IN EFFECT TO
NOVEMBER 1, 1938

Two Years.....\$10
One Year..... \$6

Canadian and Foreign
\$1.00 Extra Per Year

Please enter my subscription for.....years,
for which find enclosed \$.....

Name

Street

City

State

PRESENT WEBS' TACTICS

Patent Medicines' Veracity Hit

Several Radio Advertisers Among Those Rebuked by Federal Trade Commish

Washington, Sept. 27. Wholesale spanking for merchants who have disseminated false and misleading propaganda concerning their products via radio was meted out last week by Federal Trade Commission. Kolynos toothpaste, Gardner's Food Herbs, Montecatini Salts and Cystex received direct rebukes for their radio advertising. Dr. Lyons Tooth Powder, also a user of radio time, given a general rebuke without specific mention of broadcasts.

Rival claims of dentifrice makers have been equally exaggerated, according to Commish. No reason for knob-twiddlers to believe in Kolynos company's assurances that gleaming molars will result from use of its tooth paste or that the product kills germs and is better and more economical than other makes. Dr. Lyons' Tooth Powder, manufactured by R. L. Watkins Co., New York, was accused of having unfairly disparaged competitive dentifrices, including paste by similar claims and also was charged with misrepresentation of the value of a bracelet given away to purchasers for a Dr. Lyons's box-front and 10 cents cash.

Cystex Rapped

Cystex kidney remedy will not cure kidney and bladder troubles irrespective of the cause of such ailments, Commish declared. Makers of the specific, Knox Co., Los Angeles—must quit representing that its product is recommended and endorsed by competent medical authorities as this is not true, complaint insisted. Same company also was scolded for broadcast advertising its "Mendacian" called asthma cure, as "dissolving" the cause of asthma and permanently relieving its symptoms.

Montecatini Salts, put out by Banfi Products Corp., New York, are not a harmless laxative and cannot be used freely without irritating the intestines, according to F. T. C. complaint. Considerable doubt expressed as to their efficacy in treating rheumatism, gout, obesity, high blood pressure, uric acid and other diseases and proof will have to be given before the outfit can resume such representations. Same holds true of Gardner Remedies, Inc., Washington, in its ballyhoo for Gardner's Food Herbs, a purported stomach, liver and kidney remedy.

All outfits cited by the Commish were given 20 days in which to answer the complaints. Will receive a cease and desist order if they don't promise to be good.

Fels Naptha Forsakes Its Traditional Daytime Policy for 'Hobby Lobby'

Although rated as one of the oldest accounts in radio, mostly spot, Fels Naptha will for the first time take to night-time plugging when it becomes the underwriter for Dave Elman's 'Hobby Lobby' on the NBC-blue (WJZ) starting Oct. 5. It will be a Wednesday spot, 8:30 to 9 o'clock. In its present seven years experience with air advertising the washing soap has elected to direct its housewife appeal to daytime local live shows or network hookups. 'Hobby Lobby' ceased pinch-hitting in Jell-O's Sunday night spot on the NBC-Red (WJZ) last Sunday (25). During the summer 'Lobby' rated second among half-hour shows in the CAB ratings.

Harry Salter will continue as maestro of the show.

Ice Skates Prospect

Chicago, Sept. 27. Goodkind & Morgan agency here has acquired the Alfred Johnson skate company account. Planning to set an ether campaign to plug the Alfred brand of ice skates.

Fibbing Privilege

Performers on programs handled by J. Walter Thompson may quote any salary they want (but the actual one) for publication purposes and they won't be contradicted by the agency. There's a clause in the Thompson contracts which binds both sides from disclosing what the contractee is really paid.

Arrangement is responsible for the common practice among Thompson artists of giving themselves all sorts of puffed salaries in chatter columns and fan mag stories.

OVALTINE'S PENETRATION DEEPENED

Chicago, Sept. 27. Ovaltine company is trying a couple of new radio angles this season in addition to the regular gallop of 'Little Orphan Annie,' which renews for another year. On Oct. 17 will test a daytime strip show on WMAQ here, aiming at strictly the adult female audience.

Tagged 'Carters of Elm Street,' will ride five times weekly at 11 a.m. Spotted through the local Blackett-Sample-Hummert agency.

In order to garner enough coin for the local testing for the femme family program, the Wander company had to throw the harpoon into five spot stations around the country which had been scheduled to carry 'Little Orphan Annie' on spot. Cancellations were necessary to get the cash both for time and talent on the WMAQ test.

With Ovaltine being given plugs now on afternoon kid time and morning matron time, the chocolate drink has decided also to test the late evening periods to sell the product as an insomnia cure. Will use nighttime announcements on WMAQ. Also through B-S-H here.

Wm. A. Brady's Playlets Produced by Ed Wolf

William A. Brady will present a series of quarter-hour playlets to be produced by the Ed Wolf office for Sweetheart soap. Series begin Oct. 5 and will go out twice weekly on the NBC red ribbon.

Some unusual angles to the program. Brady will do a Cecil B. DeMille in part but will also tell anecdotes of his long and colorful theatrical career. Playlets will be done by young talent bearing the title, 'Little Playhouse Players,' which is an integral part of another idea for subsequent unfoldment over the air. Latter will materialize later as 'Young America,' a junior revue of which Mary Small, now 17, is to be the pivot personality.

Carlo de Angelo will direct for Ed Wolf and on behalf of the Peck agency. Series will run six or eight weeks and lead into the rest of the program idea.

Rosalind Greene M.C. Of Milwaukee Tryout

Milwaukee, Sept. 27. Another serial, 'Doc Seller's Stories,' will be given a test on WTMJ, Milwaukee, to study audience reaction before it goes network. Opening Monday (3) at 10 a.m., 'Doc Seller' will provide a complete yarn each week in Monday through Friday broadcasts. Rosalind Greene, woman radio m.c., will handle.

SELLING AWAY FROM AFFILIATES?

Networks, in Seeking to Unite Industry Before Monopoly Investigation Opens, Find Criticism of Their Selling Policies

INVIDIOUS MAPS

Attempt of NBC and Columbia to line up their affiliates stations for joint action at the forthcoming monopoly investigation by the Federal Communications Commission may become snarled as a result of the smaller outlets' reaction to the question of overlapping coverage. These smaller markets are burning over the loss of business they have had to suffer this season on network accounts because of the coverage claims made by the webs for their highpowered stations.

Through their own maps the networks have been showing that the highpowered outlets have primary coverage in markets where the webs themselves have other allied stations with the result that the advertiser has become educated to eliminating such local representation from his list. As the highpowered stations improve their technical facilities this primary coverage become further extended and the webs' research departments are quick to point it out to the networks' customers.

Smarter accounts and agencies are now in the habit of studying these revised station coverage maps as they come out and of winnowing those transmitter-markets which the latest maps show to be within the same primary sphere of a high-powered outlet that is also under contract. Smaller affiliates feel that the networks have been too diligent in this direction and that the sum total of the webs' efforts have been to prove to clients that they have been buying unnecessary duplication.

One recent incident that has forcibly brought home this situation to the small affiliated outlets is the sharp reduction in the station list of Ford's Sunday Night Concerts. Last year the motor company had 94 stations under contract. This season the list totals 75 stations. Several stations thus eliminated wrote N. W. Ayer, agency on the account, for an explanation, and were told that CBS' own latest maps show that the market in question comes within the primary area of a distant highpowered outlet and that the agency has become convinced that the listeners in the former are able to tune in on the program effectively.

Washington, Sept. 27.

Three committees to voice feeling of network members on operating policies were designated last week as sounding boards for that Independent Radio Network Affiliates. Groups named in accordance with plan to provide more direct mode of interchanging ideas about matters affecting the web links as a whole.

Assignments are: NBC: Robert T. Convery, KWK, St. Louis; Ed Craig, WSM, Nashville; Ed Craney, KGIR, Butte; Walter Damm, WTMJ, Milwaukee; Harold Hough, WBAP, Fort Worth; Paul Morency, WTIC, Hartford; W. J. Scripps, WWJ, Detroit; L. B. Wilson, WKCY, Cincinnati, and Samuel R. Rosenbaum, WFIL, Philadelphia.

To deal with CBS: Vince Callahan, WWL, New Orleans; Arthur B. Church, KMBC, Kansas City; John A. Kennedy, WHS, Charleston; L. R. Lounsbury, WGR, Buffalo; Chuck Myers, KOIN, Portland (Ore); and Mark Ethridge, WHAS, Louisville.

To deal with MBS: H. K. Carpenter, WHK, Cleveland; Gene O'Fallon, KFEL, Denver; Lew Weiss, Don Lee System, and John Sheppard, Yankee Network.

Fanny Brice guesting with Eddie Cantor on his tee-off Oct. 3 for Chesterfield.

Cereals Elbow Each Other For Kid Hour Space and Nite Rates May Start at 5 P. M.

Modesty Personified

Suggesting luncheon to a friend, Goodman Ace quipped: 'I'm only 4.9 in the C.A.B., so if you get a better offer I won't be sore.'

Chicago, Sept. 27.

Growing demand for time in the late afternoon-early evening period is causing the abandonment of radio's traditional policy of avoiding simultaneous or contiguous airing by sponsors with similar products. This competition is particularly intense in the case of makers of children's foods, all of whom want the 5-6 p.m. slot. Among the outfits elbowing for such time are General Mills, Quaker Oats, Kellogg and Malto-Meal.

Situation is settling down to a tussle between the already-ins and the want-ins. Former, established with programs in the desired time bracket, are trying to keep out newcomers by raising the howl about 'similar products' to the broadcasters. Wantins are offering various explanations and dodges to get a foot planted in the door.

In Driver's Seat

Sitting in the driver's seat are the stations whose time is in demand. None of the established sponsors has cancelled a contract because of adjacent competition, as apparently the belief is that radio advertising is essential, regardless of minor inconveniences. Meanwhile, there is talk of stations meeting the growing demand by revising their rate cards to move the 'A' time classification forward from 6 to 5 p.m. That would have little immediate effect, however, as most of the regular sponsors have standing contracts giving one-year protection on rates.

Seattle, Sept. 27.

KOL, Mutual outlet, has total of eight kid shows on the air, all sponsored. Those in the listing are: 'Jimmy & Jip,' Tuesday and Thursday; 'Dick Tracy,' Monday through Friday; 'Orphan Annie,' Monday through Friday; 'Jack Armstrong,' Monday through Friday; 'Phantom Pilot,' Monday through Friday; 'Howie Wing,' Monday through Friday; 'Lone Ranger,' Monday, Wednesday and Friday; and 'Cheerio Crew,' local kid amateur studio show every Saturday morning for half-hour stanza.

Himber on Two Co-ops Runs Afoul Similarity Of Sponsor Product

Richard Himber's orchestra is in the middle of a squabble between Fred Mayer and Ben Roche, competitive radio, producers, each with cooperative commercials, and both commercials employing the Himber demonstration. At first, the new WOR-Mutual show starting this past Sunday (25) was ostensibly for Howard Clothes alone, until radio agent Mayer discovered that it was a co-op program, and that some local beer brand in St. Louis was bankrolling that outlet.

On Mondays Himber works on a co-op beer show over CBS, for Mayer, and it was originally sponsored by Trommers via the New York outlet. However, in the past four weeks, Trommers bowed out, so Himber is sustaining in the metropolitan sector, but commercial for a flock of beer sponsors outside of New York. Hence the squawk against his Sunday show also having a beer underwriter in one community, such as St. Lou. It was compromised by Fred Waring mastering the Himber band on Sunday's (25) teeoff show. Vincent Lopez next week; maestros change weekly.

Von Zehle to Consolidated As Paul Kapp's Aide

William von Zehle, formerly with radio department of Music Corp. of America, has joined Consolidated Radio Artists. Left MCA last week. He will assist Paul Kapp in radio production and sales in new spot.

PAINE TO BE ASCAP RADIO SPOKESMAN

Board of directors of the American Society of Composers, Authors and Publishers will tomorrow (Thursday) hold its first monthly meeting since last June. Among the subjects slated to come up is the designation of John G. Paine, general manager, as official spokesman in any preliminary discussions with the broadcasting industry regarding the negotiating of a new contract.

Board will also act on the royalty payoff for the third quarter of 1938.

WKRC'S 'SECRET DIARY' TAKEN UP BY ZIV

Cincinnati, Sept. 27.

Secret Diary, a 15-minute serial script, originated on WKRC some months ago, returned to that station this week under sponsorship of Albers Super Markets, Inc., local grocery chain. Spotted at 9:30 a. m. four mornings a week. Account is handled by the Ziv agency, Cincinnati, which is also offering the serial in transcription form for various stations in this country, New Zealand and Australia.

A new WKRC sustainer also got under way this week for nightly quarter-hour airings. It's a musical show, styled Ruth Lyons and Her Swinglins. Miss Lyons, the station's chief of music, heads a six-piece combo. Vocals are by Bob Brown, baritone, and the Savoy Sisters (3).

Dave Owen on Production Of General Mills Shows

Chicago, Sept. 27.

To handle the increasing details on General Mills radio programs, Blackett-Sample-Hummert agency here is bringing Dave Owen back into the fold to act as general supervisor of the GM shows. Owen will o.o. and route scripts, production and casting on the General Mills programs for the agency.

Owen was formerly with B-S-H as producer for several radio shows, including 'Skipper,' 'Orphan Annie' and 'Jack Armstrong.' Has been out of the Coast for the past couple of years.

CBS Drops 4 Singers

Columbia Broadcasting clipped four singers from its sustaining rolls last week. Hollis Shaw, who so-panorped with Mark Warrnow's Blue Velvet orch, Lois Elliman, Romiro Gomez, and Del Casino were the ones dropped.

Web explained that the amputations were not economy moves, but rather the dropping of artists for whom there were no spots. Del Casino is currently on a vacash and recuperation trip to Bermuda following a tonsil operation.

Automobile Ad Prospects Vague

Maybe Will Perk Up in 1939—Radio Will Be Last to Feel Upswing, It Is Thought

Detroit, Sept. 27.

Appears here it may be some time before auto makers return to ozone with any considerable amount of cash. At least not until after first of year, or until public's reception of 1939 model cars can be gauged accurately.

Most ad budgets so far are based on only reasonable expectation of car sales, but the scarcity of reasons why the estimates may fall pretty short, and therefore bring about a sudden shift upward. As a result of the conservative advertising outlay, bulk of automotive ad expenditures prior to N.Y. auto show, Nov. 11-18, will go to newspapers and mags, with an occasional spot announcement schedule going to radio stations.

As an indication of what's happening generally, Studebaker has set up an ad splurge for announcement of its new models, covering four national mags and 2,000 newspapers, but with no provisions for radio or billboards. But, like other companies' original budgets, Studebaker's outlay is based on the most conservative expectancy of car sales and therefore subject to upward revision at any time. Which, if it happens, and observers believe it will, would undoubtedly mean some sort of appropriation for radio.

Leading auto moguls are freely predicting a 25-30% rise in new car sales in 1939, which would mean a similar upswing in advertising expenditures, since latter are based on stipulated amount for each car sold. However, moguls are prone to hold off on radio layout until a steady car market is at hand, because of the added expense in getting program on air, plus the 13-week or longer contracts necessary. Newspaper copy can be jerked much more easily and quickly.

Time All Gone

Available network time may be another determining factor in the automotive radio decisions. With choice spots practically gone, it may force auto makers to hold off altogether, but the more logical move seems to be that they'll plunge in when, and if, the market seems ripe for auto sales perk.

Ideas and plans for automotive ether shows are all set, in instances awaiting only the 'go' sign from the brass hats.

New 'Green Hornet' Time Presupposes Fans Listen

Vallee, Smith Shows Thru

Mutual is changing the release time for 'The Green Hornet' from 8:30 to 9 p.m. so as to give the show a better chance to compete with the two-hour network shows opposite it Thursday nights, namely, Rudy Vallee-Standard Brands and Kate Smith-General Foods. Theory advanced at Mutual is that listeners are more likely to tune in on the shocker on the hour than shift from one of the 60-minute competitors at the midway point.

KSO, Des Moines, which takes both the NBC-blue (WJZ) service and Mutual, recently asked the listeners to vote on which of two programs, 'Information Please' or 'The Green Hornet,' they preferred to hear. Idea was to be followed in the Des Moines Register and Tribune and in the hour's runoff 'Information' was aired as part of the regular Tuesday night hookup while 'Hornet' was fed from an instantaneous record. Vote was 384 for 'Information' and 345 for 'Hornet.'

SCRIPT STRIPPED TO FIT

All-Negro Show Budget Adjusts to Memphis Better Than Harlem

Title of proposed all-Negro NBC sustainer, 'Harlem Hotel,' being readied by Moe Gage, has been changed to 'Beale Street' and script altered to fit.

Cost of regular band, with attendant rehearsals pay, large cast and material worries for story script of hotel caused change. Juano Hernandez and Mel Ronson are rewriting and economizing script.

N. Y. WORLD FAIR'S GAIN, RADIO'S LOSS

Ad agency handling General Motors business have reconciled themselves to the almost certain fact that the corporation will spend no money on network advertising during the coming winter. Only chance they see for a veering from this policy is a heavy and spontaneous response to one of its new automobile lines, such as Chevrolet. Otherwise it will stay clear of any network tie-ups.

G.M. has earmarked over \$5,000,000 for the New York World's Fair, with this money slated to come out of the advertising budgets of the various component companies. What will be the Fair's gain, say these agencies, is due to be felt decidedly by radio.

'FAMOUS JURY TRIALS' REVIVED AS CO-OP

A new selling angle will surround return of 'Famous Jury Trials' to Mutual on Oct. 12. Program will be sold to participating sponsors for half time rate of stations along the co-operative route.

Program aired last year for Mennen. This year there are already six sponsors set in St. Louis, Chicago, Cincinnati and Philadelphia for the Wednesday 10:00-11:30 p.m. broadcasts.

Ralph Corbett produces the show which is written by Sam Baker. Martin Young, attorney, checks each script for technical perfection. Walter Freeman, Chi rep of Mutual, is on the road peddling program which will originate from New York. Also possible that show will air from studios of station WJMA, local rival, since WOR's facilities are already crowded.

TRADE PAPERS BEST RADIO-FILM TEXT

Detroit, Sept. 27.

A course in radio and motion pictures is being offered this fall at Western high school here, with Arthur Stenius as teacher. Since there are no suitable textbooks available, studies will visit Detroit radio stations and commercial film studios and expect to gain experience through school's radio and film equipment.

Rate cards, trade journals, coverage maps and sales surveys will be used for references in studying radio, while publicity releases, press books, trade papers and working scripts will be studied in motion picture field.

SOIREE FOR KAROL

KMOX Will Educate, Entertain and Feed Business Group

St. Louis, Sept. 27.

Presence of John A. Karol, CBS market research chief here on Oct. 7 to address the local Kiwanis Club will be utilized by KMOX for an attention-getter with the St. Louis Association of Manufacturers' Representatives, a group of wholesale food distributors. Latter with wives, friends, relatives, etc., invited to a party that KMOX will present in its auditorium.

Program will consist of an address by Karol, a full hour radio show, a card party and refreshments. KMOX and the food distributors will bankroll the event which is expected to attract a capacity house.

Hugh Cross on WCKY

Cincinnati, Sept. 27.

Hugh Cross and his radio pals on WLW and WSAI for many months past, have left the Crosley staff to work independently. Hillbilly combo starts a daily 30-minute morning stint on WCKY this week.

But also working Saturday night shows with Renfro Valley Barn Dance troupe, aired by WLW.

WIN, PLACE AND SHOW

New Shepard-Financed Survey Suggests Rivals Just a Mirage

Boston, Sept. 27.

John Shepard, 3rd, has just financed a new survey of Boston popularity which brings in win, place and show as follows: WNAC, first, WAAB, second, John Shepard, 3d.

According to this report, Columbia's programs as manifest on WEEI and the non-Shepard NBC programs as represented by WBZ are just also-rans.

COUGHLIN SET UNDER REVISED DEAL

Detroit, Sept. 27.

Under a revised setup completed Monday (26), Father Charles E. Coughlin will return to ozone Nov. 6 over 44-station hookup on a 52-consecutive-week contract. Previously it had been planned to continue one-hour Sunday afternoon talks for only 30 weeks, or until around Easter.

But for prohibitions against longer-than-one-year contracts, radio priest's deal would have been set for 104 weeks. However, Stanley Boynton, head of Aircasters, Inc., which handled deal, declared that contracts would be renewed for the additional 52 weeks as soon as it is possible.

WJR here will again be the key station, but 50,000-wattage will be required to air recordings of priest's talks on three occasions this fall, due to conduct with WJR's broadcasts of Detroit Lion pro grid games for Chrysler Corp. Coughlin's talks will hit ozone from 4 to 5 p.m. when grid games will be in progress on three Sundays in November.

Besides Coughlin's talks, opening program will air for first time new \$65,000 electric organ, recently installed in priest's new Shrine of the Little Flower in suburban Royal Oak. A 14-voice choir will also take part.

Coughlin's Status

It is understood that Coughlin, who had a run-in with Archbishop Edward McLaughlin shortly after latter's appointment here year ago, will submit his talks to a diocesan superior before rendition. Thereby avoiding another run-in or suspension of air talks.

List of stations carrying priest's talks:

WJR, Detroit; WGR, Buffalo; WJAS, Pittsburgh; WHN, New York; WFBL, Syracuse; WHAM, Rochester; WOKO, Albany; WCAO, Baltimore; WDAE, Philadelphia; WJJD, Chicago; WCKY, Cincinnati; WHO, Des Moines; WOCN, Minneapolis; WGAR, Cleveland; WHKC, Columbus, O.; WTMJ, Milwaukee; WIRE, Indianapolis; WHBI, Newark; WPG, Atlantic City; WIBA, Madison, Wis.; WREN, Lawrence, Kans.; WIND, Gary, Ind.; WBAX, Wilkes-Barre, Pa.; WGBI, Scranton, Pa.; WKBO, Harrisburg, Pa.; WESG, Elmira, N. Y.; and the Colonial network of WAAB, WELN, WICC, WSAR, WSPR, WLEB, WFEA, WLLH, WTHH, WNBH, WBRY, WLNH, WRDO, WNAI, WNLC and WCOY.

Jolson East for Pair

Hollywood, Sept. 27.

Al Jolson will take his air troupe east later this month for two broadcasts. His contract allows for a fortnight on the other seaboard.

Sonja Henie guest on the Lifebuoy program Oct. 4. Pat O'Brien is spotted for the following Tuesday.

BUILDING AN ALUMNI

Doctorate of Radio Acquires Payroll Lustre

Detroit, Sept. 27.

Two more grads of Garnet Garrison's radio department at Wayne U. have just landed other jobs hereabouts.

Frank Telford, who obtained master's degree in radio last spring by adapting and producing 'Tale of Two Cities,' is now scripting and producing for Detroit Board of Edu-

Overseas Radio Slants

Shortwave listening has increased tremendously in the past fortnight. This, in turn, has brought home to Americans the difference between the various English-speaking announcers regularly employed as foreign news disseminators. Considered entirely apart from what they say, and merely how they say it, the dope seems to be about as follows:

Germany—use a salesman type of announcer, not unlike the soap boys on American networks. But the English spoken from Berlin is generally the poorest.

Czechoslovakia—clear, cool, clever. Italian—one of the regular news broadcasters is a woman who speaks English with a corn-fed American accent.

France—marked by beautiful diction and a phraseology notable for academic preciseness.

England—sometimes painfully slow, deliberate and syllable-weighting.

Kaltenborn's Good Job

Hans Von Kaltenborn of CBS seemed to be emerging as the dominant broadcasting personality of the siege and CBS was credited with a general edge over NBC. Kaltenborn is on the air, or so it seemed, morning, noon and late night. Interpreting, interviewing, reporting. And going out on the limb that there would not be a war.

CBS policy of using the same persons rather than bringing in new viewpoints all the time seemed to work out best. At least the family parlor brigade was apparently rooting for CBS' way of doing things.

Jamming Has Started?

Broadcast engineers became suspicious at the difficulty they were having Monday night (26) in picking up the Czechoslovakian stations and the speculation developed that perhaps the Nazi government was testing out its tactics of jamming the enemy's radio signals. A severe storm did prevail over the Atlantic at the time but the persistent failure to get the least coherency from Prague made things look somewhat more than nature-manufactured.

In case of war it is expected that the opposition camps will engage in a diligent campaign to jam each other's broadcast efforts.

The Old Belgian Routine

Propaganda of the atrocity type was heard Saturday night when lurid tales of Czech soldiers affronting the opposite sex were heard in English broadcasts.

A. T. & T. Checks War Needs

New York Telephone Co. has during the past week been inquiring of its teletypewriter subscribers, particularly newspapers and radio stations, whether they would have immediate needs for additional circuits in the event war was declared.

Wire combine explained that it wanted to be prepared in case of an emergency.

Where the Press Wins Out

Newspapers may have lost the spot news edge to radio's space-leaping ability but the full story has to be told by the press. This was vividly clear when Monday's New York Times and Herald Tribune printed maps that visualized, as no radio comment over the weekend could, the full extent of the Reichschancellor's demands.

Incidentally, the Herald-Tribune man, Walter Kerr, broadcasting from Prague, has packed a lot of solid fact behind a hesitant, about-to-weep sort of delivery. Kerr remained eminently fair and dispassionate even as it became clear that he admires Czechoslovakia.

Murrow Interprets CBS' Ideals

Statement which made a marked impression on the trade was the one that Ed Murrow, CBS' chief European rep, appended to his review of the international crisis Sunday night (25). Broadcasting, he said, was playing a tremendous role in Europe where the nations were engaged in hurling invectives against one another.

Because of this Columbia fully appreciated its responsibility to American listeners. The network was, he added, 'trying to give information upon which an opinion could be based and not what the opinion should be.'

Static Marred Eden Talk

Anthony Eden's speech offered an instance when radio, which has functioned so impressively in the current international crisis, was lamentably inadequate. Trouble in this case was simply that old bugaboo of transoceanic broadcasting, static. Eden spoke Wednesday (21) night, or mid-afternoon New York time, at the annual dinner of the Stratford-on-Avon branch of the English Speaking Union.

As it happened, that was just about the high point of the hurricane that was lashing the Atlantic seaboard. As a result, the talk was never clear and frequently was almost unintelligible. Only the fact that Eden spoke ultra slowly and deliberately gave it any clarity—and, in a way, that marred the dramatic effect.

Chamberlain Keeps Cool

Neville Chamberlain, in a brief talk over BBC and NBC on arriving at Heath Airport, near London, after his conference with Hitler, displayed a clear, firm voice and a calm manner. In its phrasing and delivery, address seemed perfectly adapted to the occasion. Did not sound either jittery or tired.

Gram Swing in Prague

Raymond Gram Swing, who arrived in London just as the Chamberlain-Hitler talk was scheduled, has slipped into Prague. Mutual was anxiously hoping to hear from him from that point but could not be sure of the time. Volja Benes, brother of the president of Czechoslovakia, was heard over Mutual Monday afternoon immediately following Hitler's speech. An exclusive. Also rebroadcast from disc of Chamberlain's Tuesday (27) talk.

Must Get Re-broadcast OK

American stations must obtain (F.C.C. rules require) direct permission to re-broadcast. This applies to the foreign senders as well. When WOR, New York, got permission 10 days ago it was fairly simple to get an okay. Larry Nixon of WNEW, New York, in applying later got an okay from Germany within five hours and from Czechoslovakia within one day. Russia and Roumania took two days. And it takes longer now. Today Prague is shut off from the world save for its powerful DX station which sends out the A.P. and U.P. dispatches.

WOR's Smart Flattering

G. W. (Johnny) Johnstone of WOR, New York, has reaped lots of word-of-mouth from his stunt of recording the contradictory propaganda of the two sides and re-broadcasting, without comment, over Mutual. This has continued into the second week. With daylight saving it now is heard at 10:30 p.m. instead of 11:30. Europe does not conserve sunlight.

cation radio department. Henry Schneidewind joined WMBC last week as spieler, but will continue work on his M.A. in radio this year. Other Wayne U. radio grads now in radio include Frank Gill and Bill Doemling, now scripting and comedy producing for Detroit Board of Edu-

Robert White, now production director at NBC, Chicago; Edgar Willis, script writer and producer for Detroit Board of Ed; Glendora Forshee, free lance acting on Detroit stations; Harry Goldner, spieler at WXYZ, and James Irwin, announcer at WMBC here.

RADIO INDUSTRY FEARS WAR

SEE SELVES PAWN OF PROPAGANDA

Washington Already Ponders Ifs and Maybes of Hostilities — American Neutrality Might Be Embarrassed and, in Event of U.S.A. Going to War, Censorship Is Certain

DISQUIETING

Washington, Sept. 27.

Imposition of stringent Federal regulations involving news and propaganda censorship threaten the American broadcasting industry in the event Europe blows off the lid with a major war.

This, of course, is vague and beyond the reach of comment at the moment. But broadcasters have been quick to consider what war would mean, either from a distance or with America possibly drawn into the situation, even remotely. Events of the past fortnight have slowed business, unsettled people in their regular habits and, added to the recession in the spring and the long and rather painful business summer, has already made radio men realize that abnormal conditions will pinch them in many unforeseen ways.

Speculation also has considered the predicament of foreign-language stations in the event of war. A ban of languages, other than English, is to be expected, since Americans traditionally dislike the unfamiliar consonants, once national feeling is stirred up.

Conflict within the Government, with the Army and Navy fighting the civilians, is feared by broadcast observers who have picked up murmurs of informal, unofficial conversations about intensifying Government control of broadcasting, if a continental conflict actually breaks out.

What may happen to radio remains conjectural and the answer seems to rest with President Roosevelt. But in advance there is noticeable agitation for use of the emergency powers in Section 606 of the Communications act. Fundamental question of national policy is likely to determine the course followed.

Broadcasters are becoming anxious because of the rumors floating around semi-official circles, although no visible evidence has been turned up to justify much apprehension. Speculative conversations seem to fertilize the gossip that nationalization of radio is an extremely real danger. Unofficial talks with persons in responsible positions throughout the Government show, however, that Federal people are doing considerable thinking about the place of broadcasting in the national defense setup.

Extent of the President's powers is not fully appreciated. While many restrictions would be imposed in event the United States is dragged into hostilities, the statute also permits the Chief Executive to "suspend or amend, for such time as he may see fit, the rules and regulations" of the FCC whenever he feels there is a foreign war, a threat of war, or a state of public peril or disaster or other national emergency" or if he deems it necessary in attempting "to preserve the neutrality of the United States."

Under this far-reaching language, the President could place tight curbs on commercial broadcasting merely if he considers it would improve the nation's chances of avoiding involvement in overseas shooting.

Although more attention naturally is being paid commercial carriers—international cable, telephone, radio mediums and domestic communications systems—in making plans for the future, there is a lively concern over broadcasting. Two schools of thought are emerging from the debate whether public interest would require Governmental throttling.

In many quarters there is appre-

An Important News Omission

With broadcasts from Europe occupying much attention, and coping lots of favorable comment for radio, there still remains one oversight from a listener standpoint. This is the failure of the commentators when going on the air in Europe to mention the time of day or night at the point of origin. Americans must necessarily be a bit vague on the differential in Prague, Berlin and other cities.

Best of all, however, such mention along with identification of the speaker and the city would add a further element of dramatic interest, permitting the listener to realize even more fully how swift a courier of the news radio variably is.

Time-calling was noted, however, in some instances. Edward Murrow from London seemed to realize the dramatic value over the past weekend.

hension that broadcasting would be a menace to continued maintenance of peace, from the U. S. point of view. Possibilities of propagandizing the people are pointed out, with alarmists declaring public animosity could be worked up to the blazing point in short time via the microphone.

On the other hand, opinion is that drastic moves, such as censorship, would not be justifiable until the U. S. actually takes up arms. More desirable is it to keep on a normal basis, permitting fullest freedom of speech, as long as possible. Persons with this view are confident the American populace cannot be stampeded, although aware 'incidents' might occur that would be embarrassing. Idea that commercial stations would be used for spying or code transmission is pooh-poohed quite generally.

Chief reason why the Government might take over radio is to facilitate mobilization and keep up the public morale. Neither of these purposes would be attempted as long as we remain at peace.

Chains Fear No Curbs

NBC and Columbia declare that the Washington admnistration has not through any of its departments sought to interfere with or guide them in the past week's broadcasts on the European crisis. Networks are certain that, if anything, the U. S. Government will lean far back in the other direction so as to avoid giving any impression that the news or views aired are those of the administration. [Details of both networks' expert coverage in the current European crisis will be found in the radio section.]

Webs are also strong in the belief that the Government will have nothing to do with directing the conduct of foreign news broadcasts so long as there is no evidence of subverted propaganda transmission or this country is not at war.

Canada's Foreign Element

Montreal, Sept. 27. Current talk of war lends significance to the series of broadcasts on citizenship starting Wed. (28) with a view to building up a national viewpoint among peoples of diverse nationality residing in Canada. Should a conflict involving Great Britain break out in Europe, conscription which might affect Canadian citizens would exempt those who have not been naturalized and purpose of these programs is to 'sell' citizenship.

Production is under supervision of Robert England with scripting by John Kannawin in collaboration with W. H. Darracott.

Atlanta, Sept. 27. Robert Arden, author, foreign correspondent and journalist, has been added to WATL's staff as foreign news commentator. Arden has reported wars and revolutions throughout Europe.

He speaks 17 languages.

CBS Scores Scoop

CBS claimed another scoop this week when entire net was kept open until three a.m. Monday morning (28) to carry news break and substance of president Roosevelt's peace plea.

Net was tipped off by Anne Gillis, of station WJVS, Washington, that break would come. Net had been staying out late nights, anyway until two a.m. regularly for possible war breaks. Only network to carry.

Harry Simeone's chorus signed for Hollywood Hotel as backup for vocalists.

PARIS NEWS UNDER GOVT. CONTROL

Paris, Sept. 27.

While desiring to avoid the invidious word 'censorship' the government has nevertheless felt it necessary to regulate news broadcasts over the various French stations. These stations are of two kinds, those owned by the government and those owned by private advertising interests. French radio dualism is similar to the Canadian and Australian systems.

What the government wishes to avoid is alarmistic news bulletins over the air. There is a recently passed state secret law under which prosecution is possible for the unauthorized revelation particularly of news concerning the number, location or type of troop concentrations.

Diplomatic correspondents not connected with radio also have been given to understand that the usual news liberties are subject to imminent limitation.

Raps Boake Carter

Philadelphia, Sept. 27.

Boake Carter was accused last week of spreading false reports in his column concerning President Roosevelt's press conferences. Earl Godwin, prez of the White House Correspondents Association, made the charge in a letter to the Ledger Syndicate, Philly, which distributes the Carter pillar.

Former radio commentator, who is about to start a nationwide tour to lecture on 'Freedom of Speech,' declared that the Prez suppressed the press by forcing correspondents to submit queries to Roosevelt's secretary before being permitted to ask questions at press conferences.

'The trouble with Carter's statement,' Godwin wrote, 'is that it is 100% wrong. The White House press conferences are as free as air with no restraint as to questions asked. This is not the first time Carter has made completely erroneous statements concerning newspaper work in Washington and the White House correspondents object to this type of misinformation.'

Viola Brothers Shore scripting Joe E. Brown's Post Toastie show.

NBC Says Rivals Chisel Foreign News; Will Identify European Pickups

NBC is trying to stop other networks from lifting foreign broadcasts which it has taken the initiative in arranging by having the announcer at the shortwave source open with the words, 'Calling NBC.' Case in point last week was the relay of Commissar Litvinov's speech at the League of Nations, Geneva. NBC had arranged to have the broadcast pickup up by an RCA transmitter in London and relayed by shortwave to this country, but the NBC's exclusive tieup with the

Word Picture of Sponsored Radio In France and England With War Clouds in the Background

By BOB LANDRY

—A tantalizing vision of large possible profits that will probably never be made because of artificial restrictions.

—A group of men and corporations working under a constant threat of extermination.

—A growing business stunted in early youth.

These are the dominant impressions of French and English commercial radios made upon a professional observer from the United States. Advertising is a small and rather furtive weed in the garden of French-English broadcasting. It slips into England without formal sanction and against official wishes. It exists in France by the tolerance, not too cordial, of the government, which has its own stations. And yet the impression is strong that, given a chance to find itself and its place in status quo, commercial radio would duplicate, in due proportion to population, wealth and local customs, the success it has had in the United States. It could, but it won't. The newspaper lords will not allow nature to take its course.

Commercial radio for both countries uses substantially the same stations, located in France and Luxembourg. There are time segments set aside, notably early morning and most of Sunday, for English language programs. This dualism is, of course, well known. But what is not fully appreciated is the subtle way in which the British Broadcasting Co. overclouds and holds back advertising over the air.

Plenty of Odds

Commercials have almost everything against them, yet they survive and get more important. Luxembourg has to jump its signal 200 miles to reach England, yet it has probably the world's highest advertising rate. Normandy's signal is probably inferior to BBC throughout the United Kingdom, with the possible exception of some coastal neighborhoods yet it has built a sunrise and Sunday audience that is larger than BBC, due to the latter's chaste and dull program on Sunday and late rising other days.

Normandy has built up its English program schedule from primitive phonograph recordings four years ago to a point where, in addition to the advertising shows, the International Broadcasting Co. (in London) is creating sustainers so that the unsold time shall not be inferior in quality to the adjacent segments occupied by sponsors. This is extremely progressive under the prevailing conditions. It bespeaks the faith with which Richard Meyer and Frank Lamping have attacked their snags.

In Paris there is a busy and aggressive outfit called Radio Cite which has been going in for stunts in a big way. It has several Parisian theatres under contract and originates programs from them. It has been increasing its audience by a variety of devices which are well known in America, but daringly new

for France. Bear in mind, too, that in many ways Frenchmen are resistant to drastic innovations. Poste Parisien is also on the snappy side.

Government stations are rather notoriously behind the parade, but there is evidence of a growing realization by French cabinet members and other nabobs that the development of radio and its devotion to the interests of propaganda and national interest needs encouraging. There will undoubtedly be a lot of English-speaking messages from linguistic Frenchmen aimed at the United States in due time.

War Is an 'X' Quantity

War would possibly be a disastrous blow to the commercial radio interests of France and England, as the

Free Speech?

London, Sept. 27.

Switchboard at the local offices of the Columbia Broadcasting System was swamped last Wednesday before, during and after Capt. Anthony Eden's broadcast which CBS carried to the United States. British listeners, wanted to know, where or how they could hear the former British foreign minister's speech. There was no way in which Britons could hear what the leader of the political opposition had to say about the precarious war situation.

BBC did not schedule Eden although fully informed, well ahead of time, that the CBS had made all arrangements to bring him to America. Eden is not in favor with the government and BBC is a government monopoly.

inevitable government take-over might serve as an easy excuse for those who resent commercial radio to quietly stick a stiletto into its ribs. Meanwhile it is provocative to find throughout English show business, in night clubs, vaudeville, revues and on phonograph records a widespread spoofing of the BBC. This ranges from sympathetic chiding to vinegary sharp satire. The revue 'Nine Sharp,' has a prolonged frolic called 'Thank God for the BBC.' It runs the gamut of burlesque.

BBC remains aloof. They are too well bred to answer and too confident of their own strong position to worry. In general they are reported as sportily about the commercial 'opposition.' Real pressure has always been indirect, a sort of Tinker-to-Ever-to-Chance play with the newspaper publishers using BBC and the foreign office to get French officialdom to undermine English-language broadcasting on French stations. It has not been successful, but it has made life miserable for the advertising stations.

FADIMAN SPONSORED

Canada Dry Buys 'Information, Please,' NBC Sustainer

'Information, Please' has been bought by Canada Dry through the J. M. Mathes agency. Starting date and number of stations had not been set by press time yesterday (Tuesday).

Program will retain the same spot on the NBC-blue (WJZ), Tuesday 9-9.30, that it has occupied as a sustainer, and will have Clifton Fadiman, Franklin P. Adams (F.P.A.), James Kieran, N. Y. Times sports columnist, and Oscar Levant, composer-pianist, as the continuing cast. Plus the occasional guests.

John Barrymore set for dramatic lead on second week of Texaco Star Theatre from Hollywood. Olivia de Havilland booked for Nov. 2.

Philippine Stations Assert ASCAP Payments Unnecessary; Situation Jams Sponsorship

Plan of the H. W. Kastor agency to include the Philippine Islands in its radio campaigns may be stymied by the circumstance that the two stations in Manila, KZIB and KZRM, have refused to become licensees of the American Society of Composers, Authors and Publishers. Operators of the outlet hold that copyright law of the United States does not extend its protection to the islands and have challenged ASCAP to send over reps to establish its rights through the local courts.

In applying for licenses for some musical transcriptions Kastor, through World Broadcasting System, last week informed the mechanical rights bureau of the Music Publishers Protective Association that it understood that the agency would not have to pay any royalties on discs used on Philippine stations. Representatives of the stations had advised the agency that the islands were exempt from copyright laws and that an advertiser could expect to save himself the expense entailed in the use of copyrighted music.

Harry Fox, trustee and agent for MPPA members in licensing matters, pointed out that the standard license which it issues stipulates that it is subject to the designated stations' having the required ASCAP license. Fox added that even if he issued a manufacturing license covering the use of the discs on Philippine outlets the ASCAP proviso would still make the advertiser liable for any infringement suits.

From ASCAP it was learned that there has been reams of correspondence with the two stations on the islands and that the latter are still insisting that the issue be adjudicated in the local courts.

Normandy's Accounts

London, Sept. 20.

Radio Normandy through International Broadcasting, Ltd., has set the following accounts:

Kolynos—renewal of 'Laugh and Grow Fit' series for 52 weeks.

'Bisodol'—renewal Friday morning quarter-hour.

Pineate Honey Cough Syrup—football results Saturdays 5:30-8 p. m. C. Mitchell & Co. is the agency.

Fynnon Salt, 3:30-4 p. m. Sundays. Spottiswoode, Dixon & Hunting, Ltd. is the agency.

Colgate—renewal Wednesday morning broadcasts. Lord & Thomas is the agency.

Rolly Ford at CKOV

Vancouver, Sept. 27.

Stations in small centres in the interior of British Columbia have been jarred out of their lethargy recently by the energetic expansion of CKOV, Kelowna. Installation of \$20,000 worth of equipment to up the power to 1000 watts has put this station, operating in a town of 10,000 population, in the race for highly lucrative farmer market.

To get the improved station really ticking, the owners have imported Rolly Ford, publicity man from CKOR, Vancouver, to manage the station.

WSAY SOLIDLY ITALIAN

Rochester, N. Y., Sept. 27.

WSAY has a corner on Italian programs in the city. Sunday broadcasts solid from 9:15 a. m. to 2 p. m. with Italian commercials, mostly musical. Only break is Jewish Hour 10-11 a. m. Another series of Italian shows runs Saturday morning with sponsors figuring other programs would up listener interest among nationals sought to reach.

Rival stations limit number and type of foreign programs.

James' Steady Work

E. P. H. James, manager of sales promotion, celebrates his 11th anniversary with NBC this week.

He came to work for the network in the same capacity Oct. 1, 1927 and rates as the only one in the company that has held down the same executive job for that number of years.

London Calling

'St. Simeon Stylites,' by F. Sladen Smith will be the first play to be produced by Denis Johnston for television since he joined the department in August.

'Autumn Laughter,' Dorchester Hotel cabaret production, televised Sept. 21 and the afternoon of Sept. 23. Show includes Naughton Wayne, Nick Long, Jr., Vera Haal, Danny Kaye and the Dorchester Hotel Girls. Cecil Madden will be in charge of the presentation.

Wilfred Walter will be televised in his own sketch, 'The Man Who Sold His Shadow,' in the evening program of Sept. 24. This will be presented by Jan Russell.

Association Football results broadcast from Radio Normandy every Saturday night from Sept. 24 to be sponsored by Pineate Honey Cough Syrup, a product of the International Chemical Co. C. Mitchell & Co. also were responsible for placing this contract with IBC.

Total number of radio licenses in force throughout U. K. is now 6,889,855 by representing increase of 383,900 in a year. Nearly 500 radio owners were fined in August for not having taken out a Post Office license; one case the court ordered confiscation of the set.

BBC serial production of 'Les Miserables' postponed till 1939, due to casting snags, but Terence de Marney, set for lead, will switch into chapter version of 'The Clabster and the Heart.'

Phineas Barnum being commemorated in BBC program Oct. 2.

'Fads' Walter guest artist in Jay Wilbur's 'Melody Out of the Sky' program Sept. 29, immediately prior to sailing for U. S.

First gossip column to come on the air in U. K. will be presented by Jack House on the Scottish program Oct. 3.

'The Accent of F8,' by Auden and Isherwood, and 'The Romantic Young Lady,' by Gregorio Martinez Sierra, down for full-length video presentation by BBC.

Dame Marie Tempest is to play Queen Victoria in broadcast version of original radio play, 'Victoria and Disraeli,' by Hector Bolitho, Sept. 25.

Mantovani and orchestra, featured on BBC programs, on continental commercial air Sundays from Luxembourg for Sawdust Cosmetics, Mother & Crowther agents, Ralph Truman handles commercial spiel.

Newcomer to radio advertising is J. H. Senior & Co., which has booked series of broadcasts from Radio Normandy on weekday afternoons for Senior's Pastes.

Molly Picon cutting down her vaudeville dates here to return to America for other appearances. Has lined up another 26 weeks with Maxwell Coffee.

Leslie Mitchell, former BBC radio announcer and now commenting for British Movietone News, returned to the ether to announce video programs of centenary celebrations of first railroad from London to Birmingham.

John Rhode has written first of new BBC series 'What Happened at 8:20?' to be aired Oct. 7. Second will be on air Oct. 21, authored by Anthony Armstrong.

Launching of 'Queen Elizabeth' by the Queen herself Sept. 27, went out to Arabic listeners from Daventry, with A. K. Sourour, Arabic-speaking announcer, doing the commenting.

BBC giving horse racing results of local meeting, announced that a horse named Broadcaster came third of five runners in one of the races. Announcer added: 'Sorry he came so low, we would have liked him higher.'

DANTON WALKER PAID OFF

Says Conditions Impossible—Sponsor Substitutes John B. Kennedy

Danton Walker, columnist on the N. Y. Daily News, was replaced Monday (26) by John B. Kennedy in the Gruen Watch spot on CBS. Parting between the columnist and the commercial was friendly, with the former being paid off for a major part of the contract, which had 13 weeks to go. Walker held the late evening spot, 11-11:10 p. m., on the CBS key station for a week.

Temperament and unsatisfactory material were the reasons cited by the sponsor, while Walker stated that the conditions imposed upon him made it impossible for him to continue the series. Kennedy is doing a personality in the news routine.

According to Walker, he was asked to do the commercials on the show, which he considered contrary to the best interests of his position as a columnist. He states he was also requested to submit his scripts early the morning of the broadcast, which is out of the question for him, considering his newspaper hours. Other stipulations were that he rehearse the show in the afternoon and introduce guests not of his own selection. Final unacceptable request was that he refrain from mentioning any of the class niteries, but stick to the more modest spots.

Statement that he was paid off for a 'substantial' portion of the contract is denied by the columnist, who says he could have held out for the full 13 weeks specified, but instead agreed to tear up the pact on the payment of two weeks' salary. Second week payment was to cover last Monday night's (26) broadcast, which he expected and was prepared to make. Walker was set on the program by Henry Fawcett agency, which is seeking to line up another show for him.

Harold Smith's Web Starts but WMCA Not In; Scott Bowen's Plans

Newly created Empire State network, of which Harold E. Smith is prime mover, hit its first snag day of announcement when Station WMCA refused to be associated because Station WHN, its competitor, was named originating station. Net's first program was to be the Ave Maria hour from WMCA. Bert Lehar nixed.

WMCA was first offered the proposition of being originating station for net. Claimed that Donald Flamm station asked too great a percentage of income which was turned down by Smith.

Meanwhile WHN will feed sustainers to the net which was formed this week with Station WABY and WOKO, Albany; WIBX, Utica; WMOB, Auburn; WSAY, Rochester, and WBNY, Buffalo. Offices will be set up in New York shortly.

Station WIBX of the group is owned by Scott Howe Bowen. Though plans are temporarily suspended, Bowen may use his station to double between two nets—one of his own creation. WIBX would take from Empire and operate its own net at same time. Bowen's idea is to use Postal Telegraph wires, one-third the cost of A.T.&T. Use of same makes operation less expensive for individual stations on proposed net.

WIBX was announced as in process of being sold to J. Curtis Wilson and Emilie Gough several weeks ago. Deal fell through and Bowen has been quietly working on two network tieups instead.

KEEN Appeals Verdict

Seattle, Sept. 27.

In the petition for appointment of a receiver for KEEN by Howard J. Ryan, who holds a judgment of \$12,500 against the outlet, Judge Douglas in the Superior court denied without prejudice the request, but gave the plaintiff the right to renew the application. By the order of denial, plaintiff had to produce a nominal bond of \$10 and the defendant is restrained from in any manner selling, encumbering or making disposition of any of its property unless a supersedeas bond is posted by the defendant. KEEN is appealing the judgment to the Supreme court.

Luella Ball and Virgil A. Verrill with Jack Haley on his Wonder Bread opus.

Inside Stuff—Radio

A bright, new, shiny transmitter may be a joy to behold but Columbia's 50,000-watt antenna on the Coast, which flashes the KNX signal, has caused much gnashing of teeth among the technical crew. On night radiator was dedicated, amid much ceremony and speechmaking, something went haywire and the station lapsed into silence for a long spell. The erring gadget was put in place and all seemed serene until last Monday night while the Lux program was airing. This time it was the relay sequence that took a powder and the transmitter went sour (locally only) for a full 34 minutes. Columbians decided that the old plant at Sherman Oaks wasn't so bad after all so it has been restored to service as a standby. KNX has been trying to sell the oldie and failing there, dismantle it. However, until the new one learns to behave there'll be no sale or scrapping.

Gracious gesture was made Thursday (22) to WOL, local Mutual outlet, by WJSV, Washington's CBS transmitter.

WOL's switch from the 1310 kc frequency to 1230 kc was recorded by the Columbia station, which later presented William Dolph, manager of the Mutual transmitter, with a platter carrying the last five minutes of WOL's last program on 1310 kc and the first five minutes of the first program on the new frequency. Transcription was enclosed in a silver-mounted box.

Rival station carried brief speeches by Harry Butcher, Columbia's Washington vice-prexy; A. D. Willard, Jr., WJSV manager, and Arch McDonald, sports commentator—all complimenting WOL on its progress in Washington. Pattermaking was completed with a speech of acceptance by Dolph in which he thanked WJSV for its continued cooperation.

Horace Heidt is using a postcard campaign to build his audience on the Stewart-Warner show. Appeal on the card reads: 'Help boost our radio rating by telling your friends to listen in every Sunday night at 10 o'clock EST on the NBC Network. It is now 6.3 and every person you tell to listen in helps.' On the other side of the card is a picture of a train wreck with a couple of inscriptions. One says, 'Even train wrecks can't stop your Brigadiers from breaking all house records.' Other states, 'Even though we missed the first show, the Gang played to 125,000 people at the Orpheum, Minneapolis. One person from every family saw the Gang to gross business over \$25,000.'

Photographs will be taken of every Vox Pop interview session conducted by Parks Johnson and Wally Butterworth when pair resume Oct. 1 for Penn Tobacco. It is one of those 'just in case' safeguards because the Vox Pop session missed a natural publicity bet by not photographing Douglas Corrigan in interview.

A few days later Corrigan made his 'wrong-way' flight to Ireland but no photo was available to prove that Parks and Wally were on the job in advance.

Oliver Riehl, one of oldest production men in radio, may return to broadcasting via a production job at NBC. Riehl has been running a citrus farm in Florida for his father but visited in New York City last week.

Riehl operated KDKA at Pittsburgh for two years starting in 1920. He went to Chicago as program and musical director for Frank E. Mullen at KYW. Later he served on stations at Louisville, Nashville and Tulsa.

Consolidated Edison program over WJZ, New York, uses 16 employees, ranging from 22 to 45 years of age, as a chorus. They were auditioned Aug. 15 from 200 candidates. Chorus rehearses entirely on its own time but is excused from work for the dress rehearsal Tuesday. All get paid for their radio labors but did not know at the time they volunteered that they would get any money.

McCann-Erickson, it is reported, has in recent weeks brought strong sales pressure to bear on the Ford Motor Co. toward inducing the latter to assign all its advertising business to that agency. Ford national account is and has been for over 10 years with the N. W. Ayer agency. McCann-Erickson clears all Ford dealer co-operative advertising.

Young & Rubicam has a special disguise for its publicity department. Blurbs sent out by the agency carry the signature, 'Bureau of Industrial Service.'

'Living in a Great Big Way' is the title of Kate Smith's autobiography which will be published Oct. 12 as a Reynal & Hitchcock Blue Ribbon book. It's illustrated profusely.

AIR GOSSIP SPONSORED

Not in Seattle Dailies So Acquires Commercial Value

Seattle, Sept. 27.

A new show, 'Radio Tips' has just been inaugurated for this gossip-stripped town. KOMO has show. Sponsored by Ben Tipp, jeweler, Bob Nichols, free lance scripter is writing.

Working on angle that keeping up with radio is keeping up with the world, Nichols has written into his stanza all the info concerning programs, special events and personalities on the air.

Omaha's Big Monday

Omaha, Sept. 27.

Food exposition promoted exclusively by WOW drew an attendance of over 7,000 persons on its opening night last Monday (26), despite opposition of one-night stand by Rudy Vallee and stage date by the Horace Heidt band. Cast at food event included Irene Rich, Carl Deacon Moore band, Jack Baker, Marge Hudson and Munson Compion.

Exposition, which is held annually, this year had 84 national advertisers exhibiting.

Alma Dettinger's Sponsor

Bridgeport, Sept. 27.

Alma M. Dettinger hired by Crawford Laundry, Bridgeport, for fashion chore. One of two shots will be an audience floor, with prizes, and the other Miss Dettinger's advice on beauty.

Crawford last season tied in with George Jesse's Mutual participant.

SMALL STATION WILL SPEND \$1,000 YEARLY

Philadelphia, Sept. 27.

Agreement has been reached by Musicians Union with WIBG, tiny suburban station here. Outlet will spend its quota of \$1,000 a year for which it will have a broadcast once every two weeks by seven men. Pact is for 39 weeks.

Union agreed to allow educational concerts on the station by Beaver College band and glee club.

GUZENDORFER JOINS KSRO

Another Change Makes Larry Thatcher the Commercial Manager

San Francisco, Sept. 27.

Wilt Guzendorfer is new manager and studio program director of station KSRO, Santa Rosa, formerly in charge of the San Francisco and later the Hollywood offices of the Thomas Lee Artists Bureau, which folded recently. Previously radio and vaudeville a broadcaster.

Another KSRO appointment gives Larry Thatcher the post of commercial manager.

Theme Girl Now Actress

San Francisco, Sept. 27.

Ruth Peterson, one of the Golden Gate International Exposition's 'theme girls,' who made her radio debut recently in the 'Sons of the Lost Star' western over the Coast NBC-Blue web from San Francisco, joins the cast of 'Hawthorne House,' Wesson Oll's Red network drama, Oct. 3.

Role formerly played by Jeane Cowan, now in Hollywood.

CANADA'S NAME SERIES

Canada Gets Into Stride

Winter Programs Set—Personnel Shifts and General Injection of More Zip Forecast

Toronto, Sept. 27.

A general raising of production standards, more concentration of personnel efforts, and the greater high-lighting and polishing of program series is the three-fold objective of the Canadian Broadcasting Corp. in the completing of its plans for the new fall program season. Policy of moving production men and other executives to the various regions within the Dominion, together with transfers to BBC in London for six-month periods with side trips to the Continent, is designed to acquaint CBC execs with all parts of Canada and with the broadcast activities of other countries.

Following the international success last season of the weekly broadcasts of the Toronto Promenade Symphony Orchestra and the Vancouver Symphony, these again lead off the music series for this fall, and will be joined early in the winter by the Toronto Symphony Orchestra. Also pencilled in for later featuring are the Montreal Symphony, Les Concerts Symphoniques des Montreal, and the Calgary Symphony.

Dance music is to be highlighted this season, old-time music programs are to be further developed, and leading Canadian choral organizations are scheduled. Sequel to his 'Streamline' and 'Bands Across the Sea' series, Percy Faith is scheduled for an audience program, 'Music by Faith,' which will be presented weekly from the Margaret Eaton Hall, Toronto.

In addition to 13 Shakespearean productions and the presentation of prize-winning plays in the CBC competition for Canadian authors, the new season line-up includes children's series, adventure programs, interviews, round-table discussions of world affairs, and several novelty and variety shows.

In the Special Events department, the Canadian scene with regard to industry and cultural arts will be presented, this including the discovery and production of radium at Great Bear Lake, panoramic scenes of the Arctic, and insight into the drama of Canada's mines and forests.

From Toronto

New series originating in CBL, Toronto, for the national network and for international exchange include 'Musically Speaking,' which will be hosted by Harry Adaskin; the sixth annual series of 'Melodic Strings' under Alexander Chuhaldin; 'Music for You,' in which Samuel Hershenson replaces Geoffrey Waddington as director; the 'Hambourg Trio'; 'Along Gypsy Trails,' in which Leon Zuckert will feature European and South American Gypsy acts; 'Saturday Review' swing session with Percy Pasternak; the 'Magical Voyage' children's series, produced by John Macdonnell of BBC.

Shows which clicked last winter and are restored to the new schedule include 'The Happy Gang' series for five times a week; 'Dancing Strings' under Samuel Hershenson; 'Golden Journeys'; 'Chansonettes' with John Dunne, harpist, Frances James, soprano, and William Morton, tenor; 'Let's All Go to the Music Hall,' English variety show; the 'Saturday Book Review' by Professor J. F. Macdonald.

Paul Wing in Canada

Paul Wing, currently conducting Spelling Bee for Esquire on National Broadcasting red network, has been signatored by Canadian Broadcasting Corp. to stage juvenile program, Monday through Friday, at 5:30 p.m. The 15-minute program will be heard in U. S. via Columbia Broadcasting System.

Wing went to Toronto last week to start series, first show going on Monday (26).

Cheerio Identifies Self As Thrill for Ill Boy

Montreal, Sept. 27.

Cheerio (Charles K. Field), broadcasting over the NBC-Blue net from Montreal last week, broke one of his cardinal rules not to divulge his identity, by inviting one of his fans to come to the CFCF studios during his broadcast.

Boy who was granted audience is Jimmy Darou, a jockey, who suffered a spine injury several years ago when thrown from a horse and has never been able to walk since. Darou accidentally listened in on the Cheerio broadcast while in the hospital and says that it has helped keep him alive.

ENGLISH RADIO EXPO UNDER '37 MARK

London, Sept. 20.

Executives of Radio Manufacturers' Ass'n are hastily inventing excuses on why this year's Olympia exposition was something of a let-down. Final attendance figures showed aggregate of around 150,000 visitors in 10 days, which is more than 20,000 under 1937 and an all-time low for the show. Potential sales of visit sets, too, were below optimistic estimates pre-set by manufacturers themselves, though introduction of cheap instruments met an encouraging response.

Had been thought all the ballyhoo on television would have brought crowds milling in to a new high, but public is apparently content to wait a while before plunging. Official reason for low total is the absence of BBC variety theatre, from which daily broadcasts were given previous years, with rubber-necks admitted for a fee. However, this year's expo had a visit studio actually in operation, which is a considerable novelty to plenty of folks and attracted nearly 40,000 paying visitors.

WWJ as Stude Lab

Detroit, Sept. 27.

Using WWJ's studios and staff, University of Detroit will offer an evening class in radio broadcasting fundamentals this fall. Pro. E. A. McPaul, who conducts 'Pronounce It' and 'Little Known Facts' programs here, will be in charge. McPaul is also on U. of D.'s speech faculty.

Course will cover mechanics, scripting, advertising, dramatics, production, announcing, etc., with following WWJ staffers offering their specialties:

Ty Tyson, sports speliing; Harry Bannister, sales manager, advertising; Walter Hoffman, chief engineer; Bob Stanton, announcer; Myron Gordon, scripting; Carroll Leedy, of WBKJ, and Ole Foersch, of WWJ's musical staff.

New Detroit Talent

Gretchen, formerly heard over WGAR, Cleveland, starts new program, 'Songs by Gretchen,' over CKLW this week. Red Beresford, guitarist, and Wally Townsend, pianist, will accompany on Monday and Friday offerings.

Discontinued during summer, Harold True's 'Day in Review' returns to ozone next week over WXYZ and Michigan web. Will be heard daily except Sunday, using United Press material. True just recovered from recent operation.

LEGIT STARS FOR CLASSIC CYCLE

Dominion to Hear Pretentious Programs of Shakespearean Plays Led by Stars from Dramatic Stage

SEEK AUTHORS

Toronto, Sept. 27.

Canadian Broadcasting Corp. will launch series of 13 weekly Shakespearean productions in which Canadian talent will support outstanding stage stars. Curtain rises on the new alliance Oct. 9 (9-10, EST), when Sir Cedric Hardwicke will play Shylock in 'The Merchant of Venice.'

Signed for the series are Raymond Massey, Eva Le Gallienne and Walter Hampden; negotiations are under way with Maurice Evans, Walter Huston and Margaret Anglin. Latter two, with Massey, are Canadians.

The 13 Shakespearean plays will be produced in the studios of CBL, Toronto, and will be carried by the CBC national network. Director is Charles Warburton. Special Elizabethan music will be arranged and conducted by Reginald Stewart, baton-wielder of the Toronto Promenade Symphony Orchestra. Drastic loosening of the CBC purchasing ensures that the new Shakespearean series will have the highest degree of drama production and efficiency in the history of Canadian radio.

Prizes for Radio Plays

In addition, CBC is attempting to create nation-wide interest in the development of Canadian playlets by Canadian authors and is offering four cash prizes of \$250, \$150, \$100 and \$50 for the best 30-minute or 60-minute radio play. Author must be domiciled and resident in Canada, the CBC intention being to build a permanent market at fair remuneration for Canadian authors.

Hope is that native scribes who scorned Canadian radio script prices, and either refused to aim at this medium or else slipped across the border, will be induced to turn to a steady Dominion market and write on topical themes set against a Canadian background. Radio drama contest closes Jan. 1, and will be judged by a Board of Adjudicators whose members will be independent of CBC.

In elaborating the new policy, Major Gladstone Murray, CBC g.m., believes that 'public service broadcasting should ally itself with the Little Theatre movement, on whose shoulders has fallen the major task of perpetuating the legitimate theatre in Canada.' With regard to the playwrighting competition, the aim of the CBC program department is 'to move nearer to the main potential sources of artistic material in terms of acting talent as well as writing and ideas.' He believes that both radio and the theatre in Canada will benefit under this plan.

RADIO BANK NITE PARLEYS CASH PRIZES

Montreal, Sept. 27.

New stunt program, a combination of quizzing and bank nite, is being aired here by station CKAC from the stage of the Salle Jesu, 1,200-seat hall.

Contestants are picked from audience and those answering question correctly are awarded prizes. Audience and listeners are requested to ballot and anyone guessing correctly in which order the three winners will be rated by the judges receives \$25 in cash.

Chances of hitting right are considered slim and prizes can be parleyed indefinitely until someone wins a large amount.

Cubans Beg Judge Landis for Right To Broadcast Series in Spanish

Also for French

Montreal, Sept. 27.

Canadian Broadcasting Corporation may hold a contest for French-language authors of plays as well as for those written in English and cash prizes will be offered in addition to those already announced.

CBC Radio Drama Contest was originally intended for English scripts only, four prizes of \$250, \$150, \$100 and \$50 being offered for the best half or full hour plays by authors living in Canada.

Additional prize money for works of French authors will probably be announced shortly. Understanding is that details have not yet been completely worked out.

It is understood that plays with Canadian background will be given preference by the judges of the contest. Opinion is divided on the advisability of harnessing inspiration with locale boundaries, literary circles contending that plays should be chosen for quality without any strings attached.

1940 SUNSPOTS WILL AFFECT RADIO

London, Sept. 16.

To combat intense sunspot activity expected to interfere seriously with world radio communications in 1940, General Post Office is to build special radio receiving station at Rochester, Kent. This will have six receivers for 12 circuits in times of good air conditions, and antennae network, consisting of 16 aerials, will be erected facing across the Atlantic. New station is expected to operate early next year.

General Post Office international radio-telephone services are operated mainly on short waves, which are particularly liable to bad static at times of sunspot activity. Periods of maximum solar activity occur in cycles of approximately 11 years, and next is due to occur in 1940.

After intensive research, G.P.O. and U. S. telephone authorities have decided adverse effects can be largely offset by new technique in short wave reception. Method is bound up chiefly with use of multiple receiving antennae suitably spaced in direction of incoming signals.

Chile's Defense Radio

Washington, Sept. 27.

Chain of stations to be set up in southern section of Chile, for both national defense and aviation uses. To be situated in Province of Aysen, cost \$23,500.

Will be operated by the Ministry of National Defense.

Sustaining Commercial

Vancouver, Sept. 27.

Sustaining special events broadcast from on board the Canadian Pacific Empress of Canada, inbound from the Orient, which was heard over CKWX last Tuesday, turned into a smooth commercial plug for the transportation company's trans-Pacific service.

In the form of a 'round-table' chat, distinguished passengers gossiped about their travels in an informal manner which vividly sold the romantic angles of world travel and turned the broadcast into a press-agent's dream.

Havana, Sept. 27.

Strenuous efforts are being made by various Cuban authorities to get permission from Judge Landis for a Spanish language broadcast of a play-by-play description of the coming World Series. Programs would be non-commercial, but with RCA here paying expenses. Nothing is set so far, however.

Suggestion of the broadcasts was made over CMO, Havana, and its shortwave subid, COCQ. Idea of the Spanish language description direct from the games was enthusiastically received by listeners who have written in from Mexico, Costa Rica, Guatemala, Panama, Nicaragua, Puerto Rico, Santo Domingo and Haiti, as well as Cuba. Not only the regular listeners, but numerous Cuban government officials and exes of local firms are petitioning for permission for the broadcasts. Understanding here that the matter has not been decided because no sponsor has been found for the U. S. broadcasts, and the whole thing is hanging fire.

Nice Gravy

Meanwhile rival Cuban stations which in previous years cleaned up between \$500 and \$1,000 by selling spots on their own picked-up and translated airings of the games are yelling murder since no local sponsor wants to buy announcements on a translated broadcast from this end if one is to come direct from the games. In that case the direct airing will be the only one getting listeners.

The president of the Cuban Tourist Commission sent a long cable requesting permission reading:

'The Cuban Tourist Commission kindly requests your permission to broadcast in Spanish the World Series from the baseball parks. Such a concession on your part will be considered by Cuban people as a most gracious gesture and will contribute to strengthen the bonds of friendship that have always existed between both our countries. Louis Machado, President.'

Commander Marine, chief adjutant to Col. Batista and head of the Sport Commission of the government, also sent him a cable.

SCOTCH SIGNAL STRENGTHENED BY BBC

London, Sept. 20.

After 15 years of service, BBC has replaced its Aberdeen studio with new station. Function is to improve reception in northern Scotland, and site has been selected to ensure transmission to coastal areas north and south of the city shall be largely over sea, since signal strength is much greater over water than land.

Program transmitted from new station is composite, as before, and will include items originating locally; facilities for these will be improved by construction of new studios in Aberdeen. Most program service will come, however, from distant BBC studio centres over special telephone circuits.

Principal improvement which Scottish listeners will notice is quality of reception, while in all areas program will be received at slightly greater volume.

Louis Morisset, publicity director for Station CKAC, Montreal, will write and deliver a special commentary on current affairs, five days weekly. Simon sign two announcers, Roger and Marcell Baulieu, came, stanza, 8 to 9 a.m., making it a three-way opinion on political affairs.

IGNACE JAN PADEREWSKI

Pianist

MAGIC KEY

Sunday (25), 2 p.m.

WJZ-NBC, New York

From an emotional as well as an artistic standpoint, this concert was a notable international event, one of the most impressive ever offered on the Magic Key series. Coming at the end of several weeks of broadcasts on the European situation (and at the actual moment that CBS was airing a short-wave report about the extensive crowd in London), this magnificent old man, still a great artist in his 78th year, offered nearly an hour of immortal music. Somehow that inescapable art versus anachronism contrast added to the dramatic effect.

Even among the concert greats Paderewski has always been a personage apart. At 31 recognized as the greatest pianist in the world, he still held that position virtually unchallenged at the age of 71—a record probably unique in all artistic fields. But Paderewski's greatness has been only one of Paderewski's qualities of greatness. He has also achieved genuine distinction as a composer, statesman and, in a rather less-publicized sense, as a philanthropist and a man. Those qualities, plus his dignity and simplicity, have endeared him to the general public and to concert audiences alike. More than that, Paderewski was always a colorful figure who infused his music with tremendous emotional appeal.

All those intangible elements contributed to make last Sunday's broadcast something extra special. And the simple old man, making his radio debut to America by short-wave from a small house where he had home in Switzerland, fulfilled all the promise of the occasion. If, as some of the critics have said in the past, Paderewski has occasionally sacrificed technical perfection for emotional warmth, it wasn't evident. It was a virtuoso performance of tastefully selected program. Reception was almost ideal.

Composers represented included Haydn, Mozart, Chopin, Wagner and Schubert. Paderewski was introduced by Max Jordan, NBC's continental European representative, who remarks were impressively concise. He spoke rather deliberately, with a noticeable accent. Although he must have been urged by NBC to do so, Paderewski did not speak on the program.

Show was m.c'd on this side by Milton Cross and Frank Black led the NBC symphony orchestra in selections at the opening and close. RCA's commercials were shrewdly phrased to plug Victor's Paderewski (and other concert greats) records. Hobe.

JERRY COOPER

With The Smoothies, De Vore Sisters (3), Eight Men, William Stoess, conductor; Jimmy Leonard, Stage Music

15 Mins.

TUES-THURS, 7:15 p.m.

WLW-NBC, Cincinnati

Starting its third year, Jerry Cooper added to the original lineup. Latter supplies a New York name and socko to an already sweet selection of talent.

On air heard he did nifty job of ballading, using "So Help Me" and "I Won't Tell a Soul" in each tune. The show was richly backgrounded by the Eight Men, de Vore femme three some, and the Smoothies. A classy combo, the Eight Men are directed by Grace Clara Raine, pipe, sultana of the Crosby staff. Accompaniment by Stoess orchestra, hotsytotsy.

Slow tempo of Cooper's numbers was cleverly sandwiched with the modern zip of the Smoothies (Babs, Charlie and Little), who went to town on "Stop Beating Around the Mulberry Bush" in their own distinctive style of arrangement. The de Vores are a WLW standby on close harmony.

Smacking of class from gong to gong, which goes also for the spotting and brevity of blurbs, handled by Jimmy Leonard, this stint's entertainment value is beaucoun long for 15 minutes. Koll.

'CHECKERBOARD' TIME

Musical

15 Mins.

R-150N PURINA

W-M-F, 7:45 a.m.

WG, Schenectady

(Gardner)

Waxers cut by bird of Chicago to advertise Purina chicken, and other live stock chow, as well as to plug Purina dealers. "Checkerboard" in title is a reminder of dealers' identification signs. The show, Mary Jane, singer; Checkerboard Quartet, Cackle Sisters, harmony-vocalists, and Otto's Melodians, instrumentalists.

"Colonel Purina," one of those drawing-down-to-earthers popular with farm listeners, emcees and spiels. An occasional minor guestee is heard. On Friday the story of a successful farmer-user of Purina feed is dramatized, in addition to musical part.

Discs, neither real corny nor swiny, untrack entertainment which would please farm dealers. Most of the numbers are old favorites, capably interpreted. Jaco.

AL JOLSON

With Douglas Corrigan, Martha Raye, Parkyakarkus, Tiny Ruffner, and Gluskin's Orch.

Variety

30 Mins.

LIFEBUOY

Tuesday, 8:30 p.m.

WABC, New York

(Ruthrauff & Ryan)

Al Jolson's show returns to the air-waves after a summer's hiatus intact in its last season's cast lineup, with, of course, the exception of the guests. The new star is (22) Corrigan, being the trans-Atlantic flyer's first commercial air shot. Otherwise, as is often typical with name variety shows returning to the air after a seasonal layoff, and not yet in stride, it was pretty much of a clambake.

Jolson's show in the past was always a problem child for a comedy show. It was concerned. Situation is unchanged, the laughs still being few and far between. Script handed Corrigan for by-play with Martha Raye sang but Jolson and Jolson was only fair at best. One hearty chuckle in the lesson to Corrigan on making love coming at the bow-when, when he 'mistook' a window for the door and fell down. Jolson had little to do and little to say for the \$3,500 he received for the guest shot. A couple of gags anent his flight were okay.

Comedy brunt still falls on Parkyakarkus and the Greek dialectician is still giving out with those puns, anemic comedy at best. Otherwise, the entertainment was held down to a minimum due to the excessive greetings amongst the performers on their reunion. Martha Raye sang but one song, a duet of "A Tisket, A Tisket, Away with Those Troubles and Strains with Your Dancin' Feet." The latter's solo consisted of "Walking Stick" and "At Long Last Love." On the straight music side, Gluskin's orch delivered "I'm Going to Lock My Heart" expertly.

Commercials are hardly the believable sort; a sketch insert between two femmes, one of whom suffers from something her best friend won't tell her about, but the personal manager will. A bath in Lifebuoy is all you need, honey, etc., and et cetera. Scho.

THE SHOW OF THE WEEK

With Fred Waring, Ray Perkins, Stuart Allen

30 Mins.

CO-OPERATIVE CLOTHES

Tuesday, 8:30 p.m.

WOR-Mantel, Newark

(Redfield-Johnstone)

This is a new cooperative over the Mutual Broadcasting System. The sponsor is the Greater New York area is Howard Clothes, a hungry ad-eater on the program. Not only the greatly overdone and long-winded "Big" ad, but the other elements of advertising helped make it tiresome, plus indicating that good judgment did not enter the first performance of the co-op. Divested of the unwelcome lot of plugging, the program still left much to be desired.

Among other Sunday night plans was haywire and there was too much allibing of that by Ray Perkins, et al., and others. Planning to use different name bands each week, opener scheduled was Richard Himber, but a behind-the-mike booking circumstance kept him off personally. However, his band was on tap and Fred Waring was pressed into service as the name baton-wielder. Himber musicians were actually led by Himber's vocal soloist, Stuart Allen.

Himber's sponsor, Howard Clothes, face-saver, that being true, air audiences were led to believe that Waring's band was playing, that Waring was trying to emulate the Himber technique with a band that was actually Himber's anyway, and that Waring was taking credit on an outfit he has nothing to do with. Band numbers, employing the Himber technique and his 'rhythmic pyramids,' were not too impressive, as it happened.

Numbers were announced, together with plugs for two films, but that was not all over and above the Howard ad sessions, two during the main part of the program, plus the sign-off. Perhaps, what material was left to degree prove fair, aided in a plug for Waring's mixer and Waring received another plug on his coming air show, plus air lineage from his sponsor, Howard Clothes. Toward the end of the initial show Vincent Lopez was brought on as an advance ad on the coming 'Show of the Week' program.

Number one of the so-called song hit of the week will be featured. "A-Tisket, A-Tasket" was the first chosen, but that's weeks old, and had the same second-hand flavor as much of the other new songs. Interpersing the action. Majority of the new items had been heard earlier in the day on the air or were printed in morning newspapers.

Vocating on program by Stuart Allen and others reached into no one's ears with depth and lasting meaning, being generally ordinary. Program will have to greatly improve if it is to provide lure. Char.

Follow-Up Comment

Lanny Ross, starring in "Petticoat Fever" at Fabian's Harmonium Bleecker Hall under the new rotating stock-with-names policy in which Frank McCoy and O. E. Wee exercise a directing hand, did a 15-minute song interview broadcast over WGY, from the Albany studio. The hour, as a "Times Union" radio extra, evening shot had George O. Williams, managing editor of Hearst daily, as quizzer. Program brought a breath of life to the broadcasting to local field, especially in the vocals by Ross, to his own guitar accompaniment.

Led off with "When I Grow Too Old to Dream," a familiar which sounded fresh under his expert treatment. Closed with a number of his own done in the show. Interview ran off smoothly, although too much time was spent in Ross' athletic and thrills to fans. It's frankly pulp mag stuff, with heavy emphasis on the melodrama of nick-of-time rescues, etc. Loaded with appeal, but shrewdly disguised as humor, and thrills to fans. Capably produced throughout, with almost continuous sound effects and all helping toward authenticity.

Stanza caught (22) was labeled "Sunset" and the latter's solo consisted of "Walking Stick" and "At Long Last Love." On the straight music side, Gluskin's orch delivered "I'm Going to Lock My Heart" expertly.

Commercials are hardly the believable sort; a sketch insert between two femmes, one of whom suffers from something her best friend won't tell her about, but the personal manager will. A bath in Lifebuoy is all you need, honey, etc., and et cetera. Scho.

Columbia Workshop treated Hilda Cole's "Joe Swing Retires" to a lot of bedlam and some measure of interesting re-telling last Thursday night (22). Theme was originally wrapped up in a short story, which the Detroit Free-Press' Screen and Radio Weekly published. The latter character is a hot swing bugler who does all his talking with a trumpet and who it finally develops must be none other than the Great God Pan. Fred Waring, describes the argument as a drama with music on the fantasy side. Carelessness in production made it easy to substitute a different character for the Great God Pan. Fred Waring, describes the argument as a drama with music on the fantasy side. Carelessness in production made it easy to substitute a different character for the Great God Pan.

Narrator of the anecdote is a rumpet p.a. for niteries, to whom had fallen the task of keeping the eccentric bugler in tow. The trumpet player, impressively played by Fred Wee Erwin, one of the crack swingsters in the New York area, had walked into the night club one night and invited himself into the president's band. In quick time he becomes a sensation with the rounders and the spot is jammed every night. He scorns opium and contracts, and one night when a couple mean take to swinging fists over a table he screams. The p. a. follows him, as he is about to catch up with him in a nearby park he notices that the quarry's footprints have the pattern of a hoof. Eureka! It's the Great God Pan.

Din and hubbub of a night spot was simulated throughout, the mike recording the "hubbub" theme of the program. It should gain goodwill for the sponsor. Scho.

Hill continues as before, but revealed one new talent, interpolating commercials (once) into the text of his script. A la Boake Carter. And he did this with admirable off-handedness. A smoothie. He had plenty of news to play around with. His style is editorial, but actually he does take a few. It's all illusion. That's playing it safe, considering the experience of one food house with an editorializer. Hill's manuscript shows thought in preparation and it was delivered with nice change of pace and linking together. Campbell Tomato Juice claims are reasonable and in pleasantly different good taste. Land.

Bill Goodwin Emcees

Diamond Walnut Waxes

Hollywood, Sept. 27.

Half hour variety show headed by Bill Goodwin, emcee, and featuring Fischer, film commentator, is being waxed by Lord & Thomas for Diamond Walnut sponsorship. Goodwin also did a series with Ken Carpenter for L & T's Sunkist Orange account.

EDWARD G. ROBINSON-CLAIRE

TREVOR

'Big Town'

Dramatic

30 Mins.

RINSO

Tuesday, 8 p.m.

WABC, New York

(Ruthrauff & Ryan)

Edward G. Robinson and Claire Trevor are back selling soap suds as the managing editor and his girl friend. Appropriately enough, the hour of soap suds has the m. e. returning from a vacation (summer radio layoff) and the pair slip right back into the groove of the series of dis-associated meltdowns. As in the past, it's punchy, well-acted listening. Show last year built a C.A.B. rating of dimensions.

First playlet, written by Harry Kroeman, concerned the attempt of a crooked politician to suppress the press, even going so far as killing a reporter (not one of Robinson's), a Robinson was given the opportunity for plenty of flag-waving and a do-or-die attitude that was highly reminiscent of Hollywood's idea of a city, room, but it held the interest of any juries who were listening, inasmuch as Robinson had to utilize a flock of kids and a school press to get out his expose of the politician's racket after the Illustrated Press was sabotaged.

Like the Lever Bros. Lifebuoy commercials, the Rinso plug sins through over-earnestness. Trevor had an 11-year-old kid reciting a poem on the marvelous dish-washing qualities of the soap suds. Considering the average adult's antipathy for tediousness, the Rinso method of plugging a product has its dangers. Scho.

'RELAXATION TIME'

With Nathaniel Shilkret

Musical Vocal

25 Mins.

RUPPERT BREWERY

Tues. and Fri. 6-6:25 p.m.

WEAF, New York

(Lennen & Mitchell)

Ruppert's beer is getting radio plugging via a twice-weekly nostalgic music shot aimed strictly for the dinner-hour. It's leisurely music in a saccharine tempo, ably purveyed by the 12-piece orchestra led by Nat Shilkret. A mixed choir of 12 voices backgrounds the orchestral effects and also solos, both nicely done. Shilkret is under wraps, the sponsor stressing the "Relaxation Time" commercials are spotted in three portions of the broadcast, beginning, middle and end. Appropriately, they are in line with the entertainment agenting for, staid and within the bounds of reason. Announcer, however, seemed to be talking a bit too fast on the opening shot (20).

Tune new from the debut was very much on the sweet side, including "I Love You Only," "One Alone," a song from the "Cat and the Fiddle," "Monkey's Serenade," among others. What was something of a hot-weather drink, the music was far from a heater-upper. However, it's a match for the mealtime spot and how to the "hubbub" theme of the program. It should gain goodwill for the sponsor. Scho.

EDWIN C. HILL

Commentator

CAMPBELL TOMATO JUICE

Mon.-Wed. 7:15 p.m.

WEAF-NBC, New York

(Ward Wheelock)

Hill continues as before, but revealed one new talent, interpolating commercials (once) into the text of his script. A la Boake Carter. And he did this with admirable off-handedness. A smoothie.

He had plenty of news to play around with. His style is editorial, but actually he does take a few. It's all illusion. That's playing it safe, considering the experience of one food house with an editorializer. Hill's manuscript shows thought in preparation and it was delivered with nice change of pace and linking together. Campbell Tomato Juice claims are reasonable and in pleasantly different good taste. Land.

LOUISE FLOREA

With Jesse Crawford at organ

Singing, Music

15 Mins.

THURSDAY, 6:00 p.m.

WJZ-Blue, New York

Louise Florea has a voice. Jesse Crawford grinds a nice organ. But actually he does take a few. It's all illusion. That's playing it safe, considering the experience of one food house with an editorializer. Hill's manuscript shows thought in preparation and it was delivered with nice change of pace and linking together. Campbell Tomato Juice claims are reasonable and in pleasantly different good taste. Land.

Originally scheduled for a half-hour, starting at six p.m., singer was chopped to 15 minutes. Leopold Spitalny's orchestra was to background Crawford, but Crawford substituted at the organ. Added that the five-minute late start because of news bulletins locally in New York, plus chopping off singer after eight minutes. The room for remembrance of stations programs for the evening. Actually, station presented only a dash of Miss Florea.

Girl, who has appeared on "Show-bus," actually has a voice. It's a radio's better male singers, is an appealing soprano. Hurl.

EDDY DUCHIN

With Nan Wynn, Jimmy Shields,

Tony Russell, Tune Twisters, Mul-

lins Sla.

FALL MALL

Monday, 8:30 p.m.

WEAF-NBC, New York

(Young & Rubicam)

This is a thoroughly big-time stanza. Duchin's band is a stunning outfit, playing mostly top-notch style. The arrangements are distinctive, colorful and arresting, while Duchin's pianology is woven in and out to provide piquancy.

Nan Wynn on the show caught (18) was bubbling for Durelle Alexander, regular singer with the band. She wasn't identified on the Duchin show. Singer offered two numbers, injecting interest in "Small Fry" and picking off a chorus in the orchestra's arousing version of "Alexander's Ragtime Band." Naturally no temporary singer would be given much of a chance.

Male vocalists are Jimmy Shields, tenor, and Tony Russell, baritone. Former offered "Some Day I'll Find You," with backgrounding by the Mulins. The outfit also was billed, but did fairly well with the more difficult "I've Got a Date with a Dream." The Tune Twisters also wrapped their number with a single number of the choruses of the "Alexander" arrangement.

Besides his frequent and brief piano injections throughout other selections, Duchin offered one solo piece, "Why Was I Born?" in wallopp style. For the rest, the band offers exceptionally full though quiet tone, particularly achieving this effect in "Small Fry." The outfit also does a notable job on the accompaniments.

Program was opened and closed with the tolling of "Big Ben," the clock tower in Parliament, London, and the English church bells sounded throughout. Commercials were rather frequent, but only two were of any length and all are cleverly written. The only one that is a racket as "Pell Mell" emphasized. Hobe.

GOODYEAR FARM SERVICE

With Don Goddard

15 Mins.

Monday, 1:15 p.m.

WJZ-NBC, New York

(Arthur Kauder)

Goodyear Tire took over Monday (26) the quarter hour following the National Farm and Home Hour (now reduced to 45 minutes) and took the same audience with a motley collection of news and magazine items geared strictly for rural consumption, considering the time sequence it's an unusually good buy, and the chances are that the tieup will prove a highly effective merchandizing scheme.

Program emanates from three different points every day of the week but Saturday and Sunday, with Don Goddard handling the tidbits from the National Farm and Home Hour, and Robert S. Clough feeding the far western region from Kansas City through this arrangement the daily evening is about the same. The matters of particularly local interest.

Goddard's diction and voice fits neatly with the assignment. It's professional, but has the tone of the attempt to simulate a folksy homeliness. When caught Tuesday (27) his program was inclined more to play up such items as horeshoe, potato-picking and how to make corn-cakes than feature the farmer angles of the latest news. Goddard gave assurances that, while there would be no lack of turkey, this Thanksgiving, reports were that the cranberry crop would be 40% off. He also related some statistical data on midget cows, and philosophized on the great help farm science has had in making the farm home a brighter place in which to live.

Ad copy treated with a Goodyear band, which is built for farm use and briefly called attention to the same company's battery radio set. Odac.

SPOTLIGHT ON YOUTH

With Nancy Marshall, Barry Mahool,

Robert Kane, Harry Kibbee, Ken-

dall Wilson, Aida Louisa, John

Frank, Henrietta Addison

30 Mins.

WINS, New York

Society's attempt to right the path

of vagrant youth gains some measure

of compensation from 'Spot-

light' on the program with mes-

sage. Culled from other true

stories by William Hainsworth, ex-

Secret Service agent, and adapted by

Louis Tappe for radio, 'Spotlight,'

while neither a grip, and makes an

excellent purpose, it's another

link in the chain to stifle America's

crime among its youth.

Sunday's (18) program dealt with one youngster, who unwittingly through the force of unmitigated circumstances, veered off to a career of crime, only to be righted again. Studio players, a stock cast, took up the dramatic drama on Sunday, but the other stories in the series all to focus upon the same theme.

However, as dyed-in-the-wool entertainment, it's a little possibility of gaining adult appeal.

Also on the program was Henrietta Addison, former deputy police commissioner in New York, who outlined the progress made by various social agencies in Gotham to help its youth.

BENNY, DEMILLE and BENNY
"Seven Keys to Baldpate"
LUX
 Monday, 9 p. m.
 WABC-CBS, New York
 (J. Walter Thompson)

Radio reviewing is peculiarly tough. Take this case. Smart spotlight ads in the dailies must have aroused keen anticipation in radio fans. They promised a tax would deliver Jack Benny and Mary Livingston (Mrs. Benny) and that Cecil B. DeMille would turn actor. There were other favorable dishes, including more comedy and a prize promised. It added up on paper to terrific audience-guaranteeing showmanship.

Now granting the premise that it was an attraction, the question is, S.R.O. in the family parlors, there are two thoughts that immediately complicate radio reviewing. First, what is the point of boredom and in what ratio to the total listening audience will the results of boredom be effective? If a given line-up of talent can draw, let us say, 10,000,000 listeners and 35% tune off after 12 minutes, the residue may still be large enough any night to be enough to be a good buy for the sponsor. Making a chump out of mere criticism. A second point in the dilemma of the critic is that the invisible audience cannot be seen actually walking out as in a theatre. Everything is thus thrown back on intuitive guesswork. But it's a cinch a theatre audience would walk if this noisy, wandering, occasionally funny and hopelessly old-fashioned piece was offered them.

It started out with a couple of minutes of flip exchange between the Bennys. It brought DeMille into the situation smoothly. But once the would-be playwright arrived at Baldpate Lodge to write, and the interminable series of screams, quaint people and other interruptions began, the program was puffing on the ropes. It was much too long and that goes double for the spaces between laughs.

Admitting that the Benny comedy formula is the most effective on the air, that it has built and held a steady C.A.B. rating, that it has produced many half-hours of top-flight humor, this one proved that it can go wrong in the big way. Here it exposed all its mechanism. It creaked, wheezed, strained. And was, with interruptions, downright dull.

Legitimate division of opinion may, of course, exist as to the shrewdness of forever talking about making moving pictures in Hollywood. Shop talk, however, has become an obsession with Benny and his writers. Nobody will take this seriously so long as that rating stays sky-high, of course. And nobody will take this review seriously either, unless the Lux program tumbles a few points to further suggest a correlation. Land.

EDDIE DOOLEY
 With Dr. Mal Stevens, Paul Douglas
Sports
 15 Mins.
LIGGETT & MYERS
 Thurs.-Sat., 6:30 p. m.
 WFAA, New York
 (Newell-Emmett)

Eddie Dooley has returned as Liggett & Myers' quarterback for this season but, like all signal-callers in their first year, he has a bit uncertain Thursday night (22).

The former Dartmouth back has a basically sound program that should improve as the season rolls along but first he must get over that monotonous, recitative voice. Guesting with him was Mal Stevens, New York University coach, while Paul Douglas, who has been a center for broadcasts have taken place at this time through the summer, took time out to give the day's diamond results. Stevens, a physician in off-season, got a corking workout on football. Unlike many other exponents of football, he disputed the idea that the game was full fledged of weeklings insisting on physical and mental fitness first.

One thing that Dooley hasn't learned as yet is that statements from coaches and media men of their teams are not usually reliable. Mentors just aren't inclined to give out the dope on their teams, particularly in a pay game where they are coming in. Many times in the past the early season's top-rated teams have been knocked off by the lowly because, in football more than any other sport, a team's center for can frequently be beaten despite the victor's obvious inferiority.

Minnesota had one of the greatest teams in collegiate football history two years ago and Northwestern, 4-1 underdog, came through to administer the Gophers' only defeat of the season. Same with Columbia's undermanned team that travelled out to Pasadena several years ago to turn back Stanford's 3-1 favored, giant, well-fortified eleven by 7-0 in the Rose Bowl. And yet this was a Columbia team that earlier in the season had taken a 20-0 defeat from Princeton. These were games for which the victorious coaches had pointed. Hence, coaches are pessimistically so the spotlight won't be played upon them to conspicuously.

Telegrams that Dooley read from Frank Thomas, coach of Alabama and Howard Jones, skipper of the

BERT LYTEL DRAMAS
"Courage" with Jay Kostyn, Helen Chase
 15 Mins.
TUMS
 Sunday, 10 p. m.
 WJZ-NBC, New York
 (Kastor)

Bert Lytel, who did "Jimmy Valentine" last year (before Blackett-Sample-Hummert cheapened the show), returns to the air in a series of quarter-hour dramas. First one was a tightly put together. Written for economy of emotional effect. Had to move fast with so limited a time span and such drenchingly sloppy commercials fore and aft.

"Courage" was name of the first playlet. It was a neat the crucial moment of removing the bandages from a man who all his life has been blind. He loves his nurse and will marry her only if he can see.

Simple, direct, story-telling at express speed in general it's calculated to hold its listeners. One fault was failing to bring down the curtain after the tag-line. Final line of the playlet was followed by the Tums man. This was the result.

Doctor—The bravest man I know was terrified of his own shadow!

Announcer—If you suffer from acid indigestion you need Tums! Transcendental produces the show. It is workmanlike throughout. The actors do their part. But the copy is in that afraid-you-won't-hear style which is worse, the copy or the delivery. It may or may not sell burp pills. Radio is too large ever to predict that it won't. But it's a cinch those tools on the advertising horn must drive listeners away by the thousands.

Represents merchandizing in the its impossible-to-understand how dumb-people-are tradition. Land.

'SECOND GUESSERS'
Football
 30 Mins.
Sundays
 Sunday, 3:30 p. m.
 WJZ-NBC, New York

A Sunday afternoon rehash of the previous day's major games. It aims to cover the country and includes three pairs of authorities originating in New York, Chicago, and Frisco. It also sounds like a John Royal elaboration of Benny Friedman's "Sunday Morning Quarterback," which the latter last year (commercial over WOR-WGN).

Program needs some laughs so the sooner the boys stop reading scripts the better. They should be able to do it. The program is as good as it's a question and answer routine. Teams consist of sports writer and coach, the newspapermen doing the probing. Joe Williams (World-Telegram) and Crowley (Foran) handle the east. Francis Powers (INS) and Lynn Waldorf (Northwestern) the midwest, and Tiny Thornhill (Stanford) was the Coast coach. Inference is that these men are permanent.

All three twosomes take it too seriously. There must be some fun in football somewhere (don't press the point). Every night as well as get a snicker into it here and there on the air. Especially if the objective is a commercial.

It also might be an idea to change the running order weekly, not go from east to west every Sunday. That's because who knows if the eastern fan will stick when they start talking about the Rocky Mountain Conference. If the listener is sure of the sequence he can time it and switch on and off to get merely what he wants.

The names involved are impressive and should satisfy the grid nut. But the crossfire must lighten up if the effort is to mean anything.

BOYS OF THE OLD BRIGADE
 With National Military Band
 20 Mins.
 Starting
 Saturday, 7:30 p. m.
 2FC, Sydney

Nice piece of entertainment. Dealing with past episodes in British military history such as "Before Waterloo," "Charge of the Light Brigade." Each presentation is built to provide excitement, with the National Military Band featured in numbers popular in the days of yore. In addition to the band a corking number of special effects, the Australian Broadcasting Commission goes to town on this one. Would be good for the commercials, but for the other's acting A.B.C. got in first with the idea. Rick.

University of Southern California, for example, revealed nothing basic on their respective team's chances, only trading praise for the other's team. Both eleven men's football (24) in Los Angeles.

This was a bit of offside, since jacking up the merits of the other's team. It was followed by a revealing nothing new. For some weeks now, newspapers and magazines have extolled the prowess of the Crimson Tide and the Bruins. Tides and Bruins. 15-minute sort of repetitive stuff gleams too many crucial moments.

TYPICAL BBC TELEVISION

The British, who aren't very happy at this particular juncture in the course of history, do derive some small satisfaction from a quiet television. Added to tea and tweeds they feel they have the T's nicely sewed up. All of which is by way of prelude to remarking that it is the current fashion upon disembarment from a transatlantic liner these days, to promptly inform one's constituents in the U.S.A. about British television. And who is a mere Vauney muggs to depart from a custom already under distinguished auspices?

British television: as viewed in a British home (not a BBC home) in London at night, the evening is impressive chiefly because the conditions are approximately normal. As to size of image, clarity, type of set and other mechanical matters, the BBC (EMI) visio seems similar to RCA and other American systems. In general it was pretty good, with no particular features noted.

Program turned out, 90 minutes is a hedge-podge of ear-yeau vaudeville. Being BBC, the educational phase is stressed. And, that, even in the experimental stage, may definitely be tagged as the one sure way to curse British television, once the initial novelty wears off. However, now is perhaps premature to subject television to any detailed criticism on the score of program showmanship. Such matters become pertinent, however, as suggestive of secondary problems still unmet.

On the Wednesday evening when this itinerant Vauney staff member saw a BBC program, a gentleman talking about gardens, but fortunately with humor and satire as his pitch. He was quite good, whoever he was. It was the essence of the matter, the man and the critic who followed something that positively could not be duplicated in the U.S.A. First of all, there is some doubt as to the discussion of what you should hang on the wall would ever be considered, much less executed in America. It was really a ghastly job for an art critic to do this.

Solid foundations of the visio ceterum, the programmatic. Notable as a Mickey Mouse cartoon. And the British Movietone newsreel (then current in the theatres). Neither item was wholly on a par with the more or less of honor. Diminution of the figures even in the line drawings, but most particularly in the news long shots, strongly suggested that television cannot rely, when the time comes, on film of age not made directly for television and with due allowance for the necessary adjustments in closeups. Television will need intimacy in terms of picture itself as well as find it in film made for theatres.

Centre-piece, but not the masterpiece of the television program reviewed, was a dance on the Tour of Europe. This was staged at Alexandra Palace with actors, scenery and costumes. All dialog memorized, of course. It wasn't precisely terrible, but it was ragged. At the end of one sequence and before the switchover to the next. If awkward pauses were bricks, they could have built a small garage.

A man of mine has dinner with his niece, who is about to tour the continent. He is mellow over his cigar and speaks to the girl of the glamors of other lands. That comes to a dance and a few songs. All supposed to be different nationalities. But no matter how many changes of shwls, it was still E.P.S.

If the signoff a representative of BBC comes on for a few moments to chat with the television addicts on future programs of FBC. Land.

'BRINGING UP SALLY'
 With Charles Williams
 15 Mins.
 Tues.-Thurs., 9:15 p. m.
 2 CH, Sydney

Premiere of this new air show was disappointing. It was followed by a badly planned show, but it was a ballyhoo. May of course improve as it progresses. Unknown from premiere whether show is drama, comedy or what. One hopes to hold a continuous audience on twice weekly span keep improvements must be made.

Started off with a lengthy advertisement blurb. This was followed by a canned music, then added commercial far too long.

When show finally got underway some good acting was handed out. For home talent. Rick.

Etienne Joins Blackett
 Chicago, Sept. 27.
 Bob Etienne, formerly with the radio department of the Kastor agency here, joins the Blackett-Sample-Hummert office.

Goes into the estimating division.

AROUND THE WORLD IN NEW YORK
 With Roy Chapman Andrews, Josef Bonime, Eastley Thorpe, Ben Collado, Joyita and Maravilla, Dorita and Valero
 30 Mins.—Local
CONSOLIDATED EDISON
 Tuesday, 7:30 p. m.
 WJZ, New York
 (McCann-Erickson)

This is the fourth year for Consolidated as a local sponsor. As before, the budget, while not large by the standards of radio's frenzied finance, provides for a fairly pretentious local diversissement. Inevitably a utility company leans to the conservative side. The board of directors of any utility practically guarantees button-shoes and a high starched collar. Still Consolidated is progressively more human and intimate. Which is all to the good. And probably due to Henry Obermyer, who has made the radio program part of his part-time job. Consolidated has the radio and the gas part of the account; B. B. D. & O. (the electric and newspaper end.)

In the past, the show played up the historical side of Greater New York. New formula veers away from the past and concentrates on present tense. Basically the new slant is eyeing the improvement of the world-traveler. Henry Roy Chapman Andrews on the opener. He qualified as both a New York personality and a trained voice. Consolidated insists upon spending experience and sidesteps anybody that might suffer a storm in front of the mike. With about a dozen members already set for the series; there will be a moment of reverent silence at the Explorers Club every time the name Consolidated is mentioned hereafter.

Andrews was taken on a mythical tour of New York. As he toured he tied up experiences in foreign climes with people and places in the service area of the utility. It stacked up as a plausible approach to hometown.

El Chico restaurant in Greenwich Village got plug and produced at the microphone the senior in charge, Benito Collado, as well as Spanish presence of the restaurant, Dorita and Valero. Latter gave out meritorious samples of native la-la-la. One singer was mentioned as discovered a year ago Tiding out in Grenada, cave within war-torn Spain.

Several shrewd angles are included in half hour. There's always something being given away. That something is \$2 cash every third week, but gas and electric house hold appliances all the time. Again, there is an employee tie-in through the use of the commercial. Two anonymous performers impersonate "Mrs. Homemaker" and "The Edison Man." Company strives to get a consumer to advertise and avoid the kind of advertising gas that requires bicarbonate of soda. Land.

'VOICES OF YESTERDAY'
 P. Barnum
 15 Mins.; Local
 Thursday, 8:45 p. m.
 WHN, New York

New series which dramatizes the lives of well-known Americans capped by a recording to the voice of the subject. P. T. Barnum, founder of the circus bearing his name, was chosen to lead off probably because the recording, as gathered from the airing, was the earliest waxing on hand.

Program dramatized several important periods in the life of the showman and dwelt at length on his early journalistic activities to prove the character and iron will that drove him to the top. Program made good listening.

Several actors are used to tell the story. One is a guy who delights in spinning a hysterical yarn down the scale laugh. Should muzzle it, as it's annoying. Mention of the perfecting of the phonograph led up to the airing of Barnum's voice.

Announcement and necessary explanations were well done.

STORIES IN SONG
 With Bernard Mullins, Fred Wade, Harold Kolb, Edward Begley, Gertrude Warner, Edward Worthington, Peter Cusanel, Bruce Kern
 15 Mins.
GRANFORD OIL CO.
 WTIC, Hartford

Entirely revamped and enlarged, the current "Stories in Song" series is one of the best dramatizations of the American story. It shows definite network possibilities. Program caught Thursday (15), D'Arcy's "The Face Upon the Barroom Floor," is a credit to Leonard Patrielli, production manager of the station, who is scripting the series.

In the past Bernard Mullins, in the role of the Old Colonel, narrated the story. In its present setup Mullins gives the background of the story with the station actors assuming the roles of the various characters. Harold Kolb supplies an organ background and Fred Wade vocalizes the different songs that are descriptive of the plot.

In adapting this ancient ballad for radio Patrielli managed to catch its true meaning. Edward Begley, as the drunken soldier, Gertrude Warner, as the face on the barroom floor, and Edward Worthington turned in commendable performances. Eck.

JOHN B. KENNEDY
 Commentator
11:00 P. M. WATCH
 Monday, 11 p. m.
 WABC-CBS, New York
 (McCann-Erickson)

Danton Walker, the N. Y. Daily News' Broadway columnist, held down this 10-minute spot last week, from 11 p. m. on, six nights a week, Monday through Saturday, but commencing Monday night (26), John B. Kennedy took up the chore. Unlike the Walker pattern of "Gotham Gad-abouting," Kennedy's commentation is more general, teeing off with an arresting eight minutes or so on the Hitler crisis.

Commercial, as in Walker's sequence (reviewed herewith) is fore and aft. Kennedy then teases on current topics, and nothing, of course, is more vivid these days than the Czechs' endeavors to check Hitler's "drang nach Osten," humanizing the Kaltenborn formula of interpretive discourse. Kennedy high-lighted the respect that Hitler held for a former Prussian officer, perhaps the plus a review of his solo week's crack at the Gruen show, are elsewhere in this department. Necessary mike wallop which Walker, experienced gadabout, lacked as such, was gathering momentum at the parting Abel.

DANTON WALKER
 "DANTON WALKER"
 10 Mins.
GRUEN WATCH
 Mon.-Sat., 11 p. m.
 WABC, New York
 (McCann-Erickson)

Broadway columnist of the New York Daily News made his air debut Monday night (19) in a six-times-a-week bit about what's doing in New York. Walker certainly should be up on the town's news, but he didn't show it in his initial stance. Since then he's improved. On the tee-off, he meandered through a dull script, offering little of timely interest, except to report on the night's legal proceedings managed to garble. It was unimpressive. Furthermore, the reviewing idea—based on catching only half of the premiere—just isn't such a good idea.

In the second half, a columnist and man-about-town who knows all about the Hollywood and Broadway stars' Walker referred deprecatingly to the super-bad, then launched into a quiet about what he intended doing on the show. His voice is rather toneless, but he keeps it low-pitched and conversational. Monday night he managed to conceal the fact that he's reading a manuscript. He was handicapped by nervousness for the preem program. This, too, has been improved.

After describing the show he had taken him all over the world, the columnist plugged a travel book, talked about Bermuda, mentioned his hobby of reading old newspapers and then gave a one-up-the-mike flash on "Missouri Legend," which, as he spoke, had just about concluded its first performance at the Empire. N. Y. Walker referred to it as a Gilbert Miller production, then launched into a quiet about what he intended doing on the show. His voice is rather toneless, but he keeps it low-pitched and conversational. Monday night he managed to conceal the fact that he's reading a manuscript. He was handicapped by nervousness for the preem program. This, too, has been improved.

Grues' commercials on the show were unleashed fore and aft. First was fairly brief, the latter on the way side.

Cause, again subsequently (23), Walker had already improved considerably over his debut session. His nervousness was much less marked, his voice was much more expressive and he contrived to disguise to some extent the fact that he was reading his material. Also, the material itself was brighter. Hobe.

JUNIOR MUSICOMEDY
 "Stars Over Broadway"
 30 Mins.
SUNDAY
 WABC-CBS, New York
 Half hour of the trials and tribulations of youngsters breaking into theatricals had little to recommend about it. The show closely paralleled the plot of "Stars Over Broadway" to the tony who eventually and secretly produced backing for a show to provide the whole kit and kaboodle with a Columbia test that earlier in the season had taken a 20-0 defeat from Princeton. These were games for which the victorious coaches had pointed. Hence, coaches are pessimistically so the spotlight won't be played upon them to conspicuously.

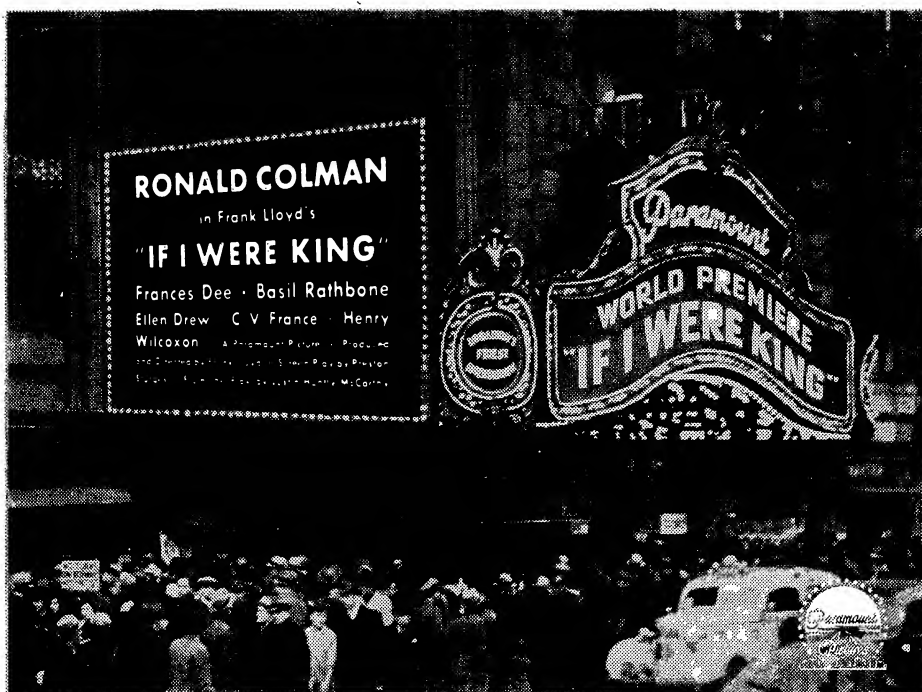
In various spots kids broke out musical sniffs. Duo handled "A-Tisket and a-Tasket" and a duo handled "I've Got a Pocketful of Dreams." Announcements and explanations were nicely carried.

IF KING

**I couldn't get a better picture
It's a PARAMOUNT PICTURE..**

WERE

RE



from any studio in the world!

. of course!"

Robert Benward

Managing Director, New York Paramount Theatre

St. Louis Chapter of AFRA Will Set All-Star Convention Frolic

St. Louis, Sept. 27.

If a sufficient number of radio stars announce their intention to attend the first national AFRA convention here in November, Don Phillips, president of the St. Louis Chapter will proceed with plans tentatively made for broadcast over CBS, NBC and Mutual of a one-hour show in which the big stars will be asked to participate. Definite plans for the show are very much up in the air due to the fact that Phillips has received assurances from only Eddie Cantor, national president, that he will be present.

Emily Holt, national executive secretary, won't know for some weeks what accredited delegates will put in an appearance.

A sour note in the local situation was struck last week when J. Norman Green, gabber at KMOX and secretary of the Special Convention Publicity Committee handed in his resignation as a member of the committee to Phillips. Beyond saying that 'conditions beyond his control' had brought about the resignation, Green said a copy of his letter will be sent to Miss Holt.

With the opening of KXOK, the new Star-Times Publishing Co.'s 1,000-watt last week, Phillips is certain that the talent staff, gabbers, warblers, etc., will become members of the local AFRA chapter. His survey thus far shows four employees of the station, two by transfer from out of town, are members.

Recently the St. Louis Chapter unanimously adopted the following resolution: 'Each individual group in AFRA, announcers, singers and actors, shall discuss, argue, arbitrate and vote decisively upon their own individual problems. Announcers, singers, and actors' respective discussions shall be attended by the individual groups. Announcers by announcers; actors by actors and singers by singers. Each group may be supplemented by any member of the other two groups, actors, singers and announcers, who may at any time be called upon to perform the duties of the particular group in question and their findings will be supported by the entire organization.'

HOLLYWOOD OFFERS EAST FOUR MAYBES

Hollywood, Sept. 27.

Four sets of waxed auditions were shipped east last week for agency inspection. Western show topped by Nick Folan is being dated before sponsors by Goldstone & Morrison agency.

Winslow-Curtis agency is offering a variety turn with Leo Carrillo, Shaw and Lee, Galli Sisters and Gus Arnheim's orchestra. Walter Batchelor fronting for 'Uncle Ned' series with Ned Sparks and George Laft and Jane Bryan in a leather-pusher program being negotiated by Myron Selznick.

Regional Gets Playlets

Chicago, Sept. 27.

General Mills shutting the locally produced 'Curtain Time' out to the Don Lee web for a once weekly shot, starting Oct. 14.

Has been on WGN here as a tester each Friday night. Show is a 30-minute complete playlet, through Blackett-Sample-Hummert here.

Schudt in New York

Cincinnati, Sept. 27.

Bill Schudt, manager of WKRC, is in New York this week, huddling with CBS execs.

Bill Williamson, the station's sales manager, and Jake Latham, of the selling staff, divided time last week in Chicago, Cleveland and Detroit.

ZELLA LAYNE GETS LEAD

San Francisco, Sept. 27.

Zella Layne, singer and actress, has been picked for the role of 'Lynn Miller' in the serial, 'Dr. Kate,' penned by Hal Burdick and aired from San Francisco, over the Coast NBC-Red web five mornings a week. Show is sponsored by Sperry Flour Co.

Burdick has been auditioning local actresses for the part since Vicki Vola, its originator, went east several weeks ago.

Radio Blamed Again

Tacoma, Sept. 27.

Radio gave two Federal prisoners their liberty from the city jail when Robert Moore, jailer of the tank where the boys were confined, allowed all of the prisoners in the block to hear a radio broadcast of a middle-weight fight held in Seattle.

As the fight boomed in on the receiver and while excitement prevailed, two boys escaped, climbed up a heavy grating, gained the fire escape and disappeared.

AFRA ELECTS BOARD, ALSO DELEGATES

Election of members of the board of directors of the New York local, American Federation of Radio Artists will be held at the annual meeting tomorrow night (Thursday) at the Hotel Edison, N. Y. There will be 21 directors elected. Meeting will also name 28 delegates and 28 alternates to the annual convention Nov. 14 in St. Louis.

Nominees for directors are Bill Adams, Marian Barney, Teddy Bergman, John Brown, Ray Collins, Ted De Corsia, Eric Dressler, Helene Dumas, Anne Elstner, Betty Garde, John McGovern, John Pickard, Alfred Shirley, Marc Smith, Lucille Wall and Ned Weaver, actors; George Ansbro, Ben Grauer, William Shapard and Robert Waldrop, announcers; and Taylor Buckley, Everett Clark, Gordon Cross, Frank Croxton, Carol Deis, Gertrude Foster, Alex McKee, Evelyn MacGregor, Jack Parker, Walter Preston and Claude Reese, singers. Setup will be nine actors, seven singers and five announcers elected.

Delegates to St. Louis

Nominees for delegates include Marian Barney, Fred Barron, Teddy Bergman, John H. Brown, Ray Collins, Ted De Corsia, Eric Dressler, Helen Dumas, Anne Elstner, Wilfred Lyttell, John McGovern, John Pickard, Selena Royle, Paul Stewart, Mark Smith and Lucille Wall, actors; George Ansbro, Nelson Case, Ben Grauer, William Shapard, Robert Waldrop and Foster Williams, announcers; and Rhoda Arnold, Richard Donelli, Ruth Gordon Brasill, Taylor Buckley, Frank Chapman, Everett Clark, Gordon Cross, Frank Croxton, Carol Deis, Gertrude Foster, Virginia George, Paula Heminghaus, Hubert Hendrie, Alan Holt, Fred Kuhnly, Alex McKee, Evelyn MacGregor, James Melton, Jack Parker, Walter Preston, Claude Reese, Henry Shope and Margaret Speaks, singers.

Same persons were also nominated for alternates.

INT'L RADIO SALES REPS TEXAS WEB

International Radio Sales has been appointed the exclusive special sales rep for the Texas State Network. It's a year's non-cancellable contract and becomes effective this Saturday (1).

Tieup indicates that Hearst is committed to keep International Sales in operation for at least the period of the TSN agreement.

'Hotel' Guest Lineup

Hollywood, Sept. 27.

Guesters in the dramatic spot on Hollywood Hotel have been set for three weeks. Joan Bennett and Thomas Mitchell lead off (30) in 'History Is Made At Night.' Following week Ginger Rogers and David Niven do a half hour version of 'I Met Him in Paris.' Either Heather Angel in 'Berkeley Square' or Charles Butterworth in a comedy play are slated for Oct. 14 broadcast. Herbert Marshall appears in the dramatics additional to his emcee chores.

Bond Leaves Katz

Osborne B. Bond, radio director of the Joseph Katz agency, resigns Oct. 1 to become business manager of the Elks Magazine. With Katz about five years.

No one named to replace yet.

WSB Key Station For Football Hook-Ups; Musician Is Spieler

Atlanta, Sept. 27.

WSB will tee off Saturday Oct. 1 with first of seven football broadcasts of Georgia Tech games, when Tech clashes with Mercer U., under sponsorship of Atlantic Refining Co. This marks third successive year Atlantic has sponsored WSB's grid broadcasts.

Tied in with WSB for Tech-Mercer game airing will be WTCC, Savannah and WRDW, Augusta.

Oct. 8, when Tech meets Notre Dame, WSB will be key station in group of 11 carrying game—WSB-KVW, Philly, WBMT, WCHV, WDBT, WFBC, WLVA, WRDW, WRVA, WWSA and WTOG. Oct. 22 game between Tech and Auburn will find WPCB, WRDW and WTOG tied up with WSB and on Oct. 28, when Tech plays Vanderbilt in Nashville, WBT, WDNC, WRDW and WTOG will participate.

Same four stations will join with local mail for Tech-Kentucky clash Nov. 5, while WRDW and WTOG will participate for Tech-Alabama game Nov. 12.

Final in series Nov. 19, Tech-Florida clash, will find WRDW, WTOG, WIOD, WJAX and WRUF stringing along with WSB.

Marcus Bartlett, musical director of WSB, will lay down his baton to air the Tech contests.

WAGA, little brother of WSB, has already started airing schedule of dozen prep games sponsored by Belle Isle Garage and Yellow and Black and White cab companies.

THOMPSON-KOCH DENTS STERLING RADIO END

Thompson-Koch, of Cincinnati, will handle the 'Wife vs. Secretary' series for California Syrup of Figs. It's five quarter-hour transmissions a week. Agency handles the space end of the Sterling Products combine's advertising and makes practically the first radio campaign that this group hasn't cleared through Blackett-Sample-Hummert.

Bob Seal Joins NBC

San Francisco, Sept. 27.

Robert Seal, from Columbus, Ohio, becomes production manager of KPO and KGO, NBC Company's two local outlets, this week.

Cameron Prud'homme, former production manager, has been named producer in charge of all dramatic programs, which capacity he will be responsible for all casting and dramatic production supervision. At the client's request, he is personally producing the Sperry Flour Company's new serial, 'Dangerous Road,' which debuted Monday (26) over the Coast NBC-Red web.

Three local NBC execs transfer to Hollywood next month—Paul Gale, traffic manager; Cliff Anderson of the program department and Henry Masse, sales traffic manager.

Show Biz Watching

Baltimore, Sept. 27.

'True or False,' J. B. Williams program on NBC Blue, will have an audience airing here Oct. 3, at the Auditorium Theatre, via WBAL, local participating station. Tickets being distributed by local dealer set-up.

First national air show to be given stub holding audience here. Show biz watching carefully.

N. Y. Leads in 'Frisco Serial

San Francisco, Sept. 27.

Nancy Douglas and Dan McLaughlin get leads in Sperry Flour's new serial, 'Dangerous Road,' which was premed Monday (26) over the NBC-Red chain on the Coast from San Francisco.

Both were brought to California from New York, where they appeared in test broadcasts of the thriller.

Radio's Stepchildren

(Continued from page 1)

Bowes at his height for competition, you could put on a Hillbilly outfit and draw profitable mail for an advertiser in the same town and at the same time. I know from experience that I can put on Hillbilly music at six o'clock in the morning or 12 o'clock at night and get an eager, enthusiastic response from an invisible audience. Yes, I mean mail or phone calls. True, some of the mail will be written on suicide note paper and in pencil but still, it's mail. It is visible evidence of audience response to a program.

I have pulled dimes and dollar bills with Hillbilly music. I've pulled mail every day from nearly every state in the Union—not one piece but mail running into the thousands and as high as 8,000 in one day.

One experience I recall with a furniture dealer who had a Hillbilly on one-half hour a day for five weeks. The Hillbilly was told that this was his 'a' day and he made this announcement to his audience: 'This is my last day because the sponsor thinks I have no listeners.' The result was 800 pieces of mail the next day and countless phone calls. The Hillbilly was re-employed.

I ask you again, VARIETY, what's going to happen to the Hillbilly? The American Federation of Musicians won't take them on and can read music; and usually the good ones can't; and they don't seem to want them, anyway. AFRA doesn't want them yet (quote Mr. Jaffe). I guess they're afraid of jurisdictional trouble from the musicians. And yet, from the Station Manager's standpoint, if they're honest with themselves, Hillbillies are the most profitable merchandise they can have or get. I would like to get some here.

A lot of Station Managers and owners, the past two or three years, have figured that Hillbilly music was 'low-brow' and that they should educate the public to better things—so they gave the people 'swing.'

I have a postcard in my desk from a Hillbilly who writes to play for me in the South. He was good for \$100 to \$150 business for his Song Book at a dollar a throw every week plus a fine fee from the sponsor. The station time was sold at regular rates to the sponsor. I can't use him here because he doesn't belong to the union.

100% American

Frankly, I have no objections to the union, but I think something should be done for the poor Hillbilly. They have a definite place in radio entertainment. They portray Americanism as it was and Americanism as it will be for many generations from the true American standpoint. If there is anything more American than Hillbilly music, if there is anything better than the hillbillies in the 'Oh Susanna,' 'She's Comin' 'Round the Mountain,' or 'I Have 11 More Months and 10 More Days,' you show me what it is. And you only have to be an American one generation to get the thrill, the cleanliness and the humor of our American Hillbilly music.

I know from experience that those who claim they don't like Hillbilly music will surreptitiously listen to it and get a kick out of it and maybe shed a few tears. Something should be done for this unorganized group of real American players.

Usually when a group like this 'loses out' in their economic situation, there is an economic reason for them losing out. But here on one hand you have the greatest potential audience builders of any group of artists, actors, or, to put it broadly, entertainers that have ever appeared before the microphone.

VARIETY has always taken the stand for the underdog. Maybe a lot of the Hillbillys hate the old American fashion, once a week—maybe some of them don't have manicured fingernails, but still they deserve some champion to come forward and make a plea for their cause. There should be no ifs, ands or buts about the Hillbilly. I know questions will be raised in many sections where the unions don't interfere but I believe they should develop an organization of their own and affiliate with some group who will save them for the American radio listener.

Cleveland Showdown

Cleveland, Sept. 27.

Milt Krasny's ultimatum that all hillbilly musicians must join musicians local No. 4, if they want to

stay on the air, has caused WGAR to drop all of its mountain music acts.

Before taking any action, WGAM is taking up the status of its several Ozarkian programs with the American Federation of Musicians in New York. Troupe billed as the 'Plainsmen' had its name changed to the 'Vigilantes' and ordered to play nothing but strictly hill-billy instruments.

Union action is partly pointed at WTAM's jug-blowers who have been adding legit pieces for their stage dates and who have been working under the union's scale. It is also directed at niteries which have been playing up the ledge-leapers lately and paying them top prices.

To-date it's a deadlock, with the billies refusing to join the union since the stations in any event are unwilling to pay them regular scale. Krasny considering a ban on night spots that book non-union hill-billies.

Columbus, Sept. 27.

Barn Dance show with a studio audience gets under way on WHKC from Columbus Auditorium Saturday evening (1). Sponsored by Herman Hameer, auditorium promoter, as a draw for his Saturday night barn dances.

Three-quarters of an hour of show will go on the air as 'Buckeye Hoedown.' Gate price of 25 cents for the air show entitles payees to hang around for an entire evening of dancing.

Montana Meechy cowboy band, Buckeye Four and other hillbilly acts are being lined up for the show.

HILLBILLIES AN INDUSTRY AT WLW

Cincinnati, Sept. 27.

Four separate programs by the Renfro Valley Barn Dance troupe, plus the Alka Seltzer National Barn Dance, completely fill WLW's Saturday night schedule for three and one-half hours, starting at 7 p.m., EST. Of the Renfro shows, which originate here, one falls to Mutual and another starts Oct. 1 for outlining on 58 stations in the NBC Red chain. Both web shows are sponsored by the Brown & Williamson Tobacco Co., Louisville, the one feeding Mutual blurring Bugler to tobacco, and the NBC-fed stanza plugging Avalon cigarettes.

Other two Renfro stints are tagged for the Keystone Fence & Wire Co. and Pinex. A third show, however, mediated through the Russell M. Seeds agency, Chicago.

Red Foley, 'singing songs for everybody,' is featured in the Avalon Time and Bugler Plantation Party stanzas. For the Avalon show he will be supported by guest stars. In the first NBC Red spread, the Andrews Sisters (3) will have the ace visitors' spot. Time for this program is 7 to 7:30 p.m.

Renfro Valley Barn Dance, tagged for Keystone Fence and starting its second year's Saturday run on WLW from 7:30 to 8 p.m., is strengthening on talent. Show has John Lair as m.c., A'nt Aint Little Clifford, Corn Creek Girls, Slim Miller and the Cornercrackers, Hugh Cross and His Rodeo Pal, Owen Sisters (3) and Shug Fisher.

Pinex's rural opsy, 8:30 to 9 p.m., has just added Ezra Buzzington as m.c. along with the Pinex Silver Cornet Band of nine pieces. Also has the Three Belles, Range Riders, Barber Shop Boys, Zebbie, Sunbonnet Girls and Peanut Roasters.

Whitely Ford is m.c. of the Bugler Plantation Party, 10 to 10:30 p.m. Besides Foley, talent on this show includes Girls of the Golden West, Southern Planters, Galvano Trio, Duke of Paduch, Plantation Trio, Tobacco Town Four, Buddy Ross and Glenn Hughes.

Avalon broadcast originates i Crosley's No. 1 studio, with an audience. The other three shows are staged in Music Hall, before paying audiences.

Irene Rich, broadcasting for four weeks from midwest where she's personaling in food stores for her sponsor,

This



is our die

THIS is the tool with which one man—in one minute—can stamp out ten million sharp, lasting impressions. Each different. Each perfect.

A man talks into this microphone about an automobile. Instantly, at the other end of the mike, the minds of ten million people paint *the most exciting automobile pictures in the world!* For each listener sees *himself* in a car—in a model *he* wants—in the colors *he* likes best.

That is radio's power; its power to paint personalized pictures in the mind; its power to fire the imagination of the millions of people it reaches.

Eighteen hundred years ago, Pliny said: "*The living voice moves men.*" It moves merchandise, too. And if you have not seen the most recent facts on radio's ability to picture and *sell* automobiles, as it sells silver and soap and cigarettes, may we send them to you?

Columbia Broadcasting System

THE WORLD'S LARGEST RADIO NETWORK

Non-Network Stations Sign Contract With A.F.M.; 1,500 Jobs Created

Musicians' employment question has been amicably settled between the committee representing non-network stations and the American Federation of Musicians. The two factions last week exchanged the final contracts although some 40 stations in the group have yet to complete agreements with local A.F.M. unions. It is estimated that the covenant, effective for two years, will cause the employment of around 1,500 additional musicians.

Last week's act brought to a successful close the AFM's drive to obtain a higher ratio of musician employment in the broadcasting industry. The drive started in the summer of 1937, and the agreement with network affiliated stations and NBC and CBS-owned outlets was completed the early part of this year.

Subject of increased rate for musicians used by recording com-

panies did not come up at last week's meeting between Joseph N. Weber, AFM prez, and the non-network stations' committee. Latter assured Weber that it had not been responsible for the charges circulated that this increased scale constituted a breach of good faith in the federation's dealings with the broadcasters.

New rates apply to recording, said Weber, are final and there is nothing that he or the AFM executive board can do about changing them. The phonograph companies, in protest against the upper rates, have declared that they will tend to reduce the amount of musician employment.

Don Wilson narrating a series of travelogs at Universal Pictures.

Stroud Twins, off Chase a Sanborn, pa.ing through the east.

Union Agent Murdered; St. Louis Stations Await Word on New Contract

St. Louis, Sept. 27.

St. Louis radio stations whose contract with Local No. 1, Intl. Brotherhood of Electrical Workers expires Nov. 15, are awaiting word from the union for the preliminary meeting which had been set by Arthur C. Schading, business agent who was slain by two unidentified gunmen as he was leaving the union hall Monday (18). On the afternoon of the day Schading was assassinated he set a group meeting with executives of the local stations for today at the Missouri Athletic Club, downtown. Schading made the appointment by phone and promised to start negotiations for a new contract.

Some 12 hours later he lay dead in the morgue. His slayers have not been apprehended although gendarmes have recovered the two automobiles with which he was riddled with nine bullets near the scene of the crime.

Picket Line Around WPEN, Philly

Music Quota Cut Refused by Union, Orchestra Fired
—C.I.O. Panelmen Cooperate

Philadelphia, Sept. 27.

Battle between WPEN and the Musicians' Local over the station's demand for a cut in its music quota almost culminated on Sunday (25) in a complete shutdown. Picket line was ordered for 7 a. m., with engineers refusing to go through it, as a result of the firing by the outlet of the entire house band, according to tooter exco.

Orchestra members were notified a few days in advance, it was said at union headquarters, that they would be through on Saturday night. As a result the picket line was ordered for Sunday and co-operation of the panelmen, who are members of the American Communications Association, CIO, was obtained. Tom Smith, program director; Ralph Borelli, announcer, and Horace Hustler

and Andy Arcari, musicians who play on the station, but are not in the band, were instructed not to cross the picket line. They are all members of the Musicians Local.

Picket line was called off, however, late Saturday night, after a call from Riccardi, Union secretary, from WPEN's attorneys. Station agreed to continue temporarily under last year's contract, subject to a meeting tomorrow (Wednesday).

Over 5½%
Union is demanding quota of \$30,853. This is about \$10,000 less than last year, but considerably above the 5½% of the gross set in the national agreement between non-affiliates and the AFM. Local is demanding, however, under a clause which declares a station shall not spend less than it did previously, even if this is beyond the percentage set. Outlet would like to spend only between \$25,000 and \$27,000.

Riccardi said the quota would be cut only on instructions from Joe Weber, AFM prez. Weber wired him, suggesting the local take less, he said, but still allowed final judgment to be a local matter. Later he phoned, and again suggested that a smaller sum be accepted because of bad economic conditions and the fear that the tation may be forced to shut down entirely. Riccardi said he won't give in until actually forced to do so by Weber, as he thinks there is no likelihood of the outlet folding.

Columbus, Sept. 27.

With 10 musicians on the pay-roll for the fall season, WBNS has juggled the talent to make three staff musical organizations. Groups include seven-piece swing crew, a string ensemble and a larger orchestra combining both outfits. All under direction of Paul Neal.

Various combinations are working total of 12 programs a week. Among sustainers getting the musical treatment are Fran Harmon's 'Fashion Parade,' backed by the strings; Ray Reese, tenor, with the string ensemble, and Mary Lou Miller's song session with the swing band.

Lowell Riley is musical director of WBNS.

SAN FRANCISCO UNION DICKERS

San Francisco, Sept. 27.

Negotiations with local indie stations not yet signed with the American Federation of Radio Artists and the International Brotherhood of Electrical Workers are now being carried on jointly by two unions. Decision to work together was made last week following IBEW's charge that KSAN, formerly KGGC, is now employing licensed graduates of a local radio school as technicians at small salaries. Station's regular technicians, of whom there were three or four, were discharged several months ago, it is claimed by IBEW, and eleven of the school's graduates were hired. Situation was discovered when IBEW submitted contracts to the station, according to assistant business manager Melville Larsen of KBBW.

Vic Connors, local AFRA secretary, is holding up further confabs with KSAN pending outcome of the IBEW discussions with the station. Differences in wages for performers and announcers have delayed signing of contracts between AFRA and KSAN.

New AFRA ruling made last week will require payment of regular \$7.50 audition fee by KSFO, local affiliate of CBS. Rate is the same as that paid by KPO and KGO, the NBC local outlets, and by KFRC, Mutual affiliate, under AFRA contracts. It was felt that KSFO, because of its classification as an indie station, had an unfair advantage over the other three stations in the matter of auditions.

Petry Adds Cartwright

Chicago, Sept. 27.

William Cartwright, who has been chief salesman here for the William G. Rambeau station rep firm, joins the local Ed Petry sales staff.

Starts new affiliation on Oct. 1.

WLW

THE NATION'S
STATION

SAVE MONEY

In show production and thereby fortify and increase station appropriations! A staff and spot dramatic cast of 50 are ably supported by 53 musicians under direction of nationally known and experienced conductors.

Added to these are a competent staff of writers, arrangers and directors.

Every production facility is available at WLW, yet costs will figure as low as HALF of New York or coast production expense.

PRODUCTION COSTS LOW!

Because with independent talent and operations free of high overhead WLW is the ROCK BOTTOM ECONOMICAL POINT OF ORIGINATION if glamour names are not needed. Bright talent in its ascendancy, seeking reputation rather than dollars at WLW, furnishes many fresh voices—new dramatic and infectious personalities. Directed by a large staff of experienced producers any agency can

NOW

10 fall commercial network originations already scheduled on WLW. Indicate how prominent agencies are finding WLW point of origin economical and satisfactory. Several WLW sustaining strip shows with built-up audiences NOW available if you act at once.

BUY MORE STATIONS

with what you save. Add more listeners. Increase client's audience,—improve response possibilities! Many large agencies are finding WLW originations feasible, practical and economical. Send your script to us. Let us cast it—produce—audition. Then you listen, study cost—decide. Check what we promise, and what big New York and Chicago agencies have found in our

LARGEST INDEPENDENT SOURCE OF TALENT CINCINNATI WLW

FREE AUDITION

Send us your script. We'll have a recording ready for audition promptly AT NO COST TO YOU.

WLW FOR NEW IDEAS

Several sustaining strip shows with ready built audiences are now available for your fall campaigns. Listen to "Midstream" 4:15 p.m. Mondays through Fridays, and the "Mad Hatterfields" 4:45 p.m. Mondays through Fridays—examples of WLW's complete production service of

10 PRODUCERS --- 10 WRITERS
53 MUSICIANS --- 50 STAFF
AND SPOT DRAMATIC CAST



REPORTING MILITARY MANEUVERS WITH MILITARY DISPATCH

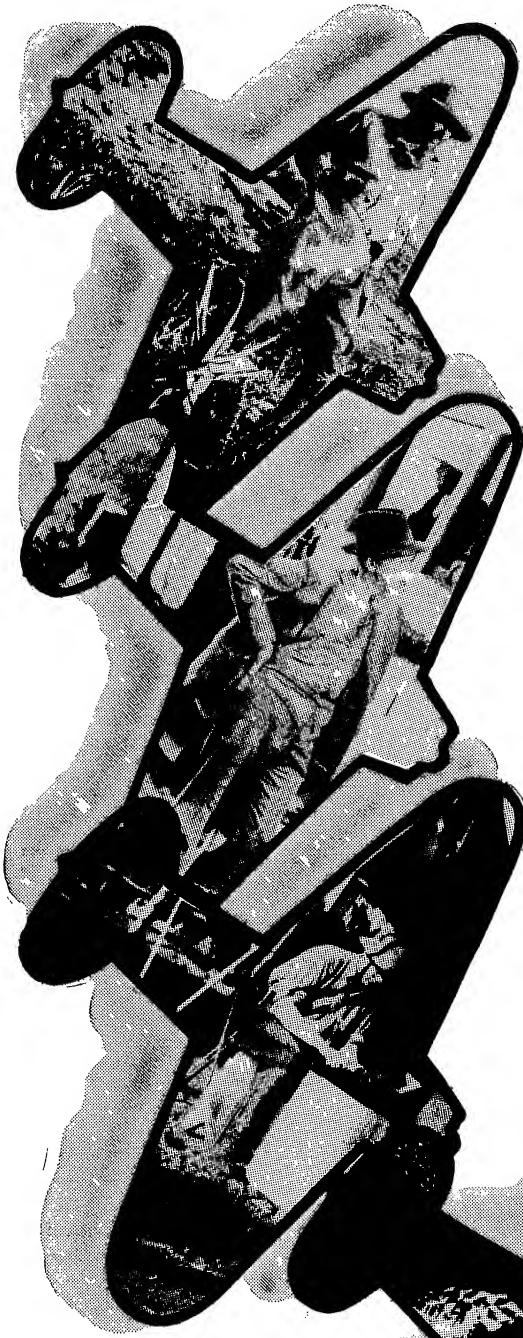
UNITED PRESS ace war correspondents, Webb Miller, Edward Beattie Jr., Reynolds Packard, Eleanor Packard, Robert H. Best are now at the European Front reporting minute-to-minute developments of the most dramatic news story since the World War.

Behind this line is the army of UNITED PRESS staff men in every vital news center.

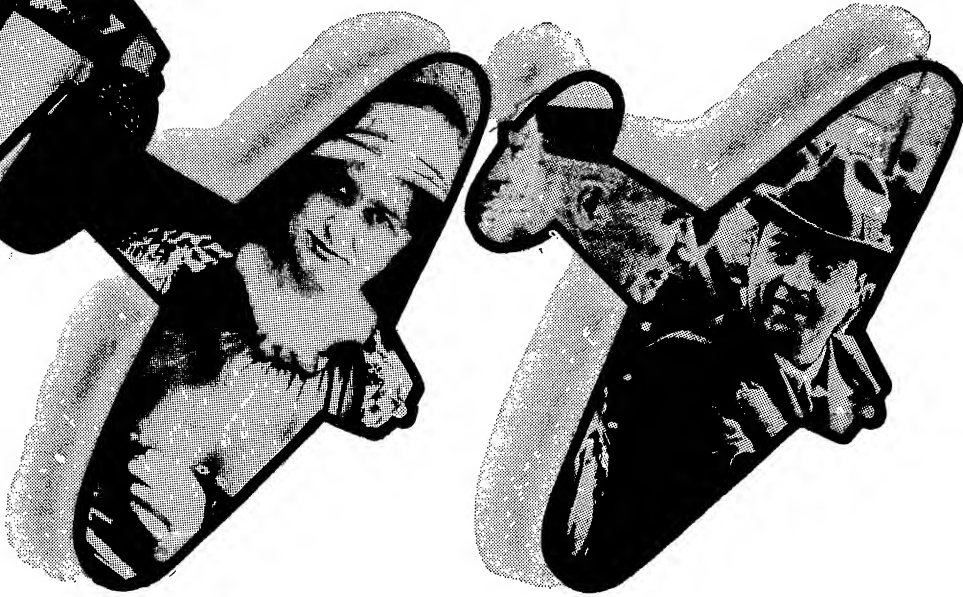
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RADIO'S ONLY COMPLETE NEWS SERVICE



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Hopkins, WJBK, Seeks to Wave American Flag to Embarrass CKLW

Detroit, Sept. 27.

Seeking to halt Mutual's transmission of programs to CKLW, Windsor, Detroit, James F. Hopkins, general manager of the 250-watt, WJBK, here, will go before the Federal Communications Commission next Monday (3) with numerous charges that CKLW is unfair competitor for Detroit stations by reasons of its MBS affiliation.

Hopkins' statement of grievances, made in depositions here last week, indicates lively session in Washington next week. Following the FCC hearing, it's understood Mutual will make depositions before Gladstone Murray, Canadian commissioner, to bolster its assertion that renewal of the present permit is advisable from a public standpoint.

According to Hopkins' allegations, MBS' agreement with CKLW calls for so little compensation that Mutual just about breaks even on the deal, "a situation it is content to tolerate for the sake of keeping a 5,000-watt outlet in this area." The financial advantage accruing to CKLW as a result of this setup, Hopkins declares, plus "certain alleged practices made possible by its peculiar dual entity," make it economically possible for the larger station not only to undersell those of comparable power in the U. S., but also to compete successfully against the smaller stations, including WJBK, he said.

'Patriotic'

If CKLW was undercutting stations of its own power in the U. S., and only by a slight margin, there might be extenuation, WJBK charges. "But when it is drastically underselling even smaller U. S. stations, the situation becomes serious from the latter's standpoint and justifies intervention by the FCC on purely patriotic grounds."

Hopkins charges that CKLW involves two corporations—Essex Broadcasters, a Michigan corporation, and Western Ontario Broadcasters, Inc., "which owns Essex"—and that "CKLW has been deriving 85 to 90% of its revenue from accounts in the U. S. and we expect to show that this has been possible because it (CKLW) does not operate according to standards that apply in the U. S., including copyright, w-ges, etc.,

Among other allegations are that

CKLW violates both the Canadian penal code and the Robinson-Patman fair trade act; disregards rate cards; 'double-dealing' as regards contracts; 'cross-ruff' as regards importation of U. S. talent; violations of ban on U. S. program pickups, etc.

At the depositions here last week, Mutual was represented by member of Louis Caldwell's office in Washington, and WJBK by Elmer Pratt. Subpoenaed witnesses included Hy Steed, general manager of WMBC here; Arch Shawd, sales manager of WXYZ and formerly in same capacity at CKYW; Leonard Simons, prez of Simons-Michelson ad agency here; Paul Y. Clark, WJKT sales manager and formerly on CKLW sales staff; Joe Gentile and Myrtle Labbitt, of CKLW; Paul Frincke, WJBK's chief engineer; W. M. Kemthorne, auditor, CKLW; and heads of two Detroit retail firms who've advertised over CKLW in past.

WCAU Bandwagon Show May Be Year-Round

Philadelphia, Sept. 27.

Possibility that the 'Bandwagon,' two-hour show put on by WCAU for Wheaties to fill in the afternoons that the Phillies were playing out of town during the baseball season, might be put on a year-round basis was seen this week. Outlet has asked a concession on pay for musicians if show continues.

Musicians Union has agreed to compromise and a meeting will be held on the proposal today. Station has asked that the \$13.50 commercial fee for one hour of rehearsal and one hour on the air be cut to \$10 for the 16 men.

Skelly on 25 Stations

Chicago, Sept. 27.

Skelly Oil will use 25 stations this year for its schedule on the new 'Captain Midnight' show, which starts on Oct. 10.

Will ride in Chicago and points southwest and west. Through Blackett-Sample-Hummert agency. New show is an aviation five-a-week serial aimed at kids, and replacing last year's 'Court of Missing Heirs,' adult 30-minute weekly shot.

Givot Re-Ams

George Givot, who is just back from four months of voice coaching in Italy, will cuff as a serious baritone on Major Bowes Capitol Family program this Sunday (2), over NBC, though he long ago lost his amateur standing. Also tentatively set for Rudy Vallee air revue in two weeks.

Meanwhile, dickering with Billy Rose for the Casa Manana on Broadway—but as the Greek Ambassador.

GOSSIP OF SPONSOR'S CUSTOMERS ON WJAS

Pittsburgh, Sept. 27.

Karl Krug, night club columnist, signed by Pittsburgh Brewing Co. for series of gossip airings over WJAS, Monday, Wednesday and Friday, for 15 minutes. Deal is for 13 weeks.

Air stuff will be patterned after Krug's twice-weekly 'Pittsburgh by Night' column in the Sun-Telegraph, Hearst afternoon sheet, with liberal plugs in guise of gossip for cafes handling brewing outfit's product.

GE's Visio

Schenectady, Sept. 27.

General Electric's experimental television broadcasts on a regular schedule will begin about Jan. 1, through the erection of a 100-foot antenna in the Heidelberg Mountains, at an altitude of 1,500 feet over the nearby Schenectady-Troy-Albany district. The main studio will be in the old WGY quarters in Schenectady.

Broadcasts will be sent over a low-powered directional radio beam to the Heidelberg station. The television wave from the latter will be broadcast at an angle of 180 degrees over Albany, to prevent it from traveling south and interfering with NBC's Empire State Building television station.

Big Town Farmers

Philadelphia, Sept. 27.

KYW, in the heart of Philly, is carrying the town's first farmer show. It is tagged 'Voice of the Farm' and aired every Saturday from noon to 12:30 for Quaker Oats Full O'Pep Feed.

Hayseeders are brought into the studio to discuss their problems.

Agencies-Sponsors

WKRC, CINCINNATI

McCoy Gulf Refining Co.—5 minute script shows each Sunday.

John Shillito Co.—Full hour program. One time.

Garfield Day Cleaning Co.—100-word announcements.

Hinds Honey & Almond Cream—100-word announcements twice daily, five days a week. William Esty Agency, New York.

Queen City Coal—50-word time signals—7 weekly. William F. Holland Agency, Cincinnati.

Allied Florists Association—100-word announcements three times weekly.

Cocoma, which formerly bankrolled Joe Penner, has contracted with KFI (Los Angeles) for a series of 78 one-minute transcriptions. First one spins Oct. 4.

'May I Suggest,' weekly home economics broadcast by Helen Watts Schreiber on WHO, Des Moines, sponsored by Kellogg.

Duquesne Brewing Co. has signed Chester Smith, sports editor of Pittsburgh Press, for three 15-minute spots over WJAS, Pittsburgh, throughout football season.

Smith will call ten Wednesdays and Fridays and summarize on Saturdays. Same sponsor has also ticketed Joe Tucker for quarter-hour broadcast of grid scores until after Dec. 1. Both accounts placed by Walker-Downing.

Coach Francis A. Schmidt of Ohio State heard weekly on WBNS, Columbus, in football chatter for Mills Restaurants. Interviewed by various Columbus sports writers.

Coty, Inc., contracted for spot announcements, 13 weeks, on WQXR, N. Y., through Brown & Tarcher.

Seven-Up Bottling Co. of California, through Allied agency, is spotting announcements over KSPQ, San Francisco. Other new announcements are being bankrolled by Hinds & Co. (Hinds Honey and Almond Cream) through William Esty; American Cranberry Exchange, through B. B. D. & O., New York; R. B. Davis Co. (Cocoma), through J. M. Mathes, New York; Maryland Pharmaceutical Co. (Rem and Rel), through Katz agency.

Folger Coffee Co., through Raymond R. Morgan, Hollywood, is sponsoring a five-a-week studio program tabbed 'Today's Best Buys' over KSFO, San Francisco.

R. J. Reynolds (Camel), through William Esty, New York, sponsoring news broadcasts five times a week over KSFO, San Francisco.

Remar Baking Co. (bread), through Sidney Garfield agency, set with KFRC, San Francisco, for 26 co-op sponsorships of weekly Mutual network program, 'Show of the Week.'

Pacific Greyhound Bus Lines, through Beaumont & Hohman, has renewed its weekly 'Romance of the Highways' live talent show on KFRC, San Francisco, and the Mutual-Don Lee network in California and Oregon. New contract expires July 27, 1939.

Spreckels Russell Dairy Co., through Lyon agency, has renewed its time on KFRC, San Francisco, for 26 co-op Monday nights through Dec. 5, but is using a new show, 'Brain Battle,' with Bill Davidson emceeing and 12 contestants.

Wheatena Corp. (cereal), through Rahrbach & Gibson, Philadelphia, is spotting the Mutual network show, 'Ford Rush and His Tinkle Toy Band' on KFRC, San Francisco, via electrical transcription three nights weekly through March 17, 1939.

Albers Bros. Milling Co. (Friskies), through Erwin Wassey, Seattle, has placed a transcribed dramatic show, 'Jimmy and Gyp,' on KFRC, San Francisco, twice weekly. Contract runs to Dec. 22.

WNAC, BOSTON

Broadcast Advertising, Inc. (resells time), 26 30-minute programs, starting Oct. 6, ending March 30, 1939. Monday, Wednesday, Thursday, Friday. Also on WTIC, WEAN, WICC, WCHS, WLZB, 'Marjorie Mills, the Girl from Maine.'

Richard Brothers, Inc. (men's clothing), 30 100-word announcements,

starting Sept. 1, five times weekly, McCann-Erickson.

Chrysler Corp., 24 30-word announcements, various times daily, starting Sept. 22. Ruthrauff & Ryan, California Walnut Growers' Ass'n, 24 30-minute programs, starting Oct. 15, Saturday mornings. Lord & Thomas.

Kellogg Co. (All-Bran), 26 participations in Gretchen McMullen program, twice weekly, starting Sept. 13.

N. W. Ayer, Gillette Safety Razor Co., 13 half-hour programs, starting Oct. 8, Saturdays at 7:30 p.m. Also on WTIC, WEAN, WTAC, WICC, WCHS, WLZB, WFEA, WSAR, WLLH, WNBH, WLNH, WRDO, WCOU, Maxon, Inc.

KSO and KENT, DES MOINES Chrysler Corp. (Plymouth), 18 announcements. J. Stirling Getchell, American Cranberry Exchange, 52 100-word announcements. B.B.D. & O., Folger Coffee Co., five quarter-hours per week (Judy & Jane), Gardner.

Smith Bros. (cough drops) 100 chain break announcements. Brown & Tarcher.

Finex Co., three announcements daily, 26 weeks, Russell M. Seeds agency.

Midland Milling Co. (Town Crier flour) daily announcement on Iowa network's Magic Kitchen.

Iowa Optometric Association, three five-minute periods per week.

Sidles Co. (RCA Victor) one quarter hour per week, Cross-Word Puzzles, Fairall.

Employers Mutual Casualty Co., 26 quarter-hour programs, 'History Speaks,' Fairall.

Sargent Feed Co., daily five minute participation in Cedar Valley Hillbillies, Fairall.

Schmitt & Henry Mfg. Co., Des Moines, Co-op (Mutual) one-half hour per week, 26 weeks, 'Show of the Week,' Redfield-Johnstone.

Fred T. Wood, Inc. (real estate), through Emil Reinhardt, Oakland, Cal., has signed with KFRC, San Francisco, for a Sunday morning quarter-hour of recorded music, 'Moraga Melodies,' over a 13-week period.

Radio Station WOW

Announces a 26 Weeks' series of Programs for the

J.C. PENNEY CO.

A 26-week live-talent script show, "The Jangles," started September 19 over WOW, Omaha, under the sponsorship of The J. C. Penney Company. It marks the first time this nation-wide department store chain has used radio advertising in this manner.

WOW

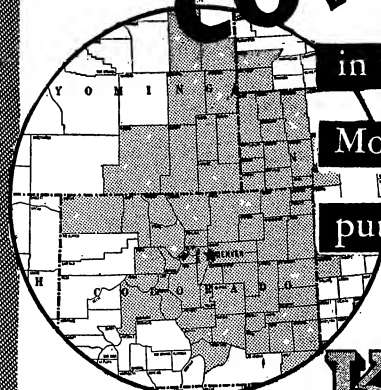
Omaha, Nebraska

590 KC 5,000 Watts

John Blair Co., Representatives Owned and Operated by the Woodmen of the World Life Insurance Society.

ON THE N.B.C. RED NETWORK

FOR COMPLETE COVERAGE



in the Denver-Rocky

Mountain Region!

put your program on

KLZ Denver

● Shaded area is KLZ's GUARANTEED MINIMUM daytime listening area based on ACTUAL LISTENING (CBS 4th Study), covering 72 counties in Colorado, Kansas, Nebraska, South Dakota and Wyoming with a total population of 1,140,100.

AFFILIATED WITH WKY — OKLAHOMA CITY AND THE OKLAHOMA PUBLISHING COMPANY
Representative—THE KATZ AGENCY, Inc.



Large dots indicate cities from which NBC has originated broadcasts during crisis—Sept. 10 to Sept. 26.

THIS COULDN'T HAPPEN IN 1914

*But today, through the miracle of radio,
all America hears history made . . . follows it
across Europe's seething map!*

IN LESS THAN THREE WEEKS—from September 10 to Hitler's historic declaration on September 26—NBC has brought, and NBC's affiliated stations from coast to coast have broadcast, 89 vivid short wave pick-ups from the cities indicated on the map above—cities where another chapter in world history is being written. Both sides of the grave Czechoslovakian question have been radioed to American homes. Hitler . . . Chamberlain . . . Benes . . . Hodza . . . Mussolini . . . Litvinoff—all have spoken over NBC Networks—all have been heard by millions of Americans.

European correspondents of American newspapers and press services have graphically depicted on-the-spot scenes as they oc-

curred in war-conscious cities . . . have painted accurate pictures of dramatic, high-strung, angry crowds . . . have expressed expert opinion on the entire situation. From city to city across the whole seething map of Europe NBC has switched, taxing man's ingenuity and resources, keeping its finger on the throbbing pulse of Europe to bring to American radio listeners history as it's made!

To keep this country in instantaneous touch with every new development, NBC has spared neither time, nor man power, nor money. Sponsors of commercial programs have graciously stepped aside, permitting cut-ins on their time or relinquishing it entirely. Hundreds of special

Press Radio bulletins, based on reports of the AP, UP and INS, broadcast by NBC the moment they've been received, have added to the wealth of information America has heard.

Once again NBC has recognized and fulfilled—and will continue to fulfill—its obligation to serve the public interest, covering with complete neutrality all phases and viewpoints of the situation.

NATIONAL BROADCASTING COMPANY

The World's Greatest Broadcasting System
A SERVICE OF THE RADIO CORPORATION OF AMERICA

F. C. C.'s WASHINGTON DOCKET

MAJOR DECISIONS

Washington, Sept. 27.
California: Application of Anne Jay Levine for a new station at Palm Springs dismissed with prejudice. Applicant's attorneys had asked to withdraw without prejudice but Commission ruled otherwise. Request involved assignment of 1370 kc frequency with 100 watts nights, 250 watts days.
District of Columbia: Frequent postponements of a hearing on his plea for a new station for Washington resulted in Commission turn-down by Eugene Meyer, wealthy publisher of the Washington Post. Meyer's application—under the name of the United States Broadcasting Co.—for 1510 kc with 100 watts ordered dismissed with prejudice.
Maryland: Transfer of Associated Broadcasting Corp., licensee of WDBO, Cumberland, to Delaware Channel Corp., collapsed through dismissal with prejudice, after applicants notified the Commission on Aug. 12 that a contract existing between them had expired Aug. 1. Asked at that time for a hearing, the Delaware Channel group backed by Malcolm G. Chance, New York financier, who has been seeking toe-hold in the broadcast industry.
Michigan: Application of Kammerand-Smith Broadcasting Co., Holland, for a new station to be operated on 1200 kc with 100 watts days denied as in cases of default after outfit changed its mind.
Minnesota: Notification that no evidence would be submitted in support of the application of George W. Young, Minneapolis, for renewal of license for his television station, WXYZ, led to dismissal with prejudice of the request. Transmitter has operated on 4200, 5600, 6000 and 8500 kc with 500 watts, emission A-4.
Ohio: Attempt to come back of the Food Terminal Broadcasting Co., Cleveland, unsuccessful applicant for a daytime station on 1500 kc, again turned down as not proposing a 'broad, general public service. Group which asked for a re-argument of its plea last March comprises a public utility operating a market-place where producers of perishable food can rent space for their products and sell their produce. Proposed service would have given considerable time to the dissemination of market information and, in the opinion of the Commission, as its main purpose a furthering of the interests of the Food Terminal and 'those who are connected with it.' Arthur W. Scharfeld and Philip G. Loucks appeared on behalf of the applicant.

MINOR DECISIONS

Alabama: WBHP, Wilton Harvey Pollard, Huntsville, present license further extended on temporary basis only, pending action on renewal application for the period ending Nov. 1.
Alaska: KGBU, Ketchikan, present license further extended on a temporary basis only, pending determination on application for renewal for the period Nov. 1.
California: KPWB, Los Angeles, license extended on temporary basis only, pending receipt of and determination on application for renewal of license, for the period ending Nov. 1.
Louisiana: WJBO, Baton Rouge, license extended until Nov. 1, on temporary basis only, pending receipt of and determination on application for license renewal.
Massachusetts: WNAC, Boston, granted renewal of license on temporary basis only for the period ending April 1, 1939, subject to whatever action Commission may take on renewal application now pending before it.
Missouri: KFJO, Evangelical Lutheran Synod of Missouri, Clayton, present license further extended to Nov. 1, on temporary basis only, pending receipt of and determination on application for renewal.
New Jersey: WZPR, Newark, granted renewal of license on temporary basis only, for the period ending April 1, 1939, subject to whatever action may be taken by the Commission on the pending application for renewal of license.
New Mexico: KOB, Albuquerque, granted extension of special temporary authority to operate unlimited time on 1510 kc, using 10 kw, during directional antenna after sunset at Portland, Ore. (Sept. 1, 7:30 p.m.; Oct., 6:30 p.m., MST) from Sept. 25 to Oct. 24.
New York: WCAD, Canton, license extended on a temporary basis only, pending receipt of and determination on application for renewal of license, until Nov. 1.
Oregon: KEXE, Portland, granted unlimited operation on 1130 kc with 5 kw, from Sept. 25 to Oct. 24.
Pennsylvania: KDKB, Pittsburgh, granted renewal of license on temporary basis, subject to Commission action on application for renewal, for period ending April 1.
Wyoming: Sunbur, granted special temporary authority to operate simultaneously with WBAX, Wilkes-Barre, on Tues-

days, Thursdays and Saturdays, evenings during the month of October, from 8 p.m. to 12 midnight, EST, in order to make time available for political and news broadcasts. The political campaign of the time not used for political broadcasts to be consumed by entertainment, educational, civic and similar programs.

WEST: Eastern, granted special temporary authority to operate simultaneously with WKBO, Harrisburg, from 8:16 to 8:30 p.m., EST, Sept. 20, 27, Oct. 4, 11, 18, in order to broadcast Democratic State Network political programs.

South Dakota: KUSD, University of South Dakota, Vermillion, present license further extended on temporary basis, pending receipt of and determination on application for renewal, for the period ending Nov. 1.

Vermont: WBXX, Springfield, license extended on temporary basis only, pending receipt of and determination on application for renewal for the period ending Nov. 1.

SET FOR HEARING

California: KLXX, Oakland, move transmitter locally, install new equipment and vertical radiator and boost power from 1 to 6 kw.

Georgia: Atlanta voluntary assignment of license to Liberty Broadcasting Corp., 1450 kc with 500 watts nights, 1 kw days.

Iowa: WOC, Davenport, move transmitter locally, install new equipment, directional antenna system, change frequency from 1370 to 1390 kc and boost power from 100 watts nights, 250 watts days, to 500 watts nights, 1 kw days, using directional antenna system for night operation.

Pennsylvania: WWSW, Pittsburgh, consent to transfer control of the Walker & Downing Radio Corp., licensee of WWSW, from Pennsylvania Newspaper Co. to P. G. Publishing Co., a newly organized Pennsylvania corporation.

NEW APPLICATIONS

California: KIEM, Redwood Broadcasting Co., Inc., Eureka, night power jump from 500 watts to 1 kw.

Massachusetts: World Wide Broadcasting Corp., Boston, new international broadcast station to be operated on 11730, 15130 kc with 20 kw power, emission A-3; Matheson Radio Co., Inc., Boston, new low frequency relay broadcast station to be operated on 1622, 2968, 2150 and 5750 kc with 40 watts, A-3 emission.

Mississippi: Birney Innes, Columbus, new station to be operated on 1370 kc with 100 watts nights, 350 watts days; Julius H. Dixon, Tupelo, new station to be operated on 1500 kc with 100 watts nights, 250 watts days (requesting facilities of WWSW, Cincinnati).

Montana: KRBM, Roberts-MacNab Co., Arthur L. Roberts, R. B. MacNab, A. J. Breitbach, general manager; Rozeman, voluntary assignment of construction permit to KRBM, Broadcasters.

Tennessee: WSNX, Nashville, new low frequency relay station to be operated on 1646, 2050 and 2850 kc, with 40 watts power, A-3 emission.

Texas: KRIS, Corpus Christi, install new transmitter and directional antenna for night use, boost power from 500 watts to 5 kw.

EXAMINERS' REPORTS

North Carolina: Flip-flop on the application of the Asheville Daily News for a station at Asheville was performed after Commission, last January, has frowned on the request because of conviction of the applicant under an old State law which provided jail and fine penalties for anyone who published 'derogatory' information concerning a candidate for political office.

Although declaring that 'the procedural steps . . . are somewhat unusual,' Examiner George H. Hill recommended granting of the application of Harold H. Thoms, owner of the Daily News, for a station to be operated on 1370 kc with 100 watts. Petition signed by a number of Asheville's leading citizens settled to Thoms's excellent character, although charges flung during the fracas included: (1) violation of the State law; (2) payment of the applicant's attorney, 'not as a fee but for the purpose of securing a reduction of the fine in the case'; (3) keeping a news story out of the paper in return for securing remittance of a suspended jail sentence in the same case; (4) conviction of issuing a worthless check in August, 1936.

Some discussion, as to definition of 'moral turpitude,' but it was decided that Thoms and his editor—each of whom was fined \$700 and received a suspended sentence of two years under the State law—were not 'moral turpitude.'

Duke M. Patrick and Karl A. Smith represented applicant.

LEGIT SHOW BUYS TIME

'Hellzapoppin' Using WOR for Bally-hoo Via Startlings

'Hellzapoppin', Broadway musical has bought four five-minute spots on WOR, Newark, to plug itself. Series, which started Monday (26), will run through Oct. 3.

The Startlings, a rhythm group, will do the entertaining. Business was placed by the Select Theatres Corp. operators of the 46th St. theatre through the Blaine - Thompson agency.

Report that NBC had objected to the use of this show's 'title over its facilities was yesterday (Tuesday) dismissed by John R. yal as having no basis in fact. He added that it would be okay 'to credit' the score over the network whenever any of its tunes are aired.

WHAS, LOUISVILLE, GOES MARATHON

Louisville, Sept. 27.

Robert Kennett, new WHAS program director, will put station on a 19-hour daily schedule. Remaining on the air until 1 a.m. Station in the very near future will go on the air half an hour earlier, opening at 5:30 instead of 6 a.m., which will give 19½ hours of broadcast time daily. The 12 to 1 a.m. hour will be filled with transcribed dance music.

Other changes include the appointment of Foster Brooks to the announcing staff, replacing Jack Peyer. Brooks formerly aired over WHAS, but left to join KWK in St. Louis, returning to Louisville after several months with the Missouri station.

With the new schedule in operation, WHAS will increase its news airings to four daily, instead of the present two, and will go in more extensively for news events with its new mobile unit. Station will carry most important games on University of Kentucky schedule, as well as football games played by other Kentucky and Indiana schools.

WHKC, Columbus, Sets Several Mutual Shows

Columbus, Sept. 27.

Local sponsors lined up by WHKC for two Mutual co-op shows. Gray's Drug Stores signed for 'Show of the Week' and Boston Store as sponsor of Jacob Tarshish's 'Lamplighter' programs. Both new accounts.

Other Mutual commercials which will be routed through WHKC this season include 'Voice of Experience' for Lydia Pinkham, 'Old-Fashioned Revival' for the Gospel Broadcasting Association, and the Maine Development Assn. program. Hank and Bill hill-billy act, returned to WHKC this week with a half hour shot daily for Vendol. Buckeye Four, swing hill outfit, starts Oct. 3 with 30 minutes daily for Neo-Vim.

KYW's New Accounts

Philadelphia, Sept. 27.

KYW, which is prohibited by a tie-up with Esso from peddling news to any other sponsor on week days, has just inked two packs for 15-minute newscasts on Sunday nights. First is at 6:45 for Boscul Coffee with Harry Wood spicing. Second is at 11 for Sam Gerson clothes, Bill Lang gabbing. Royal Typewriter has bought a 15-minute daily shot on the outlet from 7:45 to 9, each morning. It is on Leroy Miller's participating Musical Clock. Buchanan & Co., N. Y., placed it.

McNamee's Chord in G

Seattle, Sept. 27.

Graham McNamee engaged as chief announcer of the Washington Fuyallup Fair. Nabbed on arrival by (NBC) with Royal Brougham, sport ed of Seattle P-I, quizzing him for 15 minutes at the mike.

Fair association 24-sheeted McNamee name and got him plenty of art in the press. Officials of the fair reported largest grosses in history with over 300,000 passing the turnstiles for week.

Local Sports Sponsored

Mason City, Ia., Sept. 27.

Jim Woods and George Arnold are teamed to aircast high school and junior college football and basketball.

Union Collects Second \$300 Bill From WIP, Phila

Philadelphia, Sept. 27.

WIP last week paid the Musicians Union \$300 for the second time in five months for making a recording of a band show without giving proper notification. Exec of the Tooters' local declared it was just a case of the outlet 'attempting to slip something over on us and getting caught.' Disagreement over WIP's refusal to pay the fee held up inking of a new annual contract under the national agreement for non-network affiliates. Station passed over the sum last Friday, however, and an accord has now been reached which will terminate in the signing of a termier in a couple days.

Discord arose over outfit making a disc of a show without telling the men in the band it was going to do so. They recognized the platter as their music, though, when it was played back on the air a couple days later and let out a squawk. Union immediately sent a bill at the regular recording rate of \$30 per man for three hours. There were eight men and the leader, Clarence Fuhrman, who gets double the scale, so the total amounted to just \$300. New recording price is \$24 for two hours, but inasmuch as the disc was waxed before Sept. 15, when the new rate became effective, the old figure was levied.

Similar Case

Last May, the Union just received, WIP was socked \$330 for a similar offense. There were nine men in the band at the time. On that occasion the outfit etched a number of tunes like 'Hail, Hail, the Gang's All Here' and 'Sidelinks of New York' and was caught interspersing them with election returns on primary night.

As soon as the more recent offense was detected, the Union called off all negotiations until the \$300 was paid. As soon as it was turned over, a pact was reached for the expenditure of WIP's quota, \$17,000. This calls for nine men and a leader for two hours daily of sustaining for 47 weeks. Union compromised on its former 6 p.m. curfew on the station by allowing the bandsmen to perform until 9 p.m. on three days a week.

Steeplechase Suspends

Cincinnati, Sept. 27.

Josef Cherniavsky's Musical Steeplechase Wednesday night half-hour program, which began last April on WLW and fed to Mutual, has been taken off the air temporarily, after last week's broadcast. It was a sustainer. During the show's last month, listeners were invited to contribute musical statements, with an offer of \$1 for each acceptance. Stunt tugged close to 30,000 responses.

Cherniavsky, who is music director of Crosley's WLW and WSAI, is continuing his Sunday afternoon concerts, named after the seasons. They feed to the NBC Blue net. Under time change they are aired from 4 to 4:30 p.m., EST.

In
SALT
LAKE
CITY

THE
popular
STATION

New
5,000
LISTENERS

KOYL

SALT LAKE CITY

Representative:
John Blair & Co.

NBC
AREA
NETWORK

"I'VE GOT SOMETHING JUST LIKE IT"

And the retailer points to a shelf of goods that look like real competition. And more than likely the merchandise is beyond reproach in quality and price.

But our merchandising crew have been assigned the job of installing the line advertised on our facilities—So they pitch in and sell the initial order, but not without the extra help of five years of contact with retail trade and the CONFIDENCE of retailers, who know we talk facts.

MICHIGAN RADIO NETWORK

WXYZ
KEY STATION

DETROIT
MICHIGAN

The Paul H. Raymer Co., Representative

MORE RUTHERFORD GRIEF

STATIONS HAVE TO APOLOGIZE

**Second Boomerang Within
Several Months as Leader
of Jehovah Witnesses
Opens Up Again on Catho-
lic Church**

CUT OFF AIR

Washington, Sept. 27.
Complaints against several Colo-
rado transmitters which last week
aired an anti-Catholic speech by
Judge Joseph J. Rutherford of the
Jehovah's Witnesses cult have been
lodged with the Federal Communica-
tions Commission, officials revealed
Saturday (24). Though not at
liberty to disclose call letters of the
stations involved, or names of com-
plainants, members of the Commish
legal department admitted that 'several'
squawks had been received from
individuals outraged by the
hour-long tirade against the Catho-
lic Church.

Believed that KFKA, Greeley, was
chief target for the criticisms, since
other stations hurriedly cut off
Rutherford when knob-twiddlers
protested by telephone. KFKA al-
lowed the broadcast to run the full
hour, but other transmitters threw
the switch after approximately 25
minutes.

Representing the second time in
four months that Western transmitters
have burned their fingers on a
Rutherford program, tirade was aired
over KFKA and KKLZ and KVOR,
Denver. Blast was also contracted
over WKY, Oklahoma City. Last
three transmitters were warned be-
forehand and stood ready to take
emergency action if Rutherford's
talk got too hot for listeners, accord-
ing to reports from Denver.

Commish law division still ponder-
ing complaints received last June,
when a similar situation arose over
a Rutherford broadcast aired on the
Pacific Coast. In that instance KOL,
Seattle, was principal offender, but
KMO and KVI, Tacoma, KIT,
Yakima, and KVOS, Bellingham, also
carried the sizzling attack on the
Catholic and other religious faiths.
Squawk to the Federal agency
named KOL.

More Apologies

Trouble over the Witnesses' program in the State of Washington was duplicated in last week's Colo-
rado incident. Public apologies were
run in local papers by KVOR and
other transmitters attempted to pacify
listeners by airing their regrets.
Same tactics were adopted by Wash-
ington stations last summer—par-
ticularly when outraged churchmen
boycotted goods advertised over the
transmitters involved.

Eastern stations apparently have
adopted a policy through which ad-
vances of Rutherford and his Wit-
nesses can be politely ducked. Group
—which is well-served by contribu-
tions from followers—has tried un-
successfully to buy time on several
important stations located on the At-
lantic seaboard.

Squawks against the Washington
and Colorado stations will be studied
by the Commish legal department,
but nature of punishment, if any,
probably will remain a secret until
winter business gets under way.

WBNS' Dilemma

Columbus, Sept. 27.
In answer to Catholic criticism of
Judge Rutherford's transcribed talks
on WBNS, Manager Richard A.
Borel has asked a board of citizens
of various religious faiths to pass on
all broadcasts of a controversial
nature.

Rutherford's London speech touch-
ed off the Catholic attack. An edi-
torial in the Columbus Catholic Col-
umbian and severe criticism of the
Rutherford speeches from the Catho-
lic pulpit was followed by threats of
a boycott of the station. Local Catho-

lics brought pressure on merchants
who use WBNS.

WBNS is in a peculiar position in
regard to the Rutherford talks. Station
was formerly owned by Ruther-
ford organization, Jehovah's Wit-
nesses, operating as WCAH. When
station was purchased by the Wolfe
newspaper interests it was stipulated
in the contract that WBNS should
continue to broadcast Rutherford's
discs, without recompense, as long as
the Judge's organization wished, as
part of the purchase price.

WBNS is currently broadcasting the
Rutherford transcriptions daily at
6:30 a.m., with two broadcasts on
Sundays.

Toscanini Due Oct. 5

Arturo Toscanini starts his new
series of concerts on NBC Oct. 15.
Is due in U. S. Oct. 5.

WHK School Offshoot

Cleveland, Sept. 27.
Outgrowth of WHK's series of 15-
minute educational programs for
schools last semester is a new short-
wave station, operated by municipal
school board, which began broad-
casting the three R's Monday (26) to
138,000 kids in public school system.

Station is a 500-watt, operating
on 41.5 megacycles, and will be heard
in 150 schools equipped with receiv-
ing sets. Each one also has a p.a.
system reaching all class-rooms.

Helen Diller, Canadian cowgirl
yodeler, who guested on WLW's
Boone County Jamboree show Sept.
16, has become a regular member of
the Crosley talent staff.

Inactive Special Relay Licenses Will Be Cancelled by FCC

Washington, Sept. 27.
General tightening of government
supervision over relay broadcast sta-
tions has been started, with more
than two-dozen such transmitters
put on temporary license basis.
Purge of licensees who make little
or no use of the facilities is
scheduled.

As has been done with holders of
experimental permits, the Federal
Communications Commission expects
to hale on the carpet relay station

owners who do not seem to be ex-
ploiting their assignments to the
maximum. Sloths will be knocked
off the roost, in an endeavor to pre-
vent waste of limited number of
facilities.

Kay Kiltendorf, VI Thompson, Jean
Burnet, Nick Mariana and Tom
Campbell are additions to the cast of
'Dude Ranch,' 60-minute dramatic
musical show over KGVO, Missoula,
Mont.

WSAI

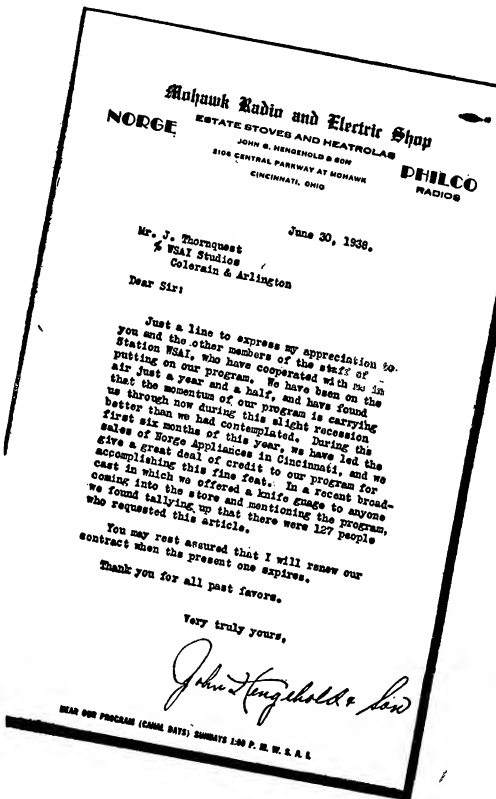
will sell goods. Another user demonstrates its value!

People listen to WSAI. Long a source of the
better programs. Favorable signal location
on the dial. NBC and Mutual outlet. Popu-
lar through advantages of big brother WLW.

Constant accumulation of "results" im-
presses local buyers. Extremely wary local
advertising dollars insist on knowing who
got what—refuse to buy on opinion. Satis-
fied sponsors write, talk freely, and act de-
cisively. (See letter).

LOCAL BOYS SEE WSAI MAKE GOOD

Local dealer household appliances after year
and a half on WSAI led in Cincinnati sales
of Norge appliances. Gives WSAI much
credit. Positive that momentum from this
advertising carried him splendidly through
last spring slump,—but "give away" knife—
hardly mentioned on recent program, bring-
ing 127 people to store clinched his faith in
WSAI efficacy.



CINCINNATI

TRANSAMERICAN National Spot Representatives NEW YORK, CHICAGO, HOLLYWOOD

CELLAR-TO-ATTIC SCRUBBING FORECAST AS FCC'S INDUSTRY PROBE WIDENS

Curiosity Will Extend to Influence, Direct and Indirect, of Networks Over Their Affiliates—Outline of Hearings Now Fairly Detailed

Washington, Sept. 27. Prolonged hearings, ranging over a far wider field than was originally anticipated, appear certain in the Federal Communications Commission's search for facts about need of strict network regulation and extent of monopoly in broadcasting. Testimony taking opens Oct. 24.

Broadening of the issues will occur in the interval before the sessions begin, with other economic and administrative matters due for inclusion in the agenda. Four-man committee expects to issue supplemental orders and statements of problems to be analyzed, following survey of additional data which has been requested in the initial notice of hearing.

Indictment, which indicates the web-monopoly crew will go over much of the ground already surveyed by the special committee concerning technical rules and policies, foreshadows a cellar-to-attic scrubbing as preliminary for tightening of the Communications Act and promulgation of sterner regulatory principles.

Not So Casual

In announcing the scope of the study, the committee sprang numerous surprises on industry observers, who have been inclined to shrug off the inquiry. Official bill of particulars gave the first hint the FCC quartet headed by Chairman Frank R. McVinch contemplates going into such propositions as standards of advertising and entertainment, development of talent, financial relations

with advertisers and agencies, and dealings with wire companies.

While the notice shows the committee will delve into a wide range of topics, the agenda was a disappointment to some reform groups and critics of FCC operation. It was noted in many quarters there was no direct reference to the so-called Westinghouse leases—basic patterns for contracts which affect more than a score of stations—and the outline did not place emphasis on the way stations treat religious, cultural, civic, labor, and political groups.

Westinghouse-NBC relations will be explored, although the notice did not direct the owner of the stations managed and serviced by the web to appear as a respondent, it was explained. General instructions told the chains to be ready for quizzing on all relations with affiliates and demanded detailed statements from all licensees about pacts with third parties involving management, operation or control of transmitters. These omnibus paragraphs are considered to comply with the resolution adopted last spring in telling the probe to find out whether the NBC-Westinghouse relations are legal.

Network Influence

Inquiry into the third-party aspect is due to be most important. Nearly half of the points listed for examination have a direct or roundabout relation to complaints that networks exercise an excessive degree of control over the operations of affiliates, that advertisers can put pressure on station managers, and that financial interests are able to pull wires. The Commission said specifically in an explanatory statement that it "will explore the field of so-called 'lease' and 'management' contracts under which persons other than authorized licensees may exercise influence over station management."

In connection with this subject, the FCC ordered three national webs—CBS, NBC and Mutual—as well as 15 regionals to present data and send responsible officials to take the stand, besides calling on every one of the individual stations for whatever information they may have which would be useful in getting a complete picture. Parties made respondents are:

Arrowhead Network (Minnesota), California Radio System, Colonial Network, Don Lee System, Hearst Radio, Intercity System, King-Trendle Broadcasting Corp. (Michigan), North Central System (Minnesota), New York Broadcasting System, Oklahoma Network, Pennsylvania Broadcasters, Pennsylvania Network, Quaker Network, Texas State Network, Virginia Broadcasting System, WLW Line Group, Wisconsin Radio Network and Yankee Network.

Data which the commission wants for use in reaching conclusions on the remote-control angle covers histories, financial arrangements, statement of rights of networks and affiliates concerning substitution of programs, time used for either commercial or sustaining web programs, contractual relations between networks and advertisers or agencies,

stock ownership and sort of service provided.

Social phases will be scrutinized closely, with a view to determining whether facilities are being wasted through unnecessary duplication of programs. Both chain features and transcriptions will be ogled. Networks are required to give concrete facts about the extent of dual service in both primary and secondary areas of their outlets, showing the population which theoretically can pick up programs from more than one source. Individual stations were directed to submit sworn statements regarding the kind and amount of platters used, while transcription makers were invited to appear for quizzing about the quality of recordings as well as their financial operations.

Network duplication will be thoroughly considered, the FCC statement said, noting that considerable information already has been compiled in connection with engineering studies. Necessity for providing services from more than one outlet and advisability of limiting such operation will be taken up.

Multiple ownership naturally will come in for weighing. Commission has been checking stock holdings for the purpose of finding out about unrevealed links and expected to offer "revealing evidence" on the subject. Special questionnaire was sent out recently in search for more complete dope than can be found in the files. Regulators have become concerned about danger of small groups' dominating facilities in certain areas and building up virtual local monopolies.

Economic structure of radio, although already surveyed by the engineering group, will be microscoped. Among the issues to be examined are the classification of stations composing networks and the reasons for signing up or breaking off with various affiliates.

First notice of hearing makes it plain that other propositions may be taken up. All licensees were told they will be advised shortly whether the commission will require any witnesses to tell about operation of individual stations.

Door was thrown wide open for all axe-grinders, who are expected to turn out in substantial numbers. Committee said the hearings will be open to any person or organization desiring to present evidence on any of the matters carded for consideration.

CITY CAN'T TAX STATION WSB

Atlanta, Sept. 27. Supreme Court of Georgia Friday (23) ruled that WSB, owned by Atlanta Journal, is engaged in interstate commerce and not subject to city license tax upon "local broadcasters."

Station contended it derived its revenues from programs intended to be heard outside of state of Georgia as well as within state and was unable to limit its broadcasts to the "borders" of the state even if it desired to do so.

The lower court did not err in finding that the radio station is not doing the sort of business described in the taxing ordinance or in enjoining the present enforcement of such a tax, Supreme court ruled.

Hook, KGLO, on Leave

KGLO has had series of staff changes. H. B. Hook, KGLO's 'Man on the Street' has 60-day leave of absence during which he headquarters at Des Moines as campaign manager and chief press agent for Gov. N. G. Kraschel.

Taking over Hook's 'Man on the Street' is George Arnold. Arnold also subs on the news, with Wade Patterson taking care of the bulk of the newscasting.

New to the staff are Gordon Thomas, microphone from WUBU at Portage, Wis., and Milo Knutson to sales.

Herbert Flaig, WLW-WSAI, Cincinnati, special events director, marrying Oct. 1.

Extend Australian License Term

Sydney, Sept. 9.

Indications are that the Federal authorities will grant the plea of commercial station operators that the term of their licenses be extended. At present it's for a year. The commercial contingent has asked that it be extended to five years, but the prevailing belief is that the Government won't make it for more than three years.

Non-Government controlled outlets say that once the extension goes through, implying long-term protection for their investments, they will step up the quality of their program fare in a big way.

BELITTLED GRANT'S PASS

Chamber of Commerce Protests Radio Lawyer's Characterization

Grants Pass, Ore., Sept. 27.

Directors of the local Chamber of Commerce objects to having the town referred to as a 'crossroads country village.' Letter containing this sentiment has been sent to the Federal Communications Commission. Protested description was included in a brief filed by attorneys for Mrs. W. J. Virgin, owners of KMGD, Medford, opposing the setting up of a radio station in Grants Pass.

Walter L. Read, president of the Pacific Radio Corp., who is trying to get a station license for Grants Pass, called the C of C's attention to the alleged slur. An FCC's examiner's report had previously held that there was no need for a station in this town.

Read was formerly operator of KOOS, Marshfield.

Fans Petition NBC For Rowswell on Series; He's Rabid Pitt Bug

Pittsburgh, Sept. 27.

Hundreds of petitions, already bearing more than 15,000 signatures, are being circulated throughout tri-state area, urging NBC to assign Rosey Rowswell to broadcast World Series games in event that Pittsburgh Pirates cop the National League flag. Rowswell has been giving play-by-play accounts of Pirate doings all season over KDKA and WWSW, under cooperative sponsorship of General Mills and Socony Vacuum, and has built up widest following ever to be attained by a sportscaster in this district.

Not only petitions, but also local radio editors have gone to bat for Rowswell with NBC, several columns in three Pittsburgh dailies having been devoted last few weeks exclusively urging NBC's appointment of Rowswell. So far network officials have announced no selections.

Only thing against Rowswell's appointment, in opinion of many observers, is his fanatic Pirate partisanship. Although okay for local consumption, and even quite necessary in view of fans' wild-eyed frenzy here at Pirate pennant cash, it's figured this would eliminate him for consideration in coast-to-coast hook-ups.

New Temporary Licenses

Washington, Sept. 27.

Five more transmitters last week went on the list of over 50 stations which, for various reasons, have been given only revokable short-term permits, rather than regular six-months licenses, during prolonged period. No indication whether program complaints, accusations of illegal operation, or because they are affected by pending applications.

Four of the anxious-seaters won normal tickets but the long list of managers who have only day-to-day papers was increased at the weekly session. Temporary documents of KSD, St. Louis; WCOC, Meridian, Miss.; WOW, Omaha, and WELI, New Haven, were replaced with usual documents as KFVB, Los Angeles; WCAD, Canton, N. Y.; WYBO, Baton Rouge; WBNC, Springfield, Vt., and WBHP, Huntsville, Ala., went on the tempo status.

WTMJ's Blurp Package

Milwaukee, Sept. 27.

WTMJ is putting through a new announcement type of service. Offering a 10-word station break announcement set-up for daytime use exclusively.

Minimum on this basis is 10 such spots daily on a 13-week non-cancellable contract.

Radio Success Stories Basis Of Broadcasts

St. Louis, Sept. 27.

Success stories, achieved by commercial sponsors via radio will be the basis of a series of 15 min programs to be broadcast over KMOX, one a month, starting Thursday (28). Merle S. Jones, general manager of the local CBS outlet decided that the achievement stories which are used for plugging purposes through brochures, direct mail stuff, etc., could well be used as sustainers.

President of the Kroger Grocery & Baking Co. or one of his local representatives will be first to face the KMOX mike and tell his employers what has been accomplished as a biz builder by radio. Jones said that the series will also feature representatives of the automotive, drug, beer and other industries.

Clay Center Station Goes to Grand Island

Lincoln, Sept. 27.

KMMJ, Clay Center, Neb., moves lock, stock and barrel to Grand Island, Neb., next month. Station, owned by Don Searle and managed by Randy Ryan, has been one of the state's leading farmer stations for 10 years, and the move takes it to a town of three times the population of its present stand.

KGFW, Kearney, Neb., recently opened a remote control studio in Grand Island.



TUMS

Local Varieties

WLW and NBC
Tues.-Thurs., 7:15 P.M. EST

WBAL

means business
in Baltimore

LISTEN TO

DORIS RHODES

WABC
7:45 P. M. Wednesday; 6:15 P. M. Friday
Thursday; 5:30 P. M. Friday
Mgt. Columbia Artists Bureau

5000 Day-1000 Night

WBNS
Columbus

ALL YOU
NEED IN
CENTRAL OHIO

John Blair, rep.

In Baltimore, it's

WFBR

ON THE NBC RED NETWORK
NATIONAL REPRESENTATIVES
EDWARD PETRY & CO.

'THE O'NEILLS'

By JANE WEST

NOW RADIO'S MOST POPULAR

FAMILY BRINGS YOU MORE

LAUGHTER TEARS AND HEART-THROBS

Presented by Ivory Soap · 99 1/2% pure

LISTEN TWICE DAILY

NBC Red Network, 12:15 to 12:30 P.M. EST

CBS - WABC— 2:15 to 2:30 P.M. EST

COAST TO COAST

Dir. COMPTON ADVERTISING AGENCY
MGT., ED WOLF—RKO BLDG., NEW YORK CITY

HARTFORD HAS A TASTE OF FLORIDA

Hartford, Sept. 27.

Hitting Hartford at high speed, hurricane drew the three local radio stations off the air for varying periods while a flood in progress at the same time shuttered four local theatres, three of them for one day, and the other for at least a week.

WTIC, WDRC and WHTT were forced off the air. At New Britain WNBC was also forced off the air as were all other stations in the state, with the exception of one, WTAR, in Waterbury, unaffected in any way by the hurricane. WNLC in New London had its entire transmitting unit located on a dock, destroyed by a tidal wave.

At station WHTT all commercial commitments were cancelled from Wednesday through Friday. WTIC and WDRC maintained their commercial commitments, but cancelled all sustaining programs to broadcast special bulletins. Both stations made breaks on commercials to broadcast urgent messages and bulletins.

The 50,000 watt WTIC and WDRC were forced off the air late in the afternoon when high winds dashed to the ground power lines leading to their respective transmitters in Unionville and Bloomfield. WHTT escaped this fate because its transmitter is located in the same building with its studios.

WTIC returned to the air about 11 p.m. the same night and WDRC at its regular time at 7 a.m. Thursday (22). For some time Wednesday, WHTT, with the exception of WATR, was the only station in the state to be on the air and was practically the only means of communication outside the city as telephone, Western Union and Postal lines were ineffective.

Instant that WTIC went off the air, General Manager Paul W. Morency organized WTIC's entire staff on a 24 hour emergency basis under Program Director Tom Mc-

McNinch Ill Again

Washington, Sept. 27.

Although supposedly all over his stomach trouble, FCC Chairman Frank B. McNinch is back in the hospital again, with no indication when he will regrettably return. Returned for a routine check-up and was still in the institution a week later.

Reports circulated again he will ask to be relieved of the Communications headache before the Congressional appropriations committees start asking their annual questions.

Cray, as ways and means were found to be of assistance to state and civic authorities and to individuals in disseminating flood and hurricane information and advice.

The station's 7.5 meter short wave transmitter WIXO was made available by Plant Manager J. Clayton Randall to the American Radio Relay League for personal messages and for flood and hurricane reports which were coming in rapidly over Trans-Radio press wires to the Trans-Radio Central Connecticut Bureau established in the WTIC studios.

A five meter amateur network was temporarily established in the Hartford area by Engineer Fred Edwards who located his short-wave transmitter in the station's laboratory to speed personal messages to points where telephone communication and electric power failed. The station augmented its local and state news coverage by reports from hams from all parts of the state. An estimated 500 hams were in operation throughout the entire period of the flood, sending information, news, advice and rendering other sorts of service.

Bridgeport, Sept. 27.

Big wash-out expected to nick Pleasure Beach, city-operated amusement park, for more than \$25,000. Biggest loss was damage to new pier built in spring. WICC transmitter's location on Pleasure Beach made it tough going for broadcaster.

Roton Point Park, South Norwalk, hit throughout for more than \$100,000 property wreckage, tidal wave getting dock, seawalls, roads and several rides.

ANOTHER CRISIS BRINGS NEW CASE OF RADIO PUBLIC SERVICE IN HURRICANE

Boston Daily Praises Stations—Many Off Air as Big Blow Topples Antenna—Messages and News Get Right-of-Way

Boston, Sept. 27.

Many a precedent was broken by local radio stations here after the hurricane swept through New England. Because other key cities suffered much more damage, Boston became not only a rescue center, but a focal point of news dissemination.

All Hub stations were swept off the air as the high wind smashed towers or otherwise jammed up power sources. WNAC and WAAB, key stations of the Yankee and Colonial nets, respectively, were back on the air about 30 minutes after they lost their power at Squantum. Engineers under Paul Demars rigged up an emergency circuit which gave WNAC and WAAB transmission.

These stations, for hours, were the only means of broadcasting messages into isolated areas, and early Wednesday night WAAB announced that it would broadcast all during the night. At the same time it was announced that personal messages would be broadcast to the flood areas—and Wednesday night, Thursday and Friday about 5,000 messages were broadcast—many of them repeated several times.

These two stations with the Yankee and Colonial Network news services kept between 75 and 80 men and women working on the flood broadcasts; and there were some volunteers from outside who stepped in to help the work along. One woman came into the Yankee-Colonial headquarters and volunteered to answer phone calls which were awamping the board. She worked three hours on the job.

Direct line was run into the state house here and Wednesday night numerous bulletins were sent out from various state departments.

WEEI, Boston, also sent out personal messages Thursday. They were off the air Wednesday night but resumed Thursday morning. WBZ was dead Wednesday night, all day Thursday, and resumed broadcasting Friday. WCOP was off only three and a half hours, and also broadcast messages Thursday. WHDH was off Wednesday night and Thursday. WMEX was off all Wednesday night. WORL could not resume until Friday morning after being blanked at 4:45 Wednesday afternoon.

Boston Post, breaking precedent in the usual rivalry between radio and press, commended the work of WNAC in their handling of the disaster news and personal messages.

Albany, N. Y., Sept. 27.

Socony sponsored a half-hour evening Albany Area flood broadcast over WABY via the station's mobile short wave transmitter, with General Manager Harold D. Smith recently returned to his desk after a long period of recuperation in Florida, working alongside of Forrest Willis. It was the first time this 'type of salvo had been on a commercial basis here.

Keeping an eye to a sponsor's business, Smith interrupted Willis to note the fact that a Mobiloil station, within their sight and partly flooded, was still pumping gas and oil.

Worcester's Tribulations

Worcester, Sept. 27.

Worcester's two radio stations, WTAG and WORC, were heavy losers in the hurricane. WTAG's three tall steel towers in nearby Holden, erected early last year, were blown flat. Plans for immediate reconstruction are under way.

Two of WORC's three poles in Au-

burn, which are a part of that station's antenna system, were snapped off, putting the station out of commission until Sunday.

Two of the three WTAG towers were 360 feet high, the other 760. All were designed to withstand a wind velocity of 115 miles an hour.

About an hour before the WTAG towers went down, the station had shifted to its emergency power plant because the service from the Holden electric station failed. After the fall of the towers, the station was off the air for six minutes and then resumed service on its auxiliary transmitter in a penthouse on the roof of the Telegram and Gazette building, and using the antennae on the Bancroft hotel and Park building.

About two hours later the station went off the air again for 12 minutes, and then resumed uninterrupted service.

's Emergency Stations

Providence, Sept. 27.

Hard hit because of lack of electric power and flooding of valuable technical and tuning equipment, Providence's radio stations WJAR, WEAN and WPRO, are running on emergency rations. Estimate of monetary loss is impossible at this time.

WPRO lost its towers and technical and tuning equipment when cellars were flooded along Barrington Parkway. Station was off the air from Wednesday (21) to Friday (23) midnight. It is now operating under its own power. A tractor and motor are being used as a generating unit.

WJAR operated from its power station in Rumford. All programs, day and night, have been restricted to the broadcasting of emergency messages to persons throughout the country.

Bill Goodwin barking the NBC sign for first time in nine years as announcer. Does the deed on 'Bob Hope's Pepsodent show.



... he who laughs best

The "Guffaw Club" was a popular WKRC "stunt broadcast." From the stage of a local movie theatre, a contest for the loudest and most contagious guffaws was broadcast. Prizes were given, laughs were plentiful. All Cincinnati enjoyed another unique WKRC broadcast. Some people call it "showmanship." We think it's simply part of our daily job—operating Cincinnati's aggressive radio station.

WKRC ★ COLUMBIA'S STATION FOR CINCINNATI

550 Kilocycles. Owned and operated by COLUMBIA BROADCASTING SYSTEM. Represented by RADIO SALES: New York • Chicago • Detroit • Milwaukee • Charlotte, N. C. • Los Angeles • San Francisco

Inside Stuff—Music

Dick Himber thinks that Chappell has a hit on its hands despite itself in 'Dream Dust' by J. Fred Coots and Haven Gillespie, judging by the requests which force Himber to reprise it constantly. Chappell decided to lay off plugging it because the Cole Porter tune out of 'You Never Know' came along and demanded all the plugging resources of the firm, with decision to hold 'Dream Dust' back until later.

That's not an uncommon occurrence. 'Lambeth Walk' being a recent instance where returners from London forced the smart nitery maestros to dig up copies and play it ad lib, even though Jack Mills was holding back the American campaign due to a technical difference with the London show managers from whence 'Lambeth Walk' originated. In the case of 'Dream Dust,' while Chappell told the maestro they were laying off plugging it pro tem, the Essex House (N.Y.) leader has been forcing it accede to requests. Another reason for Chappell's holding it back is a desire to switch a few notes in the song, as the range is too tough for vocalists.

Plan to erect a monument by subscription to the memory of John Philip Sousa was accorded excellent coverage in the New York press last week. Following the story the Times lauded the idea editorially. Sunday (25) Damon Runyon devoted his column in the Mirror to the former March King's memorial.

Conference of the National Council of Bandmasters was held early this week in the offices of Joseph N. Weber, musicians' union head, for the purpose of formulating final arrangements. Those present included Weber who is chairman of the movement, Gene Buck, Arthur Pryor, Dr. George H. Gartland, Dr. Joseph Maddy, Edwin Franko Goldman, Capt. Francis W. Sutherland, Lambert L. Eben and August Huebscher.

Only a small portion of the 150,000 shares of Decca Records which Reynolds & Co., Wall Street house, has just put on the market, came out of the phonograph manufacturer's treasury. Edward T. (Ted) Lewis, head of the British Decca setup which controls the American firm, disposed of 133,000 shares of his Decca stock to Reynolds & Co., while another 17,000 shares was sold from the Decca treasury at \$5 a share, with the money received to be treated as additional working capital. Reynolds is asking \$5.25 a share. It makes the first time that any Decca stock has been made available to the American investment public.

Bound for Boston and the opening of Clyde Lucas orch at the Statler Hotel there, Willard Alexander and Bill Goodhart of Music Corp. of America were trapped on a train near New London, Conn., during the height of last week's hurricane and forced to spend the night aboard the rattler. Pair left New York Wednesday (21) afternoon and arrived at New London just in time to be caught in the middle of the storm.

Hiring a car Thursday morning the two managed to reach New Haven where they caught a train to New York, arriving late in the afternoon. Lucas is in the Statler for four weeks, with Leighton Noble following.

For the first time in several years the sheet bestseller list, as compiled for the past week, gives the first five places to songs with film sources. Although a standard pop, 'Alexander's Ragtime Band' can attribute its major counter revival only to its inclusion in the film musical of the same name. Judging from the call at jobbers with the start of the current week, this list of film tunes will be increased to seven in the next compilation. During the past three or four years it has been common for non-film numbers to dominate the top groupings on best seller compilations.

Fourth installment of ASCAP's index of song titles has gone out; it numbers 10,400. Thus, over 44,000 compositions have been indexed and distributed to ASCAP licensees.

MELTON SIGNED BY CHI OPERA FOR NOVEMBER

James Melton has been signed for a series of November appearances with the Chicago Civic Opera Co., his first dates with that outfit. He will do 'Madame Butterfly,' 'La Traviata' and possibly 'Manon.' Tenor is also preparing 'Lucia,' 'Mignon,' and 'Faust,' which will give him a repertoire of six operas.

Attendance for Melton's appearance in 'Butterfly' with the San Carlo Opera Co. at the Center theater, New York, last week was the heaviest of the troupe's engagement. There were between 500 and 800 standees and more than that many were turned away.

Cleve. Symp Opens Oct. 13

Cleveland, Sept. 27. Cleveland Symp jumps into its 21st season at Severance Hall Oct. 13 with Dr. Artur Rodzinski beginning his sixth season as conductor, and Rudolph Ringwall as associate director.

Twelve pairs of concerts scheduled this winter, in addition to regular Eastern tour by symph in early spring. Soloists to include Raya Garbousova, Artur Rubinstein, Arthur Schnabel, Ruth Slenczynski, Jan Smeterlin, Paul Wittgenstein in Cleveland debut Georges Enesco and Boris Goldovsky. Orchestra also to play for Monte Carlo Ballet Russe, due at Public Music Hall Dec. 2.

Armstrong Back on Road

Completing his picture chores, Louis Armstrong left the coast Monday (26) by plane for Baton Rouge, La., where he picks up his band and starts on a one-nighter and theatre tour.

Crew plays two successive dates in Baton Rouge, opening Friday (30). Date is really one but split into white and colored hops.

Music Notes

Ben Oakland and Sam Lerner clefted 'Everybody's Laughing,' to be published by Kalmarr-Ruby.

Eddie Cherkose and Walter Kent doing the songs for 'Rodeo Buster' and 'Colorado Sunset' at Republic.

Ross Di Maggio scoring 'Ride 'Em Cowboy' for Coronado Films at General Service studios.

Eddie Cherkose and Walter Kent wrote 'Just a Busted Broncho Buster' for Republic's 'Rodeo Buster.'

Victor Young is scoring 'Flirting With Fate' at Universal, with three new tunes by Walter G. Samuels and Charles Newman.

Low Porter sold synchronization rights to his song, 'Symphony of the Prairie,' to Edward Finney for a Tex Ritter western.

Farlan Meyers and Harvey William Moore sold their song, 'Fisherman's Chanty,' to Sol Lesser. Bobby Breen will sing it in 'Fisherman's Wharf.'

Smiley Burnette wrote words and music of 'Throwing the Bull' for Republic's 'Rodeo Buster.'

Victor Young doing the musical scoring for Max Fleischer's cartoon, 'Gulliver's Travels,' in Miami.

Herbert Stothart finished scoring on 'Sweethearts' at Metro and went to work on 'The Wizard of Oz.'

Herb Waters, Chick Kardale and Jimmy Franklin wrote a nursery-rhyme swing song, 'Rain, Rain, Go Away,' to be published by J. Exclusive.

Mort Green and Will Jason did the musical score for Metro's 'Once Over Lightly,' with four original songs.

Screen Music, Inc., is supervising the musical scoring on eight Tim McCoy westerns for Victory Productions.

Franz Waxman and Harry Tobias clefted 'The Young in Heart' for the Selznick-International picture of that title. It will be published by Leo Feist.

New 'Light' on Security Tax

Washington, Sept. 27. Further clarification of the problem of deciding who is liable for social security tax payments on behalf of orchestra members was given last week by the Internal Revenue Bureau in an advisory opinion concerning non-name bands. In accordance with former interpretations, the Treasury held the individual who engages an agent to recruit a team for specific engagements as the legal 'employer' and must make contributions besides deducting the wage and tax slice under the old-age pension provisions of the act. This is the procedure when the 'purchaser' of talent dictates the location, time, and nature of the performance and the tunesters are not under formal contract in a permanent organization.

If the agent who lines up the musicians performs as leader or a member, he likewise is an 'employee' or the talent 'purchaser.'

Band Reviews

PENN WAYNE ORCHESTRA (13) With Ronnie Chase, Don Juans (3) Cafe Loyale, N. Y.

Formerly piano player and arranger with Don Bestor, Wayne is new as a leader. His crew has been in existence about six months, but in that time has welded itself into a smooth and danceable crew. Spent the summer playing at the Bluff House, Milford, Pa., where it was heard and booked for the re-opening of the Loyale. Spot has himself a crew as large as this, which includes two trumpets, two trombones four sax, and four rhythm, adding up to 12 pieces and Wayne.

Arrangements, most of which are written by members of the band, call for never less than four pieces riding together, that is, four beside the rhythm. It makes for a velvety tone that urges diners to dance, and they do. Though essentially a sweet combo, it occasionally does break loose to ride for younger patrons, but never employs an offensive, jarring style.

Outfit isn't lacking in showmanship, either, its book including several numbers in which the band softly choruses the lyrics in unison. Ronnie Chase of the brass section handles the vocals and is occasionally joined by two others to make up the Don Juans (3). Chase or the trio make good listening. Wayne himself makes a neat appearance stickwaving the crew.

In the past the Loyale has concentrated more on the table d'hôte rather than music as a lure, but it currently has both.

ANDY KIRK ORCHESTRA (15) With Mary Lou Williams, Pha Terrell, Apollo, N. Y.

Kirk's crew is from the midwest

and has been climbing slowly to some favor among the jitterbugs of Harlem. Put on a little better in itself here after shifting from the pit where they play for the other acts and skits.

Mary Lou Williams, whose Decca recordings are the best sellers, is the band's regular pianist. She and Pha Terrell, male vocalist, add plenty to the band's appeal. Miss Williams (Mrs. Kirk) is spotlighted most of the time at the keyboard. She clicks heavily but there's a little too much of her at the opening. First two or three numbers devote the band to backgrounding her work on the ivories. That could be spread more throughout to intersperse or be included as a third chorus in numbers sung by Terrell. She's also a composer and arranger and plays one or two of her own compositions.

Terrell is evidently popular with Apollo's audiences. He's in solid before he opens his mouth, and for good reason. He's a singer who can lead the band, sings well with it, and finally winds up leading while Kirk is off in the wings. Does 'So Help Me,' a tune particularly suitable to his voice and style. 'I'm Glad You Sake' and 'I'll Get Along Somehow.'

Band occasionally blasts, but not too loud. It's the usual three trumpet, two trombone, four sax, and four rhythm setup. Kirk would make the presentation look better if he discarded the glaring white stands and substituted ones of a softer color. Makes it look too gaudy.

EDDIE DE LANGE ORCH. (15)

With Elissa Cooper, Show Bar, Forest Hills, L. I.

De Lange has gathered a young crew around his baton since splitting with Winged Victory. When the two came to the parting of the ways Hudson took the original outfit, which has since been disbanded because of its leader's temporary retirement. De Lange and his crew went out and built a new one. It's been riding at this Long Island spot since last April and recently was signed by Elissa Cooper, the M. Morris office as part of the latter's new band dept.

Average age of the members of the aggregation De Lange picked for his start in his own is about 21 years. They're young but they seem to know their stuff. One objectionable feature of the outfit is its blasting. Not every number of the crew is as strong as the others, sans mutes, it hurts. Show Bar is not any too large to absorb it easily, but on the other hand the Bar gets a lot of shaggers, etc., who aren't satisfied with anything else.

De Lange has three trumpets, two trombones, four saxes, four rhythm, himself and Elissa Cooper, a vocalist. While the arrangements call for the four saxes to come up with muted brass in the background, the crew sends smoothly and solidly for those who like silky dance music. On the showy side De Lange and his crew show up well. Leader handles vocals, too, although on night caught was suffering with a cold.

De Lange mixes aces and evidently is on a par with Bar's patrons. Often cuts in on dancers to give his version of the shag and Lindy. Elissa Cooper has a swell set of pipes and an engaging personality. She and her solid crew and the band and De Lange do a 'John Peel' number that's exceptionally well done.

Jersey Spots Perking

New Jersey has three dance spots set to go all winter. Mosque has recently been active as a Saturday night dance place at the Elks Club and Continental have also spurred.

Labor trouble holds back Mosque from developing into a prime spot. House insists on hiring of six special cops with renting of huge dance space. However, has been running Saturday and Sunday night promotions at 75c. Elks is also a week-end affair. Considered not so new, going more for semi names lately.

Georgie Stoll joined Herbert Stothart on the scoring of Metro's 'The Wizard of Oz.'

Network Plugs, 8 A.M. to 1 A.M.

Following is a totalization of the combined plugs of current tunes on NBC (WEAF and WJZ), and CBS (WABC) computed for the week from Monday through Sunday (Sept. 19-25). Total represents accumulated performances on the two major networks from 8 a. m. to 1 a. m. In 'Source' column, * denotes film song, † legit tunes, and ‡ pop speaks for itself.

TITLE	PUBLISHER	SOURCE	GRAND TOTAL
Stop Beating Around the Mulberry Bush.....	BVC.....	Pop.....	38
Lambeth Walk.....	Mills.....	Pop.....	38
Change Partners.....	Berlin.....	*Carefree.....	37
What Goes On Here in My Dreams.....	Santley-Joy.....	*Sing You Sinners.....	35
So Help Me.....	Remick.....	Pop.....	31
A-Tisket A-Tasket.....	Robbins.....	Pop.....	31
Small Fry.....	Famous.....	*Sing You Sinners.....	30
Don't Fret.....	Agnew.....	*Give Me a Sailor.....	28
How Can We Be Wrong.....	Crawford.....	Pop.....	28
At Long Last Love.....	Chappell.....	†You Never Know.....	28
You Go to My Head.....	Remick.....	Pop.....	26
Heart and Soul.....	Famous.....	*A Song Is Born.....	25
Garden of the Moon.....	Harms.....	*Garden of the Moon.....	25
When Mother Nature Sings Her Lullaby.....	Santley-Joy.....	Pop.....	22
Don't Let That Moon Get Away.....	Santley-Joy.....	*Sing You Sinners.....	22
There's a Faraway Look in Your Eyes.....	Tenney.....	Pop.....	22
If I Loved You More.....	Words-Music.....	Pop.....	21
My Own.....	Robbins.....	*That Certain Aja.....	19
I'm Gonna Look My Heart.....	Shapiro.....	Pop.....	19
Now I Can Be Told.....	Berlin.....	*Alexander's Ragtime Band.....	19
I've Got a Date with a Dream.....	Feist.....	*My Lucky Star.....	19
Why Doesn't Somebody Tell Me This.....	Shapiro.....	Pop.....	18
Alexander's Ragtime Band.....	BVC.....	*Alexander's Ragtime Band.....	18
I Haven't Changed a Thing.....	Mills.....	Pop.....	17
You Never Know.....	Chappell.....	†You Never Know.....	17
Lullaby in Rhythm.....	Robbins.....	Pop.....	17
Handle Kiss at Twilight.....	Paramount.....	Pop.....	15
Love Is Where You Fi.....	Harms.....	*Garden of the Moon.....	15
The Yam.....	Berlin.....	*Carefree.....	15
Monday Morning.....	Witmark.....	Pop.....	14
Put Your Heart in a Song.....	Miller.....	*Breakin' the Ice.....	14
Could You Kiss in Love?.....	Feist.....	*My Lucky Star.....	14
My Walking Stick.....	Berlin.....	*Alexander's Ragtime Band.....	14
When a Prince of a Fella.....	Remick.....	Pop.....	13
I Used to Be Color Blind.....	Berlin.....	*Carefree.....	13
Trampet.....	Circle.....	*Becca of Sunnybrook Farm.....	12
Summer Souvenirs.....	BVC.....	Pop.....	12
Girl Friend of the Whirl.....	Harms.....	*Garden of the Moon.....	12
All Ashore.....	Shapiro.....	Pop.....	12
Colorado Sunset.....	Gilbert.....	Pop.....	11
Manhattan.....	Feist.....	Pop.....	11
The Night Is Filled with Music.....	Berlin.....	*Carefree.....	11
Who Blew Out the Flame.....	Feist.....	Pop.....	11
You're the Only Star in My Blue Heaven.....	Shapiro.....	Pop.....	11
There's Something About an Old Love.....	Exclusive.....	Pop.....	11
Co. Wonder.....	Crawford.....	Pop.....	11
Is That the Way to Treat a Sweetheart.....	Olman.....	Pop.....	11
Flat Foot Floogie.....	Green Bros.....	Pop.....	11
Love of My Life.....	ABC.....	Pop.....	11
When the Circus Came to Town.....	Shapiro.....	Pop.....	11
Teacher's Pet.....	Paramount.....	Pop.....	11
On Sweetheart Bay.....	Witmark.....	Pop.....	11
A Mist Over the Moon.....	ABC.....	Pop.....	11
I Let a Song Go Out of My Heart.....	Mills.....	Pop.....	11
Where in the World.....	Feist.....	Pop.....	11
Teacher's Pet.....	Paramount.....	Pop.....	11
I Married an Angel.....	Robbins.....	†Marri.....	11

REHEARSE 'EM, CONTROL 'EM

Not in the Script

Although they had been distributed among members of the American Society of Composers, Authors and Publishers as a good will building stunt, autograph cards with the ASCAP insignia are being used by Broadway bookmakers on which to record their bets. The bookmakers got the cards from the ASCAP writers.

Autograph card was E. C. Mills' idea. He thought that people meeting writers would be glad to get their autographs and, instead of putting their monikers on miscellaneous paper, the writers could do the inscribing on neat little cards containing an embossed version of the ASCAP seal. On second thought, packets of these cards were also sent to publisher-members of the Society. The latter are wondering who would be interested in their autograph unless it is on a check.

Another Mills idea is that of stamping the words 'Justice for Writers' on envelopes mailed from ASCAP offices.

Whiteman on 35c Decca Discs; New Attitude of Recording Artists

Marking a comeback to the phonograph records after an absence of some two years, Paul Whiteman will make Decca records, the first time he's gone on a 35c label. Even for RCA Victor, where he was long an exclusive artist, Whiteman refused to go on RCA's companionate Bluebird label, because of the 35c price, although it's known that these priced disks outsell the 75c platters by far.

Guy Lombardo is another Victor artist going back to Decca, although that band's radio sponsor at one time influenced the Lombardos to return to Victor on the theory that the 75c tag and the RCA auspices gave the band greater prestige.

However, today recordings are chiefly looked upon by artists for their exploitation worth. 'There's also a vanity angle, although it's principally that of pride of achievement. If a recorder makes a good waxing, it's a proud feat.'

Bing Crosby's Stance

Bing Crosby is one who oftentimes tells Jack Kapp, prez of Decca, that the money he gets from the recordings isn't anything compared to the satisfaction from doing a good cutting. Still, says Kapp, Crosby today is perhaps the top-priced pop recording artist, his wax earnings coming to around \$35,000 or \$40,000 a year, on a guarantee and royalty basis. Crosby, however, prefers to stay with Decca, although American Recording Corp. (Brunswick) at one time offered him the heretofore unheard-of price of \$3,000 a record, knowing it couldn't come out, but relying on Crosby to be a standard-bearer and exploitation medium for the rest of the catalog.

Whiteman will feature a swing unit as part of his large combo, including eight jivesters, the Modernaires quartet, and Jack Teagarden. Later will also have a sub-unit of his own on Decca. Whiteman has already cut 12 sides, first of which will be released Oct. 6.

ROCKWELL-O'KEEFE'S CLEVELAND OFFICE

Rockwell-O'Keefe, Inc., proposes to open a Cleveland office within the next 60 days. Organization has a number of dance alliances in that area which it thinks could be best serviced through a local branch.

Manager for the Cleveland office will be designated after the lease for the offices has been closed.

Robbins Ambles West

Jack Robbins is en route to the Coast by easy stages, stopping off in several keys before making his Hollywood contacts.

Walter Donaldson, a staff Metro-Robbins writer, left Monday (26) for Culver City to resume tustering for M-G.

Sam Pokrass and Walter Bullock wrote two ditties, 'Song of the Musketeers' and 'My Lady, for 'One for All' at 20th-Fox.

Jan Garbers Patch Up

Pittsburgh, Sept. 27.

Jan Garber and his wife, the former Dorothy Comegys, were reconciled here last week after a separation of almost a year. Mrs. Garber obtained an interlocutory decree of divorce in Hollywood several months ago but parting wouldn't have become permanent until December, reunion calling whole thing off.

Maestro's missus is a sister of Claiborne Foster, former legit actress, and Katherine Comegys, Broadway player who last appeared in 'Whiteoaks.'

Garber orchestra is current at the New York Strand, his first Broadway date in 12 years.

AVAILABILITY FROZEN AS IS

All availability ratings for publishers in the American Society of Composers, Authors and Publishers will have to remain as is until a special committee appointed last May to study the question of availability system revision has reported its findings to the ASCAP board. Special committee will hold its first meeting the early part of October.

Present availability committee decided last week to go into temporary retirement after it had heard a number of protests from publishers seeking availability rate increases. As a result of this action the availability setup became frozen until either the special committee submits a new plan acceptable to the ASCAP publishers or it becomes obvious that this committee will be unable to arrive at more satisfactory formula.

Special committee consists of Johnny O'Connor, Henry Spitzer, Lou Diamond, Walter Kramer, Gene Buck, John G. Payne and E. C. Mills.

Welk's Engagements

Milwaukee, Sept. 27.

Lawrence Welk closes his three-week engagement at the Hotel Schroeder in Milwaukee Thursday (29). From here he goes to Chicago Friday (30) to make eight disks for Brunswick. Saturday (1) he plays at the Coliseum in Greensburg, Pa.; Sunday (2) one-niter at Cleveland, and Monday (3) due for return stint at the William Penn, Pitts. Welk will play there till Jan. 1, '39. This is his third stretch at the William Penn, making a total of seven months during '38.

Schroeder bills Eddie Varzos and a new floor show Friday (30).

'My Heart Is Walking,' being used in the show at Queens Terrace, Jackson Heights niter, has not yet been published. It was written by Walter Seligman, of the N. Y. Criterion theatre staff.

PUBS' PIANISTS SWAPPING PLUGS

Complaints Heard Sustaining Singers Are Insulated Against Contact with Smaller Houses

'COACHING' AS IN

Smaller music firms are complaining that the practice common among publishing-house piano-players of swapping plugs among themselves for mike singers they regularly rehearse shows signs of developing into a serious evil. This logrolling angle stems from the circumstance that most sustaining vocalists lack their own coach-accompanists and must depend on pianists on publishers' payrolls for this service.

Out of such alliances there has, it is charged, evolved a peculiarly invincible 'closed shop,' with the chances of outsiders getting a plug becoming tougher as the networks continue to reduce the number of sustaining singers. This ring, it is said, operates on the procedure of a publisher's staff pianist offering a plug on the programs of the singer he regularly rehearses if the piano-player with another firm will do the same thing in the case of the singer that the latter is handling. With five or six of these pianist-rehearsers joined in a swapping setup it would become practically impossible for any outsider to crack the repertoire of a sustaining vocalist.

Some of the rehearsing publishers' pianists, their paycheck sources and the sustaining vocalists they have under their wing follow:

Freddy Cohn (Harms) Nola Day.
Walter Fleischer (Famous) Del Casino.
Terry Shand (Shapiro-Bernstein) Rose-Marie, Barry McKinley.
Morty Howard (Robbins) Ink Spots.
Fred Phillips (Leo Feist, Inc.) Dick Todd, Carol Weyman.
Tucker Freeman (Miller) Barry Wood.
George Schottler (Remick) Ray Heatherton.

Donaldson, Piqued at Title Similarity, Moves to Halt New 'Blue Heaven'

Walter Donaldson has started proceedings against Shapiro, Bernstein aiming to estop the publication of a song titled 'There's a New Star in My Blue Heaven,' which he charges impinges upon the lyric and title of 'My Blue Heaven.' George Whiting will probably be coupled in the action, being credited with collaborating with Donaldson who has been in New York for several months. Stated that he is encouraged to protect the property by the American Society of Composers, Authors and Publishers.

Jack Robbins, head of Feist, Inc., which has been handling Donaldson numbers is understood not to have protested the publication of the Shapiro, Bernstein song of similarity and there is tension between the composer and Robbins. Donaldson proposes to withdraw his copyrights from that office, either Irving Berlin or T. B. Harms getting them. 'My Blue Heaven' is among the best selling songs ever written.

Composer also intends seeking injunctions against the radio chains, restraining them from using the 'Star' song. He is being represented by attorney Frederick E. Goldman's. Infringement claim has been made against Shapiro, Bernstein & Co. in connection with the tune, 'Cry, Baby, Cry.' Through local counsel, William Weiss, of Pittsburgh, last week notified

Davis Wholesales Sheet Music

To Kresge at 9-10c; to Retail at 15c

Musical Sequel

Something new in music, a sequel, is being readied by Al Feldman who wrote 'A-Tisket, A-Tasket.' Second addition will have Ella Fitzgerald singing 'I Found My Yellow Basket.'

Will be recorded Oct. 5 by Decca with Chick Webb's band and Miss Fitzgerald vocalizing. Robbins will publish.

At the solicitation of Joe Davis the Kresge store chain will introduce 15c sheet music on its counters. Floyd Hitchcock, Kresge buyer, while on a visit to New York yesterday (Tuesday) said that he had agreed to make 'Shame, Shame, Go Away,' a number which Davis has both written and published, the initial step in an experiment to force down the price of sheet music. It is apparently Hitchcock's intention to show what can be done in stimulating sheet sales if the price is right.

Davis will wholesale this tune to Kresge for 9-10c which will allow the chain to take care of its 40% gross markup. Wholesale prices which now prevail in the industry are 20c, 22c and 25c, with Kresge retailing them at a flat 35c.

Davis has been assured by Hitchcock that he will receive the maximum of window and counter merchandising displays for his tunes. It is also Davis' intention to retail orchestrations at 25c.

NAB MORE SONG BOOTLEGGERS

Investigations conducted by the copyright protection bureau of the Music Publishers Protective Association resulted last week in the return of indictments by a Federal grand jury in Philadelphia against 10 alleged peddlers and distributors of bootleg songsheets. Arthur Hoffman and John Wiener, operating for the MPFA, turned their evidence over to the Federal Bureau of Investigation and the latter after doing some probing of their own relayed what they had to the office of the U. S. district attorney in Philadelphia.

Group indicted consists of Morris Fisher, Sidney Fisher, Abraham Rosen, Hyman Rubin, Lawrence Malare, William Calvin, Herman Lis, Harry D. Nadler, Joseph Feldman and Anthony Bombaro. There have been several convictions against Morris Fisher on similar charges.

In Special Sessions court, New York, Murray Eisenberg last week was sent to the workhouse on charges of peddling contraband songsheets. It was his third conviction.

FRANK TRACY BOOKING

Frank Tracy, who batedoned under the name of Tracy Brown and for the past three and a half years production manager of the Tower, Kansas City, has opened a booking office in Oklahoma City.

DISC LICENSE UNIFORM AS OF SEPT. 30

Publishing firms affiliated with the mechanical rights bureau of the Music Publishers Protective Association are under instruction not to issue any licenses direct to phonograph record manufacturers after Sept. 30. It is on the following day that this bureau, acting for the entire pop trade, excepting the Metro-Robbins group, will put its new licensing form into effect. This new license will cover not only the right to manufacture but the right to make an arrangement of a copyrighted work.

MPFA's heads last week expressed the hope that the record manufacturers would accept this amended license in a co-operative spirit and that if the latter elected to make an issue of it the MPFA was prepared to go into the courts and seek to establish the right of the copyright owner to license any arrangements of his work. There will be no added fee asked for records made for home use, but it is proposed to enter into negotiations later with the record manufacturers for the payment of a special royalty for discs used in coin-operated machines.

BLIND BENEFIT IN MADISON SQ. OCT. 31

Combined third and fourth Blind Musician concert, originally scheduled for Sept. 14, will be put on at Madison Square Garden, N. Y., Oct. 31. Idea for this one will put jitterbugs who find it hard to resist hot sending in the arena, and allow 'em to go to town for the edification of more reserved payees in the balcony.

Bands which are sought for the affair, most of which are not definitely committed as yet are: Larry Clinton, Tommy Dorsey, Raymond Scott, Count Basie, Cab Calloway and another strictly dance outfit for smooth rhythm for after show tamping of the customers who'll watch the jitterbugs swing out. Tariff will range from 50c to \$2.50.

War Scared Bill Bardy

Bill Bardy, singer-maestro, back after eight years in Egypt because of the war scares and refusal of consulates to extend visas. Formerly on NBC.

Shilkret, Jane Froman On RCA Gershwin Memorials

RCA Victor is issuing a special memorial album of recordings of the late George Gershwin's tunes. Set includes 32 waxings of hits the composer wrote for various stage musicals and pictures.

Platters were cut by Nat Shilkret's orch. with Jane Froman doing the vocals, seconded by Felix Knight, Sonny Schuyler and a choral group. Shilkret did the arrangements.

Max Steiner finished musical score for 'The Sisters' at Warners.

New England, Cream Territory, Goes On Fritz for Touring Orchestras

Dance bands in, or scheduled for dates in the one night territory in New England, found most of their dates gone with the big wind following last week's storm. Concentrating most of its force in Connecticut, Rhode Island, and Massachusetts which, with the rest of the New England states, is considered one of the most lucrative areas for touring outfits, the blow washed out even location dates.

Bunny Berigan, who was down for two weeks at the Ritz, Boston, opening Monday (19) arrived there to find the roof bandstand smashed beyond use and the canvas covering (normally used to protect patrons from sudden squalls) nowhere in sight. When Berigan managed to return from the Hub Friday (23) he brought with him Johnny Napton, a trumpeter who went up for a try-out with the band and had to swim half a mile from the rattle he was on near Providence. Cat thumbed the rest of the way and arrived looking like something another cat had dragged in.

Chick Webb was flushed out in the middle of a week at the State, Hartford, where he was supposed to draw \$4,250. Business was so good the first day the house changed the payoff arrangement to give Webb a percentage and more coin—along came Jupe and melted that to about half of what he would have received under the original contract. State had 12 feet of water in the house and was expected to be closed for another week. But pumpers went to work and the stand brings in Paul Whiteman, Friday (30). Webb had six one-nighters cancelled also.

One Ballroom Ruined

Two Charlie Scribman ballrooms were eased out of the picture too, one temporarily and the other will have to be entirely rebuilt. Southland in Boston is undergoing repairs and

Danceland, New London, one of the hardest hit towns beside Providence, was completely destroyed. Charlie Barnett had to cancel a private party date his crew was down for, and Sammy Kaye, who had three one nighters erased, got two of 'em back. Was down for Providence Saturday (24) and North Adams, and Worcester, Mass. Latter two were rescheduled but Providence stayed out.

Opinion of bandleaders and bookers is that it will be several weeks before transportation facilities and repairs on ballrooms, etc., will allow the territory to resume a normal stride.

CANADA SAYS IF WAR COMES 'WE CANCEL'

Threatening war clouds in Europe were back of a notice received by Paul Whiteman's New York office this week anent three dates he's down for in Canada next month. Scheduled for Oct. 6 at Montreal, the 7th at Ottawa, and the 8th at Toronto, note explained they would be automatically cancelled in the event of war before Oct. 4.

Explanation is that if England is drawn into the fracas Canada goes along, and the country will be much too busy to think about attending musical concerts. Whiteman's office is formulating plans to consolidate the three dates if the fight starts, and make it one big affair for benefit of the Red Cross or some worthy organization.

BAND BOOKINGS

Claude Hopkins, Hollywood Rest, Tonawanda, N. Y., Oct. 1, one week.

Xavier Cugat, Arcadia-International, Philadelphia, Sept. 26.

Artie Shaw, Chase hotel, Sept. 30.

Hal Kemp, Drake hotel, Chicago, Oct. 8.

Vincent Travers, International Casino, N. Y., Oct. 6.

Neil Golden, De Witt Clinton hotel, Albany, N. Y., Oct. 1.

Anson Weeks, Roosevelt hotel, New Orleans, Oct. 8.

Glenn Miller, Roseland-State ballroom, Boston, Sept. 30, with two CBS coast-to-coast hookups weekly via Charlie Scribman.

Blanche Calloway, Apollo, N. Y., Oct. 7; Howard, Washington, Oct. 21; State, Hartford, Nov. 6.

Joe Venuti, Book-Cadillac hotel, Detroit, Oct. 6.

Frank Trombar, Adolphus hotel, Dallas, Oct. 13.

Frank Dailey, Meadowbrook Club, Cedar Grove, N. J., Sept. 27.

Lanny McIntire, Nicolet hotel, Minneapolis, Minn., Oct. 20.

Segar Ellis, Sul Jen Cafe, Galveston, Tex., Sept. 25.

Grant Thompson, Wellington hotel, N. Y., Sept. 24 after Coast stay.

Ernie Holst, El Morocco, N. Y., Sept. 28, after exiting Glass Hat, N. Y.

Strollers, Aristocrats of Rhythm, Jefferson Hotel, Pitts., Ill., Sept. 10.

Two B's Vendome hotel, Evansville, Ind., Oct. 10; Versatilities, Thomas Jefferson hotel, Birmingham, Ala., Sept. 30.

Rita Rio, Moonlight Gardens, Saginaw, Mich., Oct. 21 through Nov. 6.

Lang Thompson, Muehlebach hotel, Kansas City, Oct. 7.

Lo Bress, Stanley theatre, Pittsburgh, Sept. 30 one week.

Don Redman, Savoy ballroom, N. Y., Oct. 11, replacing Erskine Hawkins.

Strollers, Balladiers, Nelson hotel, Rockford, Ill., Oct. 3.

Eddie Camden, Crystal Terrace, Louisville, Ky., Sept. 28. Jack Coffey replaces Oct. 13.

Jimmy Richards, Lantz's Merry-Go-Round, Dayton, O., Oct. 3.

Charlie Barnett, Randolph Macon college, Ashland, Va., Sept. 30.

Tony Salamack, Blue Meadow Club, Lexington, Ky., Oct. 1, indef.

Art Landry, Ann Butler Will Tour with Unit Of Harvest Ball Winners

Orchestra pilot Art Landry has organized some winners of the New York Daily News 1938 Harvest Moon Ball to tour with his outfit through the fall. Mrs. Landry (Ann Butler), goes along. No dates set yet but tour of theatres, ballrooms, etc., is expected to get under way about Oct. 15.

Teams hancocked are the waltz pair and all around champs, Sylvia Teitleman and Walter Bourie; Lillian Warga and Luciano DeLucia, tango; Rose Kuhn and Anthony Yocavino, rhumba; Grace Murray and Nick Haas, shag winners, and the two runner-up teams in the latter division.

KRUFA TO PACIFIC SPOT

Gene Kruza orch heads for the coast the latter part of this month to go into the Palomar, L. A., Nov. 2 for six weeks with an option for a second six. In between the band plays a series of one-nighters and split week theatre dates, last in Milwaukee Oct. 21-27.

At the coast dancery the crew will have its first web wire. Band has only been on the air two or three times since its debut.

Sammy Kaye's Radio Time

Sammy Kaye orchestra will have three and a half hours of air time a week from the Commodore Hotel, N. Y., where it opens Friday (30). Will be split into five half hours Monday through Friday and a full hour Saturday afternoons from 5 to 6 p.m.

Latter will be for homecoming football crowds and selections will concentrate on songs of colleges whose teams played that afternoon. Also will include guest stars. Billy Rose being named for the leadoff.

15 Best Sheet Music Sellers

(Week ending Sept. 24, 1938)

*I've Got a Pocketful of Dreams.....	Santley-Joy
*Alexander's Ragtime Band.....	ABC
*Now It Can Be Told.....	Berlin
*Change Partners.....	Berlin
*Small Fry.....	Famous
*A-Tisket, A-Tasket.....	Robbins
*What Goes on Here in My Heart.....	Paramount
*I've Got a Date with a Dream.....	Feist
*I'm Gonna Lock My Heart.....	Shapiro
*When Mother Nature Sings Her Lullaby.....	Santley-Joy
*So Help Me.....	Remick
*Music, Maestro, Please.....	Berlin
*Garden of the Moon.....	Harms
*You Go to My Head.....	Remick
*Stop Beating Around the Mulberry Bush.....	BVC

* Indicates film musical song.

† Indicates stage production song. The others are pops.

On the Upbeat

Herman Waldman gets a two weeks' renewal on his Memphis date with Hotel Muehlebach, Kansas City, and then Schraders, Milwaukee, to follow.

Matty Mainek christened his new swing band the St. Louis Blues orch. Outfit is playing in picture of that name at Paramount.

Lou Silver is recording 'Suez' at 20th-Fox with 100-piece orch.

Artie Shaw goes into the Lincoln hotel, N. Y., Oct. 26 for the season. Billy Halliday will do the vocals.

Eddie DeLange looks set for the Bandbox, 52nd St. niterie.

Ray Herbeck into Willows, Pittsburgh, Tuesday (27) for indef stay, replacing Dick Gardner, who after flock of one-nighters opens at Chez Paree in Omaha Oct. 6.

Ted Weems opened a six-week stand at the Palomar in L. A.

Frank Trombar opens four-week stand at the Adolphus hotel, Dallas, Oct. 13.

Joe Venuti into the Book Cadillac, Detroit, Oct. 16.

Mark Warnow Blue Velvet orchestra date at the Paramount, N. Y., with Raymond Scott's Quintet has been deferred until Oct. 19. Originally scheduled for Oct. 12.

California Ingenues added to Count Bernivici's unit.

Eddie South with Joe Glaser.

Red Nichols start a two week date at the Show Boat, Ft. Worth Friday (30).

Jack Walton booked into Hotel Schenley, Pittsburgh, for fall and winter dance season opening next month. It's a new crew just organized by Walton, who for years was first violinist and leader of Herman Middleman crew.

Vincent Travers into the International Casino Oct. 5 to play the show.

Little Jackie Heller, currently in the Hotel Stevens, Chicago, now with Music Corp. of America.

Duke Ellington at city auditorium Norfolk, Va., Sept. 27.

Mohawk Mills Park, Amsterdam, N. Y., is now presenting name bands Sunday nights, with a \$1 tap on men and 50c for women. Larry Clinton's orchestra was the attraction Sept. 25.

Al (Buddy) Relyea's orchestra has opened for the fall-winter season at the Lenox Restaurant in Troy.

Chick Scoggin's orchestra opened at 400 Club, Wichita, Kans., replacing Buddy Fisher.

Larry Clinton repeats Sunday (2) at Ritz ballroom, Bridgeport, second date in two weeks.

Charlie Randel plays Darien, Conn., firemen's ball Friday (30).

Jack Gorodetzer, bass, and Vince

Bruno, piano, have quit Clarence Fuhrman's WIP Philly house band to join Bill Shannon and Al Subel in a combo which recently opened in the cocktail room at the Warwick hotel.

Faith Carlton Rhumba Rhythm Boys, taken over by Rockwell-O'Keefe this week. A new Coast outfit.

Jeanne D'Arcy, vocalist, back with Johnny Messner's band at the McAlpin hotel, N. Y., after short vacash.

Tommy Dorsey and Jan Garber already set for Professional Music Men's benefit at Manhattan Opera House, Oct. 9.

Abe Lyman opens at the Roosevelt, New Orleans, Nov. 30 for a minimum of four weeks.

Art Schutt Reorganizes

Bowing out of Metro's music dept. on the coast, Arthur Schutt, pianist and arranger, is in New York to put the final touches on a new dance band of his own. Crew started rehearsals Monday (26).

Crew will probably book through Rockwell-O'Keefe.

AGAIN ABC LEADS WHILE A CIGARETTE WAS BURNING LOVE OF MY LIFE (REDDY POWELL)

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Bigger Than That Old Feeling!"
WHO BLEW OUT THE FLAME?
By Mitchell Parish and Sammy Fai

Honolulu's No. 1 Song Hit
A SONG OF OLD HAWAII
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MIDNIGHT ON THE TRAIL
By Clay Boland and Bickley Reichner

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ONE DAY WHEN WE WERE YOUNG
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CURB ON VAUDE 'REVIVAL'

VAUDE'S NEW AUDIENCES

If and when the 'revival' of vaudeville eventuates from the talking stage to theatre stages, the profession will have to bend to the will and taste of a brand new audience. It will have to look to the wants of a new theatre generation. But whether vaude can look further ahead now than it did 10 years ago is a moot question.

Vaude half-jumped and was half-pushed out of its once important niche in the show business! It was pushed by sound pictures, radio and disinterested theatre operators. It jumped off the deep-end by lack of creativeness and an amazing apathy towards changing and modernizing material.

Finally, as it saw all of its props knocked down under, vaude out of desperation got dirty. That was the final wallop for the complete finish to come.

Now its road back, if opened, will be tougher and longer than the way out. On the surface vaude's comeback should be simple. It faces the kids of yesterday, most of whom have seen little variety entertainment since reaching theatre-going age in the past few years. But if vaude figures 'em as pushovers for its former slipshod tactics, vaude is going to find itself mistaken. Quickly.

Radio and filmicals have wised up the kids to the best in entertainment. Result is that the supposedly 'dumb' youngsters are keyed to a faster show-tempo than vaudeville ever had to face in the past. They know names, music and musicians, and gags. They can't be cheated.

The 'new generation' problem is thus also the theatre operators' burden as well as the vaudeville actor's. A perusal of VARIETY's gross pages is the best clarifier for the theatre owners. Week after week stage shows attract smash business; mediocre vaude doesn't draw much more than duals and china-giveaways.

Creativeness and originality is the vaude actor's chief problem. Most of its former writers are now in pictures or radio, or both. They must be forgotten about by vaude, as they will not bend towards the small coin offered in comparison to their present earnings.

But there are other writers. New ones. All anxious for a 'break' and probably able to deliver, if the vaude actor will spend some money for material. But that was always a big 'IF' in vaude.

Flood Maroons

Vaude Bill And Patrons in Prov.

Tidal wave that swept over Providence at the height of the New England hurricane last Wednesday (21) washed out the supper and subsequent vaudeville performances at Fay's, according to Charlie Althoff, fiddler, and forced the performers to take to the balcony. Water on the stage reached up to Althoff's armpits and the performers finally had to quit after first trying to continue by candlelight.

Around 300 patrons were marooned on the shelf along with the performers, and when it appeared that the waters would not subside for several hours, Althoff and a few of the musicians from the pit entertained. According to the actor, there was no evidence of panic among the patrons, though a few of them got down on their knees and prayed.

Other acts in the show were Paul LaVare and Brother, Eddie Lambert, Rascos and Duval and Helen Morgan. Latter came in as an added starter on Tuesday, being in town on other business, and was in the theatre when the full force of the tidal wave hit around 4 o'clock in the afternoon. Performers and patrons were marooned in the theatre till around 8 p.m.

Rebuild 'Magis' Plant

Colon, Mich., Sept. 27. 'Magis' plant in which Percy Abbott, former professional magician, had turned out gimmicks, will be rebuilt, shortly, he said last week, after fire razed the factory here.

THEATRE MGMTS. WARY OF UNIONS

Major Circuits Steer Clear Due to Fear of Labor Entanglements — Broadway Strand's Recent Near-Strike Cautions Against Stage Fare

SEEK CONCESSION FIRST

According to inside sources, the major circuits will hold off any extensive 'vaude revival' until they are absolutely forced into it by possibly fast-growing public opinion. Chief reason for steering clear of stage shows is the antipathy of the operators to effect any further union entanglements.

Constant strikes in other industries in the past couple of years, with the American Federation of Labor battling the Committee for Industrial Organization in many instances being among the factors in the theatre operators' idea to give stage shows a brushoff. They fear labor trouble would stymie their operations, even if only temporarily, after they had expended coin in extensive exploitation on a 'revival'.

Recent attempt by the American Federation of Actors to call a strike at the Strand, on Broadway, in the opening week of that theatre's stage show revival, is being cited by theatre men to substantiate their fears. Had that strike gone into effect, the Strand would have been hooked for the extensive 'advertising' of its return to presentation-band policy. Opening show was headed by Ben Bernie's orchestra.

Also pointed to by operators is the difficulty they are facing in several keys to get the unions to give trial concessions to those houses wanting to reinstate vaude. Theatre men have approached the crafts with the idea of a trial-period for vaude, of eight or 10 weeks, with the theatre's biz after such a time determining the future wage scales of musicians and stagehands. During the test, the musicians and stage hands would give the theatre a break on the budget. Thus far, these talks have wound up in Mexican standoffs in all spots except Baltimore, where Loevo's got something of a concession for the 20-minute 'streamlined' presentation at the Century.

VALLEE HEADS AUTO SHOW

\$25,000 Unit Set by Consolidated, San Francisco

San Francisco, Sept. 27. Rudy Vallee and his Connecticut Yankees have been engaged for the forthcoming San Francisco automobile show to be held in the Civic Auditorium for eight days starting Nov. 11.

According to Manager Larry Allen of the Consolidated Radio Artists office here, Vallee and a company of 40 people will get \$25,000 for the engagement. Last year Consolidated placed Paul Whiteman at the show and the year before Bobby Brown and Meredith Willson's orchestra.

N.Y. PAR DENIES DUCHIN REQUEST FOR WYNN SUB

Eddy Duchin and Paramount theatre, New York, officials clashed Friday (23) over keeping Nan Wynn as the band's vocalist. Duchin wanted to substitute Mildred Fenton for Miss Wynn, claiming the latter wanted too much coin. She's reported to have received \$450. Par officials vetoed the change, insisting Miss Wynn finish out till last night (Tuesday), when Duchin's engagement ended.

When Miss Wynn opened Sept. 16, she fell twice while exiting the pit and injured her knee, which required her to lean on the piano when she did her stint for the rest of the date. Miss Wynn goes into the Glass Hat of the Biltmore-Plaza hotel, N.Y., tomorrow (28) and most likely will remain on the Co-operative Beer radio show with Richard Himber and Henry Youngman. She's guested on the air show the past two weeks.

N. Y. Cafes Prep for New Season; Flock of Sports All Set for '38-39

O.&J. at \$3.30

Circuit operators and vaude bookers should gander 'Hellzapoppin,' Olsen and Johnson's revue which opened last Thursday (22) at the 46th Street, New York.

Idea is that the pop-priced picture theatres will get this \$3.30 legit show in condensed form, eventually. It also gives an idea of vaude's present-day commercialism.

Lots of New York nite-y plans in the air. Sid Solomon plans re-naming the old Embassy Club, on East 57th street; as the Central Park Casino. Herbert Jacoby is just back from Le Ruban Bleu, Paris, to reopen his similarly named spot on East 56th.

Maraschino, headwaite at La Conga and the old Lido, will be maitre at El Rio. Latter, on East 58th, has a Brazilian motif and is the site of the former Park Ave. Club, once a speak, which had at one time also been under Belle Livingston's aegis. When Joe Zelli last ran it as the Royal Box, he converted it into a replica of a street in Montmartre. Now El Rio will utilize the same motif, but make it look like a square in Brazil.

La Conga reopens with Connie Immerman, Bobby Martyn and Oscar Roche at the ... and with Miguel Roldan out. Ramon Ramos and Oscar de la Rosa will be the bands. Casino Cubano is another new Latin spot on West 45th, formerly the Afrique, switching from Harlem to rumba in motif. Opening Saturday (24) with Francis Quirios presenting a show headed by Consuelo Moreno, Ramon and Lucinda and Don Alfredo orchestra.

The Hotel St. Regis' Maisonette Russe reopened last night (Tuesday) with a departure policy, that of a colored band headed by Billy Hicks, plus Eva Ortega, Matthey's tzigane orchestra and Yasha Nazarenko.

The reorganizing Hollywood reopens early next month with a Bobby Sanford revue, under Nat Moss' direction, and the International Casino prems Oct. 5 with the Clifford C. Fischer revue from the London Casino. Lee Shelley's 'Shuffle Rhythm' orchestra goes into the Hollywood.

Last night Eddy Duchin returned to the Hotel Plaza's Persian Room along with Paul and Grace Hartman, doubling from 'You Never Know,' and Sally Clark, the in-law chanteuse of the Roosevelt family. Tomorrow (Thursday) the Biltmore hotel's Bowman (grill) room re-opens with a new maestro, Frank Novak, the NBC maestro, with a special combo built around him and a show including Crawford and Caskey, the Fashionettes (Emily Stephenson, Clare Sherman, Joan Whitney), Hal Hutchinson, Orio Thomas, Lowell Pontee. Horace Heidt returns to the Biltmore in early December.

The Casanova (nee Helen Morgan club) reopens Oct. 7 with a show headed by Dave Apollon's orchestra, Milli Monti, Diane and Daria, and Wences. Frank Martin from El Toreador in Spanish Harlem moves into the Yumuri on Broadway Oct. 6, and another Cuban spot, the Havana-Madrid, premieres its new show tomorrow (Thursday) featuring Rosita Ortega, Nano Rodrigo orchestra, Pancho and Dolores, Filepe de Flores, Juanito Sanabria.

Tonight (Wednesday) the Paradise's new revue, authored by Teddy Powell and Leonard Whitecup, staged by Marjorie Fielding, a

(Continued on page 50)

Pitt Cafes Fear Cubs' Threat To Pirates Pennant

Pittsburgh, Sept. 27.

Local hotel and night club owners worried these days about last-minute surge of Chicago Cubs to front of hot National League baseball chase. Boys stand to lose what they conservatively estimate at a cool \$500,000 if the leading Pirates don't come through as expected.

Elaborate preparations have been made by cafes, bars and hotels all over town for World Series crowds. Augmented floor shows have been booked, conventions cancelled for baseball fans and town has otherwise been preparing for its biggest spending bender since long before the depression.

When Pirates last week announced sale of World Series title, boys figured the flag was in the bag and went ahead with bookings, renovations, re-openings and general employment spurt. With race less than a week to go and Pirates in front by a narrow margin, however, they're keeping their fingers crossed.

Troc's Ice Rink

Hollywood, Sept. 27.

Trocadero opened its new \$50,000 rink tonight (Tuesday) with the first ice revue to appear as cafe entertainment on the Coast. Show features 30 skaters.

Rink can be turned into a dance floor by hidden mechanism.

AFA, Chi Indie Cafes Reach Accord But Hotel Spots Oppose Unionizing

Chicago, Sept. 27.

With the season getting under way, the American Federation of Actors has redoubled its efforts for the organization of all nite clubs in this territory, last week signaturing the Royale Frolics and the late evening hangout, the 606.

Others due in line shortly are the Chez Paree, Hi-Hat, Colony Club and the Blackhawk. Harry Richman, now headlining at the Chez Paree, has indicated that should the club fail to get together with the AFA by the end of the current week he will stroll. Richman is the AFA's council chairman and a vice-pre.

There apparently will be little difficulty in obtaining complete recognition from the independent spots but AFA is meeting general opposition from hotel-operated cafes.

Hotels locally are a pretty solid organization and have stuck together in battling a number of problems. Last year, they all walked off the air-lanes rather than pay \$100 weekly to the networks for remote control pickups. These dissenters include the College Inn of the Hotel Sherman, Empire Room of the

Palmer House, Continental Room of the Stevens, Marine Ballroom of the Edgewater, Beach hotel, Casino of the Congress hotel, Walnut Room of the Bismarck, Blue Fountain Room of the LaSalle and Terrace Room of the Morrison.

AFA intends taking legal steps to unionize the hostelry niteries, and will picket these hotels if it becomes necessary. Will also seek operation of agencies and bookers to withhold acts and talent from the non-signing hotel niteries.

VAUDE-RADIO UNITS FOR CLEVELAND NABES

Cleveland, Sept. 27.

Nabe houses looking for one-night stage shows are turning to vaude-radio revues produced by Milwaukee on Cleveland's four stations.

Units are being made up and toured through the film circuits by the new Airway Radio Broadcasting studio, which has 18 local announcers, production men, etc., on its staff.

N. Y. ICE SHOW BEEFS ON H'WOOD UNIT'S 'MISREP'

Acts in ice show current at New Yorker hotel, New York, are beefing about billing of Norval Baptie-Gladys Lamb troupe current at Trocadero, Hollywood.

Latter went into the Troc Sept. 27, advertising itself as being from the New Yorker. Complainers state that Baptie and Lamb had appeared in the New Yorker show but that Coast group, outside of the latter duo, is otherwise different.

Rockwell O'Keefe office, which books the New Yorker, states that nothing can be done about it since the two Coast principals had at one time been at the New Yorker. Present New Yorker show exits Oct. 11 for tour.

Heidt, Vallee Success at Mpls.' Orph Brings House Drive for Name Bands

Minneapolis, Sept. 27. Record outpourings for Rudy Vallee and Horace Heidt, and optimistic prospects at the Orpheum next week, when Benny Goodman holds forth have sent John J. Friedl and Mort H. Singer scurrying for all the name stage bands they can grab. With the public making plain that it wants flesh, the sky seems to be the limit.

Friedl and Singer have lined up three more stag bands to follow Goodman during the next two months. On Oct. 14 Jimmy Dorsey, augmented by the Andrews Sisters, comes into the Orpheum. Week of Nov. 4 brings in Glen Gray's band, while Hal Kemp is underlined for the week of Nov. 18. Dorsey and Gray played the Hotel Nicolet Minneapolis Terrace niterly here last season.

Philadelphia, Sept. 27. Fox theatre here, after a five-week vaude experiment, will return to straight films Oct. 7. House, which for years was a regular flesh spot, returned to live talent Sept. 2 after a year and a half layoff.

Reported that exit of Fox flesh is due to difficulty of Warner Bros., which operates the Earle and Fox to get leading acts for both theatres, with competition of both WB houses also entering into the situation.

Fox this week has the American Ice Carnival, with 'Straight, Place and Show' (20th), and is doing fair biz. Final show, coming in Friday (30) is Ina Ray Hutton's orchestra. House, in its opening week, did nifty \$24,000. Had an exceptional strong combo, however, in 'My Lucky Star' (20th), and Mal Hallett's band on stage.

Fell off the next week though, with 'I Am the Law' (Col) and Connie Boswell on stage, getting a very weak \$15,000. Harri t Hector, in third week, with 'Valley of the Giants' (WB) did \$16,000.

Riley, Millinder Bands In Albany Music Duel

Albany, Sept. 27. Fabian's Harmanus Blecker Hall, Albany, which is playing name bands on Sunday to supplement a rotating stock policy weekdays, has booked for Oct. 2 a battle of music between Mike Riley's and Lucky Millinder's orchestras.

Duke Ellington, Ina Ray Hutton and Mal Hallett have already played here.

Mike Riley opens a new 52d street (N. Y.) spot, the Troc, in early November.

FITZGIBBON'S BODY HELD 3 WEEKS

San Francisco, Sept. 27. Remains of Bert Fitzgibbon, credited with being the first nut comic in vaudeville, were buried Thursday (22) near Palo Alto, Cal.

Fitzgibbon was killed near Alhambra, Cal., Aug. 28 when hit by an auto as he was crossing a highway. Since then his body has been held at a Palo Alto funeral chapel pending payment of a \$270 funeral bill. Although Fitzgibbon was said to have left a \$30,000 insurance policy to his children, it's alleged that his mother-in-law, Mrs. Amelia McMillen, of Council Bluffs, Ia., wasn't able to raise the money to pay the funeral bill until last week.

Wini Shaw Too Sick, Cancels Philly Date

Philadelphia, Sept. 27. Wini Shaw, scheduled for the 21 Club this week, was forced to cancel her booking because of a sudden attack of laryngitis. However, she made her appearance opening night, despite the fact she couldn't do any more than whisper.

Cancellation left the spot without a name for opening week.

Messner's N. Y. Vauder

Johnny Messner's orchestra, now at Hotel McAlpin, New York, and broadcasting three times weekly via NBC network, set to open Oct. 7 at the Strand, N. Y. He will take in balladist Jeanne D'Arcy; Professor Koloslaw, top piano musician; the Three Jacks and Vibraphone Sam.

Chester Morris, from films, and Mary Small, latter from radio, also scheduled for same Strand show.

Mary Small goes into the Strand, New York, with J. Messner's orchestra. Former kid singer, now 17, opens Oct. 2 with Ben Bernie on the Half and Half radio program. Also has just been screen-tested by Metro.

Ft. Wayne's Vaudfilm

Fort Wayne, Sept. 27. Plans for a new nabe, styled after the Esquire theatre in Chicago, were announced here by Harvey Cocks, General manager of the Quimby Theatres. The company closed a deal for property last week, and will start work on actual construction soon.

A brisk war is being waged by the Quimby group and Manny Marcus, who recently leased the Paramount, second largest house in the city. Marcus opens his house Oct. 1, with Ozzie Nelson and Harriet Hilliard heading the show. Theatre was remodeled to accommodate vaudeville.

WB SEEKS MUSIC UNION CONCESSIONS IN PHILLY

Philadelphia, Sept. 27. Confab with the Musicians Union has been requested by Warner Bros. here to go over contract for next year. Present term expires in December. Meeting, originally called for last week, was postponed until next week.

WB indicated it will ask concessions because their profits have allegedly been seriously cut during the past year. Union execs declare that there can be no concessions because 'we are getting too little now.' Principal WB demand will probably be for a better break at the Fox, which now has a 35-piece Symph.

• 15 YEARS AGO •

(From VARIETY and Chipper)

Ted Lewis dropped about \$100,000 on his 'Frolics,' but planned to try it as a summer show.

Bert Lytell headlined at the Palace, N. Y., in 'The Valiant.' Made a profound impression in spite of over-length and grime of story. Florence Walton, back from Europe, was the draw, and a big one. Clayton and Edwards were jumped into the show at the opening mat to supply badly needed comedy. Edwards was Cliff, of that ilk.

Julia Sanderson topped at the Riverside, N. Y., with Aunt Jemima fronting a seven piece band and Clayton and Edwards supplying the big laughs.

Eddie Cantor at the Alhambra remarked that the previous week there had been numerous cantors employed, but this week he was the only one. Reference was to the Jewish high holidays. Doubling into the Royal.

Changing neighborhood put the Colonial, N. Y., into the grind class. Six acts did two shows daily, with pictures filling in the remainder of the time. Pretty good acts, too.

Loew's State, N. Y., celebrated its second anniversary by going to full week status. House orchestra was getting almost weekly notices for its novelty overtures and regarded as part of the bill.

Ben Bernie and Belle Baker topped the Palace, Chi. Miss Baker topped Bernie in the billing. Sang with Bernie's band as an extra stunt.

N. Y. theatres limited to one column inch in the Sunday papers, due to short issues on account of the printers' strike.

Los Angeles was mulling the idea of two picture shows daily instead of continuous grind. Sounded well, but did not work out.

Capitol, N. Y., pulled down \$53,000 on Elinor Glynn's 'Six Days.' Rivoli took \$28,000 for 'Zaza.'

Betty Hill, of 'Greenwich Village Follies,' had her costume ignited as she passed a switchboard on her way to a number. Stripped off the dress and finished the number in what she had left.

Marie Dressler preparing to open in London. Some opposition due to the fact that 15 years previously she had left without paying debts contracted. Explained she was prosecuted over her failure and knew nothing of the unpaid indebtedness. Paying up again.

Capt. Irvin O'Hay and Eddie Garr back after a 3,000 mile barnstorming tour in a truck. Left with \$10. Got back with \$18. But they had a whale of a time.

Niterly Reviews

MIDNIGHT SUN, N. Y.

Nils T. Granlund, Jack Melvin Orch., Michi Taka, Miss New Orleans, Hilda Ferguson, Miss Philadelphia, Geraldine Ross, Helena Anderson, Mata Montera, Carol Bruce, Paul Marin, Elenore Wood, Charles Fredericks, Eileen Wenzel.

Following extensive alterations on the site of the old Montmartre, in the Winter Garden theatre building, New York, Nils T. Granlund returned to Broadway last week as the purveyor of Swedish Smorgasbord. Despite his past record for presenting lavish girl revues, Granlund is concentrating on appealing to the palate rather than appreciation for undraped flesh, as the main lure for his new spot.

However, there's still plenty of pulchritude retained most of the lookers with him on his recent theatre tour and added more, including three Atlantic City beauty contest winners. Niterly is intimate and softly lighted, seating about 500. Dance floor is of average size, serviced by Jack Melvin's orchestra, which plays well for the show and dansapation.

Show is pleasant enough, but outside of a couple of turns, boils down to the usual 'girl parade.' Presence of the three beauty winners, including Miss Philadelphia, national champ, is the excuse for a bathing number midway, which puts plenty of curves in the spotlight. Of course, the Swedish motif wouldn't be complete without a native entertainer, which brings in a blonde person, blonde, who sings in her native tongue, then encores with 'A-Tisket, Accented attempt at the latter is even laughable to her, and patrons take it in the same vein.

Three beauty winners try to convince as being something besides easy on the eyes, but fail. Miss New Orleans sings 'Pocketful of Dreams,' then reproduces Clyde McCoy's trumpet version of 'Sugar Blues.' Latter is okay but the vocal 'n'g. Miss Philly contributes 'I'm Gonna Lock My Heart' and falls into the same category. Hilda Ferguson, representing Baltimore, is introduced by Granlund as the daughter of a former star he discovered. Confines herself to an interpretative dance that does not mean much.

Michi Taka also shows in semi-interpretative style, mixed with taps, okay. Geraldine Ross, easy working Amazon, does high kicking, acrobatic routines in the solo coming on early and again near the finale. For a dancer of her type and size, she makes difficult twists and flips look simple. A natural comedian, she mugs and handshakes her way into favor. Mata Montera is a Spanish dancer. Elenore Wood is handicapped by too much inter staff repeding. Her style is in the passion vein.

Show, running slightly less than two hours, is poorly paced. Eye-filling end of show is up front with comparatively little in the second half, which lists Carol Bruce (New Acts), singer; Paul Marin, artist, and Charles Fredericks—(New Acts), baritone, would be better to spread the thoroughbred instead of having them so close together. Marin is versatile with a cravon, using ringside patrons as subjects for caricatures drawn on the bare backs of the showgirls.

Statler Terrace Room

(CLEVELAND)

Cleveland, Sept. 24.

Dick Barrie Orch., Georges & Jalna, Anita Boyer, Eddie Metcalf, John Kent, Hayder Hendershott Trio.

Statler Hotel's Terrace Room, despite its small show, consisting of one class dance team and band novelties, reflects its smartness. Hotel aiming at top hat trade, which turned out in full force at reopening. Specialized talent, as well as sophisticated atmosphere, succeeds in making the Terrace the town's showcase besides boosting the hostelry's prestige.

Latter point is mainly achieved in first edition by Georges & Jalna, from Hollywood's Coconut Grove. Duo's ballroomology gets a world of slick originality in their dances.

Both convey the impression it's exuberant fun and not an assignment. While it's tops in class terping, and appreciated by the socialites, revue needs at least one more act to give it balance. Dick Barrie's orchestra and his soloists try hard to fill out an extra 10 minutes.

Musical strictly mellow-sweet, with a lot of muted trumpet and controlled clarinet, which gets 'em, but it's still lightweight. Youth of ensemble is in its favor; so is Barrie's affable manner. Ban has the few corny tricks which are hangovers from its dancehall junket but with a good Music Corp. of America buildup and more individuality, it may click on hotel chair running. Anita Boyer is a pert chirper but needs more poise. Eddie Metcalf, baritone, and John Kent, whispering tenor, get together with her in some nice harmonizing. During lulls, Hayder Hendershott's Trio send up enough sweet melody to cover the long waits. Pullen.

Hawaiian Blue Room (ROOSEVELT HOTEL, N. O.)

Little Jack Little Orch., Gomez & Howard Jack Little, Wile, Meymo Holt & Howard Brooks.

Col. Seymour Weiss has changed his Hawaiian Blue Room policy of Hawaii. He has replaced the dances to strongly-built shows and name band with good results. Packed house on tap Wednesday (21) opening of Little Jack Little's orchestra.

Little dominates the show with both his m.c'ing and pianoing. His interpretation of an old-time saloon piano playing 'I'm Sorry I Made You Cry' is his biggest applause-drawer while he's adroit enough also to mix in a bunch of old favorite tunes with the newest ones. Dance music, too, is a factor. A mirror above the key-board to show the patrons his deftly moving fingers is good showmanship.

Crowding Little for first honors are Gomez and Winona, who respond to a comical applause by running the gamut of ballroom numbers, from the stately 'Caprice Viennoise' to the rumba and truckin'. They drew five encores when caught. Lee Wile, warbler, draws a flock of encores, while Meymo Holt, held over from outgoing Hawaiian group to carry out South Seas motif, contributes a graceful hula.

Howard Brooks, who works with his legdermain in a clever magical act. His needle swallowing turn takes the house. Luzzza.

PENTHOUSE, BALTO

Baltimore, Sept. 24. Mary Brady, Tania & Kersoff, Isabella Dawn, Milt Mann Orch. (8).

Located atop the Stanley theatre, Penthouse has been a niterly standby here for more than a decade. Operated by Len Trost, vaude agent, and Milt Mann, who conducts the orchestra.

Fair show has Mary Brady, hoover; Isabella Dawn, capably Wiley, warbler, draws a flock of 'My Heart.' 'Your Broadway and Mine' and nice arrangement of 'It Can't Be Anything But Love.' Has robust style and delivery is similar to 'Sophisticated' Buckwheat. Should make friends here. Standout is Tania and Kersoff, in character dances. Hindu number, in which a live snake is employed, to strong returns, and dagger dance, in which blades are tossed at femme excellent flash. Music for show and dansapation by Mann is adequate. Bumm.

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'He's a Jolly Good Fellow'

London Cafe Patrons Sing in Tribute to Chamberlain on Peace Mission

London, Sept. 15. A significant manifestation of repressed emotions asserting themselves occurred at last night's performance (14) at the London Casino. It was on the occasion of Neville Chamberlain's first flight, to huddle with Hitler on a possible peace move. Announced from the stage, by the management, it spontaneously moved the fashionable niter audience to its feet, everyone grasped his neighbor's hands and total strangers of a moment before were interlocked in the simultaneous singing of 'He's a Jolly Good Fellow,' as an ode to the British prime minister, on his peace mission.

Unlike some freer expressions permitted in America, the British democracy is none the less under wraps when diplomatic crises of this nature arise. Thus, the man-in-the-street usually disports himself according to his private opinion. When in public gathering places, like theatres, cafes and night clubs, they're on their decorum, which makes this sudden enthusiasm the more marked.

The London Casino revue, just arrived, which reopens the International Casino on Broadway Oct. 5, to a \$10 premiere, will be considerably augmented. Grace and Nikko, Kosloff, Eileen O'Connor, Emma and Henry, Harold and Lola, Corinne, Tito, Valdez and Serban, Shyrettes, Bood and Bood, Carmen Torres, Ernie Dillon, the Christians, Rio Bros. and Franklyn D'Amore are the principals. Latter two acts, due to prior English commitments, only got in this week, a week after the rest of the L. C. revue.

Stanley Klein and Eddie Lewis are busy rehearsing under Clifford C. Fischer's supervision. Val Farrell's brother, Arthur, who handled the London Casino's road revues, is back managing the L. C., while Lewis remains more or less indefinitely in America, as personal rep for Fischer, who also arrived last week with his show.

A replica of a French street scene in Montmartre is a major rebuilding operation at the International Casino right now, where Larry Clinton's band will be escorted, in the outer room, as well as within the Casino.

Sally Rand in Philly

Philadelphia, Sept. 27. Sally Rand goes into Fay's theatre here Friday (30) with her unit for first local appearance in about four years.

House also will get Par's 'Buildup Drummond in Africa.'

JACK and JUNE

BLAIR
On Tour Fuller Circuit, Australia with "Hollywood Hotel" Revue

MATA MONTERIA

Leading Dance Stylist
Soloist of Chicago Grand Opera Co.
Currently Appearing at the
N.T.G.'S 'MIDNIGHT SUN'
in Spanish Dance Creations

JACK DURANT

HELD OVER 2nd WEEK

PARAMOUNT THEATRE, LOS ANGELES

WALTER WINCHELL said:—
"Orchids for Jack Durant's routine."

ED SULLIVAN:—
"It's amazing how Jack Durant's improved."

Gainsworth Quits Bakto, Hipp; 'Hutton Too Swingy'

Baltimore, Sept. 27. Marjorie Gainsworth, operatic warbler of pops, pulled out of the Hippodrome here, after the first show opening day (23). She claimed Ina Ray Hutton's orchestra, currently the stage headliner, was too swingy to play her type of music. At the first performance, Miss Gainsworth had only piano accompaniment.

According to the singer, the pull-out was okay with Izzy Rappaport, theatre operator. She claims he's rebooked her for the house, opening either Oct. 14 or Oct. 28. Steve Evans replaced her at the Hipp.

CITE 253 CLEVE. CAFE CURFEW VIOLATORS

Cleveland, Sept. 27. Since police formed a nine-man squad, tagged the 'dawn patrol,' to stop joints from violating the 2:30 a.m. curfew law, they have swooped down on 253 niteries that had been running wild lately. Out of that number, 38 were given final warnings that their liquor licenses would be taken from them in the event of another violation.

On second visit only nine were found still open after hours, state liquor board calling offenders next week to revoke their permits. Such policing of niteries hasn't been so strict since prohibition days, but new reform party insisted upon it.

Spots are now trying to lure in earlier trade by moving up their old 2:30 a.m. floor shows to 1 at the latest, while most of them put on their first revues at 6:30 dinners.

Philly Without Negro Vauder 1st Time in Yrs.

Philadelphia, Sept. 27. Philadelphia, for the first time in years, will be without a negro vaude house this season. Lincoln, which formerly played colored shows, will become a Yiddish theatre shortly. Nixon's Grand, which took over several years ago when the Lincoln left off, is shuttered and for sale.

House, operated by Harry Slatko last season, has been sold by sheriff.

Zorine's Unbilled Strip

Saginaw, Mich., Sept. 27. Zorine's Nudists (6), niter troupe touring state, lived up to advance billing here last week, arriving at the Moonlight Gardens here minus their wardrobes.

A train took care of the latter, demolishing the small trailer attached to their automobile, at a crossing near here. Wardrobe had been in trailer. None was injured.

No Repeal Here

Altoona, Pa., Sept. 27. Despite the fact that Altoona is a wet town in a wet state, this city of 85,000 people doesn't have a single niter. Reason is the ban imposed for the past three years by Mayor J. Harry Moser on entertainment of any sort where liquor is ladled. Moser's order even goes so far as to eliminate radios from saloons.

Mayor is an ardent churchman and enforces his rulings arbitrarily by refusing to issue \$25 city license to spots.

Philly AFA, EMA Plan Fixed Minimum Pay For Acts and Agents

Philadelphia, Sept. 27. First step in a plan of co-operation between the American Federation of Actors and the Entertainment Managers Assn., booker group, was worked out here Sunday (25) to eliminate chiseling agents. Plan envisages fixing of minimum pay for acts and minimum commission for agents, which will be worked out by local excess of AFA and EMA.

Confab took place between Florence Bernard, prez, other EMA officials and Ralph Whitehead, AFA prez. Tom Kelley, on Sunday (25) was named as local rep of AFA, also attended. Meeting followed immediately after official merger of the local talent union, United Entertainers Assn., with the AFA.

AFA elections here Sunday also inducted William G. Jones as secretary while Paul Mohr and Joseph McFadden were named treasurer and recording secretary, respectively. Frank Dowling, Joe Campo, Dolly Davis, Norma Norton, Bob White and Joan Barrie will be the advisory board. They were formerly associated with United Entertainers Assn., which has been absorbed by AFA.

With the Philadelphia situation under its belt, AFA will next organize Detroit. Walter Ryan, former rep there, has been replaced by Dan Hurley of New York AFA.

CBS Swing Show Booked Into Hartford Theatre

Columbia Broadcasting's Saturday night Swing Session orch., will do p.a. at the State, Hartford, week of Oct. 9. Lieth Stevens heads. On Oct. 15, the last day of the date, the band will play its Swing Session coast-to-coast program from the stage of the theatre.

Saranac Lake

By Happy Benway

Dr. Karl Fischel, former medical director of the Will Rogers, who recently won the Leon Bernard Memorial Prize for tuberculosis research, is scheduled to take over the main job again at the Rogers Oct. 1.

Dorris Andrews, of the Metropolitan theatre, Boston, is a newcomer at the Rogers. Needs a rest. Jim Williams, here years ago as an ex-N.V.A.-ite, back again for look-over.

Mrs. Jean Wolf, whose husband is with the New York Paramount theatre, is a new arrival at the Rogers. She's a former dancer.

The John Loudens made a trip to the Big Town for a look-see. Herman (Will Rogers Fund) Levine here to look over the gang.

Ford Raymond, who did his time here, then went to Los Angeles, will winter in Phoenix. He's a successful rib case.

From Worcester comes Ed Schrader, Albert Schrader and Mrs. H. Schrader to ogle Fred Schrader, who's doing well.

Hap Ward, Jr., who's improving had a surprise visit from his dad and ma, in from Boston.

A ham and egg dinner was tendered to Christy Mathewson, Jr., at Mark's Grill here. Son of the former pitcher is a loyal booster for the Actors Colony.

Martha (Universal Pictures) Gill is one year older.

Jack Edwards, Walter Hoban downtown shopping for the boys.

Otto Krause, Lotte Lehmann's stepson, doing par-excel at the Erikander cottage here, expects his frau here for a visit soon. The opera singer has promised to give a concert at the local theatre benefit.

Write to those who are ill.

All He Got Out of S. America Was The Zamba, Says Maestro Barron Lee

Becker Quits Pitt Cafe Operation; Peyton Back

Pittsburgh, Sept. 27. Joe Becker, who owns niteries in Buffalo, Cleveland and Detroit, has faded from the Pittsburgh cafe scene after a three-month try at Eddie Peyton's old spot. Becker took it over from Peyton last June but never got going, eventually ran into some trouble with the musicians union and finally gave up.

Understood venture cost Becker plenty. As a result, Peyton, who for several months has been m.c.'ing in midwest night clubs, will operate the spot on his own. Holds over Jack Gamble's orchestra last looking made by Becker.

MORRIS AGCY'S PROD. UNIT TO BUCK MCA

William Morris agency will set up a production department to organize fairs, exhibitions and large niteries. Music Corp. of America entered the field recently and has since expanded to legit musicals. Move is in line with general expansion of Morris office, which recently included a band department under Ed Fishman.

Introduction of production department will put Morris and MCA into closer competition than ever before. Heretofore, MCA has had a pretty clear field in fairs, except for individual vaude show producers.

Morris office has already sent out feelers to various organizations around the country. City fathers of Ft. Worth, Texas, have been contacted by Morris office, which wants to put on the annual Casa Manana show there next year. MCA handled the show as its first venture into production this summer and success of the event is said to have stimulated Morris office into going into the field.

Morris office would take it on percentage with no guarantee from many operators. MCA had it on guarantee basis. Lou Wasserman of MCA leaves New York for Texas late this week.

Hank Greenberg's Unit

Philadelphia, Sept. 27. Jackie Beckman, who recently closed as m.c. at the Adelphia Roof here, reported planning a vaude unit with Hank Greerberg, Detroit Tigers' heavy slugger, after close of the baseball season.

By JOHN HURLEY

South America isn't all pesos for foreign acts, particularly in Brazil. Coffee bean impresarios have you coming and going, says Barron Lee, Negro band leader, just back from 14 weeks at the Casino de Urca, Rio de Janeiro, where he and his compatriots were said to have been nosed around so often that they felt like gauchos.

Lee returned to U. S. this week with less money, he says, than when he started, a new pair of shoes and a resolution never to go back. All he got—and even that isn't strictly material—was a new kind of rhythm, the Zamba. The payoff came when he had to sail through last week's hurricane to get home.

Contract called for band to play 'the policy of the Casino de Urca,' and there was considerable behind that clause. Lee found himself broadcasting for a commercial program over Radio Tupi (PRG3) from the Casino at no extra pay, available for films, possible theatre dates and prospect of doubling into another bottle, the Nicktury, in Sao Paulo. All extra and all gratis. This did not include an assorted collection of tieups for 'publicity purposes.'

'Band said to have had to play in half-hour sessions without a letup. No announcements were permitted between songs, one running right into the other. Arrangements taken along were useless, band having to learn the Zamba, a native rhythm. Swing was gotten barely and jazz permitted only intermittently. Consequently, Lee has returned with a collection of Zamba orchestrations and a Cabaser, a Brazilian rhythm instrument.

Contracts afe as sacred as European treaties once an act or band is landed. Situation is reported to be so rife with politics that foreigners haven't a chance for a return boat with managements. Three-day notice of a salary change, alteration or cancellation is the limit. Conditions are the same throughout. For example, Berry Bros. and Carl Shaw. Shaw was dropped after four weeks of an eight-week contract when he refused a cut. Berry Bros. had their salary cut in half after two weeks at the Casino Atlantico. They were given three days' notice with ultimatum. They took the boat instead. All returned home promptly since there is no recourse. Government will not permit lingering once an engagement is ended and a suit from this end would get more kicking around than a football.

Lee's stay was particularly non-productive. Of his earnings he could send only \$50 home monthly. He was paid off in American Express orders, which were redeemed into milres at a loss of about 15c. on the dollar. When milres were cashed into dollars he lost about 25c. more, leaving him with 60% of his total income, which in itself was a Brazilian standoff.

'The THEATRE of the STARS'

Marcus Loew
BOOKING AGENCY
GENERAL EXECUTIVE OFFICES
LOEW BLDG. ANNEX
160 WEST 46TH ST. NEW YORK
Bryant 9-7800

J. H. LUBIN
GENERAL MANAGER
SIDNEY H. PIERMONT
BOOKING MANAGER

Sammy White whams home a smash comedy hoofing turn, necessitating an encore before he can get away. Lynn Chalmers supplies the s.a. and tonsil-work, and proves to the liking of this audience with her pops. Has to encore, too.

Oswald, with Ernie Stanton and a femme foil, finales the show with solid comedy.

Biz good last show Friday (23):

ROXY, N. Y.

Bud Abbott & Lou Costello, Florence & Alvarez, Radio Aces, Earl & Ferns, Collette Majorettes, Gae Foster Girls, Paul Ash house orchestra, "Hold That Co-Ed" (20th), reviewed in this issue.

A long and generally tiresome show show accompanies "Hold That Co-Ed" (20th), comedy grid subject, which with the dressing added, including a fashion show, newswomen and trailers, almost compels one to scream for the end.

Paul Ash's departure from pit to stage, with his orchestra, is a pleasing change but otherwise the usual routine show persists. Ash m.c.'s and, at the beginning, announces the various acts that will appear. Procession opens with Earl and Frances (New Acts), the 15-minute stage session runs into some laughs with Bud Abbott and Lou Costello, here about a year ago, then switches to the Radio Aces (Florence & Alvarez), trio of fairly harmony singers. They're not bad, yet don't sock either. Act wears out its welcome by sticking around too long.

The Gae Foster chorus girls, badly out of line and acting very tired when caught, serve as intro medley for Florence and Alvarez, who also carry the clock too far. A fairly enough act, fair attempt to improve on the Bolero with a very unorthodox arrangement of their own but Ravel's classic remains unapproachable.

Abbott and Costello, who earlier had done a slapstick routine, return near the close for a play on words involving baseball figures, to get laughs and easily outdistances all others on the show. Radio Aces, split with the band, go into a medley of college songs for the finale with the Foster Girls, who sing the Majorettes, baton-wielders, are held over from the prior show.

Business light Friday night (23).

Char.

RKO 58TH ST., N. Y.

Jerry Baker, Jack & Ailyce, Edith Brown, Lou Leonard, Anthony Tosca house orchestra (13); "Four Daughters" (WB); "Speed to Burn" (20th).

This show is another copy of the bandvaude trend and a step in the right direction. What it does mean is anything at this peculiarly situated house is another thing. House can draw both a middle-class clientele and also the smart set, both of which are in the neighborhood. Policy is weekend vaude, two days only, Saturday and Sunday.

Current bill, with two pictures, is light, and used as a feeler. If successful it will expand, with one film dropped.

Present show is well-lighted, but pacing could be better. Needs a faster start, which second act, Jack and Ailyce, could supply. Anthony Tosca's band also should be spread out more over the large stage.

Band, a former nitery crew, is plenty strong in the neighborhood. They're again the clientele comes into consideration. A swingy aggregation, with good arrangements, a departure for most house bands, this new may not be what the clientele want. Youngsters, though, ate it up at first show Saturday afternoon (24).

Band's pretty loud in solos, having two trombones, three trumpets, four saxes plus bass, piano and drums. Plays well for the show, though.

After Tosca's swing opening with "Alexander's Ragtime Band," the 32-minute show gets started with Edith Brown (New Acts), mimic. Jack and Ailyce (New Acts), fast tapers, follow and are best bets on the bill. Band, which includes a brumet, makes a nice appearance and sings "Now It Can Be Told" well.

Jerry Baker, radioite and something of a local fave, then on with a medley of music, "Hello, Hello, So Help Me" and "Change Partners" from latest Astaire-Rogers film, "Carefree" (RKO). Loses some attraction of his pleasant baritone because he shifts about on his feet too much.

Band show closes with a "Bugle Call Rag" that goes way out in an effort to make the gallery kick stamping. Tosca introduces the acts, and while making a poor m.c., is showmanly while baton-leading.

Last year, house tried Opportunity Night (acts and comedians) but the union and bookers beefed, which ended that. There was also an attempt at vaude but mediocre acts killed that, too.

Hurl.

STRAND, BROOKLYN

Teddy King house orchestra (12). Three Sophisticated Ladies, Frank Peris, Frances Faye, State Bros. (3) with Fay Carroll, "The Gladiator" (Col.).

Looks like vaudeville is on the way to permanency in Brooklyn. Its second week in this season is doing nicely at the box office. Since many metropolitan houses began dualing acts, a wholesale scene it had become too dig up two

suitable pictures weekly at this Brooklyn theatre. New setup of one good second-run and vaude enables management to book half as many films annually, ostensibly giving spot a better break on product.

Apparently, plan is to bring in acts from Strand and Loew's State, on Broadway, to brighten names. Theatre can afford to compete with name bands and consequently will strive to develop house orchestra under Teddy King.

King, meaningfully wants to appeal to jitterbugs with Frances Faye. She's okay and personable, but, oddly enough it's only when she vocals straight that she garners her applause. Introduced as the "miss from 524 street," Miss Faye indicates she's under wraps. Opener is "Za Zu Zaz," for which she's noted, followed by "A-Tisket," accompanying self on piano. After putting over "Weekend of a Private Secretary" with trappings, Miss Faye follows with "Old Man Mose." Encores with "Straight Music, Maestro," which really sells her.

State Bros., recently at State, N.Y., get by with much of their clowning. Fay Carroll, stately blonde, foils for many of their best. "True Confession" offers her a chance to display torchy warbling.

King, m.c., is improved from his opening week and considerably better than last season. Directs virtually the same house orchestra he did last year here, five brasses in 12-piece combo making for hefty sound. Main fault of orchestra is leaning too heavily on brass. King offers three soloists from orchestra, including drummer pounding "Rhythm Mister Drummer Man," after which he introduces idea of getting audience to guess what drummer is pounding is excellent but fails to let because of difficulty to tag onto tunes.

The Sophisticated Ladies, Flo Nell, Bella Lyons and Renee Randal, in opening spot, click as they did recently at Manhattan's Strand. Trouncing, actually, the house clowning have been tightened since N.Y. showing.

Frank Paris' marionettes go across well. Manipulating figures of Vera Zorina, Laith Disney's Dorey, Josephine Baker, a jitterbug he calls "Polythoda," and Sonja Henie go over solidly. Ice skating by Henie is better bigger act as show caught. Henie also from the N.Y. Strand. Entire setup runs 60 minutes. Wear.

APOLLO, N. Y.

Andy Kirk Ork with Mary Lou Williams, Ray Terrell, Jimmy Richmond, Moke & Poke, Pigmeat, Diane & De Campo, Five Shades of Rhythm, George Wilshire, Jimmie Baskette, House Line (16); "Reformatory" (Col.).

It's clock week at the Apollo with Pigmeat, a frequent entertainer here, back in the lineup, and Andy Kirk's latest vocalizing. (Review) beating it out on its third appearance here. Current offering is one of the best house has had lately, being lively, compact and well-paced.

With Moke and Poke (New Acts), funny youngsters from Baltimore; Jimmy Richmond, who'll be with Cab Calloway for the reopening of the Cotton Club; and Diane & De Campo, plus latter's straights, George Wilshire and Jimmie Baskette, there's plenty of real comedy. House line, too, is much improved over recent shows.

Pigmeat is the pet of Apollo audience, and they giggle if he just shows his noggin. Appreciation is well merited, too. He's on in several spots, best of which is his first, a pantomime bit, with the finale finding him cracking a safe to cop a pin for his pants. Follows it later with blackout, nicely done, but is not as effective as the opener. Five Shades of Rhythm are in between, including a hi-de-ho singer, backed by a sax, guitar, piano and bass. Youngsters, though, seem to have more to recommend it, but it clicks anyway. Bass twanger also trips out for a tap, out it's the vocalist who really gets the show.

House has made some improvements in the pony line, apparent in several spots, notably one in which it backed up with Campy and Moke with a semi-rumba, and return in straight ballroom stuff. In the latter girls decked out in blue and white beaded attire, wavy large, red hair. Diane and partner, smooth and make excellent appearance in front of black drop on full stage.

Although not part of the Kirk setup, Miss Richmond works with it here. Once with Jimmy Dorsey, she's appearing here with Calloway's okay. She mixes her vocals with impromptu dancing, and gets by solidly with the customers. Voice and style are suitable for most any type of tune. Swings "Weekend of a Private Secretary," ballads "What Do I Care" and "I Love."

Do begins off with "Darktown Strutter's Ball." Even then the customers are loath to let her go.

Mary Lou Williams is the band's pianist, and Phil Terrell its vocalist, both covered under Kirk's band review.

STANLEY, PITT

Pittsburgh, Sept. 24.
Kay Kyser Ork, Virginia Simms, Ish Kabibble, Sully Mason, Harry Babbitt; "Garden of the Moon" (WB).

Kay Kyser has gone a long way since he left here a couple of years ago, after an eight-month engagement at the William Penn hotel. And it's not hard to understand why, either. The bespectacled maestro, in addition to his radio show, has developed a stage entertainment that's among the topnotchers.

Show is merely an elaboration of Kyser's air program fitted to the footlights. There's an informality about the whole entertainment that sifts contagiously through the pews. Never has a Stanley audience enjoyed itself more completely.

All that counts as to the fact that Kyser's more or less considered a local product. He gained popularity here for some time preceding his network work, but again Smoky City pays and usually pretty aptly to home-towners. It's all in the Kyser manner. With success have come showmanship, assurance and a sophisticated antic style that set him definitely apart from the usual band leaders. Chief secret lies in Kyser's apparent enjoyment of his own act, and his savor, he's all over the stage and getting a big bang out of everything.

Kyser on his own is practically the whole works. Orchestra is all right, but not too much above average, and it stands or falls on baton's personality. First half hour is devoted to regulation band stuff, with Kyser holding court in slick fashion, with latter section of appeal and a cornucopia in which six ticket-holders are drafted from the audience and fight it out for first and second prizes of \$25 and \$10.

The quizz staff produces a barrelful of laughs, all due to Kyser, assisted in part by the boys on the band. In his own way, he loosens up, clowns around with them without ever growing offensive and generally makes them feel they're as responsible for the act as he is. Moke acts up here.

In the opening half, too, Kyser is everywhere, wise-cracking, whooping up a novelty presentation of "Hi Silver," in house act, by getting the gang out front in his corner before the curtains have had a chance to stay put. Specialists with the band are Virginia Simms, looking like a good singer, and a cornucopia vocalist; Harry Babbitt, personality-plus crooner; Sully Mason, kicking off a crack novelty, "Stop Beating Me"; and Ish Kabibble, dead-pan comedian, who's always been and still is a Kyser standby.

Despite fact that opening show was an hour before noon for first time here, house full at break. Cohen.

Roxy, Salt Lake City

Salt Lake City, Sept. 24.
Grace Johnson, Jackie Fields, Doris Myston, Alexander Miceuci, Bert & Betty, Billy Irons, O'Brien & Goldstein, Peris, Campy & Marie Smith, Bill Floor house orchestra; "Saturday's Heroes" (RKO).

"Mae Bowers" current unit, "Intercollegiate Revue," whose personnel was supposedly recruited from American rah-rah institutions, presents a variety bill, but its length, 54 minutes, is a bit long, and its pacing, which sold previous tyro units at this vaudeville.

Bill Floor's regular house band opens with a medley of college pops, with entire outfit, except for a warbling session. Grace Johnson, blonde and statuesque, m.c.'s nicely, doubling effectively as a torcher, aided by novel musical arrangements.

Ice-breaking tyro is redheaded Jackie Fields, whose forte is operatic airs on varied harmonicas. Youth production, by soprano, is packed house, appeared nervous at the offset of show caught but gained confidence as he caught his second break. O'Brien, an opener, Bert and Betty, mixed team, has been vociferously palm-patting as they produce music with a pair of drum sticks on all the stage props. Pair have entire outfit, except for a warbling session. Grace Johnson, blonde and statuesque, m.c.'s nicely, doubling effectively as a torcher, aided by novel musical arrangements.

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Having gained praise in Ripley's "Believe It or Not" cartoons as the most successful comedian in the Broadway, unleashes his pipes to give out three lush classical. Miss Johnson's turn next, singing a couple of pops. O'Brien, a mixed team, has been vociferously palm-patting as they produce music with a pair of drum sticks on all the stage props. Pair have entire outfit, except for a warbling session. Grace Johnson, blonde and statuesque, m.c.'s nicely, doubling effectively as a torcher, aided by novel musical arrangements.

No. 2 standstill is the father-daughter dance team of Joe and Marie Smith. Peris, a comedian, is a member of the "Troupe," but came from New York City to visit his daughter while unit

played at Butte last week and accompanied his daughter here. After his daughter vocals "Stardust" and displays some hot cloggery, father sings "The Blue Bird" and "The Last Night of a Bachelor," with each alternating. Father, despite his portly appearance, is agile on buck-wiggamology. O'Brien and Goldstein, in striped blazers, stage a "Night at the Radio," chiefly tepid mimicry of other commercials. New material and less drollery would buoy act into audience acceptance. Billy Irons, Negro youth, manipulates a pair of roller skates, executing, too, Bojangles' staircase routines.

Guss.

Embassy Newsreel, N. Y.

Storm damage in New York, Long Island and New England states steals camera spotlight from European crisis on this program. Paramount, Universal, Warner Bros. and Da got a break on coverage when Wednesday's (21) storm let up, permitting excellent shots from airplanes. Possibly the most pictorially graphic feature of the night is the cameramen have secured in months.

Par and U special their storm footage, and with good reason. Par leads off with Gene Marshall's crisp, authoritative narration, and a photographic story, from New York City and Long Island, up the eastern coast to New Hampshire and Connecticut. Airplane shots give comprehensive idea of the destruction. Water front damage, wrecked Long Island train, state guards on duty in Providence and an unusually effective night scene of a New London, Conn. blaze, highlight the excellent footage. N. of D. includes a second wrecked train and numerous close-ups of Westhampton, L. I., wreckage. All the hands-on-the-job damage and New London fire from air.

Nuremberg meeting with Hitler, in censure, is hissed. Movietone and N. of D. treat the subject well. Former also has speech of Chamberlain. Then before the broadcast Hitler conference. U obtains speeches from Key Pittman, Senator Nye and Dorothy Thompson, journalistic significance of European situation.

Par also is right on the job at Southern Pacific rail wreck in Arizona, air view and closeups showing extent of destruction. Tokyo flood gives U a disaster yarn. Pathe and N. of D. cover American Legion parades in Los Angeles, latter giving interesting treatment. N. of D. shows Gold Star mothers hosted by Metro and Marion Davies and Norma Shearer greeting Legion Auxiliary members at a tea.

Honoring heroes of Panay sinking in China-caught by Movietone. Par has monument to Wiley Post and Will Rogers in Alaska and unusual flower show. U shows new Lehr furnishing mild humor with chatter about Chicago bears in zoo and an Australian bird.

Chicago horse race is covered by U while Movietone catches a turf race in England. Latter also provides kick with shots of Texas grid players training in wavy barb. U shows a football game in England. Log rolling, competition on the Coast by U is thrilling.

March of Time's Czech Reel With the Czechs and all of all America trained on the present European situation, March of Time launches its new season (No. 1 of Volume 5) with timely treatment of Czechoslovakian situation. Reel has been cleverly split up between war—as typified by developments in Europe.

"Prelude to Conquest"—and peace, "Father Divine's Deal," as typified by Czech churchmen's first visit to Hitler, so concise is its presentation of motives in Germany's move to help Sudeten Teutons in Czechoslovakia, as well as why and whereof of Czech attitude, is nicely balanced between parade of the military, graphic charts, close-ups of leaders and routine daily scenes of Czech life.

Smoothly built up, with some photographic shots that have been seen before, this recital of causes and possible results of biggest story of the hour is a most effective and forceful narration of veteran M. of T. announcer.

Father Divine's arrival with his flock on bluffs of Hudson opposite New York's lower east side, is projected as the legend of 1938 as compared to other legend of Sleepy Hollow country. Possible resentment by Czechs over their treatment is briefly touched, with Krum Elbow estate owner designating it as "Father Divine's Deal," in contract to New Deal. Arrival of colored preacher's Dorsey's band is a scene is climaxed by sudden slip and fall of Father Divine as he is leaving boat for opening of Hudson river camp. Comment of Walter Winchell on the public convulsion is included and photographed scene of Daily Mirror columnist splicing before him the actual item written in his column. Audience reaction at Music Hall, N. Y., to Czech portion of release was a round of boos for Hitler and applause for Benes and the forceful Czechoslovakian scenes. Wear.

EARLE, PHILLY

Philadelphia, Sept. 24.
Buddy Rogers Ork (15), Mary Conner, Billy Britt, Lou Costello, Bud Hannon, Dick Kissinger, Dick Fisher, Al Leno, Lew Schrader house orchestra; "Secrets of an Actress" (WB).

Buddy Rogers, back at the Earle with an orchestra of 15, specializes in comedy and novelty numbers. Seems that his night club experience has smoothed Rogers' style, though bill, as a whole, while not one to excite the more extreme jitterbugs, is fast and entertaining.

Opening with a neatly played swing medley, band demonstrates its flair for novelty the first time with "Horror," the "Horoscope," with Rogers leading the lyrics and some striking lighting effects helping lift the whacky number.

Principal femme soloist of the outfit is Elizabeth Tilton, who demonstrates personality and a good voice. The crowd likes her "A Tisket" and "You Go to My Head." 'Britt, in his high makeup and with plenty of clowning, harmonica well, but a lot of his gags have whiskers. No question about his scoring, however. At second show Friday (23), audience was on three retards, and Wood ran the gamut of opera and strictly pop tunes on his instrument.

Dick Kissinger, stout member of the orchestra, always popular, extracts a lot of comedy from his bull fiddle. Mary Brian appears late on the program; she and Buddy exchange a few words on three retards, cracks. Miss Brain introduces her tap dancing offering amusingly by calling out her two male partners in the rooming house, Kissinger and Al Leno, and explains that the reason they're teaming up is that they happen to be on the same bill. Miss Brian's tapping is okay, in dancing with her number, but Hannon, male soloist with the outfit, warbles two numbers brightly to fine reception.

Final number the orchestra gives everything it has and Rogers returns to his familiar, but always popular, custom of playing virtually all the instruments. There has been a change in the presentation, but it still clicks, especially the part calling for the other members of the band to strike because Rogers is "poaching" in their fields. Waters.

JUBILESTA, K. C.

(MUNICIPAL AUDITORIUM)

Kansas City, Sept. 24.
Hugh Herbert, Uncle Ezra, Eleanor Whitney, Hoosier, King, Henry Burr, Les Juvells, Art La Fleur, Dorothy Hill Line (16), Ray Steck ork, Rosta Royce, George Trolans, Samuel Bros. & Hayes, Carl Fred's Harmonica Band, Joe & Jean McKenna, Jack Fulton, Billy House Ork, Jimmy Dorsey Ork, Rudy Vallee Ork, Caryll Gould, Chick Kennedy, Vic Hyde, Mirth & Mack, Cyril Smith, Edna Strong, Fanny, the Horse, Seab Waring, King's Men.

The town's annual vaude feast, the Jubilesta, ended a nine-day series with the closing of the audience and the tills ringing up slightly under \$100,000. The Jubilesta, staged in the 11,000-seat new music auditorium, and running three shows simultaneously, closed with a show of the year in the midwest.

Rudy Vallee's crew, playing the last two days, was the only act which played the entire week, while Hoosier, Dickey, in setting the lineup, counted on Vallee to put the show in the money, with a final splash.

Monday (19) and Tuesday (20) proved just as hectic as the Herbert and Eleanor Whitney, who gave way to Uncle Ezra and his Hoosier Hot Shots. Ezra's sentimental travesties and the Hot Shots, registered solidly with some pop numbers. Les Juvells, French balancing couple, likewise clicked. Art La Fleur, human top, Rosta Royce, the "Dancing Greys" (5) and Ray Steck's orchestra rounded out the hour and a half.

Monday's band, which also included Trolans, and some college act, baticas, and Samuel Bros. and Hayes, adagioists, were outstanding. Main event Friday (23) was the jitterbug dance played for by Jimmy Dorsey's band, which was essentially climaxed by sudden slip and fall of Father Divine as he is leaving boat for opening of Hudson river camp. Comment of Walter Winchell on the public convulsion is included and photographed scene of Daily Mirror columnist splicing before him the actual item written in his column.

Audience reaction at Music Hall, N. Y., to Czech portion of release was a round of boos for Hitler and applause for Benes and the forceful Czechoslovakian scenes. Wear.

Earlier in the evening The Laugh Linger dance show in Chicago presented a preview of a broadcast. Billy House m.c'd this one while Jack Fulton was outstanding. Friday also included a comedy act, a kid matinee, with some special acts brought in, some for kid appeal. Closing unit, with Vallee, had a (Continued on page 67)

FMP's 'Gettysburg' Fails to Impress As Native Opera in H'wood Preem

Hollywood, Sept. 27.

First performance of an original American opera, 'Gettysburg,' was staged last Friday night (23) in Hollywood Bowl before a disappointing turnout of 5,000. Although greeted with applause at its spectacular finale, consensus among music critics and the picture industry's opera devotees was that it lacked spark and punch to qualify it for lasting fame. All were agreed, however, that it was the most ambitious effort of any Federal Music Project.

Composer Morris Hutchins Ruger and librettist Arthur Robinson have given a symphonic treatment to the tragedy of the Civil War. Colorful in its presentation and staging, 'Gettysburg' embodies a lyrical plea for peace. Set to music are Lincoln's Gettysburg Address and the Lord's Prayer. Spiritual chants are interspersed.

As an impressive pageant the opera makes its boldest appeal. The Ruger-Robinson duo tackled too tough a job since the theme is extremely difficult to melodize.

Singing leads were taken by Anne Jamison, Tandy MacKenzie, Coe Glade, Charles La Plante, Kenneth Spencer and Emery Darcy. Gastone Usgit conducted 75 in the pit and a mixed chorus of 200. Production of Isaac Van Grove was inspired and highly effective. Awan's lighting and scenic effects rate kudos.

Opera was presented for one night by FMP in conjunction with Independent Publishers, Authors and Composers' Assn. It's planned to show it in San Diego and San Francisco and then tour it cross-country for a stand in New York.

CHI 4,000-SEATER TO BE USED FOR LEGIT

Chicago, Sept. 27.

Use of the mammoth Auditorium as a straight legit house will be attempted by Max Gordon when he brings the New York cast of 'The Women' into the house on Nov. 6 for two weeks. 'Women' had a successful stay in the Erlanger here last season with a second company.

And has 4,000 seats and question is how a theatre that size will work out for straight legit. Following 'The Women,' house will get 'I'd Rather Be Right' for three weeks. Acquisition raises the number of available legit houses to a half dozen, with the regulation-size Blackstone back on the list following two years under WPA. Others on the regular list are the Grand, Erlanger, Harris and Selwyn.

'New World' May Come to Broadway

This Brave New World, presented in English in Paris earlier this month by Edward Sterling, is a possibility for Broadway during the winter. Play was dramatized from Aldous Huxley's novel by Louis Walinsky, teacher in a Brooklyn high school. Latter has turned out several scripts, but 'World' is his first produced play.

Herman Shumlin was mentioned being concerned in the chances of 'World' going on the boards over here, but states he is not interested in such a presentation at this time.

Engagements

Pete Clifford, 'Why Not Now.'
McKay Morris, 'Herod and Marianne.'

Henry Daniell, 'Generals Need Beds.'

Mary Servoss, 'Dance Night.'
Tess Gardell, John Hoysradt, 'The Flying Ginchburgs.'

Mary Martin, Tamara, 'Clear All Wires.'

Norris Houghton, Henry Oscar, Mariana Flory, 'Waltz in Goose Step.'

Solly Ward, 'Arrested.'
Valentino, Barna Osterag, 'Ehei Colby, 'The Fabulous Invalid.'

Robert Lindsay, Evelyn Byrd, Cledge Roberts, Frank Haring, Philip Wood, Helen Shields, Charles Maxwell, J. J. Arthur Young, 'The Devil Takes a Bride.'

Expanding Strawhat

Boston, Sept. 27.

Monomoy theatre, strawhat, at Chatham, Mass., will resume next season, according to plans of Mary B. Winslow, producer. Miss Winslow, who completed her first season of strawhat producing at Chatham Labor Day week, has purchased the theatre and is expanding its facilities for next summer.

Plans are to further establish Monomoy as a permanent summer theatre and ultimately continue it through the winter as a stock company in some New England city.

PONS WILL OPEN CONCERTS IN ATLANTA

Atlanta, Sept. 27.

With 3,500 advance reservations made to date, all-star concert series will open Oct. 3 with Lily Pons. Atlanta's 6,000-seat city auditorium, unavailable for past three seasons due to WPA remodeling, plus roof that caved in under hard rain just before sketched opening last year, will be scene of 1938-39 offerings. Sellouts expected.

Series is sponsored annually by Atlanta Philharmonic Society and Atlanta Music Club. Marvin McDonald, manager, has been booking three outside attractions each year to go with their nine home-talent shows. A 'non-profit organization,' series net, last year around \$2,500, is split between two sponsors, McDonald drawing \$5,000 per annum as manager.

In addition to Miss Pons, series this season includes: Helen Jepson and Nino Martini, Oct. 22; Monte Carlo Ballet Russe, Nov. 22; Jascha Heifetz, Dec. 15; Philadelphia Symphony, Eugene Ormandy conducting, Jan. 14; Josef Hofmann, Jan. 27, and Grace Moore, March 1.

Marg. Webster Slated

To Direct 4 '38-39 Plays

Margaret Webster will probably stage at least four productions this season. Currently directing the Maurice Evans revival of 'Hamlet,' she'll subsequently stage his 'Henry IV' and one or two other productions he plans this season. Has also been propositioned to do an outside directing job, but that depends on whether she'll have time.

Actress-director also hopes to get to London to see her play, 'Royal Highness,' which is produced there by Beaumont & Newhall, under Tyrone Guthrie's direction. Besides that, she's trying to complete a book about her family, for which she's finished gathering material, but has done little actual writing.

Nat'l Org to Back Radio Sponsors Who Push Classics and Curb Jazz

Salt Lake City, Sept. 27.

Radio sponsors, whose shows feature 'appreciable music,' may receive record loads of audience mail from the large membership of the National Federation of Music Clubs during 1939. Federation, it was revealed by Mrs. Edna Evans Johnson, president of the Utah organization, plans to distribute several million 'thank you' cards, which musical persons will buy from state federations to be forwarded to sponsors not stressing jazz.

Mrs. Johnson, who, in 1937, gained national prominence by favoring replacement of honky-tonk tunes on merry-go-rounds with operatic arias, said the 'thank you' cards bearing the federal seal will be

Shows in Rehearsal

'Herod and Marianne'—Katharine Cornell.

'Victoria Regina' (repeat)—Gilbert Miller.

'I'd Rather Be Right' (tour)—Sam H. Harris.

'Case History'—Louis S. Bardoly.

'Window Shopping'—Thomas Kilpatrick.

'Dance Night' (June Night)—Robert Rockmore.

'The Devil Takes a Bride'—Montgomery Ford.

'I'm an American'—Vinton Freedley.

'Knights of Song'—Laurence Schwab.

'Great Lady'—Dwight Deere Wiman.

'The Fabulous Invalid'—Sam H. Harris.

'The Lincoln in Illinois'—Playwrights.

'Hamlet'—Maurice Evans.

'Generals Need Beds'—Cheryl Crawford.

'Madame Capet'—Eddie Dowling.

'The Good'—Norman and Irving Pincus.

'Blossom Time' (road)—Shubert.

'Oscar Wilde'—Norman Marshall.

'Danton's Death'—Mercury.

2 Shows Scram

'Shadow and Substance' finales at the Plymouth Saturday (1) after a run of 34 weeks on Broadway, most of that period seeing the play at the Golden. Drama from England scored a distinct success in a moderately-sized theatre, averaging \$11,000 weekly during the early months and running through summer, save for a two-week layoff. It goes on tour.

SHADOW AND SUBSTANCE

Opened Jan. 26, 1937. Only one dissenting opinion among the criticisms of the Paul Vincent Carroll drama which kept going for eight months. Robert Coleman (Mirror), said, 'It is, we suspect, a play with an appeal for the few rather than the many.' Richard Lockridge (Sun), commenting on Sir Cedric Hardwicke's performance said, 'His is fine playing in a sincere and moving play.' Variety (Hobe), 'At least moderate commercial success.'

'Come Across' disappeared from the Playhouse last Saturday (24), having played one and a half weeks. It was the first show of the new season and was also an import.

COME ACROSS

Opened Sept. 14, 1938. Wasn't any doubt among the first stringers opinions, all turning digits down. John Anderson (Journal-American), tartly said, 'I shouldn't wonder if the season outlasted it.' Brooks Atkinson (Times), rated it, 'Thin and elementary make-believe.' Walter Winchell (Mirror), said, 'Its outstanding feature is that it's over in two hours instead of three.' Variety (Ibe), 'Provides only a fair evening.'

Inside Stuff—Legit

Growth of the theatrical scenery and stage equipment business during the 1935-37 period was revealed last week by preliminary report on figures compiled by the federal census of manufactures. Commerce Department study shows substantial rise in the value of output, as well as rising employment, with a marked jump over 1933.

The 50 establishments, a rise of two in two years, and 10 in four years, employed 397 workers as compared with 279 in 1935, and 312 in 1933. Wages totaled \$488,511, against \$436,589 and \$396,099 in the preceding years. Value of product bounded 38.2% above 1935 level, hitting \$2,677,549. Comparable figures were \$1,937,004 in 1935, and \$2,043,785 in 1933. Cost of materials, supplies, fuel and electricity likewise shot upward, total of \$1,188,779 being 58.7% higher than 1935, and 92.7% above 1933.

More than 800 mail reservations for tickets for Helen Hayes' return engagement in 'Victoria Regina' have already been received by the Gilbert Miller office. Great majority of the orders are from out of town. There is a possibility that it will be extended beyond the scheduled four weeks. Production opens at the Martin Beck, N. Y., Oct. 3. Miss Hayes and the producer are to confer this weekend about an extension and possible future plays for the star.

Actress denies reports to the effect that her decision not to present a 'Merchant of Venice' revival for a regular Broadway run this season was influenced in any way by the Jewish question. The drama has long since become entirely innocuous in that regard, she feels, explaining that several managers who are members of the Jewish faith have urged her to do the show this season. Her reason for not doing it, except at possible special matinees, is principally a desire for a rest, she indicates.

Elissa Landi, will speak Oct. 8 on 'The Difference Between Stage and Screen Acting' at Amos Eaton Hall on the campus of Rensselaer Polytechnic Institute, Troy, N. Y., under the auspices of the R. P. I. Players. She has been booked as one of two outside artists to appear in connection with the celebration of the Players' 10th anniversary. Blanche Yurka, who has been giving recitals in college and other auditoriums for several seasons, will be the second attraction, on Jan. 14.

The R. P. I. Players also have scheduled five productions during the year, the climax of the anniversary being the presentation of an alumni piece in June with members of the Players from 1929 to 1939 in the cast.

Shuberts are profligate in billing their musical shows, current instance being 'You Never Know,' at Winter Garden, N. Y. Cast is not large, but all the players are either starred or featured. Clifton Webb, Lupe Velez and Luby Holman get top billing. The Hartmanns, Toby Wing, Rex O'Malley and June Preisser are featured in the program in the same sized type accorded those starred. In smaller type, Charles Kemper, The Debonairs, Dan Harden, Roger Stearns and Truman Gage are named.

For the first time, the presenters announced the show as being of the 'Messrs Shubert in association with John Shubert.' Latter is son of J. J., under whose direction the show was produced.

Elizabeth B. Ginty, secretary to the late David Belasco, and whose 'Missouri Legend,' based on the life of the midwestern bandit Jesse James, opened at the Empire, N.Y., last week, has always been interested in criminal investigations. This led her to delve into the depredations of the James Boys, and their home life. Miss Ginty spent an unusual length of time in research about the outlaw's background.

She has never said whether she collaborated with Belasco in his numerous revisions of plays. Known, however, that she stopped writing when he died and did not take up her pen until three years after his passing.

Storm that hit the New England coast last Wednesday (21) hurt business at both 'What a Life' and 'Whiteoaks' in Boston. Despite heavy cancellations for the Wednesday performance, the week's gross for 'Life' topped that of the previous stanza. Business for the week for 'Whiteoaks' was likewise better than expected.

Ethel Barrymore, star of 'Whiteoaks,' had difficulty getting to the theatre for the Wednesday night performance, requiring 45 minutes to go the seven blocks. Skyline was blown off the roof of the Plymouth theatre, but it was covered over and the performance began at 9 p.m.

Audience at the closing performance of 'Sing Out the News' at the Forrest theatre, Philadelphia, last week sang 'The Star Spangled Banner' after the final curtain. Did not prove very impressive, however, as too few of those present knew the words. Idea was suggested by Jack Kelly, local Democratic politician and member of a Pennsylvania organization to encourage the public singing of the national anthem. Kelly is a brother of playwright Jack Kelly and actor Walter J. Kelly.

Katharine Cornell was marooned at her country place at Martha's Vineyard, Mass., during last week's storm. Her husband, Guthrie McClintic, reached the spot Thursday (22), going to Boston by plane after being unable to reach the star by telephone. Couple again went over the script of 'Herod and Marianne' which will bring Miss Cornell back to the stage after a year's retirement.

They journeyed back over the weekend, play having started rehearsals Tuesday (27) in New York.

'Thanks for Tomorrow,' comedy which was slated to open last night (Tuesday) at the Bays, New York, played a preview performance Saturday (24) night. Tickets were turned over to an agency in exchange for \$900 worth of advertising.

Management asked Equity if such a deal was to be considered as a paid preview and the reply was affirmative. Under the rules the player must be paid for such showings.

George Nicholai, manager of the Plymouth, New York, is recovering from a nervous affliction which cropped up when he visited Detroit last month. Showman has theatre interests in that city. Manager occasionally attends to business but during his indisposition Dave Finestone, of the Shubert office, is handling the theatre, which righted last week when 'Shadow and Substance' moved from the Golden.

George S. Kaufman and Moss Hart have another show in mind to follow 'The Fabulous Invalid,' but haven't put anything on paper as yet. Neither one has any film plans. Hart explains that he prefers working in legit rather than for pictures and will never go to the Coast 'unless I get too hard up.'

The official report of the West Virginia state penitentiary for 1933-37 gives a classification of inmates by "given occupations," and only three have been listed as actors in that period, all males, received during the year covering July 1, 1934, to July 1, 1935.

Stephen Haggard, English actor seen in New York with 'Youth Comes of Age' 1934 and last year in 'Whiteoaks,' is the author of a novel, 'Nyx,' which Little, Brown will publish Oct. 10. He's a grandnephew of late H. Rider Haggard.

Wells Hawks, who was a topper among press agents, is reported in good condition after a long illness. He is still staying at home of Mrs. William Potter, Pomona, N. Y.

ATC PLANS SUREFIRE ROAD

Insurance Plan Is Holmes'

In a recent Sunday column, Burns Mantle, critic for the N. Y. News, indicated that he made the insurance suggestion at the legitimate theatre convention. Idea in general is that managers put aside 2% of the gross of all legit shows, the coin to be placed in a general fund which would be controlled by the American Theatre Council and used to make up managerial losses. The plan, though, was broached by Ralph Holmes, critic on the Detroit Times, Mantle stating at the convention that full credit should be given Holmes. Holmes addressed the convention on the opening day.

In his address to the convention, Mantle mentioned the Holmes plan, but thought that if such a fund were raised the coin could be better used in a campaign to revive the road, rather than to make up managerial losses. Doubt was expressed that showmen would agree to paying money into the proposed fund.

Last season, when on a lecture tour, Mantle outlined a plan to revive interest in the road, his idea being explained to an audience at Fort Worth. At least part of the plan is expected to be considered by the American Theatre Council.

Evans' Marathon 'Hamlet' with Half Hour for Dinner; Hits Aid Eateries

Marathon 'Hamlet' revival by Maurice Evans is expected to prove a bonanza to restaurants and cafes in the neighborhood of the St. James. In west 44th street, New York. Virtually all eating places in the vicinity are expected to share in the takings. Evans show will last more than five hours total running time, with a half-hour intermission about 8:30 for a meal. The comparatively short interval is the lone fly in the restaurant ointment, since it's figured audiences will have to be content with a quick snack.

All theatre district eating places which cater to the playgoing trade thrive mainly according to hit shows in the vicinity. Estimated that the presence of such a solid hit as 'I Married an Angel' directly across the street at the Shubert brings Sardi's upwards of \$1,000 a week on bar business alone, not counting dinner and matinee lunch biz.

Same condition exists in other legit theatre localities. For instance, a small bar next door to the National theatre, in west 41st street, was completely renovated and modernized with profits from the short engagement of Noel Coward and Gertrude Lawrence in former's one-acters, 'Tonight at 8:30' at the adjacent house. It was reported that at that time that Miss Lawrence kept a charge account at the bar for stagehands in the show, but finally had to call a halt when one of the boys began taking out liquor by the bottle.

Bars and Restaurants Aided
In all such cases of bars and eateries cleaning up on nearby hit shows, much depends on the type of show, as well as its degree of popularity. Musicals are traditionally good for drinking trade at nearby bars, ditto the comedies. Paradoxically, grim drama or the starkly realistic shows rarely mean much to adjacent tipplers. Figured that's not so much because the playgoers' mood doesn't encourage drinking, but that such plays don't generally bring out the so-called carriage trade. Similarly, when a normally smart show has been running for a long time, its effect tapers off at the neighborhood taverns. Audiences in the shank of an extended run are principally on limited bankroll.

Evans' 'Hamlet' will be the third marathon legit to have a dinner intermission. Previous ones were Eugene O'Neill's 'Strange Interlude' and 'Mourning Becomes Electra,' (Continued on page 58)

Will Re-Try Neill On Rubber-Check Charge

Buffalo, Sept. 27.
Cornelia Otis Skinner will be subpoenaed at the retrial of William J. Neill, local impresario, scheduled for Oct. 10, according to Erie county district attorney.

Neill is accused of giving Miss Skinner a bad check for \$1,000 for her performance of 'Edna His Wife' here on March 28. His first trial in country court in May resulted in a disagreement.

No London 'Forest'

It was planned to present 'The Petrified Forest' in London this season, despite the fact that the Broadway hit of several seasons ago was picture-tized. Deal was called off, however, because of the war scare.

'Forest' was presented at the Broadhurst, New York, by Gilbert Miller. Arthur Hopkins did the staging and also was interested in the management. Neither were concerned with the London idea.

SHUBERTS OUT, GORDON IN 'BEDS'

The Shuberts appear to have lost interest in 'Generals Need Beds,' which Cheryl Crawford is readying for Broadway. Firm was to have guaranteed the salaries of the 'Beds' cast, in lieu of a surety bond required by Equity otherwise. Max Gordon came forth with the guarantee and it is understood he will have an interest in the Crawford attraction.

Gordon is aiming for a more active season than formerly, being 'in' on three productions among the new season's early crop. First show to open carrying his name is 'Missouri Legend,' presented at the Empire by Guthrie McClintic. Gordon being billed as the latter's associate. 'Sing Out the News' which opened at the Music Box Saturday (24), has three presenters—Gordon, George S. Kaufman and Moss Hart. He is also slated to be concerned with the presentation of an Irving Berlin revue, scheduled by Sam H. Harris, with whom Gordon was associated in a number of legers. Gordon's silent partner is Marcus Heiman, latter reported to have an interest in all the producer's ventures.

BYRON BACK

Equity Prexy's Return to N. Y. Delayed by Wife's Injury

Arthur Byron, president of Equity, has returned to New York after a summer at Skowhegan, Me. He was scheduled to preside at the association's first quarterly meeting Friday (23), but was detained because his wife was injured during the hurricane. Mrs. Byron was removed to Boston for treatment.

Meeting, which was attended by more than 650 members, was decorous. Principal topics were the basic agreement with the managers, the ticket code and suggestions whereby Hollywood could finance stock companies for training talent and to afford stage appearances for film players.

SETTING UP INS. AGAINST LOSSES

'Organized Audiences,' Similar to Theatre Guild's Subscription Plan, Is Committee's Theme—Corps of Publicists to Contact Civic Organizations in Keys After Holidays

6-MONTH BUILDUP

As a result of the American Theatres Council's second legitimate theatre convention held in New York recently, the executive and administrative committees named are expected to really function and plans already have been made for the betterment of the theatre, particularly on the road. Last year the convention attracted plenty of attention, but the results were immaterial if not virtually negative.

'Organized audiences' was the theme of a committee meeting last week, the topic being treated in detail by showmen in the know. In particular, Lawrence Langner, of the Theatre Guild, which built up large subscription audiences in New York and the key cities, stated that the same idea could be applied in any number of spots. During the convention, the general plan was put forth by M. E. Holderness, of St. Louis, whose address was titled 'Civic Co-operation for Guaranteed Audiences.'

It was declared that stands which have averaged half a dozen attractions per season are capable of handling 20, and there is reasonable assurance that attendance would be strong. What ATC anticipates is to work out a method whereby producers would be guaranteed against loss. Some showmen have been inclined to pass up the road because of spotty business, but the ATC idea would encourage increased touring, the manager having everything to win and nothing to lose. Only chance he would take would be in the amount of possible profit.

Extensive Promotion
After the holidays, a corps of promotion people will be sent to the road, instructed to contact civic organizations and begin subscription campaigns. Initial cost of the work is to be absorbed by ATC and it is hoped that, with expected support from the communities visited, the movement would quickly finance itself. Sponsors of the plan estimate that the campaign will take six months, so that the new road set-up would not be placed in full operation until next season.

ATC proposes an international drama convention and festival during 1939, it being explained that the presentations will not be connected with any other community program. A historical review or calvacade of the theatre is outlined, a series of stage classics probably being shown, including Greek, French, English and early American plays. Festival is expected to be financed by contributions solicited from within and outside the theatre by ATC.

Questionnaire for Producers
Pursing the road revival plan, a committee will seek advance information on managerial production schedules. Producers will be asked to fill out a sort of questionnaire for the guidance of ATC. Committee is named to encourage more road attractions and to devise a method for regulating bookin' is composed of Marcus Heiman, Brock Permetron, Warren P. Munsell, James J. Brennan, Robert T. Haines, Langner, James F. Reilly and Ned Armstrong.

Lil Lorraine in Hosp

Lillian Lorraine, former musical comedy name actress, is under treatment at the Gotham hospital, New York, where she was taken from a midtown hotel last week. She is reported in favorable condition.

Equity, Stage Unions Demand WPA Clarify Its Commercial Trend; Road Tour Set Back

SOPH ON BIKE

Tucker Doubling from Philly Niterity Into 'American' Rehearsals

Sophie Tucker has cancelled bookings until next spring in order to take a spot in Vinton Freedley's forthcoming 'I'm an American,' by Sam and Bella Spewack, formerly labeled 'Clear All Wires.' Cole Porter has written 'American's' music.

Singer is doubling currently between rehearsals in New York and the Walton Roof, Philadelphia. Commitments in Florida for the winter and others have been dropped for show. Her proposed world tour for the William Morris office has been postponed pending outcome of the show.

TMAT'S DIVORCE PLAN UNLIKELY TO PASS

Although matters within the Theatrical Managers, Agents and Treasurers' union were aimed towards unity following a turbulent meeting, during which proposed constitutional changes were kicked out, emphatic objections to the redraft have been expressed, and it is doubtful if the proposed new set-up will be okayed by the general membership. Stated that TMAT, with its various groups, will have a more complicated mechanism than heretofore if the redraft is adopted.

Trend among the average members seems to favor one general union for all, whereas the committee which re-wrote the constitution has designed an intricate pattern with something like 18 separate groups, or chapters. Understood that each would have officers, a council and separate treasury. Press agents would have two or three groups, each with more or less control over members.

Understood that such a complicated constitution might be frowned upon by the American Federation of Labor, with which TMAT is affiliated. Principal groups in the union are press agents, company and house managers and treasurers. Latter are said to have come out solidly for one union instead of many segments.

Gilbert Asks Equity To Pass on 'Greek' Pact with Freedley

Hollywood, Sept. 27.
Billy Gilbert, who quit RKO to go into Vinton Freedley's Broadway production of 'Greek to You,' filed a complaint with Equity demanding that the legit producer go through with the contract.

Comic claims he would have collected at least \$10,000 in the Broadway show under a six-week guarantee. His RKO pact had six months to run. Complaint is being handled direct by Equity's Coast offices with Freedley in New York.

TOURING STRAWHAT

Rochester, Sept. 27.
After a three-week run at Green Lake resort near Buffalo, Rochester Summer Theatre group has reorganized as Green Lake Players to try a tour of small communities in New York and Pennsylvania. Group, directed by Leonard Altobelli, operates on co-op basis.

Watching an apparent trend in the WPA Theatre Project towards commercialism, Equity and the stage craft unions have asked the director to clearly state the intentions of the relief show outfit. Equity and the stage-hands have declared that the plan to tour 'Prologue to Glory' and other WPAers would be unfair competition with regular routed road shows. After engaging special exploitation people, who worked on the 'Glory' road plan for eight week, it's understood that WPA has set back the proposed trouping as a result of the protests.

The trend was first noted on the Coast, deal there being to turn 'Run Lil Chillun,' a colored relief musical, over to commercial managers. Latter are reported to have chilled on the proposition when the stage unions stepped in and said 'no dice' if the relief wage scales were to apply. 'Gettysburg,' an opera which opened in Hollywood Bowl with relief people and a commercial tie-up, is also under fire. 'Glory' was eyed by Lee Shubert, but there were objections and he has apparently lost interest.

Demand Minimum Scale
Actors association and the stage hands see WPA as possibly hammering down salaries and wages and it is indicated that they will insist that the union minimums be paid if the relief outfit tours shows in competition with other attractions. They also feel that should WPA move without being checked, before long managers might try out plays with relief people and take over, if okay, at much lower pay than heretofore.

What that amounts to is that actors, who formerly received from \$50 to \$250 weekly, would be working for \$23.50. Equity's \$40 weekly minimum is now regarded as one of its strongest safeguards, but players engaged at that low level for Broadway attractions have been in the distinct minority, except where producing groups are concerned.

Item of subsistence money for WPA's Federal Theatre Project, which applies to all government people when traveling, has cropped up important in the situation. For WPAers on tour, the pay would be \$23.50 plus \$21 (\$3 per day subsistence coin) for a total of \$44.50, which is higher than the Equity minimum.

Stage hands have been able to maintain a semblance of the union's wage scale for members in the project, by limiting the number of hours per week they are permitted to work. Same applies to scenic artists. As yet the musicians union has not expressed itself about the WPA commercial trend, but is expected to join the other stage unions in opposing such deals, as it did anent the Coast situation.

Colin to Rep Reinhardt In N. Y.; Sets Pic Players

Dr. Saul Colin will be New York representative for Max Reinhardt for the latter's Hollywood Workshop, Texaco's show on CBS. They were associated in several productions on the Continent some years ago.

Colin, who returned from the Coast last week, has set several Hollywood players for a legit show he is planning to offer on Broadway this season. He will announce the play's title and cast within a week.

'Pins' to Des Moines

Des Moines, Sept. 27.
'Pins and Needles' comes to the Shrine auditorium Oct. 2. It will open the road-show season here.

Plays Out of Town

more or less significance attached to their ribbing

Lupe Velez wasn't quite a hurricane, but turned in the best individual performance. Fiery little

(Continued on page 58)

SEEK BUCKMAN OUSTER FROM CLEVE. AUD

Cleveland, Sept. 27. Charges of mismanaging Cleveland's civic auditorium, which books concerts, road shows and expositions into its three theatres, are being made against Herbert Buckman in an effort to oust him before next Jan. 1. City hall investigation brought out evidence of theft, sabotage, drunkenness, and immorality by employees under his regime.

One recent roadshow exhibitor quawked that he had been triple-charged for some carpentry work, while books revealed that another exhibit was billed only \$98 for similar work, which it should have been \$383. Check further disclosed Fortune Gallo, opera impresario, is reputed to still owe auditorium several thousand dollars on an old bill that had been overlooked.

Although Buckman helped investigators and made an effort to uncover and halt irregularities, he shortly will be asked to resign. If he goes, the mayor plans a housecleaning.

Harold Miskell, opera booker and public relations counsel, is being touted as possible successor to Buckman.

U. SHOWBOAT OPENS WITH 'CHARLEY'S AUNT'

Seattle, Sept. 27. University of Washington Showboat, just completed and the first student theatre of its kind sponsored by a university, opened with the old farce, 'Charley's Aunt,' Thursday (22) to capacity preview audience. Preceding the show, the Federal music project's WPA band entertained.

The attractive grounds and weeping willows fringing the shore made the event unique. Going across the gangplank, patrons came to a spacious lobby, a lounge below, promenade decks and railing on the Lake Union side. Showboat seats 225 on sloping floor. Enterprise is operated by the drama division of the university under the direction of Glenn Hughes. It is a large craft, moored at the foot of the campus with ample parking space for cars on shore.

Gerty Lawrence Sought For New Golden Play

Hollywood, Sept. 27. John Golden due in from the east this week to confer with Gertrude Lawrence on her new play, 'The Birds Stop Singing.' Golden will stay on for the local run of 'Susan,' and then goes to Chicago with Miss Lawrence and most of the current cast, where the new piece breaks in Oct. 10.

Play is written by Lenore Coffee, scenarist.

Current Road Shows

(Week of Sept. 26)
 'Brother Rat,' Werba, Brooklyn, N. Y.
 'Brother Rat,' Queensboro, Elmhurst, L. I., N. Y.
 'Golden Boy' (Luther Adler-Frances Farmer), Harris, Chicago.
 'I Am Different' (Tallulah Bankhead), Selwyn, Chicago (28).
 'Knickerbocker Holiday' (Walter Huston), Shubert, Boston.
 'Candida' (Ann Harding), Curran, San Francisco.
 'Personal Appearance' (Dorothy Mackall), Shubert, Brooklyn, N. Y.
 'Pins and Needles' Forum, Wichita (28); Shrine Auditorium, Oklahoma City (27); Convention Hall, Tulsa (28); Memorial Auditorium, Kansas City, Mo. (29-31).
 'Susan and God' (Gertrude Lawrence), Biltmore, Los Angeles.
 'Tobacco Road,' Perth Amboy, N. J. (26-27); Long Beach, N. Y. (28); Shubert, New Haven (29-31).
 'Whiteoaks' (Ethel Barrymore), Plymouth, Boston.
 'What a Life,' Wilbur, Boston.
 'Women,' Royal Alexandra, Toronto.
 'You Can't Take It With You,' National, Washington.

WPA MAY RELIGHT 'HAITI' IN HARLEM

Closing of 'Haiti,' WPA's colored cast drama, at Daly's 63rd Street, New York, is reported to have aroused the ire of the relief outfit's colored unit. Players claim the show could have been continued either there or at the Lafayette, Harlem, where it originated. WPA used that spot for the past two years, but did not renew the lease. Understood that negotiations now are on to take over the theatre again and, with that deal pending, no formal protest from the colored groups is said to have been registered with the director.

Stated that the reason for taking off 'Haiti' was to make room for 'On the Rocks,' the George Bernard Shaw comedy-drama that opened at Daly's last spring, but taken off to be 'saved' for this season. Matter of re-taking the Lafayette is explained merely a matter of arriving at a rental figure acceptable to WPA. Expectation is that the lease will be renewed and 'Haiti,' after laying off a week or two, will relight at the Harlem spot.

'Niobe Wept' Set By Pitt Playhouse; 1st Local Original

Pittsburgh, Sept. 27. Pittsburgh Playhouse schedule for this year set by director Frederick Burleigh will include an original play by a local author, Tom Wilmot, for the first time. It's 'And Niobe Wept,' which Wilmot, who appeared at Playhouse last season in closing musical revue, 'Hold Your Hats,' finished few weeks ago at Cohasset, Mass. Drama was tested there by Burleigh and Alexander Dean by junior acting group at a special matinee and inclusion in 1938-39 Playhouse series followed. It's a first play by Wilmot, who in the past has chiefly done radio scripting, spending last couple of years with Joe Penner and Ben Rocks office, respectively.

Playhouse season opens Oct. 24 with 'It Can't Happen Here,' with 'Niobe Wept' next. For holidays, opening Dec. 20, old-fashioned meller called 'Gold in the Hills,' will be produced. January production will be 'Night Must Fall' and after that three one-acters, 'Hands Across the Sea,' 'Ways and Means' and 'Fumed Oak,' from Noel Coward's 'Tonight at 8:30.' Sixth show still to be picked. Season will end April 11 with annual musical. Instead of original revue, however, it'll be 'Meet My Sister,' Broadway opus of some years ago.

Each production is to run for three weeks, all of them opening Tuesday night so as not to conflict with legit Nixon's Monday getaways.

White's 'Scandals' For Fair Condensed Show

George White, who has been cast for some weeks propose presenting a 'Scandals' at New York's World's Fair in the spring. Revue producer's idea is to schedule the show four times daily, seven days weekly, which would call for a condensed performance in comparison to the former stage presentations.

Understood the contract with the fair management has not yet been signed. Not definite whether the 'Scandals' would be in the form of a floor show in a cafe or a separate concessions.

ATS Subs Off 1/3 in Chi; Disappointments Blamed

Chicago, Sept. 27. American Theatre Society subscriptions this year are off about one-third from last year's total, indicating an approximate \$11,000 as against last year's \$18,000 for the two-week subscription run.

Blame for drop is laid to disappointments last season, several big shows promised failing to materialize, with several new plays proving unsatisfactory.

Set for ATS this season are 'Golden Boy' (current), 'Amphitryon 38' in repertory with 'The Sea Gull,' 'Of Mice and Men' and 'Shadow and Substance,' 'Our Town' is a likelihood.

BROKERS SEE END OF TICKET CODE BY JAN. 1; 'BOOTLEGGING' REPORTED

Talks Himself Out

Actor was called to rehearsals of a new play and found the part called for just three lines. He advised the management that the role might just as well be eliminated, and a phone call that night was to the effect that the suggestion was okay.

Play is 'Window Shopping,' which brings George Sidney back to Broadway from Hollywood.

Vint Freedley Sets Two B'way Musicals; Mary Martin's Debut

Mary Martin, radio and nitery performer, is set for one of the leads in 'I'm an American,' Vinton Freedley's musical. She replaces June Knight. Show has a book by Bella and Sam Spewack and score by Cole Porter. Principals include Victor Moore, William Gaxton, Sophie Tucker, Tamara, George Tobias and Miss Martin. Show is a turn version of the Spewacks' play, 'Clear All Wires,' which was done on Broadway in 1932.

Miss Martin is under personal contract to Laurence Schwab, who planned to use her in a musical of his own, but it has been postponed. She was a regular on the Metro 'Good News' radio program and did a singing and dancing act at the Trocadero, Hollywood nitery, but this is her first Broadway show.

New additions to the cast of 'The Flying Gingers,' another Freedley production, comedy by Allen Boretz and Max Liebman, include Sam Levene, Hume Cronyn and Everett Sloane. Already cast are Barbara Robbins, Percy Kilbride, Dudley Clements, Ann Pennington, Harold Whalen and Tess Gardell.

ST. L. UNIONS NOW MULL LABOR STAGE

St. Louis, Sept. 27. What may possibly develop into a rival or successor to 'Pins and Needles,' the dramatic stage success of the International Ladies' Garment Workers' Union, is the plan being mulled by the execs of the St. Louis branch, who also are holding conferences with other local labor unions with a view towards establishing a joint Labor Stage in St. Louis.

Tentative plot of a new show, yet untaged, will be built around a celebration of the five years local union has had contractual agreements with local employers. Will dramatize the gains the unions have made since beginning here in 1907.

Agencies Complain League Is Withholding Instructions on Which Managers, Theatres Are Banned—Hit Shows Will Put Code to Acid Test

The new ticket code, or control system, is now in its third week on Broadway. All brokers are opposed to it and some venture the prediction that it will not work, also that the code will be out by the first of the year. Ostensibly, the agencies are limiting premiums to 75c on the lower floor and 50c for the balcony, but undercover or 'bootleg' sales are believed being made.

Ticket men complain they cannot secure definite instructions from the League of New York Theatres regarding whom they now can do business with and who are banned, either because they are not members of the League or refused to sign the code. League carefully refrains from issuing a statement, written or verbal, in connection with managers or theatres outside the league on grounds that it might lay the League and individuals within the organization open to damage suits, if not conspiracy charges.

Shows that may test the code are coming to Broadway soon and if advance reports are correct the demand for tickets will be abnormal and ordinarily high prices would prevail. Proponents of the code anticipate some gyping because of the devious ways used to sell tickets for hits, but are confident the number of such sales will be reduced partly limited, besides which the theatres will hold 25% of the house for direct distribution at the box offices. Possible collusion between the b.o. and diggers seeking such tickets is expected to be a development that will be difficult to detect.

U. of P.'s Wig Show Going on Extensive Road Tour This Yr.

Philadelphia, Sept. 27. 'All Around the Town,' this year's Mask and Wig show and 51st annual production by the U. of Pennsylvania organization, will take one of the most ambitious and lengthiest tours the Wiggers have ever attempted. Preliminary appearances in Trenton and Wilmington will be followed by a week's run at the Erlanger here Thanksgiving week.

After that the show will trek west around the holidays, playing Allentown, Harrisburg, Pittsburgh, Warren (Pa.), then back east to Montclair, N. J., Albany, New York, then west once more to Rochester, Indianapolis, Chicago and Cleveland, and finally a performance in Hartford, Conn. Dates will not be played consecutively.

Clay Boland, who has turned out many pop successes for the Club's shows, has again written most of the score with the aid of Bickley Reichenner. Paul B. Hartenstein will again be in charge of the production as a whole.

'Chillum' Run North

Los Angeles, Sept. 27. Federal Theatre Project's all-negro production, 'Run Little Chillum,' opens as a commercial venture at the Geary, San Francisco, Nov. 1. Play will be taken north by Louis Lurie and Arch Selwyn at a guarantee of \$5,000 a week to FTP for an indefinite run.

Gov't Bldg. at Frisco Expo Will House 3 Theatres—Legit, Kids' and Outdoors

San Francisco, Sept. 27. Three theatres in the north court of Treasure Island, site of the 1939 Golden Gate International Exposition, will be combined as the government's amusement sectors at the fair according to a plan now being worked out under the direction of U. S. Commissioner George Creel and co-ordinator of exhibits, Wilford White, assisted by Ole Ness, regional director of the Federal Theatre Project. Theatres, which will be a part of the Federal building, will cost \$500,000 and will operate on a grind policy from 10 a.m. to 11:00 p.m.

Shows will be sent from Los Angeles, Frisco, Denver and Portland, with a company manager in charge of each. Heaviest burden of supplying the attractions will fall upon the Los Angeles project. Parents will be able to leave the kiddies in the children's theatre in

the Uncle Sam group while they attend a show in the main playhouses. In the main auditorium, equipped with newest devices in stagecraft, will be presented 45-minute sessions of WPA successes.

An innovation in the staging will be intermediate lighting from overhead bridges. Another feature will be the occasional combining of screen and stage technique, living players with motion picture backgrounds. A 'living newspaper' of current events will be another main theatre attraction. There will also be marionettes and other amusements in the children's playhouse. Sylvan theatre, third in the group, will afford outdoor entertainment in symphonies, tableau and dancing spectacles, under the direction of Alfred Hertz.

All of the interior equipment of the scheme will be preserved after the fair for the establishment of roadside playhouses for the west's initial venture in summer theatres.

May Affect 'Pins' With the brokers asking the League for a list of those with whom they are not supposed to do business with and getting no answers, the agencies are continuing to do business with houses and managements on the outside. They are Labor Stage, with 'Pins and Needles,' and the Mercury Theatre, which will soon start operating again. Believed that if the agencies are charged with violations, with 'Pins' especially named, the show's sponsor, which is the International Ladies' Garment Workers union, one of the world's strongest, might be impelled to go into action, legally and otherwise. League's only answer to queries for specific information is that a list of those signatory to the code was supplied and speaks for itself.

Pointed out by ticket men that 'You Never Know,' which opened at the Winter Garden last Wednesday (21), would have been accorded an eight-week ticket buy in advance of the unfavorable press, but such transactions are ruled out by the code. Lee Shubert is said to have registered no squawk but J.J.'s attitude is not so certain. Latter put on the show.

Brokers are well aware why the League will not crack about those not subscribing to the code. Equity is equally reticent and for the same reason. As with the first code during the NRA, the League's ticket premiums applies only to the legitimate theatre. Tickets for all other types of amusement, where admissions are charged, are not controlled. Grand opera and major sporting events furnish a fair percentage of agency profits, but theatre tickets remain the main revenue source.

Abbott Calls Off Deal

George Abbott's deal with the brokers in connection with his forthcoming production of 'Two Boys from Syracuse' (musical version of 'A Comedy of Errors') has been cancelled by the manager, because of 'misinterpretation and misrepresentation of the arrangement.' Producer states that he doesn't want to be regarded as opposing the ticket code and declares that Equity understands and okay's his position. Deal called for certain agencies advancing an estimated total of \$20,000, but not as a ticket buy. Understood that the coin sought was not turned over to Abbott when he decided to call off the transaction. Manager is said to have commented that he did not need the capital which brokers had agreed to provide. As far as is known, he has not applied for membership in the League, which is a requisite for signatories. Nor has John Golden, whose revived 'Lightnin'' is being handled by the agencies. The theatre (Golden) is being dually operated by the manager and the Shuberts and, as the latter are in the League, the code restrictions do not apply. Same thing will apply to 'Syracuse,' which goes into the Alvin, management of which is in the League.

Play Abroad

BRAVE NEW WORLD (IN ENGLISH)

Paris, Sept. 16.

Drama in two acts (14 scenes) by Louis Walinsky, based on the novel by Aldous Huxley; presented by Edward Stirling and the English Players. At Theatre de l'Oeuvre, Paris.

Director of Hatcheries.....Edward Stirling
First Student.....Hugh Grant
Henry Forster.....James Miller
Lenina Crowe.....Irene Dole
Fanny.....Beatrice Mackey
Benito Hoover.....John Stobart
Bernard Marx.....Hugo Grant
Helmholtz Watson.....Tom Sutterby
Gust.....Gordon James
Savage.....Edward Stirling
Linda.....Linda Treklele
Archsongster of Canterbury.....Alan Wade
Headmistress of Eton.....Noel Grahame
Dr. Shaw.....Eric Lauriston
Guest.....Gordon James
Nurse.....Noel Grahame
Donatella.....Donatella
An Alpha.....Claude Dray
First Delta.....William Doan
Second Delta.....Phillip Grant
Seagirt Police.....Alan Wade
World Controller.....Arthur Burne
Reporter of the Hourly Radio Flash.....Irene Dole

'Brave New World' attempts to take the predicted occurrences of 500 years hence, as set forth in Aldous Huxley's controversial novel, and show life of that future in contrast to the modern time. And basically, it does very well.

To present our planet as imagined five centuries hence, where scientific hypothesis and psychological subtleties unfold in a world where none has mean undertaking, but Louis Walinsky has to a great measure succeeded in condensing Huxley's book into one evening's entertainment.

It's a world of test tubes where sex and its relationships are maintained but reproduction is confined to hatcheries, where so much of this or so much of that, added to the vials containing the human embryo, makes Alphas, Betas, Deltas, etc., namely, administrative workers, laborers, musicians, et al., once they are 'hatched' and put out into a world where everyone's body belongs to everyone else.

Personal liberties and personal ideas don't exist in this brave new world and punishment awaits those who insist on having thoughts which diverge from the mass 'conditioning' which make them the types for which they are created. In this case Bernard Marx does have a desire for personal liberties, and his friend Helmozo, is not entirely satisfied with the official slogans which make up the sole literature of the age. They

are, therefore, banished to the uncivilized island of England.

Marked contrast is introduced by a so-called savage, who is brought back from a reservation in Mexico. His views are those of today; he likes Shakespeare and looks upon love, womanhood and childbirth as we know it now. With him is his mother. Here are the beliefs of the new world but the song clings to the natural likes and dislikes of those with whom he has been raised. Two of most tragic and stirring scenes are when the savage, brought back to the new world for study and observation, falls in love with a laboratory assistant and she's incapable of reciprocating since she has been taught to regard her body as belonging to everyone. The other is when his mother dies, she withers as a flower, but to the accompaniment of music and surrounded by children who are being taught that death is ordinary and must be regarded as commonplace, like breakfast each morning. In the end, when he, too, is banished for his unorthodox beliefs, and refuses to be converted to more modern manners, he hangs himself rather than continue to live.

From the first scene where the human spawn are being 'conditioned' until the savage hangs himself, events unfold that are ordinary in that world but amazing even to present imaginations. Women giving themselves freely and speaking of the act afterwards, as they would today of a dinner or a show; men openly discussing what is today regarded sacred, a world where none of the fine relationships exists leaves the impression that, despite its shortcomings, our age is better by comparison.

Edward Stirling, as first the director of the hatcheries and later the savage, carries a great deal of the play with conviction and force. Hugh Grant, as Bernard Marx, just misses turning in an excellent performance, but Tom Sutterby, as the emotional engineer, fails to click at all. Irene Dole, as the laboratory assistant, with whom the savage falls in love, maintains a one-for-all and all-for-one impression throughout with excellence. Rita Treklele, as the savage's mother, handles a difficult part effectively. Arthur Burne makes an impressive World Controller.

While efforts have been made to carry out the futuristic with costumes and decorations, nothing new is shown, only the most modern of what we know as modern being used. Another fault which it would be

most difficult to overcome is that the reactions of these incubated inhabitants are not those of 500 years from now, not those of the world they are supposed to live in, but those of today. Mannerisms, ways of speaking and acting are all very day. In a brave new world, where life's station is predetermined and all men are born of a certain formula, more conformity of action should be seen than is shown here.

Biz for the play has been good. Hugo.

Plays on Broadway

YOU NEVER KNOW

(Continued from page 56)

Mexican previously used raven tresses on Broadway, but now she is auburn, and somehow that does not seem to improve her appearance. She is using certain mannerisms, which are repeated during the premiere, probably because the peppery one was over-anxious. On tour and during rehearsals here Miss Velez was reported exhibiting much temperance, all such stories being denied by the Shuberts.

Miss Velez scores with Clifton Webb in 'Alpha to Omega,' 'By Candlelight' also being well handled by the duo. Latter is by Robert Katscher, co-composer with Porter, and one of the German original's author. She does well with a number titled 'What Shall I Do?' but it's her impressions of name people of the stage and screen and turn the trick rather than the ditty. Best received was her imitation of Zorina in 'I Married an Angel.'

First night idea of the top number was 'You Never Know,' delivered by Toby Wing, film player, and Charles Kemper, plus a production ensemble. Miss Wing comes through now and then. Libby Holman has comparatively little to do, her numbers being weak. Nor does Webb look at his best for the same reason. He capers around a lot in the second act, bawling 'At Long Last Love is fair, while 'No,' an interpolated song late in the show, started by Miss Holman and then duetted by Webb, does not get much past first base despite plaudits of friends. 'No' is fair, while 'No,' which doesn't help either. June Preisser was added to the show, and there again the talent is not used to the best purpose. The Hartmans are also added starters and do well, with little aid from the business of the show. Comic ballroom hoofers are on twice and first-nighters gave them the best of the breaks.

Reo O'Malley is the lead on the book end, playing the part of a baron, whose valet impersonates him while on the make for a wealthy girl who turns out to be that lass' parlor maid (Miss Velez). Story goes on that way and at the finale the big shots appear as servants to the dressed-up servants.

Rather small number of girls and boys in the ensemble are mostly atmosphere, for the book is majored. However, there are some production numbers best of which is 'Take a Trip for Yourself' in a raiwa station, setting being too, but chorus ordinary, handling the lyrics is animated for a change. In the going are the Debonairs (6), who were under the ensemble to be, in the most distinct musical flop of last season, 'Between the Devil.' Dance routine by the male sextet is almost the same, with a bit of business added.

There was an excellent ticket demand for 'You Never Know' before it opened, and good houses are assured for the balance of the week, but from then on it is likely to be different. Show was handled entirely by the J. J. Shubert end of the firm, Lee having nothing to say about it. Ibee.

'Romance' in Jersey Town Forte \$8,000

Maplewood, N. J., Sept. 27.
Cornelia Otis Skinner, in 'Romance,' hit the tops of a very successful season for Frank McCoy and O. E. Wee at the Maplewood theatre, with soaring over \$8,000 on the week, with an extra matinee Friday. Current attraction is Jane Cowl in 'The Road to Rome.'

Estimate for Last Week
'Romance' (Maplewood) (1,420: 25-\$1). With an added matinee on Friday, making nine performances on week, Miss Skinner's 'Romance' did capacity, \$8,000, the tops of three months exceptional business.

Akron Gets 'Women'

Akron, Sept. 27.

'The Women' will be Akron's first legitimate attraction this year, having been booked by the Colonial theatre for one night, Oct. 13.

Manager 'Dusty' Rhodes said he expects to have at least five attractions, among them George M. Cohan's 'Td Rather Be Right,' this season.

Evans' Marathon

(Continued from page 55)

which the Theatre Guild presented, with 60-minute dinner intermissions.

'Hamlet' in its entirety will run a trifle more than four and a half hours, exclusive of intermissions. It will be given six times a week, Monday, Tuesday, Thursday and Friday nights and Wednesday and Saturday afternoons. The usual abridged version will be given Sunday nights, for a total of seven showings a week. 'There will be no Wednesday night performances. When the Guild presented 'Interlude' and 'Electra' it offered them only six times weekly.

Long 'Hamlet' performances will ring up at 6:45 and will break about 8:30 for a 30-minute intermission for dinner. There will be a second and very brief intermission about 10 or slightly after, and the curtain will ring down at 11:25. Wednesday and Saturday matinees will ring up at 2 p.m. Saturday evening performance will begin at 8:30.

Scale for 'Hamlet' will be the same at all performances, with a top of \$3.30 and running downward to 55c. House capacity is \$2,891 and a capacity week's gross on the seven performances can total \$20,327. Reason Evans is able to charge the normal \$3.30 admission for a marathon performance which allows a limited number of showings a week is that the house has a large capacity. With the front 'row' orchestra removed to allow an enlarged stage, the house will seat 1,487, of which 561 are downstairs, 800 first balcony, and 326 second balcony. Guild charged \$4.40 for 'Interlude' at the limited-capacity Guild theatre in 1928 and \$6.60 for 'Electra' at the small original John Golden theatre on West 58th (now the Filmart) in 1931.

'Back to Methuselah,' which the Guild offered in 1922 at the old Garrick, was also an extra-length show, but it was given on three different nights. Scale at each performance was the regular admission, but audiences had to attend all three showings to see the whole play.

Figured that Evans' performance in the full-length 'Hamlet' will be one of the most exacting physically ever undertaken by an actor, even though he has stated that most of the cuts in the normal versions of the tragedy are made from the other parts. Besides the strain of regular performances, he will presently begin rehearsing his production of 'Henry IV' in preparation for his projected repertory schedule. He plans to revive his 'Richard II' production and add a fourth show to the list.

'WOMEN' HOT \$12,500 AS MONT'L TEE-OFF

Montreal, Sept. 27.

'The Women,' playing six nights and two mats at prices scaling from 50c to \$2.50, hit on high from start, despite rain and got excellent \$12,500. Left here Sunday (25) for week in Toronto.

Estimate for Last Week
'The Women,' His Majesty's (CT) (1,600; 50c-\$2.50). Packed every night with SRO out last part of week; took \$12,500, giving Montreal's legit season best sendoff in years.

Downey to Warble In Wanger's Campus Carney

Hollywood, Sept. 27.

Morton Downey plays the singing lead in Walter Wanger's 'Winter Carnival,' a picture with a Dartmouth College background. Shooting starts after Christmas holidays.

Singer is currently at Cocoanut Grove.

Seven-Eighths Salary

OK'd for 'Knickerbocker'

Permission to pay only seven-eighths of a week's salary to the cast of 'Knickerbocker Holiday' was yesterday (Tuesday) granted the Playwrights Co. by Actors Equity council.

'Knickerbocker,' the Maxwell Anderson-Kurt Weill musical which the Playwrights are producing, is at the Shubert, Boston, this week. It was to have opened there Monday (28), but was set back until last night (Tuesday) by the effects of last week's storm.

K. C. SLUMP AFTER 'PINS'

Kansas City, Sept. 27.

'Pins and Needles,' garment workers' musical, opens the road season in K. C. with a three-day engagement beginning Thursday (29), Managerment is expecting a heavy turnout, making Thursday CIO night and Friday A. F. L. night.

Union-produced play is the only legit show set for the Music Hall of the Munny and up to the first of the year. Beginning early in January, however, town will have a heavy season, including George M. Cohan in 'Td Rather Be Right,' Ethel Barrymore in 'Whitecoats' and a return engagement of 'You Can't Take It With You.'

Several plays will be dated in here following Chicago runs, notably 'Susan and God,' 'Golden Boy' and 'Our Town.' Season will also see John and Elaine Barrymore in a new play, yet unannounced, Alfred Lunt-Lynne Fontaine and Ed Wynn, among others.

As was the case during the past two seasons, Music Hall series will be under the direction of George Goldman, Munny ad manager, with Jimmy Nixon on the promotional end.

Indianapolis, Sept. 27.

English theatre opens Nov. 1, when 'Pins and Needles' comes i for two-day run. Garment workers' play will be followed by 'Td Rather Be Right,' for three evening performances and matinee starting Nov. 10.

Bills Next Week

(Continued from page 51)

Cornelia Ship	Open Door
Ben Ben Ore	Tinney Living' Or
Radph Lewis	Packard Ballroom
DeVries Eagles	DeVries Eagles
Red Roberts Ore	Paradise Gardens
Al Buetner Ore	Anthony Della Ore
Job Garley	Parle
Concertina Eddie	Al Cavaliers Ore
Hotel Schroeder	Caspar Reda Ore
(Kemples)	Joe Gumlin Ore
Lawrence Walk Ore	Rendezvous
Jerry Burke	Lou
W. J. Bloom	Patsy Carol
Lola Best	Jean Harmon
Linda's	Claude Hayes
Colgrove 3	Jan Jacques
Rick & Snyder	Vera Rine
Miami Club	Reno
Ray Wencil	Joe Le Grand
Bjorken & Nedra	Rudy Sager Ore
Peggy Moore	Schwartz
Ellen Kaye	Bill Carlson Ore
Skippy Reed	Tio Tap Tap
Lita Devere	Bert Gilbert
Peggy Geary	Town and Country
Johnny Davis Ore	Frank Grin Ore
Milwaukeean	With's Futuriste
Helen Kaye	Steve Sweeney
Harold Willotte Ore	Eddy & Eddy
Paula Brown	Bill Schweitzer Ore
Ramona Costello	Wisconsin Roof
Old Heidelberg	Nie Haring
Seppel Beck Ore	Loraine De Wood
	James Noble

DETROIT

Ambassador Club	Onis
Billy Van	8 Guardsmen
Paul Penman	8 Guardsmen
De Nira	Leola Taylor
Debo Sherman	Hal Borne Ore
Ernest	Plantation Club
Ambassador Ore	Ceill Lees Ore
Book-Cadillac Hotel	Dot Sellers
(Book Cadillac)	Snooka Howard
Book Grayson Ore	John Shalor
Bill Conway	Stacy Whites (16)
Jimmie Stanson	Lithia Hill
(Motor Bar)	June Harris
Californians	Nie Haring
Lawrence LaPrise	Tandelay & Lopez
Chester-Tombey	Powatan
Edgie Parley Ore	Chaz Chase
Arlene & Borden	3 Waynes
Hanger & Andriella	Paul Nighbor Ore
Kim Koo	Dr. Arthur Marcus
Marie Keane	Wolcott
Frank Bolsoero	Bennett Dancers
Commodore Club	Saks
C. Cromwell Ore	Les Arquette Ore
Joe Penman	Rain Flatter
Russell & Story	Wesley Whitehouse
Love Birds	John Sargent
Commodore (8)	Henry Vanuden
Hotel Statler	Duano
(Terrace Room)	To Jo Farms
Frank Gagon Ore	Phil Burnone Ore
Nebula Ore	Carroll & Gorman
Leonard Seel Ore	Nebraska Hall
Belmonts	(Cocktail Grill)
Blaine Manzi	Art Mooney Ore
Helen Hart	Tommy Martin
Northwood Inn	Donna
Ray Carlin Ore	Rosamory Deering
Monty Waring	Henry Vanuden
Bobby Cook	Reger Hoffman
Santoro & Lorraine	Wonder Bar
Sigrid Eugine	Dorothy Berlin
	Al Viora Ore

Australian and New Zealand Theatres, Ltd., Managing Directors' Frank J. Tait, G. S. Crick, G. B. Dean. Present—

VIOLET CARLSON

as the Star of
'ROSE-MARIE'
ROYAL THEATRE
SYDNEY, AUSTRALIA

AFTER four of the most enjoyable and successful weeks of my career, I leave you BILLY ROSE, and the entire cast and staff of the CASA MANANA, N. Y., with a feeling of regret.

I am grateful for your offer to remain four additional weeks, but due to advance bookings, had to sail Sept. 22 to open at the GROSVENOR HOUSE, LONDON, ENGLAND, Sept. 29, with the lovely

SANDRA LYNN
for an indefinite engagement.

AL TRAHAN

Direction

MUSIC CORPORATION OF AMERICA

P. S.—Many Thanks to My Pal, Larry Puck

WPA Gives Chi Negro 'Mikado'; Bankhead In, 'Golden Boy' Big 16G

Chicago, Sept. 27. Season is picking up. There will be two shows in town starting tomorrow (Wednesday), when 'I Am Different' arrives at the Selwyn to supplement 'Golden Boy', now in its third smacker session at the Harris.

San Carlo opera opens in the big Auditorium next Monday (3). Gertrude Lawrence in 'Susan and God' makes the Harris Oct. 10, with 'The Women' booked into the big Auditorium on Nov. 6.

WPA had a big opening Sunday (25), when the Federal Theatre brought in a modernized version of 'The Mikado', with an all-Negro cast, into the Great Northern.

'Golden Boy' is a sell-out here and could go much longer than its dated four-week gallop. From here moves into Detroit for a week, Boston for three weeks, Philadelphia for a fortnight, with single sessions in Baltimore, Washington and Pittsburgh.

Estimates for Last Week
'Golden Boy' (Harris) (3d week) (1,000; \$2.75). With second week of American Theatre Society successions necessitating fewer cut-rate duets, the gross shot up another \$2,000, snagging terrific \$16,000. Press handling on this show had been well-nigh perfect on all angles, with p.a. Fred Spooner giving the town plenty of fresh angles on coverage.

'I Am Different' (Selwyn) (1st week) (1,000; \$2.75). Opens tomorrow night (Wednesday), with fair advance for Tallulah Bankhead comedy.

WPA
'Power' (Jackstone). Closed Saturday (24).

'The Mikado' (Great Northern). Negro unit opened modern version of Gilbert & Sullivan on Sunday (25).

Frisco Strike Hits Bankhead, Only Fair \$9,500

San Francisco, Sept. 27. Things were pretty much in the doldrums here last week, most of which could be attributed to the strike which closed all warehouses and the picketing of all the leading department stores. This, together with the fact that notices on 'I Am Different', the new Zoe Akin's play for Tallulah Bankhead, were not any too enthusiastic, helped things too much at the Curran, where Miss Bankhead closed a two week's engagement Saturday (24).

Since opening here, 'Different' has undergone plenty of rewriting, which has helped the play considerably. Withdrawal from the cast of Glenn Anders, because of illness, left the company in bad spot last week, finding a replacement. Hershel Mayhally finally stepped into Anders' role, the second most important male part in the play. Anders is out of the cast temporarily.

Estimate for Last Week
'I Am Different' (Curran) (1,771; \$2.75) (2nd wk). New Zoe Akin's play has undergone plenty of rewriting, which has helped the play considerably. Withdrawal from the cast of Glenn Anders, because of illness, left the company in bad spot last week, finding a replacement. Hershel Mayhally finally stepped into Anders' role, the second most important male part in the play. Anders is out of the cast temporarily.

WPA
'These Few Ashes' (Alcazar) (1,269; \$1.10) (1st wk). Although not as well received as some of the former Federal Theatre Project offerings here, show is doing good business.

Setting NW Loop

Vancouver, Sept. 27. Legit season opened here last week with 'Pins and Needles', in for two days, playing to very nice biz at \$3,000.

Rave notices and word of mouth from opening night built second day to virtual capacity.
L. A. Allen, partner in the Empress theatre, sole legiter here, leaves in 10 days for tour of Coast cities to drum up again the highly profitable northwest loop, planning to sell producers the idea of sending San Francisco and L. A. productions through this territory. Plan calls for two weeks playing time split among Portland, Seattle, Vancouver, Victoria, and three one-night stands, providing theatres in these cities are agreeable.

Mpls. Due for Big Roadshow Season

Minneapolis, Sept. 27. Leo Murray, manager of Lyceum, legit roadshow house, claims city will see more legit traveling attractions ensuing season than for many years.

Season opens Oct. 6-8 with 'Pins and Needles'. Other underlines are Lunt and Fontanne, Ed Wynn, 'Shadow and Substance', 'Golden Boy', 'Susan and God', Fred Stone in 'Lightnin'', Ethel Barrymore in 'Whiteoaks', and a return engagement of 'You Can't Take It With You'.

PHILLY BOOKING SET; 'CLEVER' LIGHT 4G

Philadelphia, Sept. 27. After numerous charges and swindles, Phil's legit booking program for the next month or more has finally been pretty well ironed out. Two Shubert-controlled houses offer new shows next week and the third (Chestnut) reopens Oct. 17. Six shows will be offered at these three houses during the month of October, two of them try-outs.

George Cohan's 'I'd Rather Be Right' leads the line opening Monday (3), at the Forrest for a two-week stay. It will be followed by Dwight Deere Wiman's musical, 'Great Lady' (switched from the Chestnut where first advertised), Oct. 20.

Tuesday night (4), the Locust starts its season with Eddie Dowling's try-out historical dramatic production, 'Mama' (switched with Eva Le Gallienne). It will be followed after a fortnight's stay by 'Whiteoaks', with Ethel Barrymore. 'Amphitryon 38', Theatre Guild offering with the Lunts, previously set for the Forrest, opens, instead, at the Chestnut Street Opera House Oct. 17, where it will play two weeks on subscription.

The stars will present 'The Sea Gull' for a single week starting October 24. 'Only other Shubert booking now officially set is 'Golden Boy' for Nov. 7 at Locust, but it may be switched to Chestnut.
Erlanger has no booking to follow the comedy try-out, 'A Woman's a Fool—To Be Clever', which closes two-week stay Saturday (1). New Mask and Virgil show, 'All Around the Town', is officially scheduled Thanksgiving Week, with 'Tobacco Road' booked a week or so later. Management expects a booking in October, however.

'A Woman's a Fool—To Be Clever' was reported the middle of last week as quitting its two-week stay in half, but finally decided to continue. Notices here, however, if not exactly enthusiastic. Torrential downpour Wednesday (21) matinee, always good at this house, hurt total biz a lot, with \$4,500 reported for seven performance. However, that was not so bad for a modestly-produced little comedy like this.

'Sing Out the News' went out after Wednesday (21) night's performance, giving the Max Gordon revue three and a half weeks at the Forrest.

Estimates for Last Week
'A Woman's a Fool—To Be Clever', Erlanger (1,800; \$2) (1st week). Notices good on the whole. Weather hurt first few days and show was scheduled to close Saturday (23), but decided to stick out seven performance. Estimate for last week: \$4,500 in seven performances.

'Sing Out the News', Forrest (2,000; \$2.50) (4th week). Played only four performances of final week, ending today Wednesday (21). Announced to be socked by torrential rains; \$5,500 in four shows.

'Boy' 6G, Newark

Newark, Sept. 27. 'Golden Boy', on its first visit here with a road cast, did exceptionally well at the Shubert, netting nearly \$6,000 on the week. Current show is return engagement of 'Bringer Rat'.

Estimate for Last Week
'Golden Boy' (Shubert) (1,050; \$6.15). Without benefit of the original leads, Clifford Odets' drama accounted for a good week at the b.o., nearly \$6,000.

'Pins' Fair 8G, Denver
Denver, Sept. 27. 'Pins and Needles' played to fair-biz in three performances—two nights and mat. Advance sale for 'Susan and God', here for two nights and a matinee next week is heavy.
Estimate for Last Week
'Pins and Needles' (Auditorium) (2,800; \$2.24). Three shows to about \$3,000.

WPA
'Autumn Crocus' (Baker Federal) (437; 40c). Business picking up as fall comes on.

BARRYMORE OK \$8,500 IN BOSTON

Boston, Sept. 27. When 'Knickerbocker Holiday', first of the Playwrights' Co. productions, opens tonight (Tuesday), with Walter Huston in the lead, the Hub will have three shows in town and a good line-up of bookings for the future. 'Knickerbocker' premiered in Hartford Saturday night (24), but the flood handicapped the production, particularly the lighting. Opening here was postponed one day.

'What a Life', in fourth week, is holding good, steady pace, partly through missionary work of Martin Jurov and Frank McCarthy, who have been circulating through high schools of metropolitan Boston, hyping biz from a natural source for this comedy.

Ethel Barrymore was received enthusiastically in her second week of 'Whiteoaks', 'Amphitryon 38', with Lunt-Fontanne, comes into Colonial Oct. 3; 'Golden Boy' is slated for the Plymouth Oct. 17; 'Clear All Wires', with a heavy advance sale for the opening of the season, proved the first flop and dropped out at the Plymouth last Saturday.

Estimates for Last Week
'What a Life' (Wilbur) (1,200; \$2.75) (3d week). Dented slightly by hurricane-flood, which cramped commuting. Light comedy is fairly staunch at the b.o. and \$8,000 for third frame was satisfactory.

'Whiteoaks' (Plymouth) (1,480; \$3.30) (1st week). Ethel Barrymore fans supporting it well, and more are expected to pass through the gate this week, with rail transportation returning to normal. Opening week okay \$5,500.

San Carlo Quitting New York with OK 60G in 2½ Weeks

San Carlo Opera company concludes a two and a half week engagement at the Center, N.Y., Saturday (24), with intention that the total gross for 20 performances will top \$60,000. With performances averaging \$3,000 nightly, business has been virtual capacity from the opening. Last week's takings were quoted at \$24,000, top being \$1.50 (no admissions tax for grand opera). Picketing of the house by the Grand Opera Chorus, Alliance apparently had negligible effect.

The Fortune Gallo outfit moves to Chicago, opening at the Auditorium Monday (3), date extending to Oct. 23.

Mosque, Newark, Opens To Legit with 'Blossom'

Newark, Sept. 27. New Mosque, formerly the New Newark, opens Monday night (3) with revival of 'Blossom Time', featuring Everett Marshall, Charlotte Lumsden, Doug Devitt and William Kent. House, which has tried vaudeville, pictures and opera, has seating capacity of 3,400, allowing for low admission for 'Blossom' of 40c to \$1.65 evenings, including Sundays, and 40c to \$1.10 matinees Wednesday and Saturday.

Shuberts producing and Frank L. Smith managing.

'Pins' Tees Off Milwau.

Milwaukee, Sept. 27. Davidson theatre, one of Milwaukee's two legits, will open Oct. 9 with 'Pins and Needles'. Theatre opens later than usual because of remodeling.
More than 1,500 season reservations have been taken and Anthony Phineas, theatre manager, looks forward to the best season in years with about 20 plays in the offing.

Storm Dents B'way, but 3 New Arrivals Look Okay; 'Missouri,' \$11,000, 'Sing Out News' Favored

While the new season's arrivals to date do not include a smash, although one ('Kiss the Boys Good-bye') is touted to unfold this week, there are at least three new shows with fairly good money chances on the boards.

Two musicals which premiered late last week are included in the trio, with 'Hellzapoppin' indicated to be the topper at the 6th. Since judging from ticket demand early this week. Show is a vaudeville, rated as screwy as anything displayed in years. Olsen and Johnson connected this affair, and while the critics admitted they laughed as heartily as some first-nighters, the notices were mostly mild. Looks like word-of-mouth will send this one across.

'Sing Out the News' came in Saturday (24) at the Music Box, drawing a fairly good press. Revue had been highly regarded at the opening in Philadelphia, where it was pruned for several weeks. Opening here, attendance was indicative of prosperous business. 'Missouri Legend', at the Empire, registered a satisfactory though not exceptional gross, initial week's takings being around \$11,000.

A third early musical, 'You Never Know', Winter Garden, drew an adverse press. It opened last mid-week with a heavy advance sale for the succeeding three days, but the agency call then dropped away down. First full week of 'Lightnin'', Golden, was quoted around \$8,500, with encouragement the management to expect a stay. 'Come Across', the first opening of the season, proved the first flop and dropped out at the Playhouse last Saturday.

Business last week was somewhat affected by heavy rains climaxed by the hurricane of Wednesday (21). There were ticket cancellations on Thursday and Friday. With transportation disrupted, patrons from outlying districts could not reach the city. By Saturday night, however, conditions around the metropolis were much improved and theatre attendance was excellent all along the line.

'Shadow and Substance' ends a goodly run this week. Due in next week, 'Victoria' (repeat), Martin Beck; 'The Fugitive Inval', Broadhurst; 'The Devil Takes a Bride', Cort; 'The Good', Windsor. WPA is trying to make up its mind about the 'Big Blow' opening, it removed 'Hail!' at Daly's, which re-lights with 'On the Rocks'.

Estimates for Last Week
'Bachelor Born', Lyceum (36th week) (C-957; \$3.30). Improved and has been topping \$5,000 in past two weeks, intention to continue engagement through October.
'Come Across', Playhouse. Withdrawn after a week and one half; could not climb above \$100 (repeat).
'Dam Nat', Booth (1st week) (C-708; \$3.30). Presented by Theatre Guild; adapted by Patricia Collings from the French; tried out at Westport in early summer; opened Monday (26).

'Hellzapoppin', 46th Street (2d week) (R-1,375; \$3.30). Press bore with it, but with some exceptions, but word-of-mouth claims it is funniest show in years; built up after starting late last week.

'I Married an Angel', Shubert (21 week) (M-1,367; \$4.40). Back to the \$28,000 level, which means capacity and is expected to stand up against incoming musicals for some time.

'Kiss the Boys Goodbye', Miller (1st week) (C-944; \$3.30). Presented by Brock Pemberton; written by Clare Boothe; touted from Washington as good thing.

'On Borrowed Time', Longacre (35th week) (D-1,019; \$3.30). Weather affected most business, but no material drops noted; takings here quoted at \$8,600, which is profitable.

'Our Town', Morosco (35th week) (D-961; \$3.30). Went off slightly, but rated well above the \$10,000 mark; some cancellations, but patrons switched tickets to this week, which should help.

'Missouri Legend', Empire (2nd week) (D-1,096; \$3.30). Starting business in face of bad weather and no advance sale indicates first dramatic success; better than \$11,000 quoted in second week.

'Shadow and Substance', Plymouth (34th week) (D-1,036; \$3.30). Final week; import has made excellent stay and goes to road; has grossed over \$9,500 in recent week.

'Sing Out the News', Music Box (1st week) (R-1,013; \$4.40). Opened Saturday (24); drew mixed press, but some distinctly favorable, with increase in ticket sales.
'Thanks for Tomorrow', Bayes (1st week) (D-700; \$3.30). Presented by Jay Stronz; written by Le Roy Bailey with interpolated songs by others; opens Tuesday (27).
30 Days Hath September, Hudson

(1st week) (C-1,094; \$3.30). Presented by Kirby Grant; written by Irving Gaismont and Jack Sobell; opens Friday (30).
'Tobacco Road', Forrest (251st week) (C-1,107; \$1.65). War horse of the list goes along to modest money, but turns a profit right along; \$5,000.

'What a Life', Biltmore (24th week) (C-991; \$3.30). Has been picking up and now rated over the \$9,000 level, which provides goodly profit for laugh show.

'You Never Know', Winter Garden (2d week) (R-1,671; \$3.30). Opened middle of last week; drew very mild press and chances doubtful, although advance sale for succeeding performance excellent.

'You Can't Take It With You' Imperial (94th week) (C-1,468; \$1.65). Special road show opening; this one to stick until end of run; business still profitable with last week, approximating \$8,000.

'Lightnin'', Golden (3d week) (C-783; \$3.30). Doing okay in eyes of management; Sunday plug by critics should help; first full week rated at \$8,500 and satisfactory.

Added
'Pins and Needles', Labor Stage (44th week) (R-500; \$2.75). Going along profitably, with last week a little under previous week because of weather; quoted at \$6,400.

WPA
'One Third of a Nation', Adelphi (37th week).

'Hail!', Daly's. Withdrawn Saturday after 30 weeks; may re-light at Lafayette Square; 'On the Rocks' resumes here.

'Prologue to Glory', Ritz (24th week).

'The Big Blow', Elliott (1st week). Said to open next week after being postponed several times.

'SUSAN'S' 3 WKS. IN L. A. GOOD FOR 53G

Los Angeles, Sept. 27. Gertrude Lawrence winds up three weeks at the Biltmore (1), with probable \$53,000 as the final total for the run. Second stanza held strong, topping first week by few hundred dollars. Biltmore goes dark next week, re-lighting (10) with Ann Harding in 'Candida'. Opus was tried out (23) in Santa Barbara, and is current at the Curran in San Francisco.

'Soliloquy' comes here Oct. 24, after couple of weeks in Frisco, and then heads for New York.

Estimate for Last Week
'Susan and God' (Biltmore) (C-1,656; \$2.75) (2nd week). Gertrude Lawrence's personal popularity overshadowing play; accounted for smart \$18,500 on second week. Advance strong.

WPA
'Having Wonderful Time' (Hollywood Playhouse). Closes (9). Followed (12) by 'Dance Concert' for one week only before starting tour of Northern California.

Round 'em 'em (Mayan). Re-summed (24) after five-day layoff and sticks through October before going to San Francisco as a commercial venture.

'Dance Concert' (Belasco). Debuts (29) and runs through Oct. 9.

'KISS BOYS' STRONG \$12,000 IN WASH.

Washington, Sept. 27. Capital leg season bowed in Monday (19) with pre-Broadway tryout of Clare Boothe's 'Kiss the Boys Goodbye'. Carriage trade turned out nicely to provide the glamour and the balance of usual, paid the expenses. Having producer, Brock Pemberton, director Antoinette Perry and authoress Boothe all in town day before opening and throughout week, kry show in papers regularly and take, at \$2 top started year off satisfactorily all around.

Current is return engagement of 'You Can't Take It With You'. Film version opens on next to last day of legit run (30) and overlapping ballyhoo is helping stage edition.

Estimate for Last Week
'Kiss the Boys Goodbye' (National; \$2.00 top)—Opening week of season; plenty bally because producer, director and authoress were in town; approximately \$12,000, good.

Mustering War Correspondents

The AP, UP and Hearst mustering their forces for a potential war corresponding, in anticipation of setting up foreign news bases. All passports of former overseas journalists are being renewed and elaborate plans being laid. INS (Hearst) figures on Geneva or Aix-les-Bains (French spa) for its press headquarters. AP has Deauville or Marseilles in mind. UP will similarly set up either in France or a neutral country.

Idea is to have a field press headquarters sufficiently removed from the potential war zones, free of communications interference and also as free of official censorship, outside of the usual press intelligence that's performed set up by the military in every country, depending on the sympathies of the particular Press Wireless (RCA Communications) is making all the preliminary arrangements.

Back-of-the-front coverage would, of course, be chiefly via shortwave radio, but naturally subject to strict military censorship.

Steinbeck Turning to Stage

John Steinbeck tells intimates on the Coast that after he completes the novel on which he is now working he will devote himself thereafter to playwrighting.

Exactly why Steinbeck will forsake prose not disclosed, but can be lack of appreciation. His books have been exceedingly well regarded and big sellers. Playwriting is not new for Steinbeck. He dramatized his own novel, 'Of Mice and Men,' and piece was as successful on the stage as it was between book covers.

Decision of Steinbeck to abandon prose for plays closely follows that of Thornton Wilder. Also a leading American novelist, Thornton Wilder, following the successful presentation of his 'Our Town,' still current, made known that he would write plays only in the future. Still another who said he was abandoning prose for plays is J. B. Priestley, among the foremost contemporary British novelists. Priestley has since written a number of plays, and most of them successful, but he continues to sneak in a new book now and then.

Philly Guild's Defense Fund

Newspaper Guild of Philly and Camden voted three to one last week to double its dues for the next five months to raise a \$5,000 defense fund. Action is the result of the firing of 32 employees by J. David Stern, publisher of the Philly Record.

Record unit of the Guild also rejected last week a proposal by Stern that present wages be 'frozen' for an indefinite period, stopping the periodic increases provided in the Record-Guild salary contract. Stern asked the Guild's acquiescence, he admitted under questioning by the shop committee, not so much for the small saving it would mean, but to give him a point in dealing with other unions on the paper. He said the Guild would be 'cooperating.' Unit, in its reply, declared it didn't think that Stern had been 'cooperating' during the recent firings, so it saw no reason for giving up anything protected in its contract.

Busy Fanny Ellsworth

Fanny Ellsworth, who divides her activities between the Eltinge Warner mags, two of which she edits, and the Newsstand Fiction Unit, which she serves in an advisory capacity, is additionally turning publisher on her own. She has organized the Phame Publishing Co., and is preparing a mag to appear in November.

Phame Publishing Co. will be headquartered with the Newsstand Fiction Unit in Rockefeller Center, where Miss Ellsworth spends a number of hours each day. Rest of the day Miss Ellsworth is at the Eltinge Warner offices.

New publishing enterprise makes Miss Ellsworth unique in the industry, as she will be the only person simultaneously working for two publishing houses and operating a third on her own. Title and nature of her own forthcoming mag is being kept secret for the time being.

Prisoners' Mag for Prisoners

Two inmates of Michigan State Prison, Roland Fayette Coon and Wayne Joseph Huse, shortly to be released, are planning the publication of a national monthly mag aimed principally at the 200,000 inmates of the country's state and federal prisons. They will call the publication America's Unknown. They claim to have already secured the services of Charles Edward Russell, former Chicago newspaper publisher, and Paul Schubert, novelist, as edi-

tors. Number of other literary figures will form an advisory board.

According to plans for the mag, which will begin publication upon the release of its two sponsors, it will be an all-round publication to contain all types of fiction, sports, humor, cartoons, photographs and even musical compositions. Husted has had show biz connections.

Hunter Gets Promoted

After some years as business and advertising manager of Silver Screen and Screenland, Paul C. Hunter was upped to publisher and v.p. of the two film fan mags by Victor G. Heimbocher, prez of the publishing company. Hunter was with the Hearst organization before going with the Heimbocher publications.

Robert L. Johnson, formerly v.p. of Time mag, was engaged by the two mags to serve in an advisory capacity. Johnson recently acquired control of Promenade, the class mag, but his Silver Screen-Screenland duties will not interfere with his active operation of that publication.

Nation's Staff Shifts

Departure of Max Lerner as editor of The Nation, to take the post of professor of government at Williams College, was followed by a number of editorial changes on the publication.

Three new regular contributors will be John G. Timmer, Archibald MacLeish and Helen Woodward. I. F. Stone, of the N. Y. Post, and Keith Hutchison, formerly of the London staff of the N. Y. Herald Tribune, became associate editors, with Maxwell S. Stewart continuing in a like capacity. Freda Kirchwey, publisher, continues as executive editor.

'Ep' Hoyt Jumps Again

Palmer Hoyt has been appointed general manager of the Oregonian, Portland, largest daily in the Pacific northwest. Ten years ago Palmer Hoyt was writing reviews of the local shows. He rose quickly to managing editorship of the paper. In the latest shake-up he was made general manager of both news and advertising departments. In the same shake-up, C. O. Chatterton was made manager of the paper's radio stations, KGW and KEX, replacing Carey Jennings. Hoyt and Chatterton have top commands of the properties under O. L. Price, publisher.

Sheed & Ward's Reprints

Anglo-American Canadian book publishing firm of Sheed & Ward will take a fier with reprints. To experiment with six reissues, three in October and three in December, in paper covers at 50c and cloth at \$1. Will be known as Unicorn Series, and if getting across will be regularly continued. American issues of the reprints will go to around 5,000 copies in each price edition at first.

Other new activity of American branch of Sheed & Ward is its own lectures, and if getting across will be its list. John C. Winston Co. is understood to be the only other publishing house arranging lecture dates for its authors.

American Press

Paul Scott Mowrer, president of the American Press Society, will shortly name a nominating committee to draw up a ticket for national administrative officers for 1939. Election will be held early in November.

Appointment of the nominating committee was delayed because of action to be taken on constitutional revisions. Proposed revisions include a number of changes in titles and duties of national officers. Members of the society will vote on the proposals as soon as the organization's legal counsel completes study of the measures.

Coast Coin for Friede

Donald Friede, former partner in Covici-Friede, is readying a new publishing house with Hollywood backing. Since severing connections with the Covici-Friede firm, he has been connected with the Zeppo Marx agency and later conducted his own advisory service for writers.

New company's headquarters will be in New York.

Frances Grossel to Resume

Suspension of the book publishing activities of Frances Grossel is only temporary. Femme publisher rusticating in Pennsylvania, and returns to New York around Oct. 1 to resume. Rachel Vixman will again be an associate.

As formerly, the Grossel books will be non-fiction only. Run mostly to artistic subjects.

Food for Thought

Akron, Sept. 27.

Walter 'Buck' Coyle, erstwhile city editor of the folded Times-Press here, has gone from dishing news to dishing food. Some time ago Coyle opened a confectionery near the Times-Press building.

When his paper folded, Coyle collected his dismissal pay and went into the restaurant business full time, now catering to more than 300 Beacon Journal employees who have taken over the old Times-Press plant.

Hewitt Turns Publisher

Add to film writers who like the publishing biz—Grover Jones, Rob Wagner, et al.—Sanford Hewitt. In association with Cyril M. Hailing, Hewitt is operating the Press of the Hollywooders in Hollywood, issuing choice limited editions of various works, and destined for the most part for private circulation.

Printer of the pair is Hailing, who comes of a long line of noted English printers and publishers. Came over here shortly after the end of the World War and is carrying on in the family tradition. Hewitt, who is from Connecticut, taught English before taking up screen writing.

'Socker' Coe for Gov.?

Charles Francis Coe, radio commentator and writer, may enter the race for governorship of Florida. During his recent trip north, Coe shared a speaking program with Gov. Cross of Connecticut and was introduced by the chairman as the 'next governor of Florida.'

Coe practices law at Palm Beach and has received many requests to consider the question of becoming candidate for governor. Only recently, he said, has he given the matter serious thought.

World Observer to Resume

The World Observer, monthly mag of international affairs, whose publication was halted by Lucis Publishing Co. recently, will resume. Publication's sponsors not decided on date of resumption but it's not likely to resume before the new year.

Monthly had a pretentious start in July, 1937, edited jointly by Alice A. Bailey and Foster Bailey, who will again be at the helm.

Lucis Publishing Co. is also a book publishing house, getting out non-fiction.

Sponsors 'Five-Dime Books'

Latest addition to list of paperback book publishers is Five D's Book Publishing Co., which gets started after some months of preparation. Will sponsor a series of 'Five-Dime Books'; hence the title, with an occasional volume to sell for 10 dimes, these with hard covers.

Non-fiction only, and on a variety of subjects. H. Mayer Daxlanden heads the firm as president. Jack Dames is vice-pres. Two five-dimes to go out within a month, with three more to follow shortly thereafter.

Bouve's Hat in Ring

Walter Bouve, Jr., veteran copyreader on Pittsburgh Post-Gazette, tossing his hat in the political ring again this year, running for Congress in November on Independent ticket in 38th Pennsylvania district.

He ran six years ago for a seat but was trimmed badly. Newspaperman has been long active in Pittsburgh politics, stumping for G.O.P. practically every election and serving several stretches as a district committeeman.

Hudson, N. Y., Regional

There is a new regional magazine, of Hudson Valley, N. Y., published at Hudson, N. Y., called Echo.

It is drawing upon local writers of the region. William Seabrook, Paul Corey, John Willstam, and Shaemus O'Sheel. The editors are Ralph S. Thorn, Jr., and Carroll E. Osborn. Contents artistic and fiction, with farm and home, little theatres, and local history all balanced.

Donoghue Goes WB

Frank Lee Donoghue, N. Y. American feature writer, has been signed by Warners to cook up an original.

Gaige's Spice Column

Rights to subtitle of now defunct Literary Digest, The Spice of Life, have been acquired by the American Spice Trade Assn., which proposes to use it as heading for a monthly column on spice news to be written by Crosby Gaige.

Gaige has many interests besides his theatrical ones. A book publisher

of limited editions, he is also an epicure of no small reputation. Gaige recently authored a booklet for the spice organization on the uses of spice in food, which led to the arrangement for a monthly column.

New Payoff

Colophon, the quarterly magazine for book collectors—those who can afford \$2.95 a copy or pay \$10 a year—has an unusual method of payment they call 'honorarium,' which is that the mag buys an article by donating a number of published volumes, runs of the particular article, and six copies of the issue containing it, all coming to \$56 in value. Since volumes of Colophon rate high in rare book store circulars, mebbe some of the poor contris sell 'em there.

Howey Hypothes Ch H-E

Walter Howey, new publisher of the Hearst morning tab Herald-and-Examiner in Chicago, has stepped into all departments of the paper. Has brought in two ex-editors of the Hearst evening American, spotting Ed Ritticker as managing ed and Harry Reitlinger on the city desk.

Howey has put the H-E on the air for a six-times weekly ride every evening, with various sub-editors as guests on the 'News Behind the News' series.

Dell's One-Shots

New affiliate formed by Dell Publishing Co., called One-Shot Publishing Co., and, as the name indicates, will get out the firm one-shots. 'One-shot' is mag that parlayed for publications gotten out for but a single issue.

One-Shot Publishing Co. headed by Leon Stein, regularly traffic manager for the Dell firm. Editorial aid for the one-shots will be taken from the regular Dell staff.

Aimee Sues Look

Aimee Semple McPherson, Los Angeles evangelist, filed a \$150,000 libel suit against Look mag as an answer to its article, 'I Am God's Best Publicity Agent,' published in the Sept. 13 issue.

Co-defendants in the suit are J. C. Herrick and Earl Theisen, of L. A., charged with writing the article.

Guild Signs 3 Mags

Ken, Coronet and Esquire mags have gone 100% union in Chicago. Newspaper Guild signed for collective bargaining.

NEW PERIODICALS

Hollywood Woman, new femme class mag with political headquarters in New York. Publisher is Ben Morrison, with E. Travis Haenisch as general manager, and James M. O'Connell, executive director. Premise of the new periodical, which is to appear monthly, is that Hollywood is now the women's style center, and has worked up a fashion advisory board consisting of fashion designers at the various studios. Include Orry Kelly, Milo Anderson and Howard Shoup, of Warners; Robert Kallach, Columbia; Edward Stevenson and Renie, RKO; Royer, Gwen Wakeling and Herschel, 20th; Fox; Ernest Schrap, Hal Roach; Dolly Tree, Metro, and Vera West, Universal. Two fashion editors, with Edna Davis in New York, and Isobel Ashe on the Coast.

Jack and Jill, forthcoming children's mag of the Curtis Publishing Co., will be out later than originally planned. Scheduled to bow around Oct. 1, monthly will not be out until Oct. 28, bearing a November date-line. Editor will be Mrs. Ada Campbell Rose, with Mrs. E. S. Lee as art editor. Content will be divided between art and editorial matter.

Youth Today, digest mag edited by Harry Miller, has for its purpose to bring good reading to adolescents and to enable youth to 'express its innermost thoughts.' Monthly will carry both fact and fiction.

Entertainment Guide and Teachers' Travelogue titles of two new semi-monthlies being published by the Ray Lessie Publications. Firm headed by Marie Stanton Lessie, with Ray Lessie editing.

Contemporary Jewish Record, new bi-monthly review of events of Jewish interest, sponsored by American Jewish Committee. Periodical will carry original articles as well as reprints of important items from other sources, all aimed at the protection of civil and religious rights of Jews throughout the world. Harry Schneiderman and Sidney Wallach, co-editors, with Abraham G. Duker managing editor.

Burroughs Buys Pyramid

Lewis Robert Burroughs has bought out interest of Paul H. Forman in Pyramid Press, book publishers, and is now operating the concern on his own.

Plans an extended publishing policy, ranging from fiction and juveniles to non-fiction of all types. Editorial duties of Forman taken over by Burroughs, who continues as general manager of the publishing organization.

LITERATI OBITS THIS WEEK

John G. Herring, 48, editor of Titon (Ga.) Gazette, died unexpectedly of a heart attack Sept. 18 in Atlanta, Herring's eldest brother, Lewis Burton Herring, died of a heart ailment in Lynchburg, Va., eight days ago.

Charles H. Lincoln, 68, feature editor of the Boston Post, died Sept. 4 at the Boston City hospital of cerebral thrombosis after being stricken at his desk. Within a few days he would have completed his 41st year with the Post. He served as city editor, Sunday editor and managing editor, before taking up his duties as feature editor, more than 25 years ago. Survived by wife, two brothers and a sister.

Maurice F. O'Brien, 62, ace Rochester, N. Y., reporter at the turn of the century and more recently a copyreader on the Rochester Journal-American, died of a heart attack Sept. 19 after a short illness. Survived by son, Emmett O'Brien, political reporter on the Rochester Democrat & Chronicle.

Frank O'Hare, 29, former reporter on the Bay City (Mich.) Times, the Lansing Capital News, Detroit Free Press, Detroit Times and the Chicago Times, died Sept. 21 in Bay City, Mich., following a heart attack.

Robert R. Dearden, Jr., 67, president and editor of the United States Review, died Sept. 21 of heart disease at his home in Philadelphia. Dearden in 1921 became head of the Review, succeeding his father, who founded the magazine in Chicago 70 years ago and brought the publication offices to Philadelphia after they were burned out by the great Chicago fire.

CHATTER

Waldo Fulton back from Europe. Brunton Rascoff off for Oklahoma. May Sarton back in New York from Europe.

Murrow McCurnin has joined Look as fashion editor. Henry R. Luce has bought a new estate in Greenwich, Conn.

Eleanor Berdon, literary agency aide, has sold her own first story. John Gielgud has written his reminiscences. Macmillan publishing in N. Y.

Hugh Wiley a newlywed. Bride is the former Judith Harrison Isenberg.

Ira Wolfert has sold another story to Harper's mag, making the third in a row.

J. P. Lohman has quit as editor of Homefinder mag. Prefers the publicity biz.

Richard Sherman sold his novelette, 'Preview,' to Satevost for early publication.

Perhaps only sister trio successfully engaged as fictioneers are the Seifers—Shirley, Elizabeth and Adele.

Gene Fowler sailing the South Seas and writing a foreword for Russell Birdwell's book, 'I Ring Doorbells.'

Pink-paper manuscripts of Marvin Reade evoke raised eyebrows in those editorial offices where they are glimpsed for the first time.

Marion Saunders, story agent, has gone abroad in connection with a number of foreign-language publications of 'Gone With the Wind.'

Lowell Limpus, political writer for the N. Y. Daily News, has written a book-length biog of Mayor LaGuardia in collaboration with Capt. Burr Leyson.

Howard Merrill, 23, writing the daily 'This Minute' column for Esquire Features, Chicago, is figured one of the youngest syndicated columnists in the business.

Herrick Publishing Co. has been organized by Muriel S. Herrick to issue a limited number of volumes in non-fiction. Will specialize in books of particular interest to femmes.

Channing Pollock, dramatist-author, and Stanley High, writer, will speak at meetings of the Eastern Zone Conference of the New York State Teachers' Assn., at the Palace theatre and Harmanus Bleeker Hall, Albany, Oct. 2.

Broadway

Leland Hayward back to the Coast yesterday (Tuesday).

Tom Kearns exits press department of WOR this week.

Jack McInerney suffering from an infected arm, the same one he broke a year ago.

Fred Stone and John Golden last week did an experimental television show for NBC.

Charlie Einfield, possibly accompanied by Harry M. Warner, due east early in October.

Red Armstrong agenting 'Kiss the Boys Goodbye,' which opens tonight (Wednesday), at the Miller.

Dario (and Irene) and Ramon (and Renita), bell chorologists, planning an intimate boite of their own.

Pat Ballard back scrippling, around Broadway, after finishing a play in the Poconos during the summer.

Oscar Brooks, Warner Bros.' assistant manager in Mexico City, is in New York for homeoffice confabs.

Phil Baker, out of the hospo, expects to joinhand a new radio comedy by the end of the month.

The John P. Medbury in town to author the first three of Burns and Allen's radio scripts from this end.

Professional Professional (and Professional) hold their annual benefit at Manhattan Opera House Oct. 9.

Herman Bernstein back from the Coast and set as company manager of 'Oscar Wilde,' due to come in soon.

Lee Marcus, RKO studio producer, left for the Coast Monday (26) night after a quickie east to visit his mother.

Ethel Merman's 'cave society' pals gave the Strand a first-night toniness Friday with a dress-up turnout in her honor.

Fred Serge Obolensky trying to introduce the Palais Glide from London to Park avenue, as he did the Lambeth Walk.

Ron (and Renee) DeMarco says it's off again, matrimonially, between them, (although they may continue dancing professionally).

Will Green, erstwhile small-time bookie, has turned hallyhoor artist. He supplies acts for theatre-front exploitation stunts and kindred things.

Vicki Abbott and Nancy Sheridan in a special three-day leg for the annual convention of the Assn. of National Advertisers in Hot Springs, W. Va.

Hal Sloane, former eastern rep for Dick Dwyer, has joined the United Artists sales force. Left Friday (23) for Buffalo, the U. A. branch out of which he will work.

Billy Hicks and his Sizzling Six to be in town to make all places—the snooty St. Regis' Maisonettes, Russe, but, as a squarer to its decorum, the hostelry bills it as a 'Nubian Swing Band.'

Mary Schaeffer, composer, recuperating in the United Hospital, Portchester, N. Y., from injuries sustained in auto accident Saturday (22) on the Hudson Post Road in Mamaroneck, N. Y.

Par, Brooklyn, has a display of motion picture projection equipment in its lobby, collection assembled by Edward Fisher, manager of the house, ranging from early Edison Kinetoscope up to latest.

Sherman Billingsley enlarging the stock with an extra stock to accommodate cocktail and private parties he's had to reject heretofore. Also a preparedness measure for the World's Fair influx.

Aid now it can be told: the 40% drop in r.r. tourism this summer was reflected in a bad summer season for the major hotels. Swank rooms (air-conditioned) east of 5th avenue could be had at \$5 a day, single.

Carl Clausen, cost control executive of Paramount, elected prez of the Par. Pep Club, which holds its annual dinner-dance at the Astor Oct. 28.

At the Warner Club during the past week, John T. Holmes elected prez to succeed Arthur Sachson.

Quent Reynolds' piece in current Collier's on the Stork, 21 and Morocco bonifaces is the frankest expose yet on why the class cafes favor 'nice looking' people with short bankies over those who spend prodigiously but are otherwise objectionable.

Pittsburgh

By Hal Cohen

Rufus Blair in from Par's Coast office.

Tony Stern and Joe Feldman fighting in the flu.

Variety Club has set Oct. 10 for election of 1939 officer slate.

The Vince Sortinos are home from their Atlantic City honeymoon.

W. C. C. J. Latta's sister, from Los Angeles, here for a day.

Tom Bodkin had Pittsburgh Pirates as his guests at 'Our Town' last week.

Dave Brodsky had brought him back a couple of French batons from Paris.

George Tyson punching out Harris adds once more after summer leave at resort.

Recent Carnegie Tech grad, Patti Little, in returning 'You Can't Take It With You.'

Campbell Casad here first time in four years, ahead of 'You Can't Take It With You.'

Sylvan Simon plans to visit mother.

here when he finishes directing first M-G picture.

Drummer Russ Johnson has quit racket to go into artificial limb biz with pain-in-law.

Ezti Covato has lost three of his ace musicians to other outfits in last couple of weeks.

Harry Goldberg and Bob Smeltzer both in town for a few days on biz. Ditto Perry Nathan.

'Thanks for Tomorrow,' which opens on Broadway shortly, authored by a local LeRoy Bailey.

May Keogle sponsoring series of six New York Children's Theatre productions again this season.

Pete Higgins playing second engagement in as many months at Half Moon Club in nearby Stuebenville.

Boston

Estelle Taylor in town.

Fred Allen back home for a brief stay.

Connie Fainslaw left burlesque for vaude viz.

Bill Field in town with 'Knickerbocker Holiday.'

Red King is new assistant to Jack Granara in Keith press department.

John Carroll, manager of Paramount theatre, in hospital for appendectomy.

Brown Derby, Penthouse, Southland, Flemingo theatres reopened reopened for season.

Marty Glazer's finger still in a splint. He broke, believe it or not, it pulling on a sock.

Southland, sepiu spot, opened a night later than scheduled (22), with Jimmie Lunceford, due to the hurricane.

Leo Morgan, former assistant producer at the Metropolitan, now at Strand, Brooklyn.

Hjalmar, Herman, scenic designer, another Met alumnus, is with Harry Goursain at the Strand, New York.

Major Pat Healey, state censor, will be installed commander of A. Vernon MacAuley Post (Theatrical Post of the American Legion) at the city's annual dinner-hoof Oct. 25 in Copley-Plaza Hotel.

MPTOAConsensh

(Continued from page 3)

schedule of the national MPTOAC convention to be held in Oklahoma City. Added day will make the final dates set Oct. 20 through Nov. 2. The extra day was added because of the request of members for more time in which to complete the program outlined for the convention.

No definite information is available as yet as to the status of the 'movie ball' planned for the night of either Nov. 1 or 2. The Municipal Auditorium is tied up for both nights and the ball will probably be switched to the new Skirvin tower Silver Glade room or the National Guard armory. According to Loewenstein, it is hoped that stars, participating in the ball, can also be on hand at the dedication of the Will Rogers Memorial at Claremore two days later, on Nov. 4.

Booth rentals are being received by Loewenstein at the rate of several a day with RCA, American Seat Co., Napco, and R. C. and International Sea Co., leading the list for choice spots. Stalls are \$100 each for an eight feet by eight feet space. The Biltmore hotel has agreed that no rooms above the first floor can be rented for display purposes during the convention.

Neb.-Ia. for 10-Point Plan

Omaha, Sept. 27.

MPTO of Nebraska and Western Iowa, meeting here at their annual convocation, decided to support 'anti-blocking bill' rather than continue to operate under 'the present situation.'

President Charles E. Williams of Omaha, who starts his 20th term as president of the group, will continue this stand because nothing has been done and no response has been made to exhibit requests under the MPTO 10-point program. Exhibits decided legislation to regulate 'the situation' is better than no regulation at all. Williams said group would like to see a return of conciliation boards, arbitration boards or some similar group which would iron out difficulties between distributors and exhibitors.

Delegates attended an industry golf tournament and festival, sponsored by the Omaha Variety Club, and voiced praise for the Greater Movie Season campaign.

Other officers re-elected include Dale R. Goldie, Cherokee, Ia.; H. F. Kennedy, Broken Bow, Neb.; and R. E. Falkenberg, Lexington, Neb.

London

Gilda Gray in town.

Paul Stein now a British citizen.

Molly Picon at the Trocadero cabaret Oct. 24.

Cinda Glenn, in Venice, due back in a couple of weeks.

Charlie Tucker's mother-in-law, 69, died from pneumonia complications.

Barr and Estas to go into 'Switzerland' show in Africa for Tom Arnold.

Lowe, Hite and Stanley in Tom Arnold ice show for six weeks with options.

Cliff Whitley reported ready to finance the new Bill Tilden play for London.

Bert Aza threatens to retire from all his show business activities at the end of this year.

'The Reno Wide Open' is the name of a picture theatre in Newcastle-on-Tyne, England.

George Western, half of George and Keith Western, on crutches as result of sprained ankle.

Jack Agnew, son of assistant manager William Agnew, of Coliseum, in fatal motorcycle crash.

Diamond Brown held over a third week at Palladium, first time for any importation this season.

Gene Sheldon applying for flying license. Has as 10 hours in America, but may have to take test here.

Emile Boreo due to be in the next Clifford C. Fischer International Circus N. Y. show, scheduled for next March.

'Come Back to Erin,' first colored Irish film, just finished by British Noddy Films, will be shown in early October.

Arnold, Peggy and Ready out of 'St. Morris' touring ice show due to Peggy's stomach suddenly developing appendicitis.

Tom Mix may play, the Coliseum with the Duncan Sisters in special private setting, with the Duncans warbling hilibillies.

Bertie Meyer, former theatrical producer, married Mrs. Helen Sut-Vane, former wife of the 'Outward-Bound' author, Sept. 15.

First report and accounts of Odeon Theatre, Leeds, issued for several trading after deducting all charges, etc., shows a profit of \$1,840,890.

Wembley Dog Racing track, using a panatopie, which plays during the races, has appointed a music director, whose job it is to select suitable records.

Cardini cabled Eddie Deuseberg, head of Scala, Berlin, suggesting cancellation of his two-month engagement at the theatre on account of war scare.

John Corfield, head of British National Film, to make arrangements for filming of 'Daughter of India' which he's making for Associa'i British Pictures Corp.

Arthur Shepherd, keep intact the combination of Sidney Howard, Arthur Riscoe and Vera Pearce, current stars, in his musical, 'Wild Oats,' for future musicals.

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Paris

By Hugo Speck

E. R. Conne back from Riviera.

Charles Trenet back from tour.

A. C. Blumenthal here for look.

Ernest Hemingway in from America.

RKO's European convention closing.

The Joker, Montparnasse nitery, reopening.

ABC open again, with Charpinis toting bill.

June Lang and mother in from London for few days.

Allegret making 'The Thief of Bagdad' for Korda.

Joe Alex forming Negro troupe to present plays in Paris.

Restaurateur des Ambassadeurs re-opening set for Oct. 4.

Henry Bernstein sent Italian decorations back to Il Duce.

'Crime School' (WB) and 'My Bill' (WB) opening at the Folies.

Johnny Payne at 'Le Ruban Bleu' in Johnnery appearance.

Charles Rigaud set to star in 'Accorde' and 'Les Possibles de Nagy.'

'Snow White' RKO closing exclusive run at Marignan after 20 weeks.

'Adventures of Marco Polo' (UA) has double opening, at Olympia and Le Biarritz.

Lydia Sue spotted as dancer in

Danielle Darrieux's 'Katia,' now being completed.

Phil Reisman denying communism has hold in Hollywood, same time praising French politics.

Jean Renoir starting studio interiors of 'La Bete Humaine,' starring Jean Gabin and Simone Simon.

Madame Van Raalte here from Holland to attend opening of her 'L'Age Dangereux' at Theatre Daunou.

New Haven

By Harold M. Bone

Late S. Z. Poli's home recently burgled.

Lincoln reopens (27) with foreign film policy.

Dan Cummings, of Paramount, lost his father recently.

Hurricane laid Saving Rock amusement park low.

Michael Cascoli is building a new picture exhibitory in Hlingtown.

Loew three-day vaude hanging on get-together with musicians' union.

John O'Connell elected delegate to International Alliance of Theatrical Stage Employees' convention.

Bert Doff has sailed to marry Ben M. Cohen, ex-Loew house manager here, now located in Calcutta.

Shubert theatre lifts season opening curtain tomorrow (Thursday) night with a 'Tobacco Road' company.

U. S. Urges

(Continued from page 3)

has almost nothing to say to outsiders, the Justice Department people are rapidly becoming exasperated with the slow motion of the failure of the majors to accept the offer to talk about a stipulation preserving the status quo in theatre ownership has goaded the prosecutors. And the majors' muttering about the economic and financial reasons why the industry cannot yield to the New Deal demands—which has not been overlooked although not officially recognized—has not softened the Feds.

The D. J. negotiators go into the huddle with a material advantage. Months of investigation have armed them with sufficient evidence to start criminal machinery rolling in almost any principal city. With the information at hand, the prosecutors could pick the jurisdiction where they feel the Government's chance of victory would be best, and ask for an indictment. No one who has grapevine connections with the D. J. doubts a prima facie case could be made out and the grand jury would perform as desired.

Jackson, a Threat

Real reason why the industry should try diligently to trade with the Government is the character of Robert Jackson, now solicitor general and the individual who had the most to do with bringing the film investigation to a head. As a veteran criminal lawyer, he is the sort who might be expected to urge Attorney General Cummings to take the case into criminal court and cease trying to settle the civil action without a trial. His influence in New Deal quarters is admittedly great, and as former chief of the anti-trust division he is thoroughly familiar with the film situation.

The Government is counting heavily on reported dissension in the ranks of the majors. Supposed differences of opinion between company executives cause the D. J. to hope that a veiled ultimatum will crush any righteous belligerence on the part of the industry conferees.

Even though most of the Government demands would impose material hardship, opportunity is seen for a trade. While neither Paramount nor Warner Bros. is expected to acquiesce in the idea of giving up their theatre holdings, it is whispered 20th Century-Fox could be induced to go along on this point. Possibility that Loew's might accept a counter-proposal under which it would divest itself of exhibition interests, or split with Metro, encourages the government, since it is reliably reported here that the Metro people would like to get out of the exhibition branch.

Whether the Government would be willing to drop some of the suits, in the event one or two of the companies are disposed to sign a stipulation, is conjectural. In the past, the D. J. has been quick to leap at the opportunity to reach agreements with individual defendants, but in this instance the strength of the Federal case may depend to an unusually large extent upon the allegations of conspiracy and the charges of concerted action by all of the eight concerns named in the bill of complaint.

Hollywood

Gloria Dickson to Mexico.

Donald Crisp on yacht cruise.

Irving Crump in from the east.

May Robson out of the hospital.

Matty Fox back from New York.

Corey Ford returned from Alaska.

Jack Carson flew in from Milwaukee.

Carl Lessorman in from Manhattan.

Joe Bren to hospital for observation.

Dolores del Rio in from Mexico City.

Roy Del Ruth back from Cleveland.

Louis B. Mayer back from Louisville.

James R. Grainger in from New York.

Harold Hurley sold his racing stable.

Dick Postell back from yacht cruise.

Tex Ritter in Nevada buying horses.

Chicago's Mayor Kelly gandering studios.

Winifred Powell home from the hospital.

Nichols Turner to hospital for observation.

Spencer Tracy trained in from Broadway.

Sabu taking is first gander at Hollywood.

Kea Allen leaves for Guatemala next week.

Spyros Skouras in from New York for confabs.

Rita Stevens recovering from appendectomy.

Winfield Sheehan dinner host to Pete Harrison.

Carl Lessorman in from N. Y. for studio confabs.

Jeanette MacDonald to hospital for minor operation.

Carl Schaefer and bride back from honeymoon.

Dick Spang here from Harrisburg, Pa. for interviews.

Glady's Swarthout and husband, Frank Chapman, back.

Clark Gable and Robert Young planning Alaska hunt.

Shirley Ross and Ken Delan back from their honeymoon.

Loew Lenders elected prexy of RKO studio camera club.

Bert Gordon severed connections with his Mad Russian cafe.

Joe E. Brown got trophy as captain of Comedians baseball team.

Charles Skouras and W. H. Lollor on inspection tour of Rockies.

Bob Burns handed \$48,000 watermelon by Arkansas Legionnaires.

Walt Di rey threw a birthday party for Mickey Mouse, 10 years old yesterday (Tuesday).

Monte and Helene Samuels back to New Orleans after three-month vacation in Honolulu and Hollywood.

Sam Goldwyn pulled a colossal surprise on 200 scribes at a tea party in honor of Joshua Heifetz. He served tea (Ceylon).

Philadelphia

By Herb Golden

Tommy LaBrun recuiping from an infected eye.

Irving Phillips' new daughter has been tagged Zelda Elaine.

Mrs. A. Mitchell Palmer back at her desk at the Censor Board after ailing.

Sam Bushman and Milt Shapiro have added the 21 Club to their p.a.ing list.

Eugene Ormandy arrives in town this week to start Philadelphia Symphony season.

Gail-Gail closed at the Fox on Thursday (22) and opened at the Arcadia International Monday (26).

Heavy downpour kept members of the Showman's Club home last week so that another meeting will have to be held to lay fall plans.

Larry Mackey combining duties as manager of the Arcadia with press-agenting Charles Stearns's Cinema Art theatre, the ex-Poplar.

Minneapolis

By Les Rees

Clark Gable stopped off briefly en route to hunting trip.

Joe Behan, Warner Bros.' booker, in hospital as result of fall.

Peck Comersall, Universal district manager, negotiating with Paramount on circuit deal.

Dorothy Johnson, formerly of Warner Bros., here from Los Angeles with her husband for visit.

President W. A. Steffen, of Northwest Allied, lost entire turkey flock at country estate due to disease ravages.

Leo Blumberg, film salesman, on leave from Warner Bros., returning to the California desert for his health.

More than \$1,000 in Twin City Variety Club bid for second and final golf tournament of season at Oak Ridge club.

Big delegation of Canadian film men attend Northwest theatre owners' dinner for Eddie Gold-son, Monogram vice-president, here Oct. 14.

OBITUARIES

ROBERT L. MADIGAN

Robert L. Madigan, 44, former Cleveland theatre manager and exchange executive, died Sept. 23 at his home in Lisbon, O., and was buried in Cleveland.

During his career in the latter town he ran the Standard theatre for twelve years, was booker for Universal film exchange, and also operated the Lisbon theatre. Survived by father, one sister and two brothers.

GUSTAV SCHWAB

Gustav Schwab, for the past quarter century connected with the distribution end of the film business, chiefly in Berlin and Paris, but more recently in New York, died in this city last week.

An Alsatian by birth and a citizen of France, he engaged in the business of film exportation, coming to this country about three years ago to deal in French and other continental films, and it was his import, "En Saga" which opened the Continental theatre last fall. He contributed importantly to the recent promotion of French productions in America and also had excellent South American connections.

Survived by his widow and two daughters, resident in New York and a son, now doing service with the French army.

KATE CORBALEY

Mrs. Kate Corbaley, 60, Metro story editor and veteran screen writer, died Sept. 23, in Hollywood. One of the old timers of the picture industry, she began writing for the Triangle Film Co. after her husband's death. In the silent days she did 23 stories for William Farnum, Sidney Drew, Harry Carey, Florence Vidor and others. Mrs. Corbaley worked at various times for the Palmer Photoplay Co., Thomas H. Ince and Hunt Stromberg.

Joining Metro in 1926, she was later appointed story editor by Irving Thalberg and held it until her death. Surviving are four daughters.

LYNDE DENIG

Lynde Denig, one of the veterans of the film industry, died Sept. 24 in Pearl River. He had been in ill health for some years, but death came suddenly.

Denig had been publicity man for the old Goldwyn Pictures and later went to First National in a similar capacity, but he was best known as a trade paper writer, having been editor of *Wid's Daily* and the *Dramatic Mirror*. He wrote extensively for the magazines on amusement topics.

He is survived by his widow. Interment in New Haven.

CHARLES RICHARD SAGER

Charles Richard Sager, 53, who once was advertising agent for the old Grand Opera house in Youngstown, O., and has been a stage hand ever since, died at his home in Youngstown Sept. 15 from a heart ailment.

He was a carpenter at the Park theatre in Youngstown, later a stage hand at the Hippodrome until it was abandoned and has been a stage hand at the State since it opened. He was financial secretary of the stage hands union in Youngstown. His wife survives.

LADISLAV PAPEZ

Ladislav Papez, 54, former French Opera musician, violinist and band leader, died in New Orleans Sept. 21. Papez went to New Orleans in 1912 from what is now Czechoslovakia and joined the French Opera as violinist. He served in that capacity until the World War forced its suspension in 1914. After that he had his own band and worked in various New Orleans theatres. A sister survives.

CLIFFORD V. GODDARD

Clifford V. Goddard, 71, once manager of the Goddard opera house and roller rink, died Sept. 17 at his home in Alliance, O., after a several weeks illness.

For many years he had been identified with early theatrical enterprises there. His widow, four sons, and two daughters survive.

PAUL M. BURKE

Paul M. Burke, 40, a native of Pittsburgh, Pa., former manager of WFCB, one of the early radio stations in Akron, O., died in that city Sept. 16 in People's hospital from injuries received in a fall a week ago.

House Reviews

JUBILESTA, K. C.

(Continued from page 53)

More recently he had been engaged in exploitation work. Services and burial in Akron.

VICTOR O. PETERS

Victor O. Peters, 47, building superintendent for the Metropolitan Edison Company, Reading, at its Lebanon, Pa., plant, died several days ago.

He was a vaudeville acrobat for many years, touring the country in an act called the Four Victors. He leaves a widow.

EDGAR J. FELLERS

Edgar J. Fellers, 75, proprietor of one of the first five cent motion picture shows in Fremont, O., died in that city Sept. 19, from injuries received when he was struck by a motorcycle several weeks ago.

A son and daughter survive. Services and burial locally.

OTTO RIO

Otto Rio Dohmen, 64, known in theatres as Otto Rio, died Sept. 24 at his home in Jamaica, L. I. Death came as the result of lobar pneumonia.

Since his retirement, in 1928, he had been a real estate broker. Survived by widow, one son, and a daughter.

ORVILLE BROWN

Orville Brown, 93, one time actor and stage manager, died Sept. 24 in Pasadena.

For years he tramped with the Savoy Players, dramatic company operated by his son, Gilmore Brown, the Pasadena Community Playhouse director.

MATTHEW D. CHRISTIE

Matthew D. Christie, 78, at one time manager of an opera house at Fairmont, W. Va., died Sunday morning.

For years he had divided his time between Brooklyn, N. Y., Richmond, Va., Fairmont, W. Va., and Palmer Lake, Col.

PATRICK J. MARTIN

Patrick J. Martin, 69, in show business for 40 years, died Sept. 20 at home in South Norwalk, Conn. Martin had managed Hoyt's theatre, now Rialto, in South Norwalk, and Taylor Opera House and Capitol in Danbury, Conn. Son and three daughters survive.

HARRY GARSON

Harry Garson, 56, who directed and managed Clara Kimball Young in silent pictures, died Sept. 21 in Los Angeles.

He also directed and produced other films, but has been inactive of late. He leaves a son.

CHARLES H. HICKMAN

Charles H. Hickman, 62, former film director, died Sept. 19, in the National Military Hospital at Sawtelle, Calif.

He retired in 1932 after 24 years in the picture business.

CHARLES W. MONTGOMERY

Charles Washington Montgomery, 48, former stage manager, Colonial theatre, Norfolk, died there Sept. 22. He was veteran of World War.

CLAUDE BURLANDO

Claude Burlando, 20, film extra, died Sept. 25 from traffic injuries in Hollywood.

Mrs. Ray Cohen Kessler, 75, widow of David Kessler, Yiddish actor, died Sept. 20 in New York. She had been ill only two days with a heart ailment.

Seek Aussie Tax Lift

West Australian showmen now are seeking to have the government reduce the high amusement tax.

This now amounts to about 4c on every 25c admission, some exhibitors regarding the tax as being the same as a 16 2/3% sales tax as compared with current sales tax in commercial field of only 3 1/2%.

BIRTHS

Mr. and Mrs. Larry Nixon in New York, Sept. 24, daughter. Father is p.a. for WNEP.

Mr. and Mrs. John Woodcock, daughter, Sept. 25, in Los Angeles. Father is sound cutter at Paramount.

decided edge with the masterly band leader aided by a varied supporting bill. Wisely dependent, too, upon his company. Vallee inserted his own numbers at well-spaced intervals. Of the company, Vic Hyde, the one-man swing band, playing several trumpets simultaneously and imitating the leading band masters; Mike and Mack, with their dances and mimicking; and Edna Strong's tapping set the pace.

While the Jubilesta was held in the main arena, a Variety Parade was also in progress three days. The downstairs Exhibition Hall and Tiny Town show performed continuously in the Little theatre. These were separate shows, with separate gates. Tiny Town 25c and 10c; proving the better draw.

The Variety Parade, classed as a vaude show in its own right, included only one bill for the entire nine days, 25c for matinee and 10c for night. The bill was a disappearing water ballet; the Swan-son Bros. with Marjorie Scates and Earla Ward, log rollers; Nelson's boxing acts, Ross, Pierre and the Hud-son Wonders.

TOWER, K. C.

Kansas City, Sept. 24. Johnny Perkins, Russ, King & Tony, Horton, Spur, Frank Evers & Dolores, Marian Bellet & English Bros., House Line, Judy Conrad house orch; 'Hold That Co-Ed' (20th).

A striking contrast is this week's Tower bill compared to last week's jitter show. It's standard variety, with Johnny Perkins, m.c. Acts upped to five, while the hole prices are held at 55c top, admission price when there are names here.

Perkins, making a sudden return, performed only two weeks ago here in a similar capacity. He exchanges banter with Ruth Petty, as an m.c. He's okay, but his drawing power is weakened by his recent appearance.

Miss Petty, singing pop tunes, gets major applause. She perhaps shades the remainder of the bill in her next-to-close spot. Opening is taken by the House Line, which returns after a week's absence. The Benny Goodman show last week. Following are Frank Evers and Dolores, featuring dancing on the tight wire, but not number by Dolores is outstanding.

Second act is Ming and Toy, Chinese act, with their ukeing, tapping, singing and juggling. They're no newswomen, but they're the variety brisley. Horton, Spur, single, features a style of pogo-stick dancing, which outdoes his slow-motion golfer. Miss Petty then torches and Mike's gellet and English Bros. wind up with a slapstick acrobatics.

Quin.

FOLLY, BROOKLYN

Oriental Trio, Ted Lester, Fift D'Orsay, Larry Wile, Ross & Edwards, Eight Jitterbugs, Ted Eddy house orch (10); 'International Sp' (Rep).

Folly has had flesh for several seasons but this is one of the few times that it really has a show. Bigger band, better acts, interesting and generally more spending for acts provides the contrast. This show marks the second in the season's split-week policy. First half of last week had an all-colored show.

Bill is not big-time by any means. There is, however, enough strength to attract middle-class patrons to whom house caters. Films are still lightweight, consequently leaving much of load on stage fare.

Bill Miller, booker, inaugurated new policy of 10 tuxedoed bandmen and elevated them from pit to stage. Formerly a hat and coat, the meddles held forth and accompanied the anemic show. Current lineup has moderate name value.

Bill Miller, who maestroed at the old N. Y. Coliseum for 10 years, opens activities with a windy intro of himself and crew, during which members do vocal and instrumental solos. He's gellet and English Bros. build himself up and get acquainted. Larry Wile, m.c., uses every stock Broadway curb gag and bit of biz between the acts. Some of it is funny and some of it is not. Last in vaude with team of Worth, Wile and Howe, m.c.'ing is seemingly new to him, and while able, he's inclined to go overboard. Orchestra, in later spot, gets itself across and should improve. Band members' vocals, however, are n.s.g. Lighting likewise needed improvement, spotter keeping whole stage lit up at all times and not spotting individuality.

Wile gets off his first routine preceding ice breaker, Oriental Trio (New Acts), last, barrel balancing by Chinese male duo with gal only

News From the Dailies

This department contains rewritten theatrical news items as published during the week in the daily papers of New York, Chicago, San Francisco, Hollywood and London. VARIETY takes no credit for these news items; each has been rewritten from a daily paper.

East

Carlyle Bennett, radio singer and actor, and Wesley Boynton, actor, were fined \$500 and given a six months' suspended sentence in Town Court at Westbury, Conn., Sept. 20. Pair were charged with breaking into a summer home, and removing \$3,000 worth of furnishings.

RKO-Proctor 58th street celebrated its 10th anniversary last week. Refers only to the new theatre, which replaced the old structure built in 1925. Musical enthusiasts in Union, N. J., gathered Wednesday at Union High School to hear Amri Gall-Camp, new Met. On chirper. Present told them were directed by Curtis Institute of Music in Philadelphia, Monday (28).

Edward Johnson, N. Y. Met. Opera g. m., returned from a European tour to announce a salary for the forthcoming opera season.

Long Island parks suffered damage to the extent of \$500,000, it was estimated by Park Commissioner Moses.

Income tax paid for separate maintenance in L.A.

Norman Hall, film and action writer, was sued for separate maintenance in L.A.

Bing Crosby and Albert Johnson, his horse trainer, were sued in L.A. for \$28,441 by Mrs. Carmen Schoutz, injured in collision with a car driven by Johnson. The claims he was on business for Crosby.

Mildred Ann Deussen, film dancer, filed suit for divorce from Ray Deussen, L.A. theatre manager.

Income tax paid for separate maintenance in L.A. against B. P. Schulberg, for \$7,417; Zoe Akins, \$26,893; Stepin Fetchak, \$3,615; Henry Lehman, \$283; Helen Mack, \$444, and Benny Rubi, \$251.

Glenn Morris, film player and former Olympic champion, told L. A. court he was broke and could not pay Charles Moritz, the \$700 monthly temporary alimony she demanded. Court upheld his plea.

Bill Robinson, Negro tap dancer and film player, arrested on a charge of assault with a deadly weapon, was released on his own recognizance pending action by the grand jury. Paul Moffet, college football player, claimed Robinson struck him on the head with a pistol in a traffic argument. Robinson claimed self-defense.

Quin.

Howard, Fine and Howard have notified Paul Garner, Sam Wolf and Percy Williams home for calls. Most require advance bookings in order to properly cater.

Frank Novak plans to use 13 oodins when his band comes to the Biltmore. Not a plug for the Yam in 'Carefree'.

George Abbott host to 24 guests of the Percy Williams home for a matinee of 'What a Life' last Saturday. Reception on the stage afterward.

'Knickerbocker Holiday' company moved into Hartford to Broadway truck after giving a performance for background and manual assistance. Do their share to speed sendoff but unfortunately are followed by Wile, who goes into a telephone monolog. He gets laughs in spots especially when doing takeoff on Red Skelton's famous doughtnut-eating routine.

Smooth Ted Lester (New Acts), in second rung, is new in theatres, having confined novelty musical act mostly to nightclubs, but he should go a long way in houses. Act goes over well here.

Fift D'Orsay, in third stanza, tickles the males with her naughtiness. This also might have been cut a little, in what is otherwise a deftly-paced show, but, nevertheless, she peeps the show with her songs and spirit.

Standards Ross and Edwards hold up the fourth spot as nature for this patronage. Their 'Honeycomb Is Over' novelty song is right in the groove. Nothing offensive in their material but plenty that goes straight home to sophisticated ears. Finale, with their customary limey word-play, requires encores.

Nick Kenny, Peggy Taylor, Paul Robinson's harmonica gang and Rodney and Gould on the second half.

Hurl.

Going Army

Kansas City, Sept. 27. Something different in the way of lectures is being tried out here this fall with a Hollywood series to be presented in the Mundy Auditorium Music Hall under George Goldman.

Sylvia, dietician, opens the lectures Oct. 19, with Buddy Westmore, Par makeups expert, Nov. 14, and Travis Banton, designer for Par and Selznick, to close the series Nov. 30.

Coast

Patrick Carlyle, screen director, was sued for divorce in L.A.

John Richards and Marty Faust, bit players at Universal, were injured in a storm sequence during the filming of 'The Storm'. Richards suffered a broken leg and Faust a dislocated shoulder.

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War Scare Palaver

(Continued from page 1)

no decision as to what action to take for a shutdown, in event of hostilities.

Around 80% of the people engaged in picture-making in London are said to be in the British Army or Naval Reserve, and would be subject to call. In that event only propaganda pictures would be turned out.

Alexander Korda has kept in touch with London by transatlantic phone and is preparing to leave this week to return home. Likely that he would transfer his production base to Hollywood to meet his United Artists commitment, in event of war.

Jack Warner is planning to go abroad after all, regardless of the gravity of the situation, and if Germany marches, WB would close down company operations almost entirely abroad and return here with American members of its staff.

About 200 Hollywood film workers now in London would return to America should sabre-rattling bring on conflict.

Newsreel staffs being troubled abroad to be ready should war break and keep neutral countries supplied with reels of military march and drawing of battle lines.

East Also Cross-Checking

The effect on picture company income is a general war breaks out in Europe was being studied carefully this week by film executives both from the long-range and current viewpoint.

Continued warfare conceivably would wash up production in countries participating, excepting for a few patriotic films. Not only would coin be lacking for producing, but studios would be depleted by employees in war service.

There is no comparison between today and 1914, when the world war broke out, because American product was just beginning to appear in the world market. Doubtful if U. S. companies obtained more than 12-15% of their total revenue from countries outside America during the world conflict. Italian and French pictures (silent) then were active in the world market.

U. S. companies did not have distribution setups in foreign countries then, but sold films outright to foreign distributors. Paramount, which pioneered in the foreign field, sent J. C. Graham to London to establish its first office outside America in 1919.

All newsreels in France have been forbidden to show any material on the Czech-German land dispute and subsequent war crisis because of the controversial nature of subject, according to word received in N. Y. by newsreels. "March of Time" release which contained Czechoslovakian situation, with its "Prelude to Conquest" subject, was banned the previous week. Paramount issue, which caught one speaker attacking the British government's stand in the present controversy, pulled out this controversial subject for showing in England.

Peculiar part of the ban in France, as far as U. S. reels are concerned, is that most of reels had to depend largely on library clips to make up the yarn on the Czech situation. Later releases may have more lively material, but newsreels have been disappointed over the material coming in from Europe on war crisis thus far. Newsreel editors claim they haven't been able to get more lively footage out of countries involved.

General European war would cripple foreign distributors in America, distributes in New York claim.

Continuation of present tension much longer also is likely to cripple plans for film production in Europe. Recent reports from Paris indicate that it is becoming more difficult daily to obtain sufficient funds with which to launch new production in France with the pinch on capital also being felt elsewhere on the Continent.

Set-up in France today is such that most backers have to wait 18 months before they get loans repaid on film production. And extremely few are willing to risk money over that period as conditions become more unsettled daily.

Fluctuation of rates of exchange in both England and France also is causing considerable uneasiness. In the past the French producers have had to secure financing from Great

Britain interests, but even they have largely quit advancing coin with the continued decline in the franc.

Acts Debate Return

Though act traffic to Europe is pretty tight anyway, acts are not very anxious to go abroad because of war scares. Those already in England are hesitant about routing to the Continent.

Fact that the U. S. Government has instructed all legations to evacuate Americans will stymie bookings anyway. Only established business men and those repping Uncle Sam remain. Sailings to Europe have dropped markedly during past two weeks.

Dick Henry of William Morris office, New York, states that there are about 150 American acts playing in England, and that while nearly all are a little afraid, they do not want to return home, being more sure of work there. Henry just returned from Europe where he was lining up possible dates for American acts next spring—he hopes.

War Scares British Show Biz

London, Sept. 27.

War scare has thrown a bombshell into all lines of industry with the show business seriously affected. Americans here are panicky and are besieging steamship offices for return accommodations but no transportation is available in American boats until the end of October. They can't get bookings in English boats until the middle of next month.

Several shows appear to be on the verge of closing and possibly announcing productions are postponing preparations, awaiting more definite conditions.

First year of the World War found show business in disastrous straits. Then it boomed.

All show people of military age have been notified to stand by the emergency. Film work has been suspended. Alexander Korda production, "Four Feathers," budgeted at \$1,000,000 and due for location work in Egypt involving 200 actors and full equipment, has been indefinitely postponed.

All motion picture companies have been notified to remove their film stock from Wardour Street to avoid possible confiscation in case of bombing. James Barton, due at Cafe de Paris Oct. 24 for a month, and doubling into Coliseum, cabled Mary Poulsen asking for postponement of engagement. Buster Shaver and midgets, George and Olive, Will and Gladys Ahearn, Gene Sheldon and Loretta Fischer, Dave and Dorothy Fitzgibbon and two French acts have cancelled two months work at the Scala, Berlin, where they were due to open Oct. 1.

Ed Forde and Whitey, and Cardini, constituting remainder of program now are in Germany, are trying to cancel.

Jack Waller's production, "Bobby Get Your Gun," scheduled for the Adelphi, Sept. 27, has been postponed to Oct. 7.

Vienna—B. H.

Minneapolis, Sept. 27.

Reflecting the increasing feeling against the German Fuehrer, news paper ad for "Charm of La Boheme" W. A. Steffes sure-seater World theatre have been carrying a line: "Made in Vienna—Before Hitler."

Mobilization in France

Paris, Sept. 27.

French picture production is being considerably slowed as a result of the mobilizations. "Three Waltzes," which Ludwig Berger was making, had to suspend entirely, as Pierre Fresnay, one of its stars, mobilized.

Similar effect on all branches of the theatre here.

First film based on current events is Edward Smil's "Maginot Line," by George Bruce, a World War vet, who knows the sector. It goes into immediate production.

Sells Circus Stuff

Milwaukee, Sept. 27.

Some of the equipment of the Sells-Sterling circus was sold at auction at Sheboygan.

CIRCUS ROUTES

Week of October 2

Barnes-Sells-Floie
Corinthian, Tex.; 2; Tyler, 3; Waco, 4; Austin, 5; San Antonio, 6-7; Corpus Christi.

COURT ORDER HOLDS H-W CIRCUS IN CAL.

Los Angeles, Sept. 27.

Temporary injunction to prevent the Hagenbeck-Wallace circus from leaving California was granted in Superior Court.

Suit was filed by the Baker-Lockwood Manufacturing Co., which holds a judgment against the show.

5 CARNIVALS SIGN WITH AFA

Chicago, Sept. 27.

After more than two years of negotiations with the carnivals to obtain rights for collective bargaining, the American Federation of Actors has finally cracked the field with its current campaign. Five top carnivals have signed with the AFA on an agreement for collective dickering for the performers. Carnivals which have monickered this agreement are Rubin & Cherry, Royal American, Johnny J. Jones, Farley & Little, Beckmann & Gerety. These agreements were negotiated by Paul Sander, newly appointed carnival contact for the AFA.

Hennies Bros. carnival is on the opposite side of the fence and has walked out on negotiations with the AFA. Following this walkout the AFA set immediate plans for the picketing of the Hennies trick down in Knoxville, Tenn. Handling the Knoxville assignment is Jack Mills, who has many years' experience in the outdoors field and knows all the twists and angles of the biz.

HURRICANE HAMPERS MINEOLA (N. Y.) FAIR

Minneapolis, N. Y., Sept. 27.

Attendance at the annual Mineola Fair Sept. 20-24 was hampered by rain and hurricane, but not seriously enough to restrain fair officials from announcing that results were sufficiently certain to hold the fair again next year, even though the present fair grounds have been sold to Nassau County.

Rain and wind such as Nassau hasn't known at any time previous in its history, handicapped attendance the last two days. Trouble with the electrical system jumbled things for three nights.

Friday, the fourth day of the fair, was one of the best in 12 years, with patrons who were held back earlier, by the storm, crowding the grounds. It was believed previously that this year's fair would be the last, due to dismemberment of the fair grounds by sale.

Officials of the fair announced, however, that nearby land has been acquired for next year's event. The Mineola event is close to a century old, and many Long Island families boast three generations that have attended it.

Winter Work for Malloy

Canton, O., Sept. 27.

J. R. Malloy Circus, which has been playing here through Pennsylvania the past summer, and now winding up some Ohio fairs, will winter here, according to word from manager Malloy. Secured suitable buildings here to house the equipment and stock for the winter season, Malloy said.

After playing the Delaware, O., fair the circus will return here late this month, says Malloy, who said he planned to book the unit at nearby towns during the winter, and may play a few theatre dates in the territory. He also is negotiating with a Pittsburgh department store for a six weeks' holiday engagement for his trained stock and several acts.

On Its Way Out

Rochester, N. Y., Sept. 27.

Another Hopperoo of the Rochester Exposition is trailed by rumors the city is becoming tired of angeling the show at a cost of some \$150,000 a year.

City provides the grounds and buildings free for the Rochester Exposition Association which makes no report on profit or loss figures.

Football

By Nat Kahn

Out on a greater limb this week, there are 27 outstanding games this Saturday and most of them are toss-ups. Washington, defeated last week by Minnesota, and potential Rose Bowlers this season, will be interesting to watch in its game with a strong Idaho team in Seattle, to ascertain whether it's snapped out of its first-game lethargy. Same holds true of Louisiana State in its contest with Texas.

Arizona-S. M. U.

Both are stronger this year, but S.M.U. looks to come through with a close one on its passing.

Arkansas-T. C. U.

T.C.U. looked impressive in turning back Centenary last week; so did Arkansas in its defeat of Oklahoma A. & M. But the former is the favorite this week on Davy O'Brien's serials.

Auburn-Tulane

This season's improved Green Wave

eran-team, unbeaten last year, but Penn., with a new coach and system, is tagged to upset the streak in a close, low-scoring game.

Louisiana State-Texas
Picked as one of the south's best teams this season, State's power should assert itself this week against Texas.

Marquette-Wisconsin

Wisconsin, picked as one of the most improved teams in the Big Ten this year, looks good enough to take Marquette.

Maryland-Penn State

Penn State is coming along and gets the vote in this one.

Michigan State-Michigan

Both are improved over last season, but State, more consistent of recent years, is the favorite.

Nebraska-Minnesota

This might very well be the upset of the day, as it was last year when

Probable Football Winners And Proper Odds

(October 1)

By NAT KAHN

GAMES	WINNERS	ODDS
Arizona-S. M. U.	S. M. U.	6/5
Arkansas-Texas Christian	T. C. U.	7/5
Auburn-Tulane	Tulane	Even
Baylor-Okl. A. & M.	Baylor	8/5
Brown-Harvard	Harvard	7/5
California-Washington State	California	9/5
Clemson-Tennessee	Tennessee	Even
Colgate-Cornell	Cornell	8/5
Colorado-Missouri	Missouri	8/5
Columbia-Yale	Columbia	5/6
Florida-Mississippi State	Florida	5/6
Idaho-Washington	Washington	6/5
Lafayette-Pennsylvania	Penn	Even
La. State-Texas	La. State	8/5
Marquette-Wisconsin	Wisconsin	9/5
Maryland-Penn State	Penn State	6/5
Michigan State-Michigan	Mich. State	Even
Nebraska-Minnesota	Minnesota	8/5
N. Carolina-N. Carolina State	North Carolina	7/5
Kansas State-Northwestern	Northwestern	7/5
Kansas-Notre Dame	Notre Dame	Even
Indiana-Ohio State	Ohio State	8/5
Oklahoma-Rice	Rice	8/5
U.C.L.A.-Oregon	Oregon	5/7
Oregon State-U. S. C.	U. S. C.	7/5
Pittsburgh-Temple	Pitt.	3/1
Santa Clara-Stanford	Santa Clara	Even

(Predictions Based on Fair Weather)

didn't show its full power last week in losing to Clemson. It should come through in this one.

Baylor-Oklahoma A. & M.
Baylor is strengthened over last year, particularly in the passing department, and should topple the Oklahomans by a couple of touchdowns.

Brown-Harvard
Both are untried so far this season, but while the Johnnies should miss their star of last season, Vernon Struck, they are set to hurdle the Bears with a couple of touchdowns to spare.

California-Washington State
California flashed plenty of power in that second half against St. Mary's last week for a close victory, and should come through likewise in this one.

Clemson-Tennessee
Clemson, with a veteran team, displayed surprising drive in upsetting Tulane 13-10 last Saturday. They're pointing for Tennessee, but the latter look a shade better.

Colgate-Cornell
This will test the big Red team that's been touted for eastern honors. However it's still Cornell by a couple of touchdowns.

Colorado-Missouri
Colorado has lost Whizzer White, and can only call up a lot of guys named Joe. It's Missouri.

Columbia-Yale
Yale has a strong line that will probably stop Columbia's running attack. But can it stop Sid Luckman's passing? Weakened, too, by depletion of backfield of last season, including All-American Clint Frank, the Elis will be on the short end of the score.

Florida-Mississippi State
Florida is climbing and should reverse last year's close defeat at the hands of State.

Idaho-Washington
Idaho has plenty of power, a tough nut for Washington's chastened team. But it might really show of what stuff those Huskies are made. It's going to be close, but a shade to Wash.

Lafayette-Pennsylvania
Lafayette comes up with a vet-

the Nebraskans topped the Gophers. A Nebraska soph team, however, doesn't look formidable enough against Bernie Bierman's tried footballers.

Oregon State-U. S. C.
The Tarheels are slated for the Southeast Conference title this season and should repeat last season's defeat of State.

Kansas State-Northwestern
Northwestern is picked as the Big Ten's dark horse, insiders admit Lynn Waldorf is due for a good season. Pick Northwestern.

Kansas-Notre Dame
The Kansans displayed plenty of power in toppling Texas, 19-18, last week and may do the trick also to an untied Irish team, that's considerably weaker in the forward wall this year. Elmer Layden gets the wreath, though.

Indiana-Ohio State
Indiana is a good test for the Buckeyes in their initial but the latter should emerge with several touchdowns to spare.

Oklahoma-Rice
This might very well be the best game in the country but with Ernie Lain pitching strikes and Ollie Cor-dill snaring them and slashing the tackles for Rice, the Southwest's outstanding team should garner the laurels.

U. C. L. A.-Oregon
On its performance of last week in defeating Iowa, U. C. L. A. should be favored. But Oregon didn't show itself to be any slouch in turning back Washington State. Oregon will sneak through.

No. Carolina-N. Carolina State
The Trojans should snap out of last week's doldrums, when it lost to Alabama, and slap down what is only a fair Oregon State eleven.

Pittsburgh-Temple

Santa Clara-Stanford
This should be a humdinger. Clara was unbeaten last year but it should be slightly weaker this season. Stanford's flashy backer might turn the trick but it isn't likely.



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